

CHAPTER 9.

[Senate Bill No. 5.]

AN ACT relating to state and local government; enacting a title of the Revised Code of Washington to be known as Title 29—Elections; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

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

TITLE 29 ELECTIONS

Chapter 29.01 DEFINITIONS

29.01.005 Scope of definitions. Words and phrases as defined in this chapter, wherever used in Title 29, shall have the meaning as in this chapter ascribed to them, unless where used the context thereof shall clearly indicate to the contrary or unless otherwise defined in the chapter of which they are a part.

29.01.010 “City clerk.” “City clerk” includes every officer, by whatever name designated, who performs the functions usually performed by a city or town clerk.

29.01.020 “City council.” “City council” includes the governing body of any city or town, by whatever name it may be designated.

29.01.030 “City precinct.” A “city precinct” is a voting precinct lying wholly or partly within a city or town.

29.01.040 “Constituency.” A “constituency” is a body of voters having the right to take part in the election of a specific public officer or group of public officers.

29.01.050 “Election.” “Election” when used alone means a general election except where the context indicates that a special election is meant. “Election” when used without qualification never means a primary election.

29.01.060 “Election officer.” “Election officer” includes any officer who has a duty to perform relating to elections under the provisions of any statute, charter, or ordinance.

29.01.070 "General election." "General election" means an election required to be held on a fixed date recurring at regular intervals.

29.01.080 "Infamous crime." An "infamous crime" is a crime punishable by death or imprisonment in the state penitentiary.

29.01.090 "Major political party." "Major political party" means:

(1) In a state-wide election, a political party of which at least one nominee received at least ten percent of the total vote cast at the last preceding state-wide general election;

(2) In an election by a constituency confined to a political subdivision of the state, a political party of which at least one nominee received at least ten percent of the total vote cast in that political subdivision at the last preceding general election by that constituency;

(3) In a city or town election, a political party of which at least one nominee received at least ten percent of the total vote cast in the last preceding general city or town election therein.

29.01.100 "Minor political party." "Minor political party" means a political organization other than a major political party.

29.01.110 "Measures." "Measure" includes any proposition or question submitted to the voters of any specific constituency.

29.01.120 "Precinct." "Precinct" means a geographical subdivision for voting purposes within or without the limits of a city or town, whether established by a board of county commissioners, by a city council, or by the board of supervisors of a township.

29.01.130 "Primary." "Primary" or "primary election" means a statutory procedure for nominating candidates to public office at the polls.

29.01.140 "Residence." "Residence" for the purpose of registering and voting means a person's permanent address where he physically resides and maintains his abode: *Provided*, That no person gains or loses his residence by reason of his presence or absence:

- (1) While employed in the service of the United States;
- (2) While engaged in the navigation of the waters of this state or the United States or the high seas;
- (3) While a student at any seminary of learning;
- (4) While kept in any almshouse or asylum; nor
- (5) While confined in any public prison except when serving out a sentence for an infamous crime.

Absence from the state on business shall not affect the question of residence of any person unless the right to vote has been claimed or exercised elsewhere.

29.01.150 "Rural precinct." "Rural precinct" means a voting precinct lying wholly outside the limits of a city or town.

29.01.160 "September primary." "September primary" means the primary election held in September to nominate candidates to be voted for at the ensuing election.

29.01.170 "Special election." "Special election" means any election that is not a general election.

Chapter 29.04

GENERAL PROVISIONS

29.04.010 Only registered voters may vote—Exception. Only a registered voter shall be permitted to vote:

(1) At any election held for the purpose of electing persons to public office;

(2) At any recall election of a public officer;

(3) At any election held for the submission of a measure to any voting constituency;

(4) At any primary election.

The provisions of this section shall not apply to township elections.

29.04.020 County auditor designated supervisor of certain elections. The county auditor of each county shall be ex officio the supervisor of all elections, general or special, and it shall be his duty to provide places for holding such elections; to appoint the precinct election officers; to provide for their compensation; to provide ballot boxes and ballots or voting machines, poll books and tally sheets, and deliver them to the precinct election officers at the polling places; to publish and post notices of calling such elections in the manner provided by law, and to apportion to each city, town, or district, its share of the expense of such elections: *Provided*, That this section shall not apply to general or special elections for any city, town, or district which is not subject to RCW 29.13.020 and 29.13.030, but all such elections shall be held and conducted at the time, in the manner, and by the officials (with such notice, requirements for filing for office, and certifications by local officers) as provided and required by the laws governing such elections.

29.04.030 Prevention and correction of election frauds and errors. Any judge of the supreme court or of the superior court in the proper county shall, by order, require any person charged with error, wrongful act or neglect to forthwith correct the error, desist from the wrongful act, or perform the duty and to do as the court

orders or to show cause forthwith why the error should not be corrected, the wrongful act desisted from, or the duty or order not performed, whenever it is made to appear to such judge by affidavit of an elector that:

(1) An error or omission has occurred or is about to occur in printing the name of any candidate on official ballots; or

(2) An error has been committed or is about to be committed in printing the ballots; or

(3) The name of any person has been or is about to be wrongfully placed upon the ballots; or

(4) A wrongful act has been performed or is about to be performed by any election officer; or

(5) Any neglect of duty on the part of an election officer has occurred or is about to occur.

29.04.040 Creating new precincts. No precinct shall contain more than three hundred voters. If at any election three hundred or more votes are cast at any voting place, the inspector shall report that fact to the city council, if it is a precinct lying within a first class city or to the board of county commissioners if it is any other precinct. Between the first Tuesday after the first Monday in November and December 31st of the same year, the city council of the first class city or the board of county commissioners, as the case may be, shall divide such precincts into two or more precincts with two hundred fifty voters or less in each precinct.

On petition of ten or more voters resident more than ten miles from any place of election, the board of county commissioners shall establish a separate voting precinct therefor.

The board of county commissioners 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.

29.04.050 Restrictions on precinct boundaries. Every voting precinct must be established so that it lies wholly within one senatorial or representative district and wholly within one county commissioner district.

29.04.055 Combining or dividing precincts—County, city, town, district, elections. At any primary, regular, or special county, city, town, or district election, the election authority of any such municipality or district may combine, unite, or divide precincts for the purpose of holding such election: *Provided*, That in the event such election shall be held upon the day of any state primary or state general election this section shall not apply.

29.04.060 Publication of election laws by secretary of state. In every year in which state and county officers are to be elected, the secretary of state shall cause the election laws of the state then in force to be published in pamphlet form and distributed through the county auditors at least twenty days prior to the primary next preceding the election in sufficient number to place a copy thereof in the hands of all officers of elections.

29.04.070 Secretary of state designated chief election officer. The secretary of state through his election division shall be the chief election officer for all federal, state, county, city, town, and district elections and it shall be his duty to keep records of such elections held in the state and to make such records available to the public upon request.

29.04.080 Secretary of state to make rules and regulations. The secretary of state shall make rules and regulations not inconsistent with the federal, state, county, city, town, and district election laws to facilitate the execution of their provisions in an orderly manner and to that end shall assist local election officers by devising uniform forms and procedures.

Chapter 29.07

REGISTRATION OF VOTERS

29.07.010 County auditor as registrar in rural precincts—Deputy registrars. The county auditor of each county shall be the registrar of voters for all rural precincts. He shall appoint a deputy registrar from time to time for each precinct or for any number of precincts and may appoint city or town clerks as deputy registrars to register voters residing in rural precincts that are adjacent to the city or town concerned. A deputy registrar must be a registered voter and shall hold office at the pleasure of the county auditor.

29.07.020 City clerk as registrar in city precincts. The city clerk shall be the registrar of voters in all city precincts. In the case of city precincts lying partly within and partly without the city or town limits, the voters within and those without the city or town limits shall be registered in separate registration files.

29.07.030 Expense of registration. The expense of registration in all rural precincts shall be paid by the county; in all precincts lying wholly within a city or town by the city or town. In precincts lying partly within and partly outside of a city or town, the expense of registration shall be apportioned between the county and city or town according to the number of voters registered in the precinct

living within the city or town and the number living outside of it.

29.07.040 Fees and compensation of registration officers. Each deputy registrar of a rural precinct or precincts, including city or town clerks so deputized, shall be entitled to receive a fee of not less than twenty cents, the exact fee to be set by the board of county commissioners, for each elector registered: *Provided*, That no employee of the county receiving a salary shall be entitled to such fees.

The compensation of registrars of city precincts shall be provided by the governing body thereof: *Provided*, That each deputy registrar shall be entitled to receive a fee of not less than twenty cents for each elector registered.

The fees and expenses of registrars of city precincts for delivering the registration files to the polling places or to the county auditor, as the case may be, shall be fixed and paid as election expenses by the board of county commissioners, but mileage in no case shall exceed ten cents per mile for each mile necessarily traveled.

29.07.050 Oaths administered to registration officers. Registrars and deputy registrars of voters, and such clerks in his office as a registrar of voters may deputize to take registrations, shall take and subscribe to the following oath or affirmation before taking any registrations: "I, A.B., do swear (or affirm) that I will truly, faithfully and impartially perform my duties as registration officer, to the best of my judgment and abilities, and that I will register no person except upon his personal application before me." This oath shall be administered and certified to by an officer legally authorized to administer oaths, and shall be filed with the registrar.

29.07.060 Oaths administered to voters. A registration officer shall administer to each person applying for registration in person the following oath: "You do solemnly swear (or affirm) that you will fully and truly answer such questions as may be asked you concerning your qualifications as a voter under the laws of this state."

A registrar and all persons authorized by him to take registrations after they themselves have taken and subscribed to the oath prescribed for them may administer such oaths and certify to the oath on such affidavits as are required in the procedure of registration of voters.

29.07.070 Examination of voter as to qualifications. Having administered the oath, the registration officer shall interrogate the applicant for registration, concerning his qualifications as a voter

of the state, and of the county, city, town, and precinct in which he applies for registration, requiring him to state:

- (1) His full name;
- (2) Whether he will be twenty-one years of age on the day of the next election;
- (3) Place of birth;
- (4) Place of residence, street and number, if any, or post office or rural mail route address;
- (5) Occupation;
- (6) Citizenship;
- (7) If a citizen of the United States, whether native born or naturalized;
- (8) If naturalized, whether in his own right or by virtue of his father's naturalization;
- (9) In the case of a woman, not native born, whether naturalized in her own right or by virtue of her father's naturalization or by virtue of her marriage to a citizen of the United States;
- (10) The place and date of the naturalization relied upon and the name of the court in which it took place;
- (11) Whether the applicant having been a native born or naturalized citizen of the United States has ever renounced his allegiance to the United States, and if so, whether he has since been naturalized as a citizen of the United States;
- (12) In case the applicant is of foreign birth and is not a naturalized citizen of the United States, whether he was a legal voter of the Territory of Washington prior to November 11, 1889;
- (13) Whether the applicant was a legal voter of the state of Washington on November 3, 1896, or is able to read and speak the English language so as to comprehend the meaning of ordinary English prose, and in case the registration officer is not satisfied in that regard, he may require the applicant to read aloud and explain the meaning of some ordinary English prose;
- (14) Whether the applicant has lost his civil rights by reason of being convicted of an infamous crime, and if so, whether such rights have been restored in the manner provided by law;
- (15) Whether the applicant has resided in the state not less than eleven months;
- (16) Length of residence in the county in which registration is applied for, not less than sixty days;
- (17) Length of residence in the precinct in which registration is applied for;
- (18) Whether the applicant is a taxpayer of the state;
- (19) The place and address of the last former registration of the applicant as a voter in the state.

Answers to all questions shall be inserted on the duplicate registration card.

29.07.080 Entries to be made on registration cards—Oath. If it appears to the satisfaction of the registration officer that the applicant is a qualified elector of a precinct within his jurisdiction, the registration officer shall register the applicant by entering on an original and duplicate registration card, under the proper headings:

- (1) The surname of the applicant, followed by his given name, or names, if any;
- (2) Sex;
- (3) Whether he will be twenty-one years of age on the day of the next election;
- (4) Occupation;
- (5) Whether a native born or naturalized citizen of the United States, or a voter of the Territory of Washington;
- (6) Whether able to read and speak the English language, or a voter of this state prior to November 3, 1896;
- (7) Whether a taxpayer of the state of Washington;
- (8) The name of the county, of the city or town, and name and number of the precinct in which registered;
- (9) The post office address, or street and number address, if any, of the applicant.

He shall then require the applicant to sign an oath on the original and duplicate registration cards, in the following form: "I, the undersigned, do solemnly swear (or affirm) that the foregoing facts touching my qualifications as a voter, entered in my presence by the registration officer, are true"; and the registration officer shall sign and date each of such cards in verification of the fact that the same were signed and sworn to before him in the following form: "Subscribed and sworn to before me this day of, 19....., Registration Officer."

Otherwise the registration officer shall refuse to register the applicant.

29.07.090 Third cards—Execution on personal application. At the time of registering any voter, each registration officer shall require him to sign his name upon a third card upon which the registrar has entered his surname followed by his given name or names and the name of the county and city or town, with post office and street address, and the name or number of the precinct, in which the voter is registered.

29.07.095 Registration of person temporarily residing outside county of residence. Any person temporarily residing outside of the

county of his permanent residence, but within the state of Washington, may register with the registrar or deputy registrar of the place where he is temporarily residing in the usual manner as required in this chapter: *Provided*, That such registration in the county other than that of the permanent residence of the applicant may only be made within the period one hundred and twenty days prior to any state general election, subject to limitations as to closing of registration books and other limitations as provided by law. The registrar or deputy registrar administering the oath and receiving the application and registration cards as provided in RCW 29.07.060 through 29.07.090 shall transmit the same to the proper registrar or deputy registrar where the applicant permanently resides for processing in the same manner as though the applicant had personally applied directly to the registration officer of his residence.

Notwithstanding the provisions of RCW 29.07.160 the registration application shall be received and acted upon immediately by the registrar of the place of permanent residence of the applicant if the application was received and oath administered by the registration officer at the place of temporary residence not less than thirty days preceding the next election.

29.07.100 Time and places for registration—Cities and towns. Registration officers in incorporated cities and towns shall keep their respective offices open for registration of voters during the days and hours when the same are open for the transaction of public business: *Provided*, That in cities of the first class, the registrar of voters shall establish on a permanent basis at least one registration office in each legislative district that lies wholly or partially within the city limits by appointing persons as deputy registrars who may register any eligible elector of such city.

Each such deputy registrar shall hold office at the pleasure of the registrar of voters and shall maintain a fixed place, conveniently located, for the registration of voters but nothing in this section shall preclude door-to-door registration including registration from a portable office as in a trailer.

29.07.105 Time and places for registration—Additional temporary facilities in first, second, third class cities. In all cities of the first, second and third class, the governing body shall by ordinance provide for additional temporary registration facilities during the fifteen day period, excepting Sundays, prior to the last day to register in order to be eligible to vote at a state primary election and during the fifteen day period, excepting Sundays, prior to the last day to register in order to be eligible to vote at a state general election by stationing deputy registrars at stores, public buildings

or other temporary locations. The number of such temporary registration places to be so established and the hours to be maintained shall be, in the judgment of the governing body of the city concerned, adequate to afford ample opportunity for all qualified electors to register for voting, but in no event shall there be less than two such temporary registration places so established. Nothing in this section shall preclude door-to-door registration including registration from a portable office as in a trailer.

29.07.110 Time and places for registration—Rural precincts. Every deputy registrar of rural precincts shall keep registration records and supplies at his usual place of residence or usual place of business at reasonable hours and at the end of each week mail to the county auditor the cards of those who have registered during the week: *Provided*, That with the written consent of the county auditor a deputy registrar of rural precincts may designate some centrally located place for registration in lieu of the usual place where registration cards are kept by giving notice thereof in such manner as he may deem expedient stating therein the days and hours when the place will be open for registration: *Provided further*, That such consent of the county auditor may include authorization for door-to-door registration including registration from a portable office as in a trailer and the person or persons so deputized may register all eligible electors residing in any rural precinct within the county concerned.

29.07.120 Third cards—Weekly transmittal. On each Monday next following the registration of any voter each county auditor and city clerk as registrars shall transmit all third cards executed and received in his office during the prior week to the secretary of state for filing in his office. Each lot must be accompanied by the certificate of the registrar that the cards so transmitted are the original third cards, that they were signed by the voters whose names appear thereon and that the voters are registered in the precincts and from the addresses shown thereon.

29.07.130 Third cards—Use and purpose of. The third cards shall be kept on file in the office of the secretary of state in such manner as will be most convenient for, and for the sole purpose of, checking initiative and referendum petitions and mailing pamphlets required for constitutional amendments and by the initiative and referendum procedure. They shall not be open to public inspection or be used for any other purpose.

29.07.140 Specifications for supplies and equipment. The state auditor through the division of municipal corporations shall prescribe the specifications, including style, form, color, quality and

dimensions, for the cards, records, forms, binders and cabinets to be used throughout the registration procedure. He shall notify each county auditor and city clerk what the specifications are, and they must in their procurement and use comply with them: *Provided*, That the specifications for binders and cabinets must be general and not specific as to design.

29.07.150 Precinct registration files—Duplicates. The registration files for each precinct shall consist of cabinets or binders, arranged to permit the insertion and securely fastening therein by means of a lock and key, of cards or records for the separate registration of the individual voters of the precinct, and there shall be prepared for each voter registered two registration cards or records, an original and a duplicate.

The original cards shall be filed alphabetically by the surnames of the voters by precincts and constitute the official registration files of the voters of the various precincts and must contain spaces for recording the dates upon which the voter votes.

The duplicate cards shall bear the same information and signature of the voter but need not contain spaces for recording the voting record. They shall be filed alphabetically without regard to precincts, in the discretion of the registrar, shall be retained in the office of the registrar at all times, and shall not be open to public inspection.

29.07.160 Closing registration files—Transfers—Notice. The registration files of all precincts shall be closed against original registration or transfer for thirty days immediately preceding every election and primary to be held in such precincts, respectively, but they shall remain open for an additional fifteen days for transfers of registration from one precinct within a city or town to another precinct in the same city or town and for transfers of registration from one rural precinct to another rural precinct in the same county.

The county auditor shall give notice of the closing of said files for original registration and transfer by one publication in a newspaper of general circulation in the county at least five days before such closing.

29.07.170 Delivery of registration files. Immediately upon closing his registration files preceding an election, the registration officer having custody thereof shall insert therein his certificate as to the authenticity thereof. He shall then deliver the original registration files for each precinct thus certified to the inspector or one of the judges thereof at the proper polling place before the polls open: *Provided*, That in the case of any general state or county election

the county auditor may require all registration officers to deliver the files to him for delivery thereof by him to the precinct election officers.

29.07.180 Return of registration files after election. The original registration files of each precinct delivered to the precinct election officers for use on the day of an election held in that precinct shall be returned by them to the county auditor or city clerk, as the case may be, upon the completion of the count of the votes cast in the precinct at that election. While in possession of the county auditor or city clerk they shall be open to public inspection under such reasonable rules and regulations as may be prescribed therefor.

Chapter 29.10

REGISTRATION TRANSFERS AND CANCELLATIONS

29.10.010 Transfers within same city or town—Authority—Request. Any registered voter who changes his residence from one address to another within the same city or town, shall have his registration transferred to his new address by sending to the city clerk thereof a signed request stating his present address and the address from which he was last registered, or by appearing in person before a registration officer to have his registration transferred and signing such request.

29.10.020 Transfers, rural to rural in same county—Authority—Request. Any registered voter who changes his residence from one rural precinct to another within the same county, shall have his registration transferred to his new address by sending to the county auditor a signed request stating his present address and precinct, and the address and precinct from which he was last registered, or by appearing in person before him to have his registration transferred, and signing such request.

29.10.030 Transfers—Registrar's duties. The signature of the voter on the request shall be compared with the signature of the voter on the registration cards of such voter, and if it appears that the signatures have been made by the same person, the new place of residence and precinct name or number shall be entered upon both the original and duplicate registration cards of the voter signing such request, and they shall be removed from the files of the precinct of the former residence and inserted in the files of the precinct of the present residence.

29.10.040 Reregistration on other changes of residence. A registered voter who changes his residence from one county to another; or from a city or town to another city or town, or to a rural precinct;

or from a rural precinct to a city or town shall be required to register anew. Before registering anew, the voter shall sign an authorization to cancel his present registration in substantially the following form: "I hereby authorize the cancellation of my registration in precinct of (city or town), county or precinct of county." Such authorization shall be filed with the registration officer before whom the voter registers anew, and shall be forwarded promptly to the registrar of the county, or city or town, in which the voter was previously registered. Upon the receipt of such authorization, the registrar of the county, or city or town, where the previous registration was made, shall cause the signature on the authorization to be compared with the signature on the registration cards of such voter, and if it appears that the signatures were made by the same person, the former registration shall be canceled forthwith; but if it shall not so appear, it shall be the duty of the registrar receiving such authorization to notify the registrar of the county, or city or town, forwarding such authorization of the apparent fraud, and the registrar receiving such notification shall cancel the new registration, and note on the cards the reason for such cancellation, and shall notify the person so registered anew, by mail of such cancellation and the reason therefor.

29.10.050 Reregistration upon change of name of voter. Any registered voter who changes his or her name by marriage, or otherwise in the manner provided by law, shall register anew.

29.10.060 Change of precinct boundaries—Transfer of registration. If the boundaries of any city, township, or rural precinct are changed in the manner provided by law, the city clerk, town clerk, or county auditor, as the case may be, shall transfer the registration cards of every registered voter whose place of residence is affected thereby to the files of the proper precinct, noting thereon the name or number of the new precinct, and it shall not be necessary for any registered voter whose residence has been changed from one precinct to another, by a change of boundary, to apply to the registration officer for a transfer of registration. The city clerk, town clerk, or county auditor, as the case may be, shall mail to each registrant in the new precinct a notice that his precinct has been changed from to, and that thereafter he will be entitled to vote in the new precinct, giving the name or number.

29.10.070 Change of city boundaries—Transfer of registration. If any territory lying outside the limits of a city or town is annexed to the city or town, the city clerk thereof shall notify the county auditor of the county, in writing thereof, giving the boundaries of the annexed territory. The county auditor, upon receiving such

notice, shall remove the original and duplicate registration cards of all voters residing within the territory annexed to the city or town from the files and deliver them to the city clerk. The city clerk shall insert such cards in the registration files of the proper precincts of the city or town. The city clerk shall also mail to each registrant in the new precinct a notice that his precinct has been changed from to, and that thereafter he will be entitled to vote in the new precinct, giving the name and number: *Provided*, That if by reason of the fact that the location of the residence of any registered voter as shown upon the registration cards is so indefinite that the city clerk is unable to determine the precinct in which such residence is located, he shall mail a notice thereof to such registered voter, and, if necessary, register him anew.

29.10.080 Cancellation for failure to vote. On the first day of April of each odd-numbered year, or as soon thereafter as is practicable every city clerk, town clerk, and every county auditor shall examine the registration files in his custody, and if, from such examination, he finds that any registered voter has failed, for a period of four years preceding April 1st of said odd-numbered year to vote in at least one election, he shall remove the registration cards of such voter from the original and duplicate files, and cancel the same by entering thereon over his signature the words "canceled for failure to vote for four years" and the date of such cancellation. He shall also notify the voter whose registration has been canceled, by mail, at his last registration address, of the fact that his registration has been canceled, and that he will not be entitled to vote at any election until he has registered anew. No voter's registration shall be canceled if his original registration was made less than four years prior to the cancellation date. The secretary of state shall be notified immediately of all such cancellations.

29.10.090 Cancellation for death. The local registrar of vital statistics in cities of the first class shall submit monthly to the city clerk a list of the names and addresses, if known, of all persons over twenty-one years of age who have died.

The registrar of vital statistics of the state shall supply such monthly lists for each county of the state, exclusive of cities of the first class, to the county auditor thereof. The county auditor shall prepare from said lists a separate list of deceased persons for each city or town within the county, except cities of the first class, and mail the same to the city clerks thereof. The various city clerks and county auditors shall compare such lists with the registration records and cancel the registrations of deceased voters.

In addition to the above manner of canceling registration records of deceased voters, any registered voter may sign a statement,

subject to the penalties of perjury, to the effect that to his personal knowledge or belief another registered voter is deceased. Upon the receipt of such signed statement, the appropriate registration officer shall cancel the registration records concerned and so notify the secretary of state. Upon receipt of such notice, the secretary of state shall in turn cancel his copy of said registration record.

The secretary of state as chief elections officer shall cause such form to be designed to carry out the provisions of this section. The respective county auditors and city and town clerks shall have such forms available for public use. Further, each such public officer having jurisdiction of an election shall make available a reasonable supply of such forms for the use of the precinct election officers at each polling place on the day of an election.

29.10.095 Report of deaths to secretary of state. On or before the fifteenth day of July and quarterly thereafter, the local registrar of vital statistics in cities of the first class and the registrar of vital statistics of the state shall file a sworn statement with the secretary of state. The form of said statement shall be furnished by the secretary and shall recite the number of deaths that have occurred during the three months' period immediately preceding the date of said report and the fact that the county auditor or city clerk, as the case may be, has been notified. The number of deaths shall be further segregated as to city, town or rural areas.

29.10.100 Weekly report of transfers and cancellations. On the Monday next following the transfer or cancellation of the registration of any voter, each registrar of voters must certify to all transfers or cancellations made during the prior week to the secretary of state. The certificate shall set forth the name of each voter whose registration has been transferred or canceled, the county, city or town, and precinct in which he was registered and, in case of a transfer, also the name of the county and city or town, the name or number of the precinct and the post office address (including street and number) to which the registration of the voter was transferred.

29.10.110 Record of cancellations—Statement to be affixed to canceled duplicate registration card. 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 shall be firmly affixed to the canceled duplicate registration card (Permanent Registration Form No. 2).

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.

29.10.120 Sworn statement of cancellations—Filing. On or before August 1st of the odd-numbered year, each county auditor, city or town clerk, shall execute a sworn statement and file same with the secretary of state within ten days after date of execution. Said statement shall be furnished by the office of secretary of state and shall be in substantially the following form:

State of Washington }
County of } ss.

I,, do solemnly swear that I have caused to be examined the permanent voting record of each registered voter under my jurisdiction and have canceled those registrations of said voters who have failed to cast a ballot at any election held during the four year period immediately prior to the first day of April of this year as provided by law.

Further, the number of said cancellations totaled
A notice has been mailed to each elector concerned and the office of the secretary has been notified of said cancellations as reported on Permanent Registration Form No. 8.

.....
(Signature) (Title)
Subscribed and sworn to.

Chapter 29.13

TIMES FOR HOLDING ELECTIONS AND PRIMARIES

29.13.010 Elections by county constituencies or larger. All state and county general elections for the election of federal, state, legislative, judicial, county, and precinct officers, and for the submission to the voters of the state of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called: *Provided*, That this section shall not be construed as fixing the time for holding primary elections, or elections for the recall of county officers; nor special elections to fill vacancies in any state office, or in the membership of either branch of the congress of the United States: *Provided further*, That the board of county commissioners may, if they deem an emergency to exist, call a special county election at any time by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. Such county

special election shall be noticed and conducted in the manner provided by law.

29.13.015 1963 elections act defined. Wherever used in chapter 29.13 RCW, the term "1963 elections act" includes the following RCW sections: RCW 29.04.055, 29.04.070, 29.04.080, 29.13.020, 29.13.021, 29.13.022, 29.13.023, 29.13.024, 29.13.030, 29.13.040, 29.13.045, 29.13.050, 29.13.060, 29.13.061, 29.13.065, 29.13.070, 29.21.060, 29.24.110, 35.17.020, 35.17.400, 35.23.040, 35.24.050, 35.27.090, 36.69.090, 53.12.044, 53.12.046, 53.12.160, 53.12.210 and 56.12.020, as amended in the year 1963, or thereafter.

29.13.020 Elections by lesser constituencies in class AA and class A counties—Commencement of terms of office—Special elections. All city, town, and district elections, except as hereinafter provided, whether general or special, and whether for the election of municipal or district officers or for the submission to the voters of any city, town or district of any question for their adoption and approval, or rejection, shall be held in class AA or class A counties on the Tuesday following the first Monday in November in the odd-numbered years: *Provided*, That there shall be no such general city or town elections held under the provisions of the 1963 elections act until 1967, and the positions that would have been voted upon in the year 1966, except for the provisions of the 1963 elections act, shall be voted upon at the general election to be held on the Tuesday following the first Monday in November in the year 1967 and each two years thereafter. All city and town elections to be held in 1964 under existing law shall be conducted as though the provisions of the 1963 elections act had not been enacted. All city and town officers elected in 1964 shall remain in office for their regular term and until their successors are elected and qualified under the provisions of the 1963 elections act.

There shall be no such regular district elections held in the years 1964, 1966, and 1968, and the positions that would have been voted upon, except for the provisions of the 1963 elections act, in the years 1964, 1966, and 1968 shall be voted upon at the general elections to be held on the Tuesday following the first Monday in November in the years 1965, 1967, and 1969 respectively and each two years thereafter.

There shall be no such regular school district elections held on the second Tuesday in March in the years 1965, 1967, and 1969 and the positions that would have been voted upon, except for the provisions of the 1963 elections act, shall be voted upon at the general elections to be held on the Tuesday following the first Monday in November in the years 1965, 1967, and 1969 respectively and each two years thereafter.

The purpose of this section is to change the time of holding all general city, town, and district elections in class AA and class A counties from March of either the even-numbered or odd-numbered years, as the case may be, to a common election date, being the Tuesday following the first Monday in November of the odd-numbered years, and further, to change the time of holding regular port district elections in class AA and class A counties and park and recreation districts in class AA counties from the Tuesday following the first Monday in November of the even-numbered years to the Tuesday following the first Monday in November of the odd-numbered years.

The terms of all such city, town, and district officers elected on the Tuesday following the first Monday in November of the odd-numbered years shall commence as of noon on the second Monday in January following their election: *Provided*, That any person elected to less than a full term shall assume office as soon as the election returns have been certified.

All incumbent city, town, or district officers whose terms would have expired, except for the provisions of the 1963 elections act, shall remain in office until their successors are elected and qualified.

This section shall not apply to:

- (1) Elections for the recall of city, town, or district officers,
- (2) Public utility districts, or district elections whereat the ownership of property within said districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto.

The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town or district, presented to him at least forty-five days prior to the proposed election date, may, if he deems an emergency to exist, call a special election at any time in such city, town, or district and for the purpose of such special election he may combine, unite or divide precincts. Such special election shall be conducted and notice thereof given in the manner provided by law.

29.13.021 Elections in first class cities under commission government whose charters provide for triennial elections. All regular elections in cities of the first class under a commission form of government whose charters provide that elections shall be held triennially, shall hereafter be held quadrennially and shall be held on the Tuesday following the first Monday in November in the odd-numbered years: *Provided*, That no such regular city election shall be held under the provisions of this 1963 amendatory section until the Tuesday after the first Monday in November, 1969. The elections to be held in such cities in 1964 under existing law shall be conducted at the time and in the manner as though the provisions of the 1963

elections act had not been enacted. All city officials elected in 1964, or thereafter, shall be elected for terms of four years and until their successors are elected and qualified under the provisions of the 1963 elections act.

29.13.023 Elections in first class cities under mayor-council government—Twelve councilmen. All regular elections in first class cities having a mayor-council form of government whose charters provide for twelve councilmen elected for a term of two years, two being elected from each of six wards, and for the election of a mayor, treasurer, and comptroller for terms of two years, shall be held biennially, and shall be held on the Tuesday following the first Monday in November in the odd-numbered years except as provided in RCW 29.13.020 and 29.13.030. The term of each councilman, mayor, treasurer and comptroller shall be four years and until their successors are elected and qualified. The terms of the councilmen shall be so staggered that six councilmen shall be elected to office at each regular election.

29.13.024 ———Seven councilmen. All regular elections in first class cities having a mayor-council form of government whose charters provide for seven councilmen, one to be elected from each of six wards and one at large, for a term of two years, and for the election of a mayor, comptroller, treasurer and attorney for two year terms, shall be held on the Tuesday following the first Monday in November on the odd-numbered years except as provided in RCW 29.13.020 and 29.13.030. The terms of the six councilmen to be elected by wards shall be four years and until their successors are elected and qualified and the term of the councilman to be elected at large shall be two years and until their successors are elected and qualified. The terms of the councilmen shall be so staggered that three ward councilmen and the councilman at large shall be elected at each regular election. The term of the mayor, attorney, treasurer, and comptroller shall be four years and until their successors are elected and qualified.

29.13.025 "Class A county" includes higher classifications. For the purposes of RCW 29.13.020, 29.13.030, 29.13.040, 29.21.060, 29.24.110, 29.27.040 and 29.27.080, "class A county" shall include counties of higher classification whenever such class or classes shall be established.

29.13.030 Elections by cities, towns, school districts, in class 1 through class 9 counties—Special elections—Consolidated election laws defined. All city and town regular elections, in class 1 through class 9 counties, shall be held on the Tuesday following the first Monday in November in the odd-numbered years: *Provided, That there*

shall be no such general city or town elections held under the provisions of the 1963 elections act until 1967, and the positions that would have been voted upon in the year 1966, except for the provisions of the 1963 elections act, shall be voted upon at the general election to be held on the Tuesday following the first Monday in November in the year 1967 and each two years thereafter. All city and town elections to be held in 1964 under existing law shall be conducted as though the provisions of the 1963 elections act had not been enacted. All city and town officers elected in 1964 shall remain in office for their regular term and until their successors are elected and qualified under the provisions of the 1963 elections act.

All general school district elections, in class 1 through class 9 counties, shall be held on the Tuesday following the first Monday in November in the odd-numbered years: *Provided*, That this section shall not be construed as fixing the time for holding the elections for the recall of any city, town, or district officers or special bond election or any election held in a city of the first class for choosing qualified electors to prepare a new charter for such city by altering, changing, revising, adding to or repealing its existing charter, or any election held in any such city for ratifying such new charter.

There shall be no such general school district elections held on the second Tuesday in March in the years 1965 and 1967, and the positions that would have been voted upon, except for the provisions of the 1963 elections act, shall be voted upon at the general elections to be held on the Tuesday following the first Monday in November in the years 1965 and 1967 respectively and each two years thereafter.

The purpose of this section is to change the time of holding all general city, town, and school district elections in class 1 through class 9 counties from March of either the even-numbered or odd-numbered years, as the case may be, to a common election date, being the Tuesday following the first Monday in November of the odd-numbered years.

The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town or district, presented to him at least forty-five days prior to the proposed election date, may, if he deems an emergency to exist, call a special election at any time in such city, town, or district and for the purpose of such special election he may combine, unite or divide precincts. Such special election shall be conducted and notices thereof given in the manner provided by law.

This section and RCW 29.13.010 and 29.13.020 are referred to as the consolidated election laws.

29.13.040 Conduct of elections of lesser constituencies—Canvass. All elections, whether special or general, held under RCW 29.13.020 and RCW 29.13.030 as now or hereafter amended, shall be conducted by the county auditor as ex officio county supervisor of elections and shall be canvassed by the county canvassing board.

29.13.045 Constituencies to bear share of election costs. Every city, town, and district shall be liable for its proportionate share of the costs when such elections are held in conjunction with other elections held under RCW 29.13.010, 29.13.020 and 29.13.030.

29.13.050 Commencement of terms of officers elected—Organization of district boards of directors. The term of every city, town, and district officer elected to office on the Tuesday following the first Monday in November of the odd-numbered years shall begin as of noon on the second Monday in January following his election: *Provided*, That any person elected to less than a full term shall assume office as soon as the election returns have been certified.

Persons elected to office at the first regular elections held under the provisions of the 1963 elections act shall assume office as soon as the election returns have been certified.

Each board of directors of every district shall be organized at the first meeting held after one or more newly elected directors take office.

29.13.060 Elections in first class school districts containing a city of the first class, in class A and class AA counties. In class AA and class A counties, first class school districts containing a city of the first class shall hold their election biennially on the Tuesday following the first Monday in November of each odd-numbered year.

The directors to be elected shall be elected for terms of six years and until their successors are elected and qualified.

29.13.070 Primaries, when held. Nominating primaries for general elections to be held in November shall be held at the regular polling places in each precinct on the Tuesday following the second Monday of the preceding September.

Nominating primaries other than the September primary shall be held four weeks before the date fixed for election, except as may be otherwise expressly provided.

29.13.080 Opening and closing polls. At every election and primary election the polls must be kept open from eight o'clock a. m. to eight o'clock p. m. and all qualified electors who are inside the polling place at eight o'clock p. m., shall be allowed to cast their votes.

Chapter 29.18**PARTISAN PRIMARIES**

29.18.010 To what candidates this chapter is applicable. All candidates for state, congressional, legislative, county, municipal, and precinct elective offices shall be nominated at a partisan primary election held pursuant to the provisions of this chapter: *Provided*, That this chapter shall not apply to elections:

- (1) To fill unexpired terms occasioned by vacancies;
- (2) For nonpartisan elective offices;
- (3) For presidential electors;
- (4) In first class cities whose charters provide a nonpartisan method of nominating candidates;
- (5) In fourth class cities or towns;
- (6) In first, second and third class cities holding nonpartisan elections under RCW 29.21.010.

29.18.020 What political parties may participate. Only the names of major political parties shall be entitled to appear upon the primary election ballot after the names of the candidates affiliated therewith. The name of no other political party shall appear thereon.

29.18.030 Declaration and affidavit of candidacy—Necessity—Form—Withdrawal. The name of no candidate shall be printed upon the official ballot used at a state primary, unless not earlier than the first Monday of July nor later than the second Friday following the first Monday of July, a declaration of candidacy is filed in the form hereinafter set forth, nor at any other primary election unless at least forty-five and not more than sixty days prior to such primary, a declaration of candidacy has been filed by him as provided in this chapter in the following form:

DECLARATION AND AFFIDAVIT OF CANDIDACY

State of Washington	} ss.
County of	

DECLARATION

I,, declare upon honor that I am a registered voter residing at No. street, (city or town of) (county of), state of Washington, and am legally qualified to assume office if elected; that I hereby declare myself a candidate for nomination to the office of or position No. for the of-

fice of (fill in whichever blank is applicable)
 to be made at the primary election to be held on the day of
, and hereby request that my name be printed upon
 the official primary ballots, as provided by law, as a candidate of
 the (do not fill this in if office sought is nonpartisan).....
 party, and I accompany herewith the sum of.....
 dollars, the fee required by law of me for becoming a candidate.

AFFIDAVIT

Further, I do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington; that I do not advocate the overthrow, destruction, or alteration of the constitutional form of government of the United States or of the state of Washington or any political subdivision of either of them, by revolution, force or violence, and that I do not knowingly belong to any organization, foreign or otherwise, which engages in or advocates, the overthrow, destruction or alteration of the constitutional form of government of the United States or of the state of Washington or any political subdivision of either of them, by revolution, force or violence.

.....
 (Please print name to assure
 correct spelling)

.....
 (Signature of candidate as name
 is to appear upon ballot)

Subscribed and sworn to before me this..... day of
, 19.....

.....
 (Signature of official)

.....
 (Official title)

Provided, That any candidate may in writing withdraw his declaration at any time to and including the first Friday after the last day allowed for filing declarations of candidacy: *Provided further*, That should the candidate desire to mail his declaration of withdrawal it shall be honored if the instrument is mailed no later than the last day allowed for withdrawals and is received by the election officer concerned no later than the first succeeding Monday. There shall be no refund of the filing fee.

29.18.035 Titles designating occupation prohibited. No person when filing as a candidate or nominee at any election shall be permitted to use any titles designating his present or past occupation or profession, including ranks in the armed forces: *Provided*,

That the provisions of this section shall not prohibit the use of a nickname by which a candidate is commonly known: *Provided further*, That should a nickname be used it shall be in addition to the candidate's given name (for example: Richard A. "Dick" Roe or R. A. "Dick" Roe).

29.18.040 Declaration of candidacy—Where filed. Declarations of candidacy shall be filed as follows:

(1) For state offices, United States senate, United States house of representatives, and the state legislature and superior court when electors from a district comprising more than one county vote upon the candidates, in the office of the secretary of state.

(2) For offices, except city and town offices, when electors from only one county vote upon the candidates, in the office of the county auditor.

(3) For city and town offices, in the office of the city clerk.

29.18.050 Declarations of candidacy—Fees. A fee of one dollar must accompany each declaration of candidacy for a precinct office without salary; a fee of ten dollars for any office with a compensation attached of one thousand dollars per annum or less; a fee equal to one percent of the annual compensation for any office with a compensation attached of more than one thousand dollars per annum.

When the candidacy is for:

(1) A state or congressional office the fee shall be paid to the secretary of state for deposit in the state treasury.

(2) A district office embracing more than one county the fee shall be paid to the secretary of state for equal division between the treasuries of the counties comprising the district.

(3) A county office or office for a district comprising part of one county the fee shall be paid to the county auditor for deposit in the county treasury.

(4) A city or town office the fee shall be paid to the clerk thereof for the city or town treasury.

29.18.060 Declaration of candidacy—Duplication of names—Election ballots. When two or more persons file for the same office in any primary election whose surnames are so similar in sound or spelling as to be confusing to the electors, the secretary of state, county auditor, city clerk or any other public officer with whom declarations of candidates are filed, shall, on his own initiative, or upon the request of any of the candidates for the same office, as hereinafter provided print on the ballot immediately after the surname of the candidates having similar surnames, the profession, business, trade, occupation or such other designation as may be required for the definite identification of each, as follows:

George Jones (Grocer)

G. A. Jones (Laborer)

Provided, That if one of the candidates is the incumbent seeking reelection, immediately before his name shall be printed the word "Incumbent," and there shall be printed before the name of the other candidate having a similar surname the word "Opponent," and following his name a word descriptive of his occupation, which for the purpose of illustration, can be printed in the following form:

"Incumbent"—George Jones

"Opponent"—G. A. Jones (Laborer)

If as a result of the primary, two or more candidates so identified are nominated, then such descriptive identification as appeared on the primary ballot shall also appear on the general election ballot. The same provisions shall also apply to any election not preceded by a primary.

29.18.070 Duplication of, use of nonexistent or untrue names, as felony. A person is guilty of a felony who files a declaration of candidacy for any public office of:

- (1) A nonexistent or fictitious person; or
- (2) The name of any person not his true name; or
- (3) A name similar to that of an incumbent seeking reelection to the same office with intent to confuse and mislead the electors by taking advantage of the public reputation of the incumbent; or
- (4) A surname similar to one who has already filed for the same office, and whose political reputation is widely known, with intent to confuse and mislead the electors by capitalizing on the public reputation of the candidate who had previously filed.

29.18.080 Duplication of names—Conspiracy—Criminal and civil liability. Any person who with intent to mislead or confuse the electors conspires with another person who has a surname similar to an incumbent seeking reelection to the same office, or to an opponent for the same office whose political reputation has been well established, by persuading such other person to file for such office with no intention of being elected, but to defeat the incumbent or the well known opponent, shall be guilty of a felony. In addition thereto such person or persons shall be subject to a suit for civil damages the amount of which shall not exceed the salary which the injured person would have received had he been elected or reelected.

29.18.090 Duplication of, use of nonexistent or untrue names—Call for meeting to adjust. Any candidate who believes that the electors will be misled or confused by the candidacy of any person who has filed for the same office as provided in RCW 29.18.060 and 29.18.070, shall, not more than three days after the time for the

filings has expired, present in writing to the filing officer, the secretary of state, county auditor, or city clerk, as the case may be, a written request that a meeting of all the candidates for the same office whose names are the same or similar be held immediately for the purpose of eliminating the confusion. The written request shall state the objections of the candidate. The filing officer within two days following the receipt of such request shall mail a copy thereof to each candidate named in the request at the address set forth in the declaration of the candidate and shall notify each candidate to be present at a meeting to be held in his office on a day and hour certain to be stated in the notice, which hearing shall take place not more than five days after the receipt of such request.

29.18.100 Duplication of names—Conduct of meeting to adjust.

At the meeting to be held by the filing officer, he shall hear all objections to candidates, names and designations of candidates and shall pass upon all matters which may come before him pertaining to the enforcement of RCW 29.18.060 through 29.18.100. If any candidate fails to respond to the notice of the meeting, or if the filing officer is satisfied that the candidate is a fictitious or nonexistent person or that the declaration of candidacy was not filed in the true name of the person, the candidacy of such person shall be canceled and shall not be printed on the ballot. The filing officer shall decide all objections according to the facts and his rulings shall be final, unless ordered otherwise by a court of competent jurisdiction.

29.18.110 Number of votes necessary to nominate. No candidate for a party nomination shall be the party nominee unless he receives a number of votes equal to at least ten percent of the highest number cast for any candidate of his party in the political subdivision in which he is a candidate.

Subject thereto, any person who receives a plurality of the votes cast for the candidates of his party for any office shall be his party's nominee for that office.

If there are two or more positions of the same kind to be filled and more candidates of a party receive a plurality of the votes cast for those positions than there are positions to be filled, the number of candidates equal to the number of positions to be filled who receive the highest number of votes shall be the nominees of their party for those positions.

29.18.120 Procedure at primary—General election laws apply.

So far as applicable, the provisions in relation to the holding of elections, the solicitation of voters at the polls, the challenging of voters, the manner of conducting elections, of counting the ballots and making returns and canvass thereof, and all other kindred subjects, including the sale of intoxicating liquors during the hours

the polls are open, shall apply to all primaries and the election officers shall have the same powers for primary elections as they have for general elections.

29.18.140 Statement of expense of candidate. Every candidate for nomination at a primary election, shall, within ten days after the day of holding the primary election at which he is a candidate, file an itemized statement in writing, duly sworn to as to its correctness, with the officer with whom his declaration of candidacy or other nomination paper is filed, setting forth each sum of money and thing of value, or any consideration whatever, contributed, paid or promised by him, or anyone for him, with his knowledge or acquiescence, for the purpose of securing or influencing, or in any way affecting his nomination to said office. The statement shall set forth the sums paid as personal expenses, stating fully the nature, kind and character of the expense for which the sums were expended separately, and the persons to whom the sums were paid and the purposes for which such payments were made. In this statement all sums or other considerations promised and not paid shall be included. The statement, when so filed shall immediately be subject to the inspection and examination of any elector and shall be and become a part of the public records.

29.18.150 Vacancies on ticket—How filled—Correcting ballots and labels—Counting votes already cast for person named to vacancy, when. Should a place on a party ticket be vacant because no person filed for nomination as the candidate of that party, after the last day allowed for candidates to withdraw as provided by RCW 29.18.030, if the vacancy is for a state or county office to be voted on solely by the electors of a single county, the county central committee of the party may select and certify a candidate to fill the vacancy; if the vacancy is for any other office the state central committee of the party may select and certify a candidate to fill the vacancy; the certificate must set forth the cause of the vacancy, the name of the person nominated, the office for which he is nominated and other pertinent information required in an ordinary certificate of nomination and be filed in the proper office no later than the first Friday after the last day allowed for candidates to withdraw, together with the candidate's fee applicable to that office and a declaration of candidacy: *Provided*, That a vacancy caused by the death or disqualification of any nominee for a partisan office may be filled as set forth in this section at any time up to and including the day prior to the election.

Should such vacancy occur no later than the third Tuesday prior to the state general election concerned and the ballots and voting machine labels have been printed, it shall be mandatory that they

be corrected by the appropriate election officers. In making such correction, it shall not be necessary to reprint complete ballots if any other less expensive technique can be used and the resulting correction is reasonably clear.

Should such vacancy occur after the third Tuesday prior to said state general election and time does not exist in which to correct paper ballots (including absentee ballots) or voting machine labels, either in total or in part, then the votes cast or recorded for the person who has died or become disqualified shall be counted for the person who has been named to fill such vacancy.

When the secretary of state is the person with whom the certificate of nomination is filed he shall in certifying nominations to the various county officers insert the name of the persons nominated to fill a vacancy.

In the event that the secretary of state has already sent forth his certificate when the certificate of nomination to fill a vacancy is filed with him, he shall forthwith certify to the county auditors of the proper counties the name and place of residence of the person nominated to fill a vacancy, the office he is nominated for, the party he represents and all other pertinent facts pertaining to the vacancy.

29.18.200 Blanket primary authorized. All properly registered voters may vote for their choice at any primary election, for any candidate for each office, regardless of political affiliation and without a declaration of political faith or adherence on the part of the voter.

Chapter 29.21

NONPARTISAN PRIMARIES AND ELECTIONS

29.21.010 Primaries in first, second and third class cities. All primaries for all cities of the first, second and third class, irrespective of type or form of government shall be nonpartisan and held as provided in RCW 29.13.070. All names of candidates to be voted upon at city primary elections shall be printed upon the official primary ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates. The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes for each position, shall appear in that order on the municipal general election ballot under the designation for each respective office. In the event there are two or more offices to be filled for the same position, then names of candidates receiving the highest number of votes equal in number to twice the offices to be filled shall appear on the municipal general election ballot so that the voter shall have a

choice of two candidates for each position: *Provided*, That no name of any candidate shall appear on the city general election ballot unless said candidate shall receive at least ten percent of the total votes cast for that office. The sequence of names of candidates printed on the municipal general election ballot shall be in relation to the number of votes each candidate received at the primary. Names of candidates printed upon the municipal primary and general election ballot need not be rotated: *Provided further*, That no provision of this section in conflict with the primary election provisions contained in charters of cities of the first class shall be effective, except that all first class cities shall hold their primaries as provided in RCW 29.13.070.

29.21.015 When no city primary—Prerequisites—Procedure. No primary shall be held in any city if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for each position to be filled. In such event, the city clerk shall immediately notify all candidates concerned and if the county auditor has jurisdiction of such primary election, he shall also be notified. Names of candidates that would have been printed upon the city primary ballot, but for the provisions of this section, shall be printed upon the city general election ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

29.21.017 City councilmen positions to be numbered as separate offices—Exception—Exclusive method of nominating and electing. Not less than ten days before the time for filing declarations of candidacy for councilmen in cities or towns operating under the mayor-council or council-manager form of government, except the position of councilman-at-large assigned a two year term in cities of the third class, the city clerk shall designate the positions to be filled by consecutive number, commencing with one. The positions so designated shall be dealt with as separate offices for all election purposes.

The provisions of this section shall be the exclusive method of nominating and electing councilmen for all cities and towns the charter provisions of any city notwithstanding.

29.21.020 Declarations of candidacy—Generally. Except as otherwise in this chapter provided, all statutory provisions relating to declarations of candidacy for primary nomination to partisan offices shall apply to candidates for nonpartisan offices: *Provided*, That no candidate for a nonpartisan office shall designate any party affiliation in his declaration of candidacy.

29.21.030 Declarations of candidacy—Commission form cities. Any person desiring to become a candidate for mayor or commis-

sioner in a city organized under the commission form of government shall, in accordance with the time period prescribed in RCW 29.21.060, file with the city clerk a statement of his candidacy accompanied by the required filing fee.

The form of declaration of candidacy for candidates for mayor or commissioner in a city organized under the commission form shall be substantially as follows:

"State of Washington,
County of _____ } ss.

I, _____, being first duly sworn, say that I reside at _____ street, _____, county of _____, state of Washington; that I am a qualified voter therein; that I am a candidate for nomination to the office of _____ (inserting mayor, or commissioner of finance and accounting or commissioner of streets and public improvements, as the case may be) of the city of _____, to be voted on at the primary to be held on the _____ day of _____, 19____, and I hereby request that my name be printed upon the official primary ballot for nomination at said primary for such office.

(Signed) _____

Subscribed and sworn to (or affirmed) before me by _____
_____ on this _____ day of _____, 19____.

(Signed) _____"

29.21.040 City offices in commission form cities. In cities operating under the commission form, the offices of mayor, commissioner of finance and accounting and commissioner of streets and public improvements shall be nonpartisan and the candidates therefor shall be nominated at a primary to be held as provided in RCW 29.21.010. The officers appointed for the municipal election shall be the officers of the primary election, which shall be held at the same places, so far as practicable, and the polls shall be opened and closed at the same hours as required for the municipal election.

29.21.050 Nominating petition in commission form cities. At the time of filing his declaration of candidacy a candidate for mayor or commissioner in a city organized under the commission form must file therewith the petition of at least one hundred qualified voters requesting such candidacy. Each petition must be verified by someone as to the qualifications, residence (with street and number) of all the persons who signed it. The petition shall be substantially as follows:

"Petition accompanying nomination statement of _____.

"The undersigned, qualified electors of the city of _____, and residing at the places set opposite our respective names hereto,

do request that the name of(name of candidate)..... be placed on the ballot as a candidate for nomination for (name of office) at the primary to be held in such city on the day of, 19.....

“We further state that we know him to be a qualified elector of said city and a person of good moral character and qualified, in our judgment, for the duties of such office.

Name	House number	Street
.....
.....

(verification)”

29.21.060 Declarations of candidacy in first, second, third class cities and certain districts—Other statutes superseded. During the year 1964, all candidates for office to be voted upon at any election in first, second, and third class cities shall file declarations of candidacy not more than sixty nor less than forty-six days prior to the day of the primary with the clerk thereof.

After the year 1964, all candidates for offices to be voted on at any election in first, second, and third class cities shall file declarations of candidacy with the clerk thereof not earlier than the first Monday of July nor later than the second Friday following the first Monday of July in the year such regular city elections are held.

All candidates for district offices in port districts, and school districts embracing a city of over one hundred thousand population, both of which are located in class AA and class A counties, shall file their declarations of candidacy with the county auditor of the county not earlier than the first Monday of July nor later than the second Friday following the first Monday of July in the year such regular district elections are held.

All candidates for district offices not subject to a primary election, other than irrigation districts, shall file declarations of candidacy not more than sixty nor less than forty-six days prior to the date of the election with the appropriate county auditor: *Provided*, That in the case of public utility districts, and in no other, nominations shall be made by means of nominating petitions: *Provided further*, That this chapter shall not change the method of nomination for first district officers at the formation of the district.

Any candidate for city or district offices may withdraw his declaration at any time to and including the first Friday after the last day allowed for filing declarations of candidacy.

The city clerks in all counties shall transmit to their county auditors at least thirty-five days before the date fixed for the primary, a certified list of the names and addresses of the candidates

to be voted on thereat as represented by the declarations of candidacy filed in their offices.

All candidates required to file declarations of candidacy shall pay the same fees and be governed by the same rules as contained in RCW 29.18.030, 29.18.035, and 29.18.060: *Provided*, That no filing fee shall be charged in the event that the office sought is without salary.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for filing declarations of candidacy for such city, town, and district elections.

29.21.070 Judicial offices. The offices of judge of the supreme court, judge of the superior court and justice of the peace shall be nonpartisan and the candidates therefor shall be nominated and elected as such. Not less than ten days before the time for filing declarations of candidacy, each county auditor shall designate how many justices of the peace are to be elected in each precinct in his county.

29.21.080 School directors, county superintendents and state superintendent. The offices of superintendent of public instruction and of county superintendent of schools shall be nonpartisan and the candidates therefor shall be nominated and elected as such.

Offices relative to the administration of the public schools, including the office of school director, shall be nonpartisan.

29.21.085 County superintendents and state superintendent—Ballot arrangement where voting machines. Where voting machines are legally used in any election for superintendent of public instruction or county superintendent of schools, the ballot arrangement for the aforesaid offices shall be substantially in the form as set out in RCW 29.21.090, 29.21.100 and 29.21.150, but may be so varied as to carry out the purposes required by the use of voting machines.

29.21.090 Arrangement of names on ballots. The names of candidates for nonpartisan office shall appear on election and primary ballots under the proper office designation followed by the instruction "vote for one" unless more than one position is to be filled for the same office in which case the proper word shall be substituted for the word "one."

29.21.100 Nonpartisan ballot—Place on regular ballot. If at any election or primary, nonpartisan offices are to be filled, a section of the ballot shall be designated "NONPARTISAN BALLOT" and all nonpartisan offices to be filled and the names of all candidates therefor shall appear therein.

29.21.110 Supreme and superior court judges—Designation of position. Not less than ten days before the time for filing declarations of candidacy for election to the supreme court or to a superior court for a judicial district comprising more than one county the secretary of state shall in each case designate the positions to be filled by consecutive number commencing with one; the county auditor shall do likewise for the superior court positions in counties where a county and judicial district are coextensive.

The judicial positions so designated shall be dealt with as separate offices for all election purposes.

29.21.120 Judicial ballots—Form. Judicial positions and the candidates therefor shall appear separately on the nonpartisan ballot in substantially the following form:

JUDICIAL ELECTION BALLOT

To vote for a person make a cross (X) in the square at the right of the name of the person for whom you desire to vote.

Judges of the Supreme Court
..... to be nominated.

No. 1

Vote for One.

.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

No. 2

Vote for One.

.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

No. 3

Vote for One.

.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

(Or, if vacancy to be filled)

No.

2 (or 4) year term.

Vote for One.

.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

Judges of the Superior Court
..... to be nominated.

No. 1

Vote for One.

.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

No. 2

Vote for One.

.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

No. 3

Vote for One.

.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

(Or, if vacancy to be filled)

No.

Unexpired term.

Vote for One.

.....	<input type="checkbox"/>
.....	<input type="checkbox"/>
.....	<input type="checkbox"/>

(Or, if short term to be filled)

No.
Short term.
Vote for One.

..... ☐
..... ☐
..... ☐

(Or, if short term to be filled)

No.
Short term.
Vote for One.

..... ☐
..... ☐
..... ☐

Justice(s) of the Peace, Precinct
Vote for

..... ☐
..... ☐
..... ☐
..... ☐
..... ☐

29.21.130 Ballots in commission form cities. The ballots for primaries held in cities organized under the commission form of government shall be printed upon plain, substantial, white paper and shall have no party designation or mark whatever. The names of the candidates for each position shall be arranged alphabetically. The ballots shall be in substantially the following form:

OFFICIAL PRIMARY BALLOT

Candidates for nomination for mayor and commissioners of
at the

PRIMARY ELECTION

(Date)

Place a cross in the square opposite the names of the persons you favor as candidates for the respective positions.

MAYOR

Vote for One

..... ☐
..... ☐
..... ☐

COMMISSIONER OF FINANCE AND ACCOUNTING

Vote for One

..... ☐
..... ☐
..... ☐

COMMISSIONER OF STREETS AND PUBLIC IMPROVEMENTS

Vote for One

..... ☐

..... ☐

..... ☐

The ballots for the general election shall be in the same general form as for the primary election, so far as applicable.

29.21.140 Designation of short terms, unexpired terms, etc. If at the same election there are long terms and short terms or full terms and unexpired terms of office to be filled, the secretary of state or the county auditor, as the case may be, shall distinguish them and designate the short term, the long term, the full term and the unexpired term separately as such, or by use of the words "two year term" or "four year term" as the case may be.

In filing his declaration of candidacy in such cases the candidate shall specify that his candidacy is for the short term, the long term, the full term or the unexpired term as the case may be.

29.21.150 Determining nominees for single positions. The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a single nonpartisan position shall appear on the general election ballot under the designation therefor: *Provided*, That in elections for judges of the supreme court and judges of the superior court, for justices of the peace, for state superintendent of public instruction, and for county superintendent of schools, if any candidate in the primary receives a majority of all of the votes cast for the position, only the name of the person receiving the highest vote shall be printed on the general election ballot under the designation for that position, followed by a space for the writing in of any other name by a voter.

29.21.160 Determining nominees for multiple positions. If there are two or more places to be filled for nonpartisan office, the number of candidates equalling the number of positions to be filled who receive the highest number of votes at the primary and an equal number who receive the next highest number of votes shall appear under the designation for that office: *Provided*, That the names of any candidates therefor who receive a majority of all of the votes cast at the primary for that office, shall be printed separately as candidates for that office under the designation "Vote for" followed by blank spaces equalling the number of such majority candidates for the writing in of any other name by a voter.

29.21.170 Same—Quota necessary for placement on ticket as unopposed. The quota necessary to constitute a majority of votes

cast in a nonpartisan primary for multiple places in the same office is one more than the quotient obtained by dividing the sum of all votes cast for all candidates for that office by twice the number of places to be filled. If it appears that a number of candidates equal to, or exceeding, the number of places to be filled have received this quota, there shall be printed on the ballot only the names of the candidates who received the highest number of votes and equal to the number of places to be filled.

29.21.180 When no primary in certain offices—Prerequisites—Procedure. No primary shall be held relating to the offices of state superintendent of public instruction, county superintendent of schools, or officers of school districts embracing a city of over one hundred thousand population if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for each position to be filled. In such event all candidates concerned shall be notified. Names of candidates that would have been printed upon the primary ballot, but for the provisions of this section, shall be printed upon the general election ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

29.21.190 School directors in district embracing city over one hundred thousand. The office of school director for school districts embracing a city of over one hundred thousand population shall be nonpartisan and the candidates therefor shall be nominated and elected as such.

29.21.200 ———Declarations of candidacy—Designation of positions. Candidates for school director in school districts embracing a city of over one hundred thousand population shall file their declarations of candidacy as provided in RCW 29.21.060. Not less than ten days before the time of filing such declarations of candidacy, the county auditor shall designate the positions to be filled by consecutive number, commencing with one. The positions so designated for school directors in each district shall be dealt with as separate offices for all election purposes, and where more than one position is to be filled, each candidate shall file for one of the positions so designated: *Provided*, That in first class school districts nominating and electing school directors by director districts, candidates shall file for such director districts.

29.21.210 ———Ballots—Form. The positions of school directors for school districts embracing a city of over one hundred thousand population and the candidates therefor shall appear separately on the nonpartisan ballot in substantially the following form:

SCHOOL DIRECTOR ELECTION BALLOT

To vote for a person make a cross (X) in the square at the right of the name of the person for whom you desire to vote.

School District Directors

_____ to be nominated.

No. 1

Vote for One

_____	<input type="checkbox"/>
_____	<input type="checkbox"/>
_____	<input type="checkbox"/>

No. 2

Vote for One

_____	<input type="checkbox"/>
_____	<input type="checkbox"/>
_____	<input type="checkbox"/>

To Fill Unexpired Term

No. _____

2 (or 4) year term

Vote for One

_____	<input type="checkbox"/>
_____	<input type="checkbox"/>
_____	<input type="checkbox"/>

29.21.220 ————**When nominating primary held—Costs.** Nominating primaries for school directors in school districts embracing a city of over one hundred thousand population shall be held as provided in RCW 29.13.070, and such school districts shall bear their share of the primary election costs as provided in RCW 29.13.045.

29.21.230 ————**Names of candidates to appear on general election ballot.** The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a school district position shall appear on the general election ballot under the designation therefor: *Provided*, That if any candidate for a position receives a majority vote, his name alone shall be placed on the general election ballot for that position.

Chapter 29.24**NOMINATIONS OTHER THAN BY PRIMARY**

29.24.010 Definition—"Convention". A "convention" for the purposes of this chapter, is an organized assemblage of at least one hundred registered voters representing a new or minor political

party, organization or principle, or in lieu thereof ten registered voters from each congressional district in the state of Washington.

29.24.020 Minor parties must hold convention on state primary day. Any new or minor political party is not entitled to participate in a state primary election but must nominate candidates for public office in a convention held on the same day that state primary elections are held.

29.24.030 Minor party convention—Procedure. To be valid, a minor party convention must:

(1) Be attended by at least one hundred registered voters; or in lieu thereof ten registered voters from each congressional district in the state of Washington;

(2) Have been called by a notice published in a newspaper of general circulation published in the county in which the convention is to be held at least ten days before the date of the primary election stating the date, hour, place of meeting and a general statement of the principles of the organization.

29.24.040 Certificate of nomination—Requisites. A certificate evidencing nominations made at a minority party convention must:

(1) Be in writing;

(2) Contain the name of each person nominated, his residence, his business, and the office for which he is named; together with a sworn statement of each nominee giving his consent to the said nominations;

(3) Designate in not more than five words the party or principle which the convention represents;

(4) Be verified by the oath of the presiding officer and secretary;

(5) Be signed by at least one hundred registered voters present at the convention and who did not vote at the primary election held on that day, or in lieu thereof be signed by at least ten registered voters from each congressional district in the state of Washington present at a convention, and who did not vote at the primary election held on that day;

(6) Show the voting addresses of all signers;

(7) Contain proof of publication of the notice of calling the convention.

29.24.050 Certificate of nomination—What signatures invalid. The signature of a minor party nominating certificate of a person who voted in the primary held on the day of the convention is invalid.

29.24.060 Certificate of nomination—Checking signatures. Upon the receipt of the certificate of nomination of a minor party nominating convention, the secretary of state shall check from the

records the required signatures thereto to ascertain if the signers are registered voters and whether said signers voted at the primary election held on the same day as said convention. If the secretary of state finds that the certificate is defective or does not comply with law he shall refuse to file the same and any declarations of candidacy of candidates nominated by such convention.

29.24.070 Declarations of candidacy required. If the nominating certificate is valid, each candidate nominated by a minor party convention may file with the secretary of state a declaration of candidacy as nearly as possible in the form prescribed for candidates subject to primary election, and each candidate must at the time of filing such declaration pay to the secretary of state the fee prescribed by law for candidates subject to primary election. The name of a candidate nominated at a minor party convention shall not be printed upon the election ballot unless he pays the fee required by law to be paid by candidates for the same office to be nominated at a primary election.

29.24.080 Filing dates for certificates and declarations. The certificate of nominations made by a minor party convention, and the declarations of candidacy of the individual candidates nominated may be filed with the secretary of state at any time after said convention is held, but such filing must be complete not later than the first Tuesday after the date of the September primaries.

29.24.090 Transmittal of minor party nominations. If any nominations made by such convention are intended for county, district or other local offices and valid declarations of candidacy have been filed, the secretary of state shall transmit the same to the appropriate county officers for printing upon the official ballot at the same time and in the same manner as nominations for other offices are transmitted, and shall at the same time transmit the filing fees of such county, district or local candidates to the respective county treasurers.

29.24.110 Nominations in towns. Fourth class municipalities shall not hold primaries and the election of town officers shall be nonpartisan. Not less than ninety days prior to the holding of a town election, the town council shall by ordinance prescribe as the method for nominating candidates, either the holding of a caucus or caucuses, in which case it shall further prescribe regulations therefor, or the filing of declarations of candidacy.

If caucuses are provided for, the town clerk shall publish once in a newspaper having general circulation within the county at least ten days prior to the date thereof, a notice of any caucus. If there be no such newspaper, notice shall be posted ten days prior to date of the caucus, at the three most prominent places in town.

If declarations of candidacy are provided for, they shall be filed with the town clerk not more than sixty nor less than forty-six days prior to the election, and shall be accompanied by a filing fee equal to one percent of the annual salary of the office: *Provided*, That no filing fee shall be charged in the event that the office sought is without salary.

Declarations of candidacy shall substantially conform to the form set forth in RCW 29.18.030. Any candidate may withdraw his declaration at any time to and including the first Friday after the last day allowed for filing declarations of candidacy.

If, by law, the county auditor, as ex officio supervisor of elections, has jurisdiction over such town election, the town clerk shall at least thirty-five days prior thereto, submit to him a certified list of candidates.

Chapter 29.27

CERTIFICATES AND NOTICES

29.27.010 Certifying list of offices for consolidated elections in counties. The governing board of every city, town or district subject to RCW 29.13.010, 29.13.020 or 29.13.030, shall certify to the county auditor as ex officio county supervisor of elections a list of the offices to be filled at an election at least forty-five days before the date of election.

29.27.020 Certifying candidates before primary by secretary of state. At least thirty-five days before any September primary the secretary of state shall transmit to each county auditor a certified list of the candidates for office to be voted for in each county as represented by the declarations of candidacy and nomination papers filed in his office. The certificate shall set forth the name of each candidate, his post office address, the office for which he is a candidate and his party designation.

29.27.030 Notice of primary election. Not more than ten nor less than three days prior to the primary election the county auditor shall publish notice of such primary in one or more newspapers of general circulation within the county. Said notice shall contain the proper party designations, the names and addresses of all persons who have filed a declaration of candidacy to be voted upon at that primary election, the hours during which the polls will be open, and that the election will be held in the regular polling place in each precinct, giving the address of each polling place: *Provided*, That the names of all candidates for nonpartisan offices shall be published separately with designation of the offices for which they

are candidates but without party designation. This shall be the only notice required for the holding of any primary election.

29.27.040 Filing list of nominees—Fourth class towns. Clerks of fourth class towns shall certify and file a list of nominees with the county auditor not less than thirty-five days before the election.

29.27.045 Proclamation of offices to be filled at general election. It shall be the duty of the governor, at least sixty days before any general election, to issue his proclamation, designating the offices to be filled by the state at large at such election, and to transmit a copy thereof to the county auditor of each county.

29.27.050 Certification of nominees by secretary of state. As soon as possible but in any event no later than the fourth Tuesday after any primary election, the secretary of state shall certify to the county auditor of each county within which any of the electors may by law vote for candidates for such office, the name and place of residence of each person nominated for such office, as specified in the certificates of nomination filed with the secretary of state.

29.27.060 Certification of measures generally—Ballot titles. When a proposed constitution or constitutional amendment or other question is to be submitted to the people of the state for state-wide popular vote, the attorney general shall prepare a concise statement not exceeding seventy-five words containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon.

Questions to be submitted to the people of a county or municipality shall also be advertised as provided for nominees for office, and in such cases there shall also be printed on the ballot a concise statement not exceeding seventy-five words containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon, which statement shall be prepared by the city attorney for the city, and by the prosecuting attorney for the county or any other political subdivision of the state, other than cities, situated in the county.

In addition to such a statement, the official preparing the statement, whether the attorney general, city attorney, or prosecuting attorney, as the case may be, shall also prepare a caption, not to exceed five words in length, to permit the voters readily to identify the proposition and distinguish it from other propositions on the ballot. This caption shall be placed on the ballot immediately before the statement, and shall be printed in heavy black type in such a manner as to be readable at a glance. The caption and statement together shall constitute the ballot title. The secretary of state shall certify to the county auditors the ballot title for a proposed consti-

tution, constitutional amendment or other state-wide question at the same time and in the same manner as the ballot titles to initiatives and referendums.

29.27.065 Notice of ballot title to persons proposing measure. Upon the filing of a ballot title as defined in RCW 29.27.060, the secretary of state, in event it is a state question, or the county auditor in the event it is a county or other local question, shall forthwith notify the persons proposing the measure of the exact language of the ballot title.

29.27.067 Ballot title—Appeal to superior court. If the persons filing any state or local question covered by RCW 29.27.060 are dissatisfied with the ballot title formulated by the attorney general, city attorney, or prosecuting attorney preparing the same, they may at any time within ten days from the time of the filing of the ballot title appeal to the superior court of Thurston county if it is a state-wide question, or to the superior court of the county where the question is to appear on the ballot, if it is a county or local question, by petition setting forth the measure, the ballot title objected to, their objections to the ballot title and praying for amendment thereof. The time of the filing of the ballot title, as used herein in determining the time for appeal, is the time the ballot title is first filed with the secretary of state, if concerning a state-wide question, or the county auditor, if a local question, the secretary of state or the county officer being herein called the "filing officer."

A copy of the petition on appeal together with a notice that an appeal has been taken shall be served upon the filing officer and the official preparing the ballot title. Upon the filing of the petition on appeal, the court shall forthwith, or at the time to which a hearing may be adjourned by consent of the appellants, examine the proposed measure, the ballot title filed and the objections thereto and may hear arguments thereon, and shall as soon as possible render its decision and certify to and file with the filing officer such ballot title as it determines will meet the requirements of this chapter. The decision of the superior court shall be final, and the title so certified shall be the established ballot title. Such appeal shall be heard without cost to either party.

29.27.072 Notice of constitutional amendments—Publication in newspapers and on radio and television. The secretary of state shall cause notice of the constitutional amendments that are to be submitted to the people to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state and shall supplement publication thereof by radio and television broadcast as provided in RCW 65.16.130, 65.16.140, and 65.16.150.

29.27.074 ———Contents. The notice provided for in RCW 29.27.072 shall set forth the following information:

- (1) The legal identification of the constitutional amendment.
- (2) The official ballot title of the constitutional amendment.
- (3) A brief statement explaining the constitutional provision as it presently exists.
- (4) A brief statement explaining the effect of the proposed constitutional amendment should it be approved.
- (5) The total number of votes cast for and against the measure in both the state senate and house of representatives.

29.27.076 ———Attorney general to prepare explanatory statement for notice, judicial appeal. The attorney general shall, by the first day of July preceding each general election, prepare the explanatory statements required in RCW 29.27.074. Such statements shall be prepared in clear and concise language and shall avoid the use of legal and other technical terms insofar as possible. Any person dissatisfied with the explanatory statement so prepared may at any time within ten days from the filing thereof in the office of the secretary of state appeal to the superior court of Thurston county by petition setting forth the constitutional amendment, the explanatory statement prepared by the attorney general, and his objection thereto and praying for the amendment thereof. A copy of the petition and a notice of such appeal shall be served on the secretary of state and the attorney general. The court shall, upon filing of the petition, examine the constitutional amendment, the explanatory statement, and the objections thereto and may hear argument thereon and shall, as soon as possible, render its decision and certify to and file with the secretary of state such explanatory statement as it determines will meet the requirements of RCW 29.27.072 through 29.27.076. The decision of the superior court shall be final and its explanatory statement shall be the established explanatory statement. Such appeal shall be heard without costs to either party.

29.27.080 Notice of election—Certification of measures. Notice for any state, county, district, or municipal election, whether special or general, shall be given by at least one publication not more than ten nor less than three days prior to the election by the county auditor or the officer conducting the election as the case may be, in one or more newspapers of general circulation within the county. Said legal notice shall contain the title of each office under the proper party designation, the names and addresses of all officers who have been nominated for an office to be voted upon at that election, together with the ballot titles of all measures, the hours during which the polls will be open, and that the election will be held in the regular polling places in each precinct, giving the address

of each polling place: *Provided*, That the names of all candidates for nonpartisan offices shall be published separately with designation of the offices for which they are candidates but without party designation. This shall be the only notice required for a state, county, district or municipal general or special election and shall supersede the provisions of any and all other statutes, whether general or special in nature, having different requirements for the giving of notice of any general or special elections.

29.27.090 Preservation of nominating certificates. The secretary of state, county auditor of each county, and clerks of the several municipal corporations shall preserve all certificates of nomination filed in their respective offices for six months. All certificates shall be open to public inspection under proper regulations made by the officer with whom they are filed.

29.27.100 Certificates of election to officers elected in county or lesser constituency. Immediately after the ascertainment of the result of an election for an office to be filled by the voters of a single county, or of a precinct, or of a constituency within a county for which he serves as supervisor of elections, the county auditor shall notify the person elected, and upon his demand issue to him a certificate of his election.

29.27.110 Certificates of election to other officers. Except as provided in the state Constitution, the governor shall issue certificates of election to those elected as senator or representative in the congress of the United States and to state offices. The secretary of state shall issue certificates of election to those elected to the office of judge of the superior court in judicial districts comprising more than one county and to those elected to either branch of the state legislature in legislative districts comprising more than one county.

29.27.120 Certificate not withheld for informality in returns. No certificate shall be withheld on account of any defect or informality in the returns of any election, if it can with reasonable certainty be ascertained from such return what office is intended, and who is entitled to such certificate, nor shall any commission be withheld by the governor on account of any defect or informality of any return made to the office of the secretary of state.

Chapter 29.30

BALLOTS

29.30.010 Primary ballots—General form. Every primary ballot shall be uniform in color and size, shall be white and printed in black ink. Across the head of each ballot shall be printed in plain,

black type, first, the words, "Primary Election Ballot," and below that, the county, in which the ballot is to be used. Then shall follow the words "To vote for a person mark a cross in the first square at the right of the name of the person for whom you desire to vote." Beginning at the top of the left hand column, at the left of the line, in black type, shall appear the name of the position for which the names following are candidates, and to the extreme right of the same line the words, "Vote for," then the words "One," "Two," or a spelled number designating how many persons under that head are to be voted for. Following this shall come the names of all candidates for that position inclosed in a light faced rule, each followed by the name of the political party, if any, with which the candidate desires to affiliate, with a square to the right, said square being separated by a heavy black face rule, the parallel rules containing the names and squares to be one-sixth of an inch apart. Each position with the names running for that office, shall be separated from the following one by a black face rule. There shall be no printing upon the back of the ballots nor any mark thereon to distinguish them.

29.30.020 Primary ballots—Arrangement of positions. The positions on a primary ballot shall be arranged substantially as follows: First, United States senator; next, congressional; next, judges of supreme court; next, judges of superior court; next, other state officers; next, legislative; next, county officers; next, precinct officers; next, justice of the peace; next, precinct committeemen. There shall be a blank space left following the list of names of candidates for each office for writing in the name of a candidate, if desired.

29.30.030 Primary ballots—Suggested model. The form of primary ballots shall be substantially as follows:

(FORM OF BALLOT)

PRIMARY ELECTION BALLOT

..... County

To vote for a person make a cross in the square to the RIGHT of the name of the person for whom you desire to vote.

UNITED STATES SENATOR

Vote for One

ADAMS, FRANK C. Democrat ☐

HADDOCK, R. A. Republican ☐

JOHNSON, OSCAR F. Republican ☐

(and so on with the other officers in order.)

Where voting machines are legally used in any county, city, or other municipality, the ballot arrangement of candidates to be voted on at the primary shall be substantially in form with that heretofore set forth in this section, but may be varied so as to carry out the purposes required by use of voting machines.

29.30.040 Primary ballots—Rotating names of candidates. The names of candidates for each office upon primary ballots under the heading designating each official position upon the ballots to be used in voting, shall be first arranged in the order in which their declarations of candidacy were filed. In printing each set of ballots for the several counties, the positions of the names of candidates shall be changed in each office division as many times as there are candidates in the office division in which there are the most names. As nearly as possible an equal number of ballots shall be printed after each change. In making the changes of position, the printer shall take the line of type at the head of each office division and place it at the bottom of the division and shove up the column so that the name that before was second, shall be first, after the change. After the ballots are printed they shall be kept in separate piles, one pile for each change of position, and shall then be gathered by taking one from each pile; the intention being that every other ballot at the polls shall have the names in a different position.

29.30.050 Primary ballots—Numbering. After the ballots have been gathered as provided in RCW 29.30.040, they shall be numbered consecutively, said numbering to be perforated and torn off by the election officers on the voting of the ballot.

29.30.060 Primary ballots—Samples. On the fifteenth day before a primary election, the county auditor shall prepare at once a sample ballot which he shall post in a conspicuous place in his office for public inspection. Sample ballots shall be substantially in the same form as the official ballots but upon colored paper and the names of the candidates for each office shall be arranged thereon in the order in which their declarations of candidacy were filed and need not be alternated.

29.30.075 Primary ballots for absentee voters, date prepared. At least twenty-five days before any primary, each county auditor shall have prepared sufficient ballots for use by absentee voters.

29.30.080 General election ballots—Form. All general election ballots prepared under the provisions of this title shall conform to the following requirements:

(1) Shall be of white and a good quality of paper, and the names shall be printed thereon in black ink.

(2) Every ballot shall contain the name of every candidate whose nomination for any office specified in the ballot has been filed according to the provisions of this title and no other names.

(3) All nominations of any party or group of petitioners shall be placed under the title of such party of petitioners as designated by them in their certificate of nomination or petition, and the name of each nominee shall be placed under the designation of the office for which he has been nominated.

(4) There shall be a ☐ at the right of the name of each of its nominees so that a voter may clearly indicate the candidate or the candidates for whom he wishes to cast his ballot. The square shall be one-fourth of an inch. The size of type for the designation of the office shall be nonpareil caps; that of the candidates not smaller than brevier or larger than small pica caps and shall be connected with squares by leaders.

(5) The list of candidates of the party whose candidate for president of the United States received the highest number of votes from the electors of this state in the preceding presidential election shall be placed in the first column of the left hand side of the ballot, the party whose candidates for presidential electors or candidates received the next highest number of votes from the electors of this state in the preceding presidential election the second column and of other parties in the order in which certificates of nomination have been filed.

(6) No candidate's name shall appear more than once upon the ballot: *Provided*, That any candidate who has been nominated by two or more political parties may, upon a written notice filed with the county auditor at least twenty days before the election is to be held, designate the political party under whose title he desires to have his name placed.

(7) Under the designation of the office if more than one candidate is to be voted for there shall be indicated the number of candidates to such office to be voted for at such election. In such cases the names of the candidates of the various parties for that office shall be staggered so that the names of no two candidates for that office shall appear opposite each other upon the same line in adjacent party columns.

(8) Upon each official ballot a perforated line one-half inch from the left hand edge of said ballot shall extend from the top of said ballot towards the bottom of the same two inches thence to the left hand edge of the ballot and upon the space thus formed there shall be no printing except the number of such ballot which shall be upon the back of such space in such position that it shall appear on the outside when the ballot is folded. The county auditor shall cause official ballots to be numbered consecutively beginning with number one, for each separate voting precinct.

(9) Official ballots for a given precinct shall not contain the names of nominees for justices of the peace and constables of any other precinct except in cases of municipalities where a number of precincts vote for the same nominee for justices of the peace and constables and in the latter case the ballots shall contain only the names to be voted for by the electors of such precinct. Each party column shall be two and five-eighths inches wide.

(10) If the election is in a year in which a president of the United States is to be elected, in spaces separated from the balance of the party tickets by a heavy black line, shall be the names and spaces for voting for candidates for president and vice president. The names of candidates for president and vice president for each political party shall be grouped together, each group enclosed in brackets with one three-eighths inch square to the right in which the voter indicates his choice.

(11) On the top of each of said ballots and extending across the party groups, there shall be printed instructions directing the voters how to mark the ballot before the same shall be deposited with the judges of election. Next after the instructions and before the party group shall be placed the questions of adopting constitutional amendments or any other question authorized by law to be submitted to the voters of such election. The arrangement of the ballot shall in general conform as nearly as possible to the form hereinafter given.

Instructions: If you desire to vote for any candidate, place X in ☐ at the right of the name of such candidate.

(Here place any state or local questions to be voted on.)

REPUBLICAN PARTY	DEMOCRATIC PARTY	OTHER PARTY
PRESIDENT AND VICE PRESIDENT BENJAMIN F. HARRISON. } <input type="checkbox"/> LEVI P. MORTON }	PRESIDENT AND VICE PRESIDENT GROVER CLEVELAND } <input type="checkbox"/> A. G. THURMAN }	
UNITED STATES SENATOR WATSON C. SQUIRE..... <input type="checkbox"/>	UNITED STATES SENATOR C. W. GRIGGS..... <input type="checkbox"/>	
GOVERNOR ELISHA P. FERRY..... <input type="checkbox"/>	GOVERNOR EUGENE SEMPLE <input type="checkbox"/>	
LIEUTENANT GOVERNOR CHAS. E. LAUGHTON..... <input type="checkbox"/>	LIEUTENANT GOVERNOR L. H. PLATTER..... <input type="checkbox"/>	
SECRETARY OF STATE ALLEN WEIR <input type="checkbox"/>	SECRETARY OF STATE W. H. WHITTLESEY..... <input type="checkbox"/>	

STATE REPRESENTATIVE

District No. 20

Vote for three only

ANDREW ANDERSON..... <input type="checkbox"/>		JANE DOE <input type="checkbox"/>
	JOHN DOE..... <input type="checkbox"/>	
JOHN BROWN..... <input type="checkbox"/>		B. H. KILROY..... <input type="checkbox"/>
	RICHARD ROE <input type="checkbox"/>	
HENRY SMITH <input type="checkbox"/>		TILLY OLSON <input type="checkbox"/>
	WM. WILLIAMS <input type="checkbox"/>	

County
Commissioner
First District

County
Commissioner
First District

County
Commissioner
First District

(Names of other candidates should follow on the ballot in same form.)

29.30.090 General election ballots—Size—Uniformity. The ballots shall be eight inches in width and of such length as shall be necessary to print the names of all the candidates entitled to appear thereon. All of the official ballots shall be of the same size for each and every precinct, and shall not vary one-eighth of an inch in breadth from the above specification. No ballot shall bear any impression, device, color, or thing designated to distinguish such ballot from other legal ballots, or whereby the same may be known or designated.

29.30.100 General election ballots—What names to appear. The names of the persons certified as the nominees resulting from a primary election by the state canvassing board or the county canvassing board shall be printed on the official ballot prepared for the ensuing election.

No name of any candidate whose nomination at a primary is required by law shall be placed upon the ballot unless it appears upon the certificate of either (1) the state canvassing board, or (2) the county canvassing board, or (3) a minor party convention, or (4) of the state or county central committee of a major political party to fill a vacancy on its ticket occasioned by any cause on account of which it is lawfully authorized so to do.

29.30.110 Nominee at primary precluded from being candidate of another party at general. No person who has offered himself as a candidate for the nomination of one party at the primary shall have his name printed on the ballot of the succeeding general election as the candidate of another political party.

29.30.130 Expense of printing and distributing ballots. The printing of ballots and cards of instruction for electors and the delivery of the same to election officers shall be a charge against the county, city, town or other political subdivision by or for which the election is held.

Chapter 29.33

VOTING MACHINES

29.33.010 Definitions. The following words used in this chapter have the meaning given them in this section:

(1) "Ballot label" means the paper containing the names of offices and candidates and the statements of propositions to be voted upon;

(2) "Candidate counters" and "question counters" mean the counters on which are registered the votes cast for candidates and on questions respectively;

(3) "Public counter" means a counter or other device, which shall at all times publicly indicate how many times the machine has been voted on at an election;

(4) "Protective counter" or "protective devices" means a counter or device that will register each time the machine is operated and shall be so constructed, and so connected that it cannot be reset, altered or operated, except by operating the machine;

(5) "Diagram" means illustration of a voting machine complete with ballot labels prepared for a particular election or primary;

(6) "Irregular ballot" means a ballot cast by means of a voting machine by the use of a label which is a ballot label with no printing thereon;

(7) "Statement of canvass" means a statement in book form of the votes cast upon a voting machine together with suitable certificates of correctness or, if the voting machine is equipped with printed election returns mechanism, the printed returns therefrom, together with suitable certificates thereon;

(8) "Vote indicator" means the lever over each ballot label;

(9) "Voting machine booth" means the inclosure occupied by a voter while operating a voting machine;

(10) "Printed election returns" means the papers, original and duplicates, which are produced by the voting machine after the close of the polls and which have imprinted and inscribed thereon the complete record of votes cast in the election in the precincts where voting machines equipped with printed election returns mechanism are used.

29.33.015 Election defined. "Election" when used in this chapter shall include primaries, general and special elections except where the context indicates otherwise.

29.33.020 Authority for use—Applicability of statutes, city charters and ordinances. At all elections, ballots or votes may be cast, registered, recorded and counted by means of voting machines. The provisions of all statutes, charters and ordinances relating to elections and primaries shall apply to the use of voting machines in so far as they are consistent with the provisions of this chapter; in so far as they are inconsistent, they shall be of no force and effect in precincts where voting machines are used.

29.33.030 State voting machine committee—Members. The secretary of state, the state superintendent of public instruction and the insurance commissioner, ex officio, shall constitute the state voting machine committee.

29.33.040 State voting machine committee—General duties. The state voting machine committee shall examine all voting machines submitted to it and determine whether they conform to the statutory requirements and can be safely used by voters.

29.33.050 State voting machine committee—Submitting machines to. Any owner of a voting machine or any person or corporation interested therein may submit it to the state voting machine committee for examination and the committee must publicly examine and report upon the machine so submitted.

29.33.060 State voting machine committee—Employees authorized. The voting machine committee may employ not more than three expert machinists to assist it in examining machines. The machinists shall receive not more than ten dollars per day to be paid by the person or corporation who submits the machine for examination.

29.33.070 State voting machine committee—Reports on machines. Within thirty days after completing the examination of a voting machine, the voting machine committee shall make and file with the secretary of state its report thereon together with such description, drawings, and photographs as will clearly identify the machine examined and the mechanical operation thereof.

29.33.080 Reports on machines—Transmittal to local governmental units. Within ten days after receiving a report on a voting machine from the state voting machine committee, the secretary of state shall send a copy thereof to the board of county commissioners of each county, and to the governing body of every city, town, and district within the state. Only voting machines which have

the approval of the state voting machine committee may be used for conducting any election, but any change or improvement thereon that does not impair its accuracy, efficiency, or capacity may be made without the necessity of a reexamination or reapproval.

29.33.090 Requirements of voting machines for approval. No voting machine shall be approved by the state voting machine committee unless it is constructed so as to fulfill the following requirements:

- (1) It shall secure to the voter secrecy in the act of voting;
- (2) It shall provide facilities for voting for the candidates of as many political parties or organizations as may make nominations, and for or against as many measures as may be submitted;
- (3) Except at primary elections the voting devices for the candidates shall be arranged in separate parallel party lines, one or more lines for each party and in parallel office rows transverse thereto;
- (4) It shall permit the voter to vote for any person for any office that he shall have the right to vote for but none other;
- (5) It shall permit the voter to vote for all the candidates of one party or in part for the candidates of one party and in part for the candidates of one or more other parties;
- (6) It shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for but no more;
- (7) It shall prevent the voter from voting for the same person more than once for the same office;
- (8) It shall permit the voter to vote for or against any measure he may have the right to vote on but none other;
- (9) It shall correctly register or record all votes cast for any and all persons and for or against any and all measures;
- (10) It shall be provided with a lock or locks by which all operation of the registering mechanism can be prevented as soon as the polls of the election are closed;
- (11) It shall be provided with a protective counter whereby any operating or tampering with the machine before or after the election will be detected;
- (12) It shall be provided with a counter which will show at all times during an election how many persons have voted;
- (13) It shall be provided with a mechanical model, illustrating the manner of voting on the machine suitable for the instruction of voters;
- (14) It shall be provided with one device for each party for voting for the presidential and vice presidential candidates of said party in the years in which said officers are elected.

29.33.100 Purchase of machines—Authority for. The governing body of any public corporation may adopt and provide for the use of voting machines approved by the state voting machine committee in any or all of the election precincts thereof.

29.33.110 Purchase of machines—Joint use and purchase authorized. In purchasing voting machines, the board of county commissioners of a county, and the governing body of one or more of the public corporations therein may enter into an agreement to provide for the joint purchase and subsequent ownership thereof and for the care, maintenance and use of the same.

29.33.120 Purchase of machines—Manner of payment. The governing body of a public corporation for the purpose of paying for voting machines may provide for the payment thereof in such manner as it may deem for its best interest, may issue or sell at not less than par negotiable obligations bearing interest at a rate not to exceed five percent per annum and may make their payment a charge upon the corporation or may pay for the same in cash out of its general or current expense fund or otherwise; and may contract for the purchase of such machines with regard to price, manner of purchase and time of payment as to it shall seem proper, and in estimating the amount of taxes for the general or current expense fund, if any, such amount shall be added, extending over such time as may be required to pay for such machines.

29.33.130 Custodians. The county auditor of a county, the city clerk, or proper officer of a district, in which voting machines are to be used shall cause them to be properly prepared therefor; and for that purpose shall employ for such time as is necessary one or more competent persons who shall be election officers known as the voting machine custodians. Voting machine custodians shall be sworn to perform their duties honestly and faithfully, and shall be paid for the time actually spent in the discharge of their duties. One custodian shall be employed for each twenty machines; if more than one is employed they shall be selected from the political parties entitled to representation on a board of election officers.

29.33.140 Chief custodian. The county auditor of a county, the clerk of a city or district, having two hundred voting machines or more, shall appoint a permanent employee who shall be a competent mechanic. He shall be known as the chief custodian of voting machines, shall be sworn to perform his duties honestly and faithfully, and shall furnish a corporate surety bond in the sum of five thousand dollars for the honest and faithful performance of his duties. His salary shall be set by the board of county commissioners, paid out of the current expense fund of the county or the general fund of the city or district, as the case may be.

The chief custodian of voting machines shall supervise the work of all other voting machine custodians, and shall instruct and supervise them and have general charge of the preparation and approval of voting machines for elections.

He shall also have charge of the instruction schools for election officials, and of the procuring and rental of all polling places in precincts where voting machines are to be used. He shall have continuous charge of the maintenance, upkeep and care of the voting machines in his jurisdiction.

29.33.150 Preparation of machine for use. In preparing a voting machine for an election, the custodian shall arrange the machine and labels therefor according to the printed directions furnished by the auditor or clerk so that it will in every particular meet the requirements for voting and counting at such elections, thoroughly test same, and certify thereto to the said auditor or clerk. A voting machine may be so arranged for an election that the names of candidates nominated independently may be placed in the same party row with those nominated by a major political party, if such placing does not prevent such independently nominated candidates from being voted for individually. It may also be so arranged that candidates nominated independently, or by political organizations which nominated but one candidate, are placed in the same party row and voted for individually; in which event the party voting device of the party row shall be locked against movement, and the political designation of each candidate shall be printed upon the ballot labels in connection with his name. The auditor or clerk shall direct the arrangement of all ballot labels on a voting machine in case of nonpartisan primaries and elections in cities of the first class operating under freeholders' charters, so that the arrangement of the names of candidates shall conform as nearly as practicable to the provisions for the arrangement of names on paper ballots. In all other cases of nonpartisan primaries and elections, and in all cases of party primaries and elections, the arrangement of names of candidates upon the ballot labels shall conform as nearly as practicable to the statutory provisions for the arrangement of names on paper ballots.

After being prepared for a primary or an election, each machine shall be examined by the auditor or clerk, and if it was prepared in accordance with law for use thereat, he shall file a certificate thereof in his office. The custodian shall cause all voting machines to be delivered to the polling places in charge of an authorized official who shall certify to their delivery in good order on the certificate furnished therefor. After such delivery the auditor or clerk shall provide proper protection therefor. The custodian shall provide a lantern or proper light for every machine, which light

shall be in good order and give sufficient light to enable voters while in the booth to read the ballot labels, and suitable for use by the election officers in examining the counters.

29.33.160 General provisions for use. General provisions with reference to use of voting machines are:

(1) The list of offices and candidates and the statements of measures when properly arranged and affixed by ballot labels to a voting machine shall be deemed an official ballot.

(2) A "diagram" as in this chapter defined shall be deemed a sample ballot.

(3) The protective counter on a voting machine must be so constructed that it cannot be reset, altered, or operated except by operating the machine in the manner it is operated when actually voting.

(4) Statements of canvass take the place of tally-keepers, statements, and returns provided for in connection with voting in precincts where voting machines are not used.

(5) Not later than forty days before any primary or election, for the purpose of using one or more voting machines therein, the election authority may create, unite, combine or divide election precincts. More than one voting machine may be used in the same precinct. There shall be at least one machine in each precinct: *Provided*, That where precincts have been combined under the provisions of this chapter, there shall be used at such combined polling place a number of voting machines no less than the number of precincts so combined.

(6) No voting machine shall be used at any election unless each party voting device thereon is locked against movement, and the machine has been prepared in such a way that the voter cannot by a single operation vote for all the candidates of one party.

29.33.170 Exhibiting specimen machines. Before each election at which voting machines are to be used the custodian shall place on public exhibition a suitable number of machines for the proper instruction of voters. Such machines shall be so arranged and so equipped with ballot labels as to best illustrate the method of voting at that election, and so far as practical shall contain the names of the offices to be filled, the names of the candidates to be voted for, together with their proper party designations, in case of party elections, and statements of the measures to be voted on.

29.33.180 Publication of diagrams. Not more than ten nor less than three days before each election at which voting machines are to be used the board or officer charged with the duty of providing ballots shall publish in newspapers representing at least two political parties a diagram of reduced size showing the face of the

voting machine after the official ballot labels are arranged thereon, together with illustrated instructions how to vote and a statement of the locations of voting machines which are on public exhibition. In lieu of publication thereof, the board or officer may send by mail or otherwise at least three days before the elections a printed copy of the diagram to each registered voter.

29.33.190 Printed matter and supplies. The board or officer charged with the duty of providing ballots shall provide for each voting machine for each election the following printed matter and supplies:

(1) Suitable printed or written directions to the custodian for testing and preparing the voting machines for the election;

(2) One certificate on which the custodian can certify that he has properly tested and prepared the voting machine for the election;

(3) One certificate on which some person other than the custodian can certify that the voting machine has been examined and found to have been properly prepared for the election;

(4) One certificate on which the party representatives can certify that they have witnessed the testing and preparation of the machines;

(5) One certificate on which the deliverer of the machines can certify that he has delivered the machines to the polling places in good order;

(6) One card stating the penalty for tampering with or injuring a voting machine;

(7) Two seals for sealing a voting machine;

(8) One envelope in which the keys to the voting machine can be sealed and delivered to the election officers, said envelope to have printed or written thereon the designation and location of the election precinct in which the machine is to be used, the number of the machine, the number shown on the protective counter thereof after the machine has been prepared for the election and the number or other designation on such seal as the machine is sealed with; said envelope to have attached to it a detachable receipt for the delivery of the keys to the voting machine to the inspector of election;

(9) One envelope in which the keys to the voting machine can be returned by the inspector of election;

(10) One card stating the name and telephone address of the custodian on the day of election;

(11) One statement of canvass on which the election officers can report the canvass of the votes as shown on the voting machine together with other necessary information relating to the election;

(12) Two diagrams;

(13) Five suitable printed instructions to the inspector of election;

(14) Three notices to inspectors and judges of election to attend the instruction meetings;

(15) Three certificates that the inspector and judges of an election have attended the instruction meeting, have received the necessary instruction, and are qualified to conduct the election with the machine;

(16) A sufficient number of paper ballots or extra diagrams for use in case it shall be impossible to make use of the voting machine in any such precinct or precincts;

(17) Three complete sets of the ballot labels; the ballot labels shall be printed in black ink on clear white material of such size and arrangements as to suit the construction of the machine. The titles of the offices on the ballot labels shall be printed in type as large as the space for such office will reasonably permit, and where more than one candidate can be voted for an office, there shall be printed below the office title the words "vote for any two," or such number as the voter is lawfully entitled to vote for out of the whole number of candidates nominated.

The ballot labels for measures may contain a condensed statement of each measure to be voted on, accompanied by the words "Yes" and "No."

29.33.200 Samples of printed matter provided for first elections. Within a proper and reasonable time before the first election at which voting machines are used, the secretary of state shall prepare samples of the printed matter and supplies to be used in connection with voting by voting machines. The samples must meet the requirements and suit the construction of the machine to be used. One sample of each piece of material must be furnished to the board or officer in charge of the election in each public corporation in which voting machines are to be used.

29.33.210 Precinct officers—Variation in number and character. If more than one machine is to be used in a precinct, one additional inspector of election shall be appointed for each additional machine. In any voting precinct where the number of registered voters is less than one hundred the election board may consist of one inspector, one judge and one clerk.

29.33.220 Precinct officers—Instruction in use of machines. Before each election at which voting machines are to be used, the custodian shall instruct all inspectors and judges of election who are to serve thereat in the use of the machine and their duties in connection therewith. He shall give to each inspector and judge who has received instruction and is fully qualified to conduct the elec-

tion with a machine a certificate to that effect. For the purpose of instruction, the custodian shall call such meetings of the inspectors and judges as may be necessary. Every inspector and judge shall attend the meetings and receive instruction in the proper conduct of the election with a machine. As compensation for the time spent in receiving instruction each inspector and judge who qualifies and serves in the election shall receive the sum of two dollars to be paid to him at the same time and in the same manner as compensation is paid him for his services on election day. No inspector or judge of election shall serve in any election at which a voting machine is used unless he has received the required instruction and is fully qualified to perform his duties in connection with the machine and has received a certificate to that effect from the custodian of the machines: *Provided*, That this shall not prevent the appointment of an inspector, or judge of election to fill a vacancy in an emergency.

29.33.230 Machines kept locked after election—Exceptions. Except for reopening to make a recanvass, the registering mechanism of each machine used in any primary or election shall remain locked and sealed against operation for thirty days following any state or county primary or election and for eight days following any primary or election held by a city or other constituency not greater than a county.

Chapter 29.36

ABSENTEE VOTING

29.36.010 When permissible—Application. 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:

- (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.

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

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

29.36.030 Issuance of ballots and other materials — Envelopes. 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.

29.36.035 Qualifications 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.

29.36.040 Instructions for voting absentee ballot. Enclosed with the ballot, small envelope and large envelope sent to the absent voter shall be separate printed instructions which the absent voter must observe as follows:

"Upon receipt of this ballot you must mark it and transmit it in accordance with these instructions according to law:

(1) Having marked the ballot, fold it and enclose it in the smaller envelope, sealing the envelope.

(2) Fill out and sign the statement on the larger envelope.

(3) Place the small envelope containing the ballot in the larger one, seal that, attach sufficient first class postage and mail it so that it will be postmarked the day of election or sooner or instead

of mailing you may send it by any means which will enable it to reach the county auditor or other issuing officer on or before election day."

29.36.050 Prohibition against voting in home precinct. No voter to whose permanent registration card there is attached a duplicate of an absentee voter's certificate of registration for any election shall be allowed to vote at such election in the precinct from which he is registered.

29.36.060 How incoming absentee ballots are handled. 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.

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.

29.36.070 Canvassing absentee ballots. Upon the canvass of the votes, if there are on file one or more absentee ballot inner envelopes, the canvassing authority shall cause such envelopes to be opened and the ballots to be grouped and counted without regard as to precinct by legislative districts if the election is a state primary or state election, special or general.

These ballots shall be made a part of the returns and handled accordingly.

29.36.075 Uncontested offices—Ballots not to be tabulated—Voter credited with voting—Retention of uncounted ballots. Canvassing boards of any primary or election, including a state primary or state general election, shall not tabulate or record votes cast by absentee ballots on any uncontested office.

Each voter casting an absentee ballot not counted as provided in this section, nevertheless, shall be credited with voting on his permanent voting history record. Further, such uncounted absentee ballots shall be retained for the same length of time and in the same manner as paper ballots cast in person as provided by RCW 29.54.070.

29.36.077 ————Counting of uncounted ballots on candidate's request. If the official canvass of any primary or election has been completed and the statutory time has elapsed in which to file a recount or contested election, should any candidate desire to have such uncounted absentee ballots counted which were cast on his position, such request shall be honored under the following conditions:

(1) The request must be made in writing and filed within sixty days following such primary or election with the officer who conducted the election.

(2) The count of such absentee ballots is to be done informally and at the convenience of the election officer concerned but in no event shall the count be delayed more than sixty days from the time the application is filed.

29.36.095 List of absentee voters. Precinct office not to appear on ballot. After the completion of the canvass of the election returns of any primary or election, the canvassing authority shall cause the names of the persons casting absentee ballots to be listed alphabetically and by precincts, according to incorporated and unincorporated areas. Such lists of absentee voters shall be sent to the appropriate registration officer who shall enter on the respective voters registration record in the space provided for that purpose, the month, day and year of the primary or election (for example 11/2/54): *Provided*, That no precinct office shall appear upon an absentee ballot.

29.36.100 Challenges. The vote of any absent voter may be challenged for any cause at the time the same is canvassed by the canvassing board which shall have all the power and authority given by law to officers of election to determine the legality of such ballot.

29.36.110 Violations and penalty. 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.

Chapter 29.39

ABSENTEE SERVICE VOTERS

29.39.010 "Service voter," "armed forces," "members of the merchant marine of the United States," "dependent" defined. "Service voter" means an elector who comes within any of the following categories:

(1) Members of the armed forces while in the active service, and their spouses and dependents.

(2) Members of the merchant marine of the United States, and their spouses and dependents.

(3) Civilian employees of the United States in all categories serving outside the territorial limits of the several states of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the congress.

(4) Members of religious groups or welfare agencies assisting members of the armed forces, who are officially attached to and serving with the armed forces, and their spouses and dependents.

The term "armed forces" means the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (63 Stat. 804), as amended.

The term "members of the merchant marine of the United States" means persons (other than members of the armed forces) employed as officers or members of crews of vessels documented under the laws of the United States, and persons (other than members of the armed forces) enrolled with the United States for employment, or for training for employment, or maintained by the United States for emergency relief service, as officers or members of crews of any such vessels; but does not include persons so employed, or enrolled for such employment or for training for such employment, or maintained for such emergency relief service, on the Great Lakes or the inland waterways.

The term "dependent" means any person who is in fact a dependent.

29.39.020 "Primary," "primary election" defined. "Primary" or "primary election" means a method provided by statute for nominating candidates to office.

29.39.030 "Election" defined. "Election" used alone means a general election except where the context indicates that a special election is meant or included. "Election" used without qualification never means a primary. "Election" does not include a municipal election.

29.39.040 "Date of mailing the ballot" defined. "Date of mailing the ballot" means the date stated on the declaration on the larger envelope and not the date of the postal cancellation thereon.

29.39.050 "Territorial limits of the United States" defined. "Territorial limits of the United States" means the fifty states of the United States and the District of Columbia.

29.39.060 Absentee voting under federal law to be valid. Whenever by any statute of the United States, provision is made for absentee voting, an application for an absent voter's ballot made under the provisions of that law may be given the same effect as an application for an absent voter's ballot made under this chapter.

29.39.070 Must coordinate with federal authority. All public officers having duties to perform under this chapter shall coordinate their efforts with the action of any federal authority now or hereafter established by act of congress for the purpose of facilitating voting by service voters to the end that such voters may cast their ballots with the least possible interference with the performance of their duties in the armed forces.

29.39.080 Name variations not to invalidate ballot. A variation on any absent voter's ballot cast by a service voter between the signature on the large envelope and that on the service voter's request and/or that on the voter's permanent registration card caused by the substitution of initials instead of the first or middle names or both shall not invalidate the ballot if the surname and handwriting are the same.

29.39.090 Application deemed to be for next election. Whenever an application for an absent voter's ballot is made by a service voter, the application shall be deemed an application for an absent voter's ballot for the primary and the election, or such of them as would be required to be held subsequent to the date of application.

29.39.100 Application for absent voter's ballot. Any service voter may secure an absent voter's ballot by mailing a signed request to the registration office of the county, city or town of the service voter's residence or to the secretary of state requesting such ballot. If the ballot request is addressed to the secretary of state such request shall be forwarded by such officer immediately to the appropriate registration officer. The request shall be signed by the appli-

cant and shall state his last home address, the address to which he wishes the absent voter's ballot mailed and the facts qualifying him as a service voter.

29.39.110 Action upon application. Upon receipt of a request made by or on behalf of a service voter for an absent voter's ballot, the registration officer shall immediately check his records and ascertain if the person by, or on whose behalf the request is made, is a duly registered voter as provided by chapter 29.07 RCW, and the registration officer shall make notation on his records to that effect. If such person is a resident of an incorporated city or precinct lying partly within and partly without such incorporated city, the registration officer, after completing such check, shall immediately forward the request to the county auditor noting thereon whether or not such person is a registered voter. If it is determined that such person is not a registered voter, the county auditor shall nevertheless send the absent voter's ballot requested, it being the intent of this section that the county auditor shall upon request send absent voter's ballots to all eligible service voters who make application therefor.

29.39.120 Mailing ballot to voter. In mailing absent voter's ballots to service voters, the county auditor shall send the ballot and a small envelope and letter of instructions together with a larger envelope addressed to the county auditor and upon which there shall be plainly printed a form in substantially the following language:

"DECLARATION

"I do hereby declare that I am a citizen of the United States; that I will be at least twenty-one (21) years of age on the day of the next election; that I am able to read and speak the English language; that I have been a legal resident of the state of Washington for at least one year, of the county of for at least ninety days and of the city or town of at (street and number if any) for at least thirty (30) days preceding such election; that I am a service voter under the laws of the state of Washington.

If possible give precinct name or number here

Dated this day of, 19.....

.....
Print name for positive identification

.....
Signature of applicant

Article VI, section 4 of the state Constitution provides: For the purpose of voting and eligibility to office, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while engaged in the navigation of the waters of this state or of the United States, or of the high seas.

Person making false statement in his declaration is guilty of perjury."

29.39.130 Ballot sent air mail and free postage where possible. Whenever the county auditor is requested to mail an absent voter's ballot to a service voter, he shall mail the ballot to the service voter by air mail when practicable, and, if by any law of the United States, official election ballots may be mailed without the payment of postage, he shall do so.

29.39.140 Voter's declaration deemed registration—Mailing of ballot by voter. A properly executed declaration on the larger envelope is hereby declared to be a full and complete voter's registration for the election for which it is submitted. After the declaration is fully executed the service voter shall proceed to mark the ballot; then fold it and enclose it in the smaller envelope, sealing that and enclosing it in the larger envelope which shall then be sealed and mailed to the county auditor whose name and address are printed thereon, by air mail, postage to be paid by the addressee, unless the laws of the United States provide for air mail transmission of such ballot without charge.

29.39.150 Ballots and envelopes — Forms — Expense. Notwithstanding any provision of law relating to the size and weight of the ballot or the envelopes in which absent voters' ballots are sent for either the primary or election, the secretary of state may reduce the size and weight of the ballot. He shall furnish uniform envelopes and all forms other than ballots for use in connection with ballots for service voters, and shall reimburse the respective county auditors for expenses of mailing. Each county auditor shall, through the respective boards of county commissioners, present such expenses listed upon state voucher forms in duplicate. The secretary of state, after the approval of the vouchers, shall then present them to the state treasurer for payment.

29.39.160 Instructions to voters—Preparation—Enclosure. The secretary of state shall prepare letters of instructions to service voters and shall furnish them to all county auditors. The county auditors shall enclose one copy of such instructions with the ballot sent to all service voters.

29.39.170 Certain time limits shall not apply. All procedure governing the receipt and subsequent handling of absent voters' ballots shall be governed by the provisions of chapter 29.36 RCW, but the respective time limits within which some specific act on the part of the county auditors and canvassing boards is required to be done shall not apply to absent voters' ballots cast by service voters, it being the intent of this section that every facility shall be given to such absent voters' ballots cast by service voters so that such ballots shall be counted if possible.

29.39.180 Officials shall expedite service voting. The state canvassing board, all county canvassing boards and all county auditors and registration officials shall make no undue delay in performing any of the specific actions hereby imposed upon them. All ballots shall be printed as soon as possible after the same can be made up in order that there may be no delay in the forwarding of absent voters' ballots to service voters so as to afford ample time to all service voters for voting as herein provided.

29.39.190 Secretary of state shall administer chapter. The secretary of state shall administer this chapter. He shall direct all election officials in respect to their duties under this chapter, publicize the provisions of the election laws, and make such rules and regulations as will facilitate the operation and the accomplishment of the purposes of this chapter.

29.39.200 Penalties for false statements and violations. Any person who makes a false statement in his declaration upon the larger envelope used to transmit his ballot shall be guilty of perjury in the second degree and punished accordingly. Any person violating any other provision of this chapter shall be guilty of a misdemeanor.

29.39.900 Liberal construction. This chapter shall be liberally construed to accomplish its purposes and so that all service voters may be afforded an opportunity to fully exercise their voting rights granted herein.

Chapter 29.42

POLITICAL PARTIES

29.42.010 Authority—Generally. Each political party organization shall have the power to:

- (1) Make its own rules and regulations;
- (2) Call conventions;
- (3) Elect delegates to conventions, state and national;
- (4) Fill vacancies on the ticket;
- (5) Provide for the nomination of presidential electors; and

(6) Perform all functions, inherent in such an organization: *Provided*, That in no instance shall any convention have the power to nominate any candidate to be voted for at any primary election.

29.42.020 State committee. The state committee of each major political party shall consist of one committeeman and one committeewoman from each county elected by the county committee at its organization meeting. It shall have a chairman and vice chairman who must be of opposite sexes.

29.42.030 County central committee—Organization meetings. The county central committee of each major political party shall consist of the precinct committeemen of the party from the several voting precincts of the county. This committee shall meet for the purpose of organization at the county court house at two o'clock p.m. on the second Saturday in December after each state general election unless some other time and place are designated by a sufficient notice to all the newly elected committeemen by the authorized officers of the retiring committee. For the purpose of this paragraph, a notice mailed at least seventy-two hours prior to the date of the meeting shall constitute sufficient notice.

At its organization meeting, the county central committee shall elect a chairman and vice chairman who must be of opposite sexes; it shall also elect a state committeeman and a state committeewoman.

29.42.040 Precinct committeeman, who is eligible. Any member of a major political party who is a registered voter in the precinct may upon payment of a fee of one dollar file his declaration of candidacy with the county auditor for the office of precinct committeeman of his party in that precinct. When elected he shall serve so long as he remains an eligible voter in that precinct and until his successor has been elected at the next ensuing state general election.

29.42.050 Precinct committeeman—Election—Declaration of candidacy, fee—Term—Vacancy. The statutory requirements for filing as a candidate at the primaries shall apply to candidates for precinct committeeman except that the filing period for this office alone shall be extended to and include the third Monday in August immediately preceding the state primaries, and the office shall not be voted upon at the primaries, but the names of all candidates must appear under the proper party and office designations on the ballot for the general November election and the one receiving the highest number of votes shall be declared elected: *Provided*, That to be declared elected, a candidate must receive at least ten percent of the number of votes cast for the candidate of his party receiving the greatest

number of votes in his precinct. Any person elected to the office of precinct committeeman who has not filed a declaration of candidacy shall pay the fee of one dollar to the county auditor for a certificate of election. The term of office of precinct committeeman shall be for two years, commencing upon completion of the official canvass of votes by the county canvassing board of election returns. Should any vacancy occur in this office by reason of death, resignation or disqualification of the incumbent, or because of failure to elect, the respective county chairman of the county central committee shall be empowered to fill such vacancy by appointment: *Provided*, That the person so appointed shall have the same qualifications as candidates when filing for election to such office for such precinct: *Provided further*, That when a vacancy in the office of precinct committeeman exists because of failure to elect at a state general election, such vacancy shall not be filled until after the organization meeting of the county central committee and the new county chairman selected as provided by RCW 29.42.030.

Chapter 29.45

PRECINCT ELECTION OFFICERS

29.45.010 Appointment of judges and inspector. At least ten days prior to the primary or election day, the county auditor or other appointing body or officer, where the law so provides in elections in lesser constituencies, shall appoint one inspector and two judges of election for each precinct 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.

He or they 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.

29.45.020 Appointment of clerks. Before the time for opening the polls, the inspector and judges for each precinct shall appoint two registered voters to act as clerks except that in precincts in which voting machines are used and in precincts in which there are less than one hundred registered voters, the judges of election shall perform the duties required to be performed by clerks.

29.45.030 Nomination of eligibles for judges and inspector. The precinct committeeman of each major political party shall certify

to his county chairman a list of those persons belonging to his political party qualified to act upon the election board in his precinct.

At least fifteen days prior to the primary election day the chairman of the county central committee of each major political party shall certify to the county auditor or other appointing board or officer a list of those persons belonging to his political party in each precinct qualified to act on the election board therein. The county chairman shall compile this list from the names certified by the 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 residing in that precinct.

29.45.040 Vacancies—How filled—Inspector's authority. If no election officers have been appointed for a precinct, or if at the hour for opening the polls none of those appointed is present at the polling place therein, the voters present may appoint the election board for that precinct. One of the judges may perform the duties of clerk of election. The inspector shall have the power to fill any vacancy that may occur in the board of judges, or by absence or refusal to serve of either of the clerks after the polls have been opened.

29.45.050 Two sets of precinct election officers—Counting board. 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 one hundred or more but less than two hundred registered voters there may be appointed, at a state primary or state general election, two sets of inspectors and judges as provided in RCW 29.04.020 and 29.45.010. In making such appointments one set shall be designated as the counting board who shall count the ballots cast thereat and the other set shall perform all other powers and duties imposed by law for such elections. The county auditor shall at the same time make suitable provisions to make effective the provisions of RCW 29.45.050, 29.45.060, 29.54.030, 29.54.035 and 29.54.045.

29.45.060 Duties—Generally 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 inspectors and judges are appointed as provided in RCW 29.45.050:

(1) The counting board may appoint clerks as provided in RCW 29.45.020; and

(2) The ballots shall be counted as provided in RCW 29.54.030 and RCW 29.54.045.

29.45.070 Inspector to be chairman—Authority. The inspector shall be chairman of the board and after its organization shall have power to administer all necessary oaths which may be required in the progress of the election.

29.45.080 Oaths of officers required. The inspector, judges, and clerks of election, before entering upon the duties of their offices, shall take and subscribe the prescribed oath or affirmation which shall be administered to them by any person authorized to administer oaths and verified under the hand of the person by whom such oath or affirmation is administered. If no such person is present, the inspector shall administer the same to the judges and clerks, and one of the judges shall administer the oath to the inspector.

The county auditor shall furnish two copies of the proper form of oath to each precinct election officer, one copy thereof, after execution, to be placed and transmitted with the election returns.

29.45.090 Oath of inspectors, form of. The following shall be the form of the oath or affirmation to be taken by each inspector:

"I, A B, do swear (or affirm) that I will duly attend to the ensuing election, during the continuance thereof, as an inspector, and that I will not receive any ballot or vote from any person other than such as I firmly believe to be entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay the vote of, or refuse to receive, a ballot from any person whom I believe to be entitled to vote; but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; and that I am not, directly nor indirectly, interested in any bet or wager on the result of this election."

29.45.100 Oath of judges—Form. The following shall be the oath or affirmation of each judge:

"We, A B, do swear (or affirm) that we will as judges duly attend the ensuing election, during the continuance thereof, and faithfully assist the inspector in carrying on the same; that we will not give our consent to the receipt of any vote or ballot from any person, other than one whom we firmly believe to be entitled to vote at such election; and that we will make a true and perfect return of the said election and will in all things truly, impartially, and faithfully perform our duty respecting the same to the best of our judgment and abilities; and that we are not directly nor indirectly interested in any bet or wager on the result of this election."

29.45.110 Oath of clerks—Form. The following shall be the form of the oath to be taken by the clerks:

"We, and each of us, A B, do swear (or affirm) that we will impartially and truly write down the name of each elector who

votes at the ensuing election, and also the name of the county and precinct wherein the elector resides; that we will carefully and truly write down the number of votes given for each candidate at the election as often as his name is read to us by the inspector and in all things truly and faithfully perform our duty respecting the same to the best of our judgment and abilities, and that we are not directly nor indirectly interested in any bet or wager on the result of this election.”

29.45.120 Compensation. The fees of officers of election shall be as follows:

To the judges and clerks of an election not less than one dollar, nor more than one dollar and fifty cents per hour for full time employed by each of them, the exact amount to be fixed by the respective boards of county commissioners for each county. To inspectors, the rate paid to judges and clerks plus an additional two hours' compensation. The precinct election officer picking up the election supplies and returning the election returns to the county auditor shall be entitled to additional compensation, the exact amount to be determined by the respective boards of county commissioners for each county.

Chapter 29.48

POLLING PLACE REGULATIONS BEFORE POLLS OPEN

29.48.005 Polling place—May be located outside precinct. Polling places for the various voting precincts may be located outside the boundaries of the respective precincts, when the officers conducting the primary or election shall deem it feasible: *Provided*, That such polling places shall be located within a reasonable distance of their respective precincts. The purpose of this section is to furnish adequate voting facilities at readily accessible and identifiable locations and nothing herein shall be construed as affecting the number, method of selection or duties of precinct election officers.

29.48.007 Polling place—Use of school facilities. The board of directors of each school district shall cooperate with the county auditor by making schools available for use as polling places on the dates on which state primary and state general elections are held. When in the judgment of the county auditor the voters will be best served thereby, he shall notify the board of directors of the school district of the number of schoolrooms desired for use as polling places. The board of directors in cooperation with the county auditor shall designate the schools, schoolrooms or school facilities to be made available for use as such polling places and shall make

such schools, schoolrooms or school facilities available for that purpose. Payment for said polling places shall be made as provided by law.

29.48.010 Preparation of voting compartments. The inspectors of election at the expense of the county or other constituency shall provide in their respective polling places a sufficient number of booths or compartments, which shall be furnished with the supplies and conveniences necessary to enable the voter conveniently to prepare his ballot for voting, and in which electors may mark their ballots, screened from observation, and a guardrail so constructed that only persons within the rail can approach within fifty feet of the ballot boxes, or compartments. The number of compartments shall not be less than one for every fifty electors or fraction thereof registered in the precinct or voting at the last preceding election where there is no registration. In precincts containing less than twenty-five voters, the election may be conducted without the preparation of compartments.

29.48.020 Time for arrival of officers. The election officers of each precinct shall meet at the polling place thereof at least forty-five minutes before the time set for opening the polls.

29.48.030 Delivery of supplies. Before the hour for opening the polls at any primary or election and allowing a reasonable time for preparation thereof, the county auditor or other officer in charge of such primary or election shall deliver to the inspector or one of the judges of each precinct:

- (1) Two poll books;
- (2) Ballots equal in number to one hundred ten percent of the number of voters registered therein or such further number as the county auditor or other officer in charge of such primary or election may certify to be necessary, except where voting machines are used in which case a less number may be delivered;
- (3) A suitable ballot box (except when voting machines are in use), with lock and key, having an opening through the lid thereof of no larger size than sufficient to admit a single folded ballot;
- (4) Two cards of instructions to voters printed in English in large clear type containing full instruction to voters as to how:
 - (a) To obtain ballots for voting;
 - (b) To prepare the ballots for deposit in the ballot boxes;
 - (c) To obtain a new ballot in the place of one spoiled by accident or mistake;
- (5) The voters' registration files pertaining to the precinct;
- (6) Two tallying books which must be printed in relation to the sample ballots: *Provided*, That at primary elections (except where machines are used) there must be furnished to each precinct two

sets of tally books for each political party having candidates to be voted for and the first sheet of each tally book shall be headed:

"Tally book for (name of political party)
(name of city) (county) (ward)
(precinct) for the primary election held (date)."

The names of the candidates shall be placed on the tally sheets in the order in which they appear on the sample ballots and in each case have the proper party designation at the head thereof;

(7) Two certificates printed in relation to the sample ballots or two sample ballots prepared as blanks, for certification of the result by the precinct election officers;

(8) Sample ballots;

(9) Two oaths for each inspector, each judge and each clerk;

(10) Three pamphlets containing arguments on measures for submission to voters;

(11) One U.S. flag;

(12) All other supplies necessary for conducting the election or primary.

29.48.040 Additional supplies for voting machines. When voting machines are used the county auditor or other officer shall deliver to the inspector or one of the judges of each precinct not later than forty-five minutes before the time for opening the polls the following additional supplies:

(1) The key for each voting machine, sealed in an envelope upon which is written the designation and location of the polling place, the number of the voting machine, the number or other designation mark of the seal on the machine, and the number registered on the protective counter thereof as reported by the custodian;

(2) Two diagrams;

(3) One extra set of ballot labels;

(4) One envelope containing a seal for sealing the machine after the polls are closed;

(5) One envelope for the return of the keys;

(6) Two statements of canvass.

29.48.050 Receipt for key to voting machine. At the time of delivering the key to a voting machine, the county auditor or other officer shall require a receipt therefor bearing upon it the identical information required to be placed upon the envelope in which it is delivered.

29.48.060 Posting of instructions. The judges of election shall post in and about the polling place at least two voters' instruction cards and where voting machines are used at least two diagrams of the voting machine.

29.48.070 Inspection of ballot box. Before opening the polls, the ballot box shall be carefully examined by the judges of election that nothing may remain therein; it shall then be locked and the key thereof delivered to one of the judges, to be designated by the auditor or other officer and shall not be opened during the election except in the manner and for the purposes otherwise provided by law.

29.48.080 Inspection of voting machine. In precincts where machines are used the election officers before unlocking the machine for voting shall proceed as follows:

(1) They shall see that the voting machine is placed where it can be conveniently attended by the election officers and conveniently operated by the voters, and where, unless its construction requires otherwise, the ballot labels thereon can be plainly seen by the election officers and the public when not being voted on;

(2) They shall see that the model is placed where each voter can conveniently operate it and receive instructions thereon as to the manner of voting, before entering the machine booth;

(3) They shall post one diagram inside the polling room and one outside, in places where the voters can conveniently examine them;

(4) They shall see that the lantern or other means provided for giving light is in such condition that the voting machine is sufficiently lighted to enable voters to readily read the names on the ballot labels;

(5) They shall see that the ballot labels are in the proper places on the machine;

(6) They shall see whether the number or other designating mark on the seal sealing the machine, also the number registered on the protective counter agree with the number written on the envelope containing the keys. If they do not agree they shall at once notify the custodian and delay unlocking the machine, and opening the polls until he has reexamined the machine;

(7) If the numbers or marks on the envelope containing the keys and upon the machine do agree, they shall proceed to see whether the public counter and all the candidate and question counters register "000." If any of the counters are found to register a number other than "000", one of the judges shall at once notify the custodian who shall set such counter at "000;"

(8) Where voting machines equipped with printed election returns mechanism are used, they shall proceed to operate the mechanism provided to produce one imprinted "before election inspection sheet" showing whether the candidate and question counters register "000". If said sheet has imprinted thereon any numbers below any candidate's name or below any question's designation other

than "000" one of the judges shall, after the polls close, under the scrutiny of the other members of the board of election officials, deduct that number from that candidate's or question's total in the space provided for on the return sheet.

After performing their duties as provided in this section, the election officers shall certify thereto in the appropriate places on the statement of canvass as provided thereon. When the polls are declared open, one of the election officers shall break the seal and unlock the machine for voting.

29.48.090 Duty to display flag. At all primaries and elections the flag of the United States shall be conspicuously displayed in front of each polling place.

29.48.100 Proclamation opening the polls. The precinct election board, before they commence receiving ballots, shall cause it to be proclaimed aloud at the place of voting that the polls are now open.

Chapter 29.51

POLLING PLACE REGULATIONS DURING VOTING HOURS

29.51.010 Preventing interference with balloting. No person other than voters engaged in receiving, preparing, or depositing their ballots or a person present for the purpose of challenging a voter about to receive his ballot shall be permitted within the rail.

In the case of small precincts where compartments are not required, no person engaged in preparing his ballot shall be interfered with in any way except by some person authorized to assist him in preparing his ballot.

29.51.020 Electioneering within the polls forbidden—Prohibited practices as to ballots—Penalty. No person shall do any electioneering, or circulate cards or handbills of any kind, or solicit signatures to any kind of petition on primary or election day within any polling place, or any building in which an election is being held, or within one hundred feet thereof, nor obstruct the doors or entries thereto, or prevent free ingress to and egress from said building. Any election officer, sheriff, constable, or other peace officer shall have power to and shall clear the passageway and prevent such obstruction, and arrest any person creating such obstruction.

No person shall remove any ballot from the polling place before the closing of the polls; nor shall any person solicit the elector to show his ballot; nor shall any person except a judge of election receive from any elector a ballot prepared for voting; nor shall any person other than such inspector or judges of election deliver a ballot to such elector. Whoever violates any provision of this

section shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding one hundred dollars, and adjudged to pay the costs of prosecution.

29.51.030 Electioneering by election officers forbidden—Penalty. Any election officer who does any electioneering on primary or election day, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding one hundred dollars and pay the costs of prosecution.

29.51.040 Preservation of order. For the preservation of order, a precinct election board may enforce a fine not exceeding ten dollars on any person who conducts himself in a disorderly manner at the polls and persists therein after being warned of the consequences.

Upon his refusal to pay, the board may commit him to the county jail for any time not exceeding twenty-four hours or until the fine is paid.

All constables, sheriffs and other peace officers shall execute the order of the board, and if none is present at the time, the board may appoint special constables to execute the order.

29.51.050 Request and delivery of ballot to voter. A voter desiring to vote shall give his name to one of the election officers, who shall then in an audible tone announce it. A challenge may then be interposed. If no challenge is interposed or if it is overruled, the voter shall be given a ballot or permitted to enter a voting machine booth as the case may be. If a ballot is given the number thereof must be called to the clerks of election.

29.51.060 Signing the poll book—Comparison of signature. 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 in one of the official poll books, which shall be designated the voter's signature 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.

29.51.070 Entry on registration card. At every primary and election whereat only registered voters may vote, as each voter casts his vote, and, where voting machines are used, before each voter enters the voting machine booth, each clerk shall insert in his list of voters, opposite the voter's name, the letter "V" and the number of his vote or ballot and the inspector or one of the judges shall enter on the voter's registration card, in the space provided for that purpose, the month, day and year of the primary or election (for example 11/4/30), which entry may be with pen and ink or by a stamp provided for that purpose.

29.51.080 Transcribing name on poll book when registration not a prerequisite. At primaries or elections where registration is not a prerequisite the clerks of election shall transcribe the names of the voters in the poll books and enter against each name the number of the ballot delivered to that voter.

29.51.090 Marking ballot at primaries. At primaries, the voter, upon receiving his ballot, without leaving the polling place shall enter a compartment alone and there designate his choice on his ballot by making a cross in each of the small squares nearest the names of the candidates for whom he desires to vote and shall not vote for more candidates for an office than there are positions to be filled by the election following the primary as indicated on the ballot "vote for one" (or whatever number may be indicated). Having marked his ballot, he shall fold it so that the number appears upon the outside and its face is concealed and deliver it to the inspector of election.

29.51.100 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, or paste over any other name, the name of any person for whom he may wish to vote. Before leaving the booth or compartment the elector shall fold his ballot in such 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.

29.51.110 Redelivery of ballot after voting. Upon delivery of each ballot after being marked and folded by a voter, the inspector in an audible tone shall repeat the name of the voter and the number of the ballot. The election clerks having in charge the registration cards and poll books, or either, if they find that the number marked opposite the voter's name thereon corresponds with the number of the ballot handed to the inspector, shall mark the word "voted" opposite the name of such voter and one of the clerks shall call back in an audible tone the name of the voter and the number of his ballot. The inspector shall then separate the slip containing the number of the ballot from the ballot and shall deposit the ballot in the ballot box. The numbers removed from the ballots shall be destroyed immediately.

29.51.120 Record of voters having voted. The name of each voter whose ballot has been marked, folded and delivered to the inspector shall be immediately entered by each clerk in the column of his poll list headed "Names of voters," numbering each name in the additional column as it is taken down, so that it may be seen at any time whether the two lists agree.

29.51.125 Determination of who has and who has not voted. Each major political party, at any general election, may assign any one of its precinct election officers at each polling place to check a list of registered voters of the precinct so that they may determine who has and who has not voted: *Provided*, That such lists shall be furnished by the major political parties concerned.

29.51.130 Voting machine—Help in use. If voting machines are being used, the election officers shall inform the voter as clearly as possible how to operate the machine and illustrate its use upon the model, calling his attention to the diagram. If after entering the booth, any voter asks for information regarding its operation, the election officers must give him the necessary information.

29.51.140 Voting machine—When all voters do not vote on all offices. Whenever a voter enters the booth who has the right to vote only on certain offices and measures, an election officer shall adjust the machine so that he can vote on such offices and measures and no others.

29.51.150 Voting machine—Periodic examination. The election officers shall occasionally examine the face of the machine and the ballot labels to determine whether they have been injured or tampered with.

29.51.160 Voting machine—Out of order. If a voting machine installed in an election precinct becomes inoperative in any par-

ticular, the inspector or a judge shall give immediate notice to the custodian who must repair the machine or substitute another machine. If a substituted machine is used, the records of that and the machine for which it was substituted must be added in ascertaining the results of the primary or election.

If the defective machine cannot be repaired or no effective machine can be substituted immediately a ballot box must be furnished and the officers of election shall use diagrams of the machine if available or the regular printed ballots furnished precincts where machines are not used and count them with the votes registered on the voting machine and the result declared as though a voting machine had been used throughout the primary or election. Any marking of the diagrams or ballots by the voters which clearly indicates their intention shall be sufficient. The diagrams or ballots thus voted must be preserved and returned to the county election officer with a certificate setting forth how and why the same came to be voted.

29.51.170 Using stickers. At any election or primary, any voter may write in on the ballot or paste thereto 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 no person who is nominated at any primary election as a candidate for any public office but who has not previously paid the regular filing fee shall have his name printed on the official ballot for the general election unless, within ten days after the official canvass of the primary vote, he pays the same fee required by law to be paid by candidates for filing a declaration of candidacy for the office for which he has been nominated.

29.51.180 Taking papers into compartment or booth. Any voter may take with him into the polling place any printed or written memorandum or paper to assist him in marking or preparing his ballot.

29.51.190 Vote only once—Spoiled ballots. No voter shall be permitted to enter a voting machine booth or move the operating lever more than once; or, if ballots are used, no ballots shall be cast other than those printed by the respective county auditors or other authorized election officials as provided by law, and no voter shall be entitled to vote more than one ballot: *Provided*, That if a voter spoils a ballot, he shall return it and get a new ballot; the election officers shall immediately destroy the spoiled ballots returned.

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

If any voter declares in the presence of the election officers that by reason of physical disability, he is unable to register or record his vote upon the machine, 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.

29.51.210 Blind voters. A blind person or one with such defective vision that he cannot see to mark his ballot and who is otherwise qualified to vote may designate his spouse or any near relative, who can see and is also a registered voter to mark his ballot: *Provided*, That the foregoing shall not prevent any such person from designating election officers for that purpose, as now provided by law, but no election officer shall prevent such person from exercising his choice as heretofore set forth.

29.51.215 ————Penalty. Any person violating any provision of RCW 29.51.210 shall be punished as for a misdemeanor.

29.51.220 Time allowed each voter to vote. No voter shall remain within a voting machine booth longer than two minutes unless there are no other voters waiting to vote, nor in a compartment arranged for voting by ballot longer than five minutes unless there are no other voters waiting to vote. If he refuses to leave at the end of his allotted time, the precinct election officers may remove him by force.

29.51.230 Voters' "don'ts" and penalty. It shall be unlawful for a voter to:

(1) Show his ballot after it is marked to any person in such a way as to reveal the contents thereof or the name of any candidate for whom he has marked his vote;

(2) Receive a ballot from any person other than the election officer having charge of the ballots;

(3) Vote or offer to vote any ballot except one that he has received from the election officer having charge of the ballots;

(4) Place any mark upon his ballot by which it may afterward be identified as the one voted by him;

(5) Fail to return to the election officers any ballot he received from an election officer.

A violation of any provision of this section shall be a misdemeanor, punishable by a fine not exceeding one hundred dollars, plus costs of prosecution.

29.51.240 No adjournment until polls close. No adjournment or intermission whatever shall take place until the polls are closed and until all the votes cast at the polls have been counted and the result publicly announced.

29.51.250 Closing the polls. If at the hour of closing, there are any voters in the polling place who have not voted, the polls must be kept open after the hour for closing to enable them to do so, but this shall not include any voter who was not present at the exact time of closing.

29.51.260 Proclamation of closing. When the polls are closed, proclamation thereof shall be made at the place of voting and no votes shall be afterwards received.

Chapter 29.54

POLLING PLACE REGULATIONS DURING VOTING HOURS AND AFTER CLOSING

29.54.010 Destroying surplus ballots. 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.

29.54.020 Removing ballots from box—Stringing. As soon as the polls are finally closed, the inspector and judges of election shall immediately open the ballot boxes at their polling place and proceed to take therefrom 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 provided by the election officer, and shall count all the ballots until the count is completed. The tally sheets shall be so kept that the sheets shall show the number of votes received, the total votes cast for each candidate, and the total of all ballots cast.

29.54.030 Counting to be private—Party observers. The counting of ballots 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. The ballots shall be examined carefully, one by one, by the inspector under the observation of one of the judges. The inspector shall read aloud the name of each person receiving a vote, the office for which every such person is voted for and the

vote for or against each proposition on the ballot. The other judge shall observe the tally of the votes as made by the clerks. One clerk shall tally the votes in the county auditor's copy of the poll book and the other clerk shall tally the votes in the inspector's copy of the poll book. Upon agreement, the inspector and two judges may rotate their duties from time to time.

29.54.035 Divulging ballot count—Penalty. No election officer or any other person authorized by law to be present while votes are being counted, shall divulge the result of the count of the ballots at any time prior to the closing of the polls. Violation of this section is punishable, upon conviction, by a fine of not less than one hundred dollars nor more than five hundred dollars or imprisonment in the county jail not less than three nor more than six months, or by both such fine and imprisonment.

29.54.040 Count continuous—Clerks to keep tally. Each clerk shall write down each office to be filled, and the name of each person voted for such office, and shall keep the number of votes by tally, as they are read aloud by the inspector or judge. The ballot box shall not be removed from the polls nor shall the counting of the votes be discontinued until all are counted.

29.54.045 Procedure when two sets of inspectors and judges appointed. When two sets of inspectors and judges have been appointed as provided in RCW 29.45.050 the following procedure shall apply:

(1) The set designated as the counting board shall commence tabulation at 4:00 p.m. of the day of any state primary or general election: *Provided*, That on the day of a presidential state general election the starting hour shall be 2:00 p. m.

(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.

(3) The election 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.

(5) Other than as provided in this section, RCW 29.45.050, 29.45-.060, 29.54.030 and 29.54.035, the procedure relating to elections shall remain the same.

29.54.050 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;
- (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.

29.54.060 Questions on Legality of ballots—Preservation and return of all ballots. Whenever a question arises in the precinct election board as to the legality of a ballot or any part thereof, its action thereon together with a concise statement of the facts that gave rise to the objection must be indorsed upon the ballot and signed by a majority of the board. All ballots must be preserved whether rejected or counted in whole or in part and returned in the same manner as other ballots.

29.54.070 Sealing and return of counted ballots. After all the ballots have been counted, strung, and tallied it shall be the duty of the inspector to place them in a sealed envelope and write thereon, "Ballots of _____ precinct, _____ county, state of Washington, of election held this _____ day of _____, 19 _____," and send said sealed envelope to the auditor of the county or other election official. The county auditor or other officer shall keep the sealed envelope containing said ballots unopened for the period of six months, to be used only as evidence in case or cases of contest when called for. At the end of that time he shall burn or make such disposition of said ballots, as he may deem expedient, in the presence of two other officers.

29.54.080 Certification of result and of returns. As soon as all the ballots have been counted two sets of the following papers shall be assembled:

- (1) One poll list;
- (2) One tally book or set of tally sheets, or one statement of canvass where voting machines are used;
- (3) One each of the duplicate oaths of the inspector, the judges and the clerks.

To each set of papers shall be attached a certificate signed by the inspector, the judges and the clerks designating, in the order in which they appear upon the sample ballots, each candidate, the number of votes he received, and the office for which he is a candidate. The number of votes in each case must be written in words and figures (for example five thousand four hundred and fifty-two—(5452)).

One set shall constitute the “returns” to be made to the canvassing board or official; the other set shall be retained by the inspector and preserved by him for at least six months.

29.54.090 Voting machine count—Method. At any election or primary where machines are used, as soon as the last voter has voted, the election officers shall lock and seal the machine, unlock and open the doors of the counter compartment, and canvass the votes registered on the counters therein and the votes recorded on or in the device or devices for voting for persons not nominated, and shall make two statements of canvass thereof in the following manner:

- (1) One election officer shall call the designating number and letter of each candidate’s counter in the order given on the statement of canvass, and another election officer shall repeat such number and letter as it is read, and announce the vote registered on such counter, which shall thereupon be entered in ink on each of the statements of canvass;

- (2) The canvass of each office shall be completed before proceeding to the next;

- (3) The vote on each question shall be canvassed in the same manner;

- (4) The votes cast on the irregular ballots and paper ballots shall then be canvassed;

- (5) All votes for persons or questions, the names or propositions of which appear on the ballot labels, must be cast on the proper counters therefor. All votes for persons or questions, whose names or propositions do not appear upon the ballot labels must be cast in the proper places or in the device for irregular ballots. Any votes not so cast shall not be counted, except in case of the use of paper ballots;

(6) In precincts where voting machines equipped with printed election returns mechanism are used, the original and duplicate originals of the printed returns sheet of the votes cast for questions and for candidates regularly nominated, or who have duly filed, together with the tabulation and inclusion of any votes written in on the paper roll for those not regularly nominated, or who have not filed, shall constitute the "election returns" and "statement of canvass" from each such precinct when properly certified by the board of election officials.

During the canvassing said printed return sheets shall be available for public inspection and opportunity shall be given any person lawfully present to examine the return sheets to ascertain the record of votes cast.

29.54.100 Voting machine count—Verification and certification. After completing and writing down the canvass of the votes cast, the election officers shall verify it by comparing the figures on the statement of canvass with the figures on the counters in the machine and the names recorded on a device for voting for persons not nominated. They shall then certify, in the appropriate place on each of the statements of canvass:

- (1) The number of voters that voted at the election as shown by the poll-list and by the number registered on the public counter;
- (2) The number registered on the protective counter; and
- (3) The number or other designating marks on the seal with which the machine has been sealed.

29.54.110 Voting machine count—Public announcement. After completing and certifying to the statements of canvass, the inspector or a judge shall read therefrom in a distinct voice the name of each candidate, the designating number and letter of his counter as stated thereon, and the vote entered for each; also the vote for or against each question. One copy thereof shall then be placed in an envelope and sealed to become part of the returns. During the canvassing and announcing of the vote, the counter compartment shall remain open, and opportunity shall be given any person lawfully present to examine the counters to determine the correctness of the vote as announced: *Provided*, That where voting machines equipped with printed election returns mechanism are used, during the canvassing the printed returns sheets shall be available for public inspection and opportunity shall be given any person lawfully present to examine the returns sheets to ascertain the record of votes cast.

29.54.120 Voting machine count—Closing machines—Delivery of key. The counter compartment shall then be locked and all keys of the machine shall be delivered in a sealed envelope to the county auditor or other election officer.

29.54.130 Transmittal of returns—Penalty. The returns from each election precinct shall be transmitted to the county auditor or other election officer either by registered mail or in person by one of the judges or the inspector.

Failure to transmit the returns is a misdemeanor punishable by a fine of not less than five dollars nor more than fifteen dollars.

29.54.140 Duplicate copies of unofficial results—Posting—Transmittal. Following every primary and election, before adjourning, every precinct election board shall enter the unofficial results in duplicate upon sample ballots furnished for that purpose by the county auditor or other election officer. One copy shall be posted conspicuously on the outside of the polling place and the other transmitted to the county election officer.

Chapter 29.59

CHALLENGING

29.59.010 Right to challenge registered voter. Registration of a person as a voter shall be presumptive evidence of his right to vote at any primary or election, general or special, but any person's right to vote may be challenged at the polls and he may be required then and there to establish his right to vote: *Provided, however,* That challenges on grounds of residence alone, shall be offered at the office of the appropriate registration officer in the manner as provided in RCW 29.59.070.

29.59.020 Party challengers. Each of the recognized political parties may have one challenger at the polls of each voting precinct.

29.59.030 Who may challenge—Legal voter—Officials. Any person offering to vote may be challenged as unqualified by the inspector or either of the judges, or by any legal voter, and it shall in all cases be the duty of the inspector and each of the judges to challenge any person offering to vote whom they know or suspect to be not qualified as a voter.

29.59.040 Procedure upon challenge—Canvass of challenged vote. Whenever the right to vote of any person presenting himself as a voter at any polling place for any primary or election, general or special, has been challenged and the officers conducting the election at such polling place have refused to accept the vote of such person because of such challenge, or otherwise, a ballot shall be voted by such challenged person and placed in a sealed envelope. The sealed ballots of challenged voters shall be transmitted at the close of the election to the canvassing board or other authority charged by law with canvassing the returns of the particular elec-

tion. The board or such other authority shall upon request of the challenger, at the time the vote is canvassed, consider the case of each challenge and shall decide whether or not the ballot in each case shall be accepted or rejected: *Provided*, That should the challenger fail to make such request, the challenged ballot shall be accepted as valid and counted. The decision of the board or such other authority shall be final.

In precincts where voting machines are used, any person whose right to vote is properly challenged shall be furnished with a paper ballot, and such ballot, after said person has marked it, shall be sealed and disposed of as hereinabove provided.

29.59.050 Grounds for refusal. The right to vote shall be refused to any person whose right to vote has been challenged if:

(1) He refuses to take the oath to answer truly as to his qualifications as a voter;

(2) He fails to answer any and all pertinent questions relating to his qualifications;

(3) A majority of the precinct election board is satisfied that he is not a legal voter.

29.59.060 Infamous crime—Ground for challenge—Procedure. If the vote of any person is challenged, on the ground that he has been convicted of an infamous crime, by a court of competent jurisdiction and remains unpardoned or disfranchised he shall not be required to answer any questions respecting such alleged conviction. In the absence of any authenticated record of such fact, it may be competent for two disinterested witnesses, upon oath, to prove it.

29.59.070 Challenge for lack of residence—Procedure. Any voter may challenge the registration of any other voter on the grounds that the challenged voter does not physically reside and maintain an abode at the address as given on his permanent registration record. Such challenge shall be made in writing and shall be filed with the appropriate registration officer not later than sixty days prior to any primary or election, general or special. The registration officer shall by certified mail immediately notify the voter concerned that a challenge has been made.

Upon receipt of such notice, the challenged voter, should the allegation be correct, shall either transfer his registration or register anew, as the case may be, within thirty days. Should the challenged voter fail to register anew or transfer his registration or fail to respond to such notice within the prescribed thirty days, the registration officer shall cancel the registration record and so notify the voter concerned.

Should the challenged voter deny the allegation, he shall so notify in writing the registration officer who shall immediately notify the challenger and the challenged voter to appear at a meeting to be held in the registration office at a day and hour certain to be stated in the notice: *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 therein under oath the reasons he believes the registration to be invalid.

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

At the meeting to be held by the registration officer, 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 shall remain in full effect. 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: *Provided, however*, That only the voter who transfers his registration or registers on or after the fifty-ninth day prior to any primary or election, shall be subject to challenge on the grounds of residence alone at the polling place.

Chapter 29.62

CANVASSING THE RETURNS

29.62.010 Manner of canvassing election returns—Generally. Every official body or officer upon whom is imposed the duty of canvassing the returns of any primary or election shall:

(1) Prepare and certify a statement separately setting forth for each office the returns as to which it or he is required by law to canvass, and the vote each candidate received therefor;

(2) If required to canvass returns from a primary, prepare and certify a statement separately setting forth each office the returns as to which it or he is required by law to canvass, and the member of each political party participating therein who received the highest number of votes for each office: *Provided*, That if there is more than one position to be filled for the same office the number of candidates of each political party participating therein equaling the number

of positions to be filled who received the highest number of votes shall be listed as the nominees;

(3) If, at a partisan primary, two or more candidates of the same party are tied for the same office, determine the tie then and there by lot;

(4) If, at a nonpartisan or judicial primary, two or more candidates have received an equal number of votes and such number is barely sufficient for nomination, but as a consequence, the number of persons so nominated exceeds twice the number of positions to be filled, determine the tie then and there by lot so as to reduce the field of candidates to the proper number.

(5) After each election, prepare and certify a statement separately setting forth each office the returns as to which it or he is required by law to canvass, and the person who received the highest number of votes for each office: *Provided*, That if there is more than one position to be filled for the same office, the number of persons equaling the number of positions to be filled who receive the highest number of votes shall be listed as having been elected.

29.62.020 County canvassing board—Meeting to canvass returns. On the tenth day after each election or primary or as soon as he has received the returns from all the precincts included therein, the county auditor shall call a meeting of the county canvassing board at his office on a day and hour certain, for the purpose of canvassing the votes cast therein. The canvassing board shall consist of the county auditor, the chairman of the board of county commissioners and the prosecuting attorney.

29.62.030 Special canvass for county auditor. If the primary or election is one at which the county auditor is to be nominated or elected, canvass of the returns for that office shall be made by the other two members of the board; if the two disagree, the returns for that office shall be canvassed by the presiding judge of the superior court of the county.

29.62.040 County canvassing board—Canvassing procedure—Penalty. The county canvassing board at any meeting for canvassing the returns of a primary or election shall proceed as follows:

(1) The chairman of the board of county commissioners shall administer the following oath to the county auditor:

"I do solmenly swear that the primary (or election) returns of the several precincts included in the primary (or election) last held in (here name the county or any other governmental unit not larger than a county if the election was held for it) have been in no wise altered by additions or erasures and that they are the same as when they were deposited in my office,

so help me God." This oath, the signature and certificate must be in writing and filed with the papers pertaining to the election;

(2) The county auditor with the assistance of the other members of the canvassing board shall proceed to count the vote of the precincts, precinct by precinct;

(3) Neither the tally books and sheets, the poll lists nor the certificate returned for any primary or election from any precinct shall be rejected for want of form or substance if it can be satisfactorily understood;

(4) File a certificate of their canvass signed by all the members with the county auditor;

(5) If there is a vacancy in the county canvassing board, the remaining members of the board shall choose one of the other county officers to act during the canvass;

(6) Failure to return the total votes counted, if they can be ascertained with reasonable certainty shall be a misdemeanor.

29.62.050 Recanvass of machine votes—Authorized—Procedure. Whenever the board authorized to canvass the returns finds, in its discretion, that there is an apparent discrepancy or an inconsistency in the primary or election returns such board may order that recanvass of the voting machines be made of all, or of any number less than all, of the precincts of the county, and said recanvass may, in the discretion of said board, be made as to all, or as to any number less than all, of the candidates or measures voted upon. In conducting such recanvass said board, or any duly authorized representative or employee of the board, may open the counter compartment of any voting machine without unlocking the machine against voting and recheck the vote cast thereon. If in the course of such recanvass the board determines that there is an error in the return of any precinct said board shall summon the inspector and judges of the precinct and the inspector and judges shall correct such error by making notation thereof in the poll book and shall initial such notation: *Provided*, That in the event that the election officials do not appear, or fail or refuse to make the correction as indicated, the canvassing board shall correct such error in the poll book and initial such correction.

29.62.060 Recanvass of machine votes—Notice—Representation—Relocking. Before recanvassing the votes cast on a voting machine, the canvassing board or officer shall give notice in writing to the custodian and to each political party participating in the primary or that nominated candidates for the election, of the time and place where the canvass is to be made, and may invite representatives of organizations or other persons involved or interested in any candidate or measure voted upon to be present at the time any such

recanvass or recount be made. Each political party may send two representatives to be present at the recanvass. After the recanvass shall have been made the voting machines shall be immediately reclosed and the counter compartments relocked.

29.62.070 Recanvass of machine vote—Procedure to test counting mechanism—Statement. If upon such recanvass, it should be found that the original canvass of the returns has been correctly made from the machine, and that the discrepancy still remains unaccounted for, the canvassing board, with the assistance of the custodian shall in the presence of such said inspector and judges of election and the authorized representatives of the several political parties or organizations who are attendant, make a record of the number or other designating mark on the seal, and the number on the protective counter and unlock the voting and counting mechanism of said machine and proceed to thoroughly examine and test the machine to determine and reveal the true cause or causes, if any, of the discrepancy in the returns from said machine. Before being tested the counter shall be set at "000," after which each counter shall be operated at least one hundred times. After the completion of said examination and test, the custodian shall then and there prepare a statement in writing giving in detail the result thereof and said statement shall be witnessed by the persons present and shall be filed with the county auditor or other election officer.

29.62.080 Tie votes in final election. If the requisite number of any federal, state, county, city, district, or precinct officers shall not be elected by reason of two or more persons having an equal and highest number of votes for one and the same office, the official empowered by state law to issue the original certificate of election shall give notice to the several persons so having the highest and equal number of votes to attend at the appropriate office at the time to be appointed by said official, who shall then and there proceed publicly to decide by lot which of the persons so having an equal number of votes shall be declared duly elected, and the said official shall make out and deliver to the person thus duly declared elected a certificate of his election as hereinbefore provided.

29.62.090 Abstract of votes by auditor—Transmittal to secretary of state. Immediately after the results of an election or primary in his county are ascertained the county auditor shall make an abstract of all the votes cast in his county at such election for county officers, state officers, national officers and officers elected by districts, on blanks furnished by the secretary of state, and transmit to the secretary of state by registered mail a certified copy thereof.

29.62.100 State canvassing board—Primary returns—State offices, etc. The state canvassing board shall consist of the secretary

of state, the state treasurer and the state auditor. It shall canvass the returns of all primary elections as to candidates for state offices, United States senators and representatives in congress and all other candidates whose district extends beyond the limits of a single county.

29.62.110 State canvassing board—Meeting—Certificate. The state canvassing board shall meet at the office of the secretary of state as soon as possible but in any event not later than the third Tuesday next succeeding a primary election the returns of which they are required by law to canvass, and proceed to canvass the returns.

They shall file the certificate of their canvass signed by all members with the secretary of state who shall immediately publish a copy thereof in a legal newspaper published at the state capital.

29.62.120 Secretary of state to canvass final returns—Scope. As soon as the returns have been received from all the counties of the state, but not later than the thirtieth day after the election, the secretary of state shall make a canvass of such of the returns as are not required to be canvassed by the legislature and make out a statement thereof, file it in his office and transmit a certified copy thereof to the governor.

29.62.130 Canvass of vote on statewide measures. The votes on proposed amendments to the state Constitution, recommendations for the calling of constitutional conventions and other questions submitted to the people shall be counted, canvassed and returned by the regular precinct election officers and by the county auditors and canvassing boards in the manner provided by law for counting, canvassing and returning votes for candidates for state offices. It shall be the duty of the secretary of state in the presence of the governor, within thirty days after any such election, to canvass the votes upon each question and certify to the governor the result thereof, and the governor shall forthwith issue his proclamation giving the whole number of votes cast in the state for and against such measure and declaring the result: *Provided*, That if the vote cast upon an initiative or referendum measure is equal to less than one-third of the total vote cast at the election, the governor shall proclaim the measure to have failed for that reason.

29.62.140 Canvass in commission form cities. In cities operating under the commission form of government the election officers, after counting the ballots, shall make their returns to the county auditor upon forms furnished by him within six hours after the closing of the polls; and at such time as provided by RCW 29.62.020, the county canvassing board shall canvass the returns of the primary

or election, and the county auditor, upon receipt of the certificate of canvass shall make and publish in all newspapers of the city, at least once, the result thereof. The canvass shall be publicly made. In the primary, the two candidates receiving the highest number of votes for each of the offices to be filled shall be declared nominated and their names shall be placed as candidates on the general election ballot.

29.62.150 Return of registration files after canvass. All officers charged by law with the duty of canvassing the returns of primaries or elections, upon the completion of the canvass of any primary or election shall transmit to the registration officer of each county, city and town, respectively, the registration records used at the primary or election and by law required to be returned by the precinct election officers to the officials charged with the duty of canvassing the primary or election returns.

Chapter 29.64

STATUTORY RECOUNT PROCEEDINGS

29.64.010 Application for recount—Scope of chapter. An officer of a political party or any person for whom votes were cast in a primary election for nomination as a candidate for election to an office who was not declared nominated may file with the appropriate canvassing board or boards a written application for a recount of the votes cast at such primary in any precinct for all persons for whom votes were cast in such precinct for such nomination.

An officer of a political party or any person who was a candidate at any general election for election to an office or position who was not declared elected, may file with the appropriate canvassing board or boards a written application for a recount of the votes cast at such election in any precinct in such county for all candidates for election to such office or position.

Any group of five or more registered voters may file with the appropriate canvassing board or boards a written application for a recount of the votes cast at any election, regular or special, in any precinct upon any question or issue, provided that the members of such group shall state in such application that they voted on such question or proposition. Such group of electors shall, in such application, designate one of the members of the group as chairman, and shall indicate therein the voting residence of each member of such group. In the event the recount requested concerns a regular or special district election whereat the precincts were combined and the election results of the individual precincts impossible to deter-

mine, the application for the recount shall embrace all ballots cast at such district election.

All applications for recount shall be filed within three days, excluding Saturdays and Sundays, after the canvassing board has declared the official results of the primary or election, as the case may be.

The provisions of this chapter shall apply to the recounting of votes cast by paper ballots and counted at the polling places and to the recheck of votes recorded on voting machines. The provisions of this chapter shall neither apply to votes cast by absentee ballot and counted by the canvassing authority, nor to votes cast on voting machines printing election returns: *Provided*, That this chapter shall apply to votes cast by absentee and counted by the canvassing authority if specific request for such recount is made at the time the application is filed and the additional deposit is made as provided in RCW 29.64.020.

29.64.015 Mandatory recount when margin not more than one-half of one percent. If the official canvass of the returns of any primary or election reveals that the difference in the number of votes cast for a candidate apparently nominated or elected to office, as the case may be, and the number of votes cast for his closest apparently defeated opponent is not more than one-half of one percent of the total number of votes cast for both candidates, the canvassing board shall, of its own motion, make a recount of all votes cast on such position in the manner provided by RCW 29.64.030 and 29.64.040, and no cost of such recount shall be charged to either candidate concerned.

29.64.020 Deposit of fees—Notice of time and place of recount—Attendance. Each application for recount shall separately list each precinct as to which a recount of the votes therein is requested, and the person filing an application shall at the same time deposit with the canvassing board the sum of five dollars in cash or by certified check for each precinct so listed in such application as security for the payment of charges for the making of the recount therein applied for, which charges shall be fixed by the canvassing board as provided in RCW 29.64.060. In the event the application for a recount applies to a special or regular district election then the deposit to be made with the canvassing board shall be five dollars in cash or by certified check for each precinct completely or partially within said district. If at said special or regular district election paper ballots were used and the precincts were combined and the election results of the individual precincts impossible to determine, then the deposit shall be a sum of money equal to the total number of ballots cast at such district election multiplied by

the factor of two cents; and if a specific request is made for the recount of absentee ballots, then an additional deposit shall be made in a sum of money equal to the total number of such absentee ballots to be counted multiplied by the factor of two cents.

If at said special or regular district election voting machines were used and the precincts were combined and the election results of the individual precincts impossible to determine, then the deposit shall be five dollars for each voting machine used.

Upon the filing of an application, the canvassing board shall promptly fix the time when and the place at which the recount will be made, which time shall be not later than five days after the day upon which such application is filed. The clerk of the board shall mail notice of the time and place so fixed to the applicant. If the application requests a recount of votes cast for a nomination or a candidacy for election, the clerk shall also mail such notice to each person for whom votes were cast for such nomination or election. Such notice shall be mailed by registered mail not later than two days before the date fixed for the commencement of the recount. Each person entitled to receive such notice may attend and witness the recount and may be accompanied by counsel.

In the case of a recount of votes cast upon a question or proposition, a second group of five or more registered voters, who voted upon such question or proposition other than those voters requesting the recount, may file with the canvassing board a written statement to that effect, may designate therein one of their number as chairman of such group and an attorney as their legal counsel, and may request that the persons so designated be permitted to attend and witness the recount. Thereupon the persons so designated may attend and witness the recount.

29.64.030 Recounting the ballots—Request to stop. At the time and place fixed for making a recount of paper ballots, the canvassing board or their duly authorized representatives, in the presence of all witnesses who may be in attendance, shall open the sealed containers containing the ballots to be recounted, and shall recount them. Ballots shall be handled only by the members of the canvassing board, their duly authorized representatives or by the clerk or other employees of the board. Witnesses shall be permitted to see the ballots but they shall not be permitted to touch them, and the canvassing board shall not permit the counting or tabulation of votes shown on the ballots for any nomination, or for election to any office or position, or upon any question or proposition, other than the votes shown on such ballots for the nomination, election, or question or proposition concerning which a recount of ballots was applied for.

At the time and place fixed for making a recheck of the votes cast on voting machines the canvassing board or their duly authorized representatives in the presence of all witnesses who may be in attendance, shall open the voting machines to be rechecked, and shall recheck them. Witnesses shall be permitted to watch the recheck of the voting machines, and the canvassing board shall not permit the rechecking of votes for any nomination, or for election to any office or position, or upon any question or proposition, other than the votes shown on such voting machines for the nomination, election, or question or proposition concerning which a recount of voting machines was applied for.

At any time before the ballots from all of the precincts listed in the application for the recount have been recounted, the applicant may file with the board a written request to stop the recount and not recount the ballots from the precincts so listed and which have not been recounted prior to the time of such request: *Provided*, That this provision shall not apply to a recount when a recount is being made of any regular or special district election whereat the precincts were consolidated and as a result thereof the application for a recount embraced all ballots cast at such election.

If, upon such request, the board finds that the results of the votes in the precincts recounted, if substituted for the results of the votes in such precincts as shown in the abstract of the votes in such precincts, would not cause the applicant, if a person for whom votes were cast for nomination or election, to be declared nominated or elected or if an election upon a question or proposition would not cause a result contrary to the result thereof as declared prior to such recount, it shall grant such request and shall not recount the ballots of the precincts listed in the application for recount which have not been recounted prior to such time. If the board finds otherwise, it may deny such request and shall continue to recount ballots until the ballots from all of the precincts listed in the application for recount have been recounted: *Provided*, That if such request is denied it may be renewed from time to time. Upon any such renewal the board shall consider and act upon the request in the same manner as provided in this section in connection with an original request.

29.64.040 Amended abstracts and declarations. Upon completion of the recount of the ballots, or upon stopping the recount prior to such time, the canvassing board shall promptly prepare and certify an amended abstract showing the votes cast in each precinct in which the nomination, election, or question or proposition was submitted to the electors, which amended abstract shall embody the votes of the precincts, the ballots of which were recounted, as shown by such recount. Copies of such certified amended abstracts shall be mailed to such other boards or election officials as required

in the case of the original abstract which such amended abstract amends.

If the nomination, election, or question or proposition concerning which such recount was made was submitted only to the electors within a county, the board shall make an amended declaration of the result of such election in the same manner required in the making of its original declaration of the result of such election.

If the nomination, election, or question or proposition concerning which a recount was made was submitted to the electors of more than one county, the secretary of state shall canvass all amended abstracts received from the canvassing board of each county in which a recount was made, and shall make an amended declaration of the results of such election in the same manner required in the making of his original declaration of the results of such election.

29.64.050 Further recount where partial recount changes results.

If a person was declared nominated as a candidate for election to an office or elected to an office or position and if it subsequently appears by the amended declaration of the results of such election made following a recount of votes cast in such election that such person was not so nominated or elected, such person may, within three days after the date of such amended declaration of the results of such election, file an application with the appropriate canvassing board for a recount of the votes cast at such primary or election for such nomination or election in any precinct, the ballots of which have not been recounted.

If, following a recount of votes cast at an election, regular or special, upon any question or proposition, the amended declaration of the results of such election shows the result of such election to be contrary to the result thereof as declared in the original declaration of the results thereof, any group of five or more registered voters which has filed a statement with the board as provided in RCW 29.64.020 may, within three days after the date of the amended declaration, file an application with the board for a recount of the votes cast at such election upon such question or proposition in any precinct, the votes of which have not been recounted.

RCW 29.64.010, 29.64.020 and 29.64.030 are applicable to any application provided for in this section and to the recount had pursuant thereto.

29.64.060 Expenses of recount—Charges. The charges for making a recount of votes of precincts listed in an application for recount filed with the board of elections shall be fixed by the board and shall include all expenses incurred by such board because of such application other than the regular operating expenses which the board would have incurred if the application had not been filed.

The total amount of charges so fixed divided by the number of precincts listed in such application, the votes of which were recounted, shall be the charge per precinct for the recount of the votes of the precincts listed in such application, the votes of which were recounted: *Provided*, That the charges per precinct so fixed shall not be more than five dollars for each precinct concerned or in the event of a recount of a regular or special district election whereat all ballots were requested to be recounted irrespective of precincts, the maximum charge shall not exceed two cents per ballot.

Such charge shall be deducted by the board from the money deposited with the board by the applicant for the recount at the time of filing his application, and the balance of the money so deposited shall be returned to such applicant: *Provided*, That no such charges shall be deducted by the board from the money deposited for a recount of votes cast for a nomination or for an election to an office or position in any precinct, if upon the completion of a recount the applicant is declared nominated or elected, or if upon completion of a recount concerning a question or proposition, the result of such election is declared to be opposite to the original declaration of the result of such election. All moneys deposited with the board by an applicant not returned to him shall be paid by such board into the general fund of the political subdivision concerned.

29.64.070 Rules and regulations. The secretary of state, as chief election officer, shall make rules and regulations, not inconsistent with this chapter, to facilitate and clarify any procedures contained herein.

29.64.900 Short title—Construction. This chapter shall be known as the statutory recount act and shall in no way affect or supersede the election contest statutes as contained in chapter 29.65 RCW.

Chapter 29.65

CONTESTS

29.65.010 County, district, precinct officers—Registered voter may start contest—Grounds for. Any registered voter may contest the right of any person declared elected to an office to be exercised in the county, district or precinct of his residence, for any of the following causes:

- (1) For malconduct on the part of any member of any precinct election board involved therein;
- (2) Because the person whose right is being contested was not at the time he was declared elected eligible to that office;

(3) Because the person whose right is being contested was previous to the election convicted of a felony by a court of competent jurisdiction, his conviction not having been reversed nor his civil rights restored after the conviction;

(4) Because the person whose right is being contested gave a bribe or reward to a voter or to an inspector, judge or clerk of election for the purpose of procuring his election, or offered to do so;

(5) On account of illegal votes.

29.65.020 Commencement of contest—Time for—Statement. To commence an election contest, the contestant must file with the clerk of the superior court of his residence a verified written statement of contest within ten days after the person whose right is being contested has been declared elected, setting forth specifically:

(1) The name of the contestant and that he is a registered voter in the county, district or precinct, as the case may be, in which the office is to be exercised;

(2) The name of the person whose right is being contested;

(3) The office;

(4) The particular causes of the contest. No statement of contest shall be dismissed for want of form if the particular causes of contest are alleged with sufficient certainty to advise the defendant of the particular proceedings or cause for which such election is contested.

29.65.030 Time for contesting primary or elections based on voting machine count. The time for filing an election contest the result of which is in whole or in part on the canvass of votes registered on a voting machine shall expire thirty days following any state or county primary or election and eight days following any such election held by a city or other governmental unit not larger than a county.

29.65.040 Hearing date—Citation to issue—Service. Upon such statement being filed, it shall be the duty of the clerk to inform the judge of the superior court, who may give notice, and order a session of the court to be held at the usual place of holding said court, on some day to be named by him, not less than ten nor more than twenty days from the date of such notice, to hear and determine such contested election: *Provided*, That if no session be called for the purpose, such contest shall be determined at the first regular session of court after such statement is filed.

The clerk of the court shall also at the time issue a citation for the person whose right to the office is contested, to appear at the time and place specified in the notice, which citation shall be delivered to the sheriff or constable, and be served upon the party

in person; or if he cannot be found, by leaving a copy thereof at the house where he last resided.

29.65.050 Witnesses to attend—Hearing of contest—Judgment. The clerk shall issue subpoenas for witnesses in such contested election at the request of either party, which shall be served by the sheriff or constable, as other subpoenas, and the superior court shall have full power to issue attachments to compel the attendance of witnesses who shall have been duly subpoenaed to attend if they fail to do so.

The court shall meet at the time and place designated to determine such contested election by the rules of law and evidence governing the determination of questions of law and fact, so far as the same may be applicable, and may dismiss the proceedings if the statement of the cause or causes of contest is insufficient, or for want of prosecution. After hearing the proofs and allegations of the parties, the court shall pronounce judgment in the premises, either confirming or annulling and setting aside such election, according to the law and right of the case.

If in any such case it shall appear that another person than the one returned has the highest number of legal votes, said court shall declare such person duly elected.

29.65.055 Costs, how awarded. If the proceedings are dismissed for insufficiency, want of prosecution, or the election is by the court confirmed, judgment shall be rendered against the party contesting such election for costs, in favor of the party whose election was contested.

If such election is annulled and set aside, judgment for costs shall be rendered against the party whose election was contested, in favor of the party contesting the same.

29.65.060 Misconduct of board—Irregularity must be material to result. No irregularity or improper conduct in the proceedings of any election board or any member thereof shall amount to such misconduct as to annul or set aside any election unless the irregularity or improper conduct was such as to procure the person whose right to the office may be contested, to be declared duly elected although he did not receive the highest number of legal votes.

29.65.070 Misconduct of board—Number of votes affected—Enough to change result. When any election for an office exercised in and for a county is contested on account of any misconduct on the part of any election board, or any member thereof, the election shall not be annulled and set aside upon any proof thereof, unless the rejection of the vote of such precinct or precincts will change the result as to such office in the remaining vote of the county.

29.65.080 Illegal votes—Allegation of in statement of contest. When the reception of illegal votes is alleged as a cause of contest, it shall be sufficient to state generally that illegal votes were cast, which, if given to the person whose election is contested in the specified precinct or precincts, will, if taken from him, reduce the number of his legal votes below the number of legal votes given to some other person for the same office.

29.65.090 Illegal votes—Testimony on premised on delivery of list of. No testimony shall be received as to any illegal votes unless the party contesting the election delivers to the opposite party, at least three days before trial, a written list of the number of illegal votes and by whom given, which he intends to prove on such trial. No testimony shall be received as to any illegal votes, except as to such as are specified in the list.

29.65.100 Illegal votes—Number of votes affected—Enough to change result. No election shall be set aside on account of illegal votes, unless it appears that an amount of illegal votes has been given to the person whose right is being contested, which, if taken from him, would reduce the number of his legal votes below the number of votes given to some other person for the same office, after deducting therefrom the illegal votes which may be shown to have been given to such other person.

29.65.110 Appeal to supreme court—Time—Method. Within ten days after the entry of final judgment, either party, feeling himself aggrieved by the judgment of the superior court in an election contest, may appeal therefrom to the supreme court as in other cases.

29.65.120 Nullification of election certificate—When effective. If an election is set aside by the judgment of the superior court and if no appeal is taken therefrom within ten days, the certificate issued shall be thereby rendered void.

29.65.130 Contest of nomination at primaries. Any candidate at a primary election who may desire to contest the nomination of any candidate for the same office thereat may proceed by affidavit presented to any judge of the supreme court or any judge of the superior court of the county in which any error or omission occurred. The affidavit shall be presented within five days after the completion of the canvass by the canvassing board, and not later, and the candidate whose nomination is so contested shall by the order of such judge, duly served, be required to appear and abide the orders of the court to be made therein.

Chapter 29.68**U. S. CONGRESSIONAL ELECTIONS**

29.68.005 Date precinct boundaries established. The boundaries of precincts included in the first, second, third, fourth, and fifth congressional districts shall be those established as of November 6, 1956; the boundaries of precincts included in the sixth and seventh districts shall be those established as of November 4, 1958.

29.68.007 Inclusion of precincts not specifically mentioned or included within any district. Any precinct not specifically mentioned or included within the boundaries of any congressional district of this chapter, and which is completely surrounded by territory embraced within a congressional district shall be and become a part of such congressional district; and in case any such precinct is not completely surrounded by territory embraced within a particular congressional district, the precinct shall be and become a part of the congressional district having the smallest number of electors and having territory adjoining or contiguous to such precinct in the same county in which such precinct is located.

29.68.011 First district boundaries and representation. Bainbridge Island, Seattle precincts 32-1 through 32-76, 36-1 through 36-72, 43-1 through 43-93, 44-1 through 44-36, 44-39 through 44-134, 45-1 through 45-106, and 46-1 through 46-149, and the following King county precincts: Abbey, Anita, Arethusa, Arrowhead, Avis, Baling, Beaux Arts, Bellevue No. 1 through Bellevue No. 17, Berrest, Bircenna, Blarney, Bonnie Glen, Bothell No. 1, Bothell No. 2, Bothell No. 3, Brace, Briarcrest, Bridle Trails, Brookside, Chauncey, Clive, Clyde Hill No. 1, Clyde Hill No. 2, Corwin, Country Club, Denny Park, Donahoe, Dunne, Echo Lake, Electra, Elise, Enatai, Erford, Finn Hill, Firland, Firlock, Florence, Georgette, Glocca Mora, Gloria, Greenwood, Hamlin, Hemlock, Highland, Hillside, Houghton No. 1, Houghton No. 2, Hunts Point, Innis Arden, Interlake, Jackson, Jean, Joanne, Juanita, Kenmore, Kilkenny, Killarney, Kirkland Nos. 1 through 12, Lago Vista, Lake Forest, Linwood, Louise, Marilyn, Medina No. 1, Medina No. 2, Medina No. 3, Medina No. 4, Meydenbauer, Monte Vista, Moorlands, North City, North Creek, Northridge, O'Farrell, Paramount, Park Lane, Park View, Parkwood, Perkins, Point Wells, Polk, Redkirk, Richmond, Ridgecrest, Ronald, Rose Hill, Rowena, Rush, Rustic, Sea Breeze, Sheridan, Sherwood, Shoreline, Snoking, Taylor, Thellbo, Transvaal, Underwood, Ward, Westminster, Westover, Wilburton, Woodinville, Woodpark, Yarrow, Yokena, Zachary and Zirconia shall constitute the first congressional district and shall be entitled to one representative in the congress of the United States.

29.68.021 Second district boundaries and representation. Clallam, Island, Jefferson, San Juan, Skagit, Snohomish and Whatcom counties, and the following King county precincts shall constitute the second congressional district and shall be entitled to one representative in the congress of the United States: Avondale, Baring, Bear Creek, Berlin, Carnation, Cherry Valley, Cleveland, Cottage Lake, Duvall, Happy Valley, Hollywood, Leota, Martin Creek, Novelty, Redmond No. 1, Redmond No. 2, Skykomish, Stillwater, Tolt and Vincent.

29.68.030 Third district boundaries and representation. The counties of Grays Harbor, Mason, Thurston, Pacific, Lewis, Wahkiakum, Cowlitz, Clark and Skamania shall constitute the third congressional district and shall be entitled to one representative in the congress of the United States.

29.68.040 Fourth district boundaries and representation. The counties of Klickitat, Yakima, Benton, Kittitas, Whitman, Grant, Adams, Franklin, Walla Walla, Columbia, Garfield and Asotin shall constitute the fourth congressional district, and shall be entitled to one representative in the congress of the United States.

29.68.050 Fifth district boundaries and representation. The counties of Ferry, Stevens, Lincoln, Spokane, Chelan, Okanogan, Douglas and Pend Oreille shall constitute the fifth congressional district and shall be entitled to one representative in the congress of the United States.

29.68.062 Sixth district boundaries and representation. Pierce county and all of Kitsap county exclusive of Bainbridge Island shall constitute the sixth congressional district and shall be entitled to one representative in the congress of the United States.

29.68.066 Seventh district boundaries and representation. The following precincts shall constitute the seventh congressional district and shall be entitled to one representative in the congress of the United States:

(1) Seattle precincts 31-1 through 31-112, 33-1 through 33-90, 34-1 through 34-100, 35-1 through 35-51, 35-57 through 35-62 and 37-1 through 37-78;

(2) The following King county precincts: Alder, Ambaum, Anthony, Avon, Bangor, Beverly, Boeing, Bow Lake, Brooklyn, Burien, Burton, Cecelia, Cedarhurst, Center, Cork, Cove, Crescent, Dilworth, Dockton, Dolphin, Donegal, Down, Dublin, Dunmore, Duwamish, East Seattle, Emeline, Evansvale, Evergreen, Fern, Five Corners, Florina, Francis, Fruitland, Garrett, Glasgow, Greendale, Gregory Heights, Hayes, Hazel Valley, Heights, Helen, Hestia, Highline, Huntington, Isabella, Island, Jane, Josephine, Joyce, Juniper, Kath-

erine, Kerry, Kildare, Kilpatrick, Lake, Lakeview, Lakewood, Lilac, Lillian, Limerick, Lisabuela, Londonderry, Longford, Lynmar, McGilvra, McKinley, Madrona, Manhattan, Margaret, Marian, Marine View, Marlene, Maury, Mercer, Military Road, Monterey, Mount View, Meyers Way, Nokomis, Norma, Normandy Park No. 1 through Normandy Park No. 5, North Burien, North Hill, North Riverton, Pilgrim, Plato, Qualheim, Quartermaster, Regal, Rendini, Roanoke, Roscommon, Roseburg, St. Helens, Salmon Creek, San Juan, Seahurst, Seaview, Seneca, Seola, Shannon, Shorewood, South Park, Southern Heights, Stimson Park, Sunnybank, Sunnysdale, Sunnywood, Sylvan, Sylvester, Taft, Three Tree Point, Tipperary, Ursina, Valona, Vashon, Victory, Vista, Waterford, White Center, Wicklow, Wildwood, Wilson, Woodside and Wynona;

(3) The following King county precincts: Aaron, Airport, Algona No. 1, Algona No. 2, Allen, Allentown, Angle Lake, Antrim, Arlene, Arthur, Athlone, Auburn No. 1 through Auburn No. 15, Bayview, Beaver Lake, Bellevue No. 18, Benson, Betty, Big Soos, Birch, Bishop, Black Diamond, Blueberry Lake, Boise, Boren, Bossert, Boulevard Park, Bow Vista, Bryn Mawr, Buenna, Calhoun, Campbell Hill, Carleton, Cascade, Cedar Falls, Cedar Mountain, Cedar River, Charlotte, Christopher, Coalfield, Cork, Cougar Mountain, Covington, Cumberland, Dallas, Delano, Des Moines, Dolloff, Douglas, Duncan, Dunlap, Durham, Earlington, Eastgate, East Hill, Edna, Ellinson, Elliott, Eloise, Emerald, Enumclaw No. 1, Enumclaw No. 2, Enumclaw No. 3, Enumclaw No. 4, Enumclaw No. 5, Esther, Factoria, Fall City, Farmer, Federal Way, Fenwick, Ferdinand, Fillmore, Ford, Foster, Franklin, Fuller, Galway, Gilbert, Gilman, Gorge, Greenacres, Green River, Grover, Harding, Hazelwood, Hillcrest, Hillman, Hilltop, Hobart, Honey Dew, Horizon, Inglewood, Irma, Issaquah No. 1, Issaquah No. 2, Jefferson, Jovita, Kelly, Kent No. 1 through Kent No. 8, Kennysdale, Krain, Lakehaven, Lake Hills, Lakeland, Lakeridge, Lakota, Lea Hill, Lester, Liberty, Lila, Lincoln, Little Soos, McMicken, Mabel, Macadam, Madison, Marie, Martha, May Creek, May Valley, Meadowbrook, Meeker, Meridian, Midway, Mildred, Mirror Lake, Monohon, Mount Si, Muckleshoot, Nell, Newcastle, Newport, Ninety-nine, Norpac, North Bend No. 1, North Bend No. 2, O'Brien, Olga, Orchard, Orillia, Osceola, Pacific No. 1, Pacific No. 2, Palmer, Panther Lake, Patterson, Phantom Lake, Pine Lake, Pine Tree, Pipe Line, Preston, Rainier, Ramona, Ravensdale, Redondo, Renthree, Renton No. 1 through Renton No. 26, Rita, Riverton, Robin Hood, Robinswood, Roosevelt, Rowell, Russell, St. George, Salt Water, Sammamish, Sawyer, Sea Cliff, Shamrock, Shaugnessy, Showalter, Shuffleton, Skyway, Snoqualmie No. 1, Snoqualmie No. 2, Sno-Valley, Soos Creek, Springbrook, Spring Glen, Squak Mountain, Star Lake, Steelhead, Steel Lake,

Sterling, Stuck, Sunnycrest, Sunrise, Sunset, Tanner, Thomas, Thorndyke, Tiger Mountain, Tralee, Tukwila No. 1, Tukwila No. 2, Tukwila No. 3, Tyler, Valley, Val-Vue, Vivian, Vuecrest, Wabash, Wallace, Warren, Wayne, Webster, White River, Wilderness, Willow Ridge, Woodmont, Wynoché and Zenith.

29.68.070 Vacancy in senatorship—Filling. When a vacancy happens in the representation of this state in the senate of the United States the governor shall make a temporary appointment until the people fill the vacancy by election at the next ensuing general state election.

29.68.080 Vacancy in U.S. House of Representatives—Special election. Whenever there is a vacancy existing by death, resignation, disability or failure to qualify or impending vacancy in the office of representative in the congress of the United States from this state or any congressional district in this state, the governor shall order a special election to fill the vacancy. He shall fix as the date for the special election a day not less than twenty-five days after the issuance of the writ. He shall fix as the date for the primary for nominating candidates for the special election, a day not less than fifteen days after the issuance of the writ and not less than ten days before the day fixed for holding the special election.

29.68.090 ————Order calling election — Requisites — Filing period. The order shall name the district and the term or part of term for which the vacancy exists or is about to exist as well as the dates for holding the special primary and the special election to fill it, and if the date fixed for the special primary is the day for holding the regular primary, or if the day fixed for the special election is the day for holding the regular election, the order shall provide that the names of the candidates to fill the vacancy may be placed upon the regular ballots to be used thereat. No name shall be printed on the primary ballots that shall not have been filed with the secretary of state at least ten days before the special primary.

29.68.100 ————Notices of special primary and special election. Upon calling a special primary and special election to fill a vacancy or impending vacancy in the office of representative in the congress of the United States, the governor shall immediately notify each county auditor within the district in which the vacancy exists or is about to exist.

Each county auditor in the district shall publish notices of the special primary and of the special election at least once in the official county paper if there is one, otherwise in any legal newspaper pub-

lished in the county, and he shall also post notices thereof in every precinct in his county.

If the date fixed in the order for the special primary is not more than fifteen days before the date fixed for the special election, the notices for the special election may be combined with the notices for the special primary.

29.68.110 ———Precinct election officers—Who to serve. If either the special election for the election of a United States congressman or the special primary relating thereto is held at the same time as the corresponding regular election or primary, the same election officers shall serve at both; if held at a time other than the corresponding regular election or primary the election officers for the last corresponding election or primary shall be the election officers thereat.

29.68.120 ———Canvass of primary—Certification of nominees. Canvass of the votes at a special primary held in relation to a special election for a United States congressman shall be made in each county within the district within five days after the primary and the returns sent immediately to the secretary of state who shall immediately certify the names of the successful nominees to the county auditors of the counties within the district.

29.68.130 ———General, primary election laws to apply. The general election laws and laws relating to primaries shall apply to the special elections provided for in RCW 29.68.080 through 29.68.120 in so far as they are not inconsistent therewith, and shall be construed with and as a part thereof for the purpose of carrying out the spirit and intent thereof.

Chapter 29.71

U. S. PRESIDENTIAL ELECTORS

29.71.010 Date of election—Number. On the Tuesday next after the first Monday of November in the year in which a president of the United States is to be elected there shall be elected as many electors of president and vice president of the United States as there are senators and representatives in congress allotted to this state.

29.71.020 Nomination—What names on ballots—How counted. In the years in which presidential elections are held, each political party nominating candidates for president and vice president of the United States shall nominate their presidential electors for this state and file with the secretary of state certificates of nomination for such candidates at the time and in the manner and number provided by law. The secretary of state shall certify to the county

auditors the names of the candidates for president and vice president of the several political parties, which shall be printed on the ballot. The names of candidates for electors of president and vice president shall not be printed upon the ballots. The votes cast for candidates for president and vice president of each political party shall be counted for the candidates for presidential electors of such political party, whose names have been filed with the secretary of state.

29.71.030 Counting and canvassing the returns. The votes for candidates for president and vice president shall be given, received, returned and canvassed as the same are given, returned, and canvassed for candidates for congress. The secretary of state shall prepare three lists of names of electors elected and affix the seal of the state to the same. Such lists shall be signed by the governor and secretary of state and by the latter delivered to the college of electors at the hour of their meeting.

29.71.040 Meeting—Time—Procedure. The electors of the president and vice president shall convene at the seat of government on the day fixed by federal statute, at the hour of twelve o'clock noon of that day. If there is any vacancy in the office of an elector occasioned by death, refusal to act, neglect to attend, or otherwise, the electors present shall immediately proceed to fill it by viva voce, and plurality of votes. When all of the electors have appeared and the vacancies have been filled they shall constitute the college of electors of the State of Washington, and shall proceed to perform the duties required of them by the Constitution and laws of the United States.

29.71.050 Compensation. Every presidential elector who attends at the time and place appointed, and gives his vote for president and vice president, shall be entitled to receive from this state, five dollars for each day's attendance at the meeting of the college of electors, and ten cents per mile for travel by the usually traveled route in going to and returning from the place where the electors meet.

Chapter 29.74

U. S. CONSTITUTIONAL AMENDMENT CONVENTIONS

29.74.010 Governor's proclamation calling convention. Within thirty days after the state is officially notified that the congress of the United States has submitted to the several states a proposed amendment to the Constitution of the United States to be ratified or rejected by a convention, the governor shall issue a proclamation

fixing the time and place for holding the convention and fixing the time for holding an election to elect delegates to the convention.

29.74.020 ———Publication of. The proclamation shall be published once each week for two successive weeks in one newspaper published and of general circulation in each of the congressional districts of the state. The first publication of the proclamation shall be within thirty days of the receipt of official notice by the state of the submission of the amendment.

29.74.030 Election of convention delegates—Date for, how fixed. The date for holding the election of delegates shall be not less than one month nor more than six weeks prior to the date of holding the convention: *Provided*, That if a general state election is to be held not more than six months nor less than three months from the date of official notice of submission to the state of the proposed amendment, the governor must fix the date of the general election as the date for the election of delegates to the convention.

29.74.040 Time and place for holding convention. The convention shall be held not less than five nor more than eight months from the date of the first publication of the proclamation provided for in RCW 29.74.020. It shall be held in the chambers of the state house of representatives unless the governor shall select some other place at the state capitol.

29.74.050 Delegates. Number and qualifications. Each state representative district shall be entitled to as many delegates in the convention as it has members in the house of representatives of the state legislature. No person shall be qualified to act as a delegate in said convention who does not possess the qualifications required of representatives in the state legislature from the same district.

29.74.060 ———Declarations of candidacy. Anyone desiring to file as a candidate for election as a delegate to said convention shall, not less than thirty nor more than sixty days prior to the date fixed for holding the election, file his declaration of candidacy with the secretary of state. Filings shall be made on a form to be prescribed by the secretary of state and shall include a sworn statement of the candidate that he is either for or against, as the case may be, the amendment which will be submitted to a vote of the convention and that he will, if elected as a delegate, vote in accordance with his declaration. The form shall be so worded that the candidate must give a plain unequivocal statement of his views as either for or against the proposal upon which he will, if elected, be called upon to vote. No candidate shall in any such filing make any statement or declaration as to his party politics or political

faith or beliefs. The fee for filing as a candidate shall be ten dollars and shall be transmitted to the secretary of state with the filing papers and be by the secretary of state transmitted to the state treasurer for the use of the general fund.

29.74.070 Election of convention delegates, general procedure. The election of delegates to such convention shall as far as practicable, be called, held and conducted, except as otherwise in this chapter provided, in the same manner as a general election under the election laws of this state.

29.74.080 ————Ballots. The ballot shall be headed "Delegate to convention for ratification or rejection of proposed amendment to the United States Constitution, relating (stating briefly the substance of amendment proposed for adoption or rejection)." The names of all candidates who have filed for a district shall be printed on the ballots for that district in two separate groups. In one group under the heading, "For the amendment" shall be printed in alphabetical order of their surnames, the names of all candidates, who in their filed declaration of candidacy have declared themselves to be in favor of the amendment; and in the other group under the heading, "Against the amendment" shall be printed in alphabetical order of their surnames, the names of all candidates, who in their filed declaration of candidacy have declared themselves to be against the amendment. The wording of the headings for the two groups may be varied from that prescribed above if the nature of the proposal submitted by congress requires a different heading in order to clearly and briefly express the attitude of the candidates as disclosed in their declarations of candidacy. One of said groups shall occupy the left, and the other the right, column on said ballot. At the top of the ballot preceding the list of names shall be the statement, "Vote for" then the word, "two" or a spelled number designating the number of delegates to which the district is entitled, and "To vote for a person, make a cross (X) in the square at the right of the name of each person for whom you desire to vote." In all other respects the ballots shall follow the form prescribed by general law.

29.74.090 ————Qualifications of voters. Every person possessing the qualifications entitling him to vote at an election for state representatives, on the date of the election, shall be entitled to vote thereat.

29.74.100 ————Ascertaining election result. The election officials shall count and determine the number of votes cast for each individual; and shall also count and determine the aggregate number of votes cast for all candidates whose names appear under each

of the respective headings. Where more than the required number have been voted for, the ballot shall be rejected. The figures determined by the various counts shall be entered in the poll books of the respective precincts. The vote shall be canvassed in each county by the county canvassing board and certificate of results shall within twelve days after the election be transmitted to the secretary of state. Upon receiving such certificate, the secretary of state shall have power to require returns or poll books from any county precinct to be forwarded for his examination.

Where a district embraces precincts of more than one county, the secretary of state shall combine the votes from all the precincts included in each district. The delegates elected in each district shall be the number of candidates, corresponding to the number of state representatives from the district, who receive the highest number of votes in the group (either "for" or "against"), which received an aggregate number of votes for all candidates in the group greater than the aggregate number of votes for all the candidates in the other group, and the secretary of state shall issue certificates of election, to the delegates so elected.

29.74.110 Meeting—Organization. The convention shall meet at the time and place fixed in the governor's proclamation. It shall be called to order by the secretary of state, who shall then call the roll of the delegates and preside over the convention until its president is elected. The oath of office shall then be administered to the delegates by the chief justice of the supreme court. As far as practicable, the convention shall proceed under the rules adopted by the last preceding session of the state senate. The convention shall elect a president and a secretary and shall thereafter and thereupon proceed to vote viva voce upon the proposition submitted by the congress of the United States.

29.74.120 Quorum—Proceedings—Record. Two-thirds of the elected members of said convention shall constitute a quorum to do business, and a majority of those elected shall be sufficient to adopt or reject any proposition coming before the convention. If such majority votes in favor of the ratification of the amendment submitted to the convention, the said amendment shall be deemed ratified by the state of Washington; and if a majority votes in favor of rejecting or not ratifying the amendment, the same shall be deemed rejected by the state of Washington.

29.74.130 Certification and transmittal of result. The vote of each member shall be recorded in the journal of the convention, which shall be preserved by the secretary of state as a public document. The action of the convention shall be enrolled, signed by its president and secretary and filed with the secretary of state

and it shall be the duty of the secretary of state to properly certify the action of the convention to the congress of the United States as provided by general law.

29.74.140 Expenses, how paid—Delegates receive filing fee. The delegates attending the convention shall be paid the amount of their filing fee, upon vouchers approved by the president and secretary of the convention and state warrants issued thereon and payable from the general fund of the state treasury. The delegates shall receive no other compensation or mileage. All other necessary expenses of the convention shall be payable from the general fund of the state upon vouchers approved by the president and secretary of the convention.

29.74.150 Federal statutes controlling. If a congressional measure, which submits to the several states an amendment to the Constitution of the United States for ratification or rejection, provides for or requires a different method of calling and holding conventions to ratify or reject said amendment, the requirements of said congressional measure shall be followed so far as they conflict with the provisions of this chapter.

Chapter 29.79

INITIATIVE AND REFERENDUM

29.79.010 Filing proposed measures with secretary of state. If any legal voter or organization of legal voters of the state desires to petition the legislature to enact a proposed measure, or to submit a proposed initiative measure to the people, or to order that a referendum of any act, bill or law, or any part thereof, passed by the legislature be submitted to the people, he or they shall file in the office of the secretary of state five printed or typewritten copies of the measure proposed, or of the act or part thereof on which a referendum is desired, accompanied by the name and post office address of the proposer, and by an affidavit that the proposer (if an individual) is, or that the members of the proposer (if an organization), are legal voters.

29.79.020 Time for filing various types. Initiative measures proposed to be submitted to the people must be filed with the secretary of state within ten months prior to the election at which they are to be submitted, and the petitions therefor must be filed with the secretary of state not less than four months before the next general state-wide election.

Initiative measures proposed to be submitted to the legislature must be filed with the secretary of state within ten months prior to the next regular session of the legislature at which they are to

be submitted and the petitions therefor must be filed with the secretary of state not less than ten days before such regular session of the legislature.

A petition ordering that any act or part thereof passed by the legislature be referred to the people must be filed with the secretary of state within ninety days after the final adjournment of the legislative session at which the act was passed. It may be submitted at the next general state-wide election or at a special election ordered by the legislature.

29.79.030 Numbering—Transmittal to attorney general. The secretary of state shall give a serial number to each initiative or referendum measure, using a separate series for initiative and referendum measures, and forthwith transmit one copy of the measure proposed bearing its serial number to the attorney general. Thereafter a measure shall be known and designated on all petitions, ballots and proceedings as "Initiative Measure No." or "Referendum Measure No."

29.79.040 Ballot title—Formulation by attorney general. Within ten days after the receipt of an initiative or referendum measure the attorney general shall formulate therefor and transmit to the secretary of state a statement of not to exceed one hundred words, bearing the serial number of the measure. The statement may be distinct from the legislative title of the measure, and shall express, and give a true and impartial statement of the purpose of the measure; it shall not be intentionally an argument, nor likely to create prejudice, either for or against the measure. In addition to such statement, the attorney general shall also prepare a caption, not to exceed five words in length, to permit the voters readily to identify the initiative or referendum measure and distinguish it from other questions on the ballot. This caption and the statement together shall constitute the ballot title. The ballot title formulated by the attorney general shall be the ballot title of the measure unless changed on appeal.

29.79.050 Ballot title—Notice to proponents. Upon the filing of the ballot title for an initiative or referendum measure in his office, the secretary of state shall forthwith notify the persons proposing the measure by telegraph and by mail of the exact language thereof.

29.79.060 Ballot title—Appeal to superior court. If the proposers are dissatisfied with the ballot title formulated by the attorney general, they may at any time within ten days from the filing thereof in the office of the secretary of state appeal to the superior court of Thurston county by petition setting forth the measure, the title formulated by the attorney general and their objections thereto and praying for amendment thereof.

A copy of the petition on appeal together with a notice that an appeal has been taken shall be served upon the secretary of state and upon the attorney general. Upon the filing of the petition on appeal, the court shall forthwith, or at the time to which the hearing may be adjourned by consent of the appellants, examine the proposed measure, the title prepared by the attorney general and the objections thereto and may hear argument thereon, and shall as soon as possible render its decision and certify to and file with the secretary of state such ballot title as it determines will meet the requirements of this chapter. The decision of the superior court shall be final, and the title so certified shall be the established ballot title. Such appeal shall be heard without costs to either party.

29.79.070 Ballot title—Mailed to proponents. When the ballot title has been finally established, the secretary of state shall file the instrument establishing it with the proposed measure and transmit a copy thereof by mail to the persons proposing the measure. Thereafter such ballot title shall be the title of the measure in all petitions, ballots and other proceedings in relation thereto.

29.79.080 Petitions—Paper—Size—Margins. Upon the ballot title being established, the persons proposing the measure may prepare blank petitions and cause them to be printed upon single sheets of white paper of good quality twelve inches in width and fourteen inches in length, with a margin of one and three-quarters inches at the top for binding. Each petition at the time of circulating, signing, and filing with the secretary of state shall consist of not more than five sheets with numbered lines for not more than twenty signatures on each sheet, with the prescribed warning, title and form of petition on each sheet, and a full, true and correct copy of the proposed measure referred to therein printed on sheets of paper of like size and quality as the petition, firmly fastened together.

29.79.090 Petitions to legislature—Form. Petitions for proposing measures for submission to the legislature at its next regular session, shall be substantially in the following form:

WARNING

Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal voter, or who makes herein any false statement, shall be punished by fine or imprisonment or both.

INITIATIVE PETITION FOR SUBMISSION TO THE LEGISLATURE

To the Honorable _____, Secretary of State of the State of Washington:

We, the undersigned citizens of the State of Washington and legal voters of the respective precincts set opposite our names, respectfully direct that this petition and the proposed measure known as Initiative Measure No. _____ and entitled (here set forth the established ballot title of the measure), a full, true and correct copy of which is hereto attached, shall be transmitted to the legislature of the State of Washington at its next ensuing regular session, and we respectfully petition the legislature to enact said proposed measure into law; and each of us for himself says: I have personally signed this petition; I am a legal voter of the State of Washington in the precinct, city (or town) and county written after my name, and my residence address is correctly stated.

Petitioner's signature	Residence address, street and number, if any	Precinct name or number	City or Town	County
---------------------------	--	-------------------------------	--------------------	--------

(Here follow 20 numbered lines divided into columns as below.)

1.....	.....	.....	.....	.....
2.....	.....	.....	.....	.....
3.....	.....	.....	.....	.....
etc.				

29.79.100 Petitions to people—Form. Petitions for proposing measures for submission to the people for their approval or rejection at the next ensuing general election, shall be substantially in the following form:

WARNING

Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal voter, or who makes herein any false statement, shall be punished by fine or imprisonment or both.

INITIATIVE PETITION FOR SUBMISSION TO THE PEOPLE

To the Honorable _____, Secretary of State of the State of Washington:

We, the undersigned citizens of the State of Washington and legal voters of the respective precincts set opposite our names, respectfully direct that the proposed measure known as Initiative Measure No. _____, entitled (here insert the established ballot title of the measure), a full, true and correct copy of which is hereto attached shall be submitted to the legal voters of the State of Washington for their approval or rejection at the general election to be held on the _____ day of _____, A.D. 19____; and each of us for himself says: I have personally signed this petition; I am a legal voter of the State of Washington, in the precinct, city (or town) and county written after my name, and my residence address is correctly stated.

Petitioner's signature	Residence address, street and number, if any	Precinct name or number	City or Town	County
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(Here follow 20 numbered lines divided into columns as below.)

1.....
2.....
3.....
etc.

29.79.110. Petitions to refer—Form. Petitions ordering that acts or parts of acts passed by the legislature be referred to the people at the next ensuing general election, or special election ordered by the legislature, shall be substantially in the following form:

WARNING

Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal voter, or who makes herein any false statement, shall be punished by fine or imprisonment or both.

PETITION FOR REFERENDUM

To the Honorable _____, Secretary of State of the State of Washington:

We, the undersigned citizens of the State of Washington and legal voters of the respective precincts set opposite our names,

respectfully order and direct that Referendum Measure No. _____, entitled (here insert the established ballot title of the measure) being a (or part or parts of a) bill passed by the _____ legislature of the State of Washington at the last regular (special) session of said legislature, shall be referred to the people of the state for their approval or rejection at the regular (special) election to be held on the _____ day of _____, A.D. 19 ____; and each of us for himself says: I have personally signed this petition; I am a legal voter of the State of Washington, in the precinct, city (or town) and county written after my name, and my residence address is correctly stated.

Petitioner's signature	Residence address, street and number, if any	Precinct name or number	City or Town	County
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(Here follow 20 numbered lines divided into columns as below.)

1.....
2.....
3.....
etc.

29.79.120 Petitions—Signatures—Number necessary. When the person or organization proposing any initiative measure has secured upon any such initiative petition the signatures of legal voters equal in number to or exceeding eight percent of the whole number of voters registering and voting for the office of governor at the regular gubernatorial election last preceding, or when the person or organization demanding any referendum of an act of the legislature or any part thereof has secured upon any such referendum petition the signatures of legal voters equal in number to or exceeding four percent of the whole number of voters registering and voting for the office of governor at the regular gubernatorial election last preceding, he or they may submit said petition to the secretary of state for filing in his office.

29.79.130 Petitions—Expense—Contributors—Sworn statement. At the time of submitting an initiative or referendum petition the person or organization submitting it shall file with the secretary of state a full, true and detailed statement giving the names and post office addresses of all persons, corporations and organizations who contributed any moneys to aid in the preparation, publication and advertising of the measure and the preparation, circulation and filing of the petition, with the amount contributed by each, and a

full, true and detailed statement of all expenditures, giving the amounts expended, the purpose for which expended, and the names and post office addresses of the persons and corporations to whom paid. The statement shall be verified by the affidavit of the person or some member of the organization in charge of the measure.

29.79.140 Petitions—Time for filing. The time for submitting initiative or referendum petitions to the secretary of state for filing is as follows:

(1) A referendum petition ordering and directing that the whole or some part or parts of an act passed by the legislature be referred to the people for their approval or rejection at the next ensuing general election or a special election ordered by the legislature, must be submitted not more than ninety days after the final adjournment of the session of the legislature which passed the act;

(2) An initiative petition proposing a measure to be submitted to the people for their approval or rejection at the next ensuing general election, must be submitted not less than four months before the date of such election;

(3) An initiative petition proposing a measure to be submitted to the legislature at its next ensuing regular session must be submitted not less than ten days before the commencement of the session.

29.79.150 Petitions — Acceptance or rejection by secretary of state. Upon any initiative or referendum petition being submitted to the secretary of state for filing, he may refuse to file it upon any of the following grounds:

(1) That the verified statement of contributions and contributors has not been filed.

(2) That the petition is not in proper form.

(3) That the petition clearly bears insufficient signatures.

(4) That the time within which the petition may be filed has expired.

In case of refusal, the secretary of state shall endorse on the petition the word "submitted" and the date, and retain the petition pending appeal.

If none of the grounds for refusal exists, the secretary of state must accept and file the petition.

29.79.160 Petitions—Review of refusal to accept and file. If the secretary of state refuses to file an initiative or referendum petition when submitted to him for filing, the persons submitting it for filing may, within ten days after his refusal, apply to the superior court of Thurston county for a citation requiring the secretary of state to bring the petitions before the court, and for a writ of mandate

to compel him to file it. The application shall take precedence over other cases and matters and shall be speedily heard and determined.

If the court issues the citation, and determines that the petition is legal in form and apparently contains the requisite number of signatures and was submitted for filing within the time prescribed in the Constitution, it shall issue its mandate requiring the secretary of state to file it in his office as of the date of submission for filing.

The decision of the superior court granting a writ of mandate shall be final.

29.79.170 Petitions—Review—Appeal from superior court's refusal to issue mandate. The decision of the superior court refusing to grant a writ of mandate, may be reviewed by the supreme court on a writ of certiorari sued out within five days after the decision of the superior court. The review shall be considered an emergency matter of public concern, and shall be heard and determined with all convenient speed, and if the supreme court decides that the petitions are legal in form and apparently contain the requisite number of signatures of legal voters, and were filed within the time prescribed in the Constitution, it shall issue its mandate directing the secretary of state to file the petition in his office as of the date of submission.

29.79.180 Petitions—Destruction on final refusal. If no appeal is taken from the refusal of the secretary of state to file a petition within the time prescribed, or if an appeal is taken and the secretary of state is not required to file the petition by the mandate of either the superior or the supreme court, the secretary of state shall destroy it.

29.79.190 Petitions—Consolidation into volumes. If the secretary of state accepts and files an initiative or referendum petition upon its being submitted for filing or if he is required to file it by the court, he shall forthwith, in the presence of the governor, or, if the governor is absent, in the presence of some other state officer, and in the presence of the persons submitting such petition for filing if they desire to be present, detach the sheets containing the signatures and cause them all to be firmly attached to one or more printed copies of the proposed initiative or referendum measure in such volumes as will be most convenient for canvassing and filing, and shall number such volumes and file the same and stamp on each thereof the date of filing.

29.79.200 Petitions to legislature—Count of signatures. Upon filing the volumes of an initiative petition proposing a measure for submission to the legislature at its next regular session, the secre-

tary of state shall forthwith in the presence of at least one person representing the advocates and one person representing the opponents of the proposed measure, should either desire to be present, proceed to canvass and count the names of the legal voters thereon. If he finds the same name signed to more than one petition he shall reject the name as often as it appears. If the petition is found to be sufficient, the secretary of state shall transmit a certified copy of the proposed measure to the legislature at the opening of its session together with a certificate of the facts relating to the filing of the petition and the canvass thereof.

29.79.210 Petitions to legislature—Count of signatures—Review. Any citizen dissatisfied with the determination of the secretary of state that an initiative or referendum petition contains or does not contain the requisite number of signatures of legal voters may, within five days after such determination, apply to the superior court of Thurston county for a citation requiring the secretary of state to submit the petition to said court for examination, and for a writ of mandate compelling the certification of the measure and petition, or for an injunction to prevent the certification thereof to the legislature, as the case may be. Such application and all proceedings had thereunder shall take precedence over other cases and shall be speedily heard and determined.

The decision of the superior court granting or refusing to grant the writ of mandate or injunction may be reviewed by the supreme court on a writ of certiorari sued out within five days after the decision of the superior court, and if the supreme court decides that a writ of mandate or injunction, as the case may be, should issue, it shall issue the writ directed to the secretary of state; otherwise, it shall dismiss the proceedings. The clerk of the supreme court shall forthwith notify the secretary of state of the decision of the supreme court.

29.79.220 Initiatives and referenda to voters—Count of signatures. Upon filing the volumes of a referendum petition or an initiative petition for submission of a measure to the people, the secretary of state shall canvass the names of the petition within sixty days after filing and like proceedings shall and may be had thereon as provided in RCW 29.79.200, 29.79.210, and 29.79.240.

29.79.230 Initiatives and referenda to voters—Certificate of sufficiency. If a referendum or initiative petition for submission of a measure to the people is found sufficient, the secretary of state shall at the time and in the manner that he certifies to the county auditors of the various counties the names of candidates for state and district officers certify to each county auditor the serial numbers and ballot

titles of the several initiative and referendum measures to be voted upon at the next ensuing general election or special election ordered by the legislature.

29.79.240 Petitions—Fraudulent names—Record. The secretary of state shall, while making the canvass, keep a record of all names appearing on an initiative or referendum petition which are not registered voters and of all names appearing thereon more than once, and shall report the same to the prosecuting attorneys of the respective counties where the names were signed to the end that prosecutions may be had for such violations of this chapter.

29.79.250 Referendum bills by legislature — Serial numbering. Whenever any bill passed by the legislature shall be by the legislature referred to the people for their approval or rejection at the next ensuing general election or at a special election ordered by the legislature, the secretary of state shall give such bill a serial number, using a separate series, such series being designated "Referendum bills."

29.79.260 Referendum bills by legislature—Ballot title. If the legislature did not prescribe a ballot title the secretary of state shall obtain from the attorney general a ballot title therefor in the manner provided for obtaining ballot titles for initiative measures, and shall certify the serial number and ballot title of such bill to the county auditors for printing on the ballots for such general or special election in like manner as initiative measures for submission to the people are certified.

29.79.270 Rejected initiative to legislature treated as referendum bill. Whenever any measure proposed by initiative petition for submission to the legislature is rejected by the legislature or the legislature takes no action thereon before the end of the regular session at which it is submitted, the secretary of state shall certify the serial number and ballot title thereof to the county auditors for printing on the ballots at the next ensuing general election in like manner as initiative measures for submission to the people are certified.

29.79.280 Substitute for rejected initiative treated as referendum bill. If the legislature, having rejected a measure submitted to it by initiative petition, proposes a different measure dealing with the same subject, the secretary of state shall give that measure the same number as that borne by the initiative measure followed by the letter "B." Such measure so designated as "Alternative Measure No. B," together with the ballot title thereof, when ascertained, shall be certified by the secretary of state to the county auditors for printing on the ballots for submission to the voters for their

approval or rejection in like manner as initiative measures for submission to the people are certified.

29.79.290 Substitute for rejected initiative—Ballot title. For a measure designated by him as "Alternative Measure No. B," the secretary of state shall obtain from the attorney general a ballot title in the manner provided for obtaining ballot titles for initiative measures. The ballot title therefor shall be different from the ballot title of the measure in lieu of which it is proposed, and shall indicate, as clearly as possible, the essential differences in the measure.

29.79.300 Printing ballot titles on ballots—Order and form. The county auditor of each county shall cause to be printed on the official ballots for the election at which initiative and referendum measures are to be submitted to the people for their approval or rejection the serial numbers and ballot titles, certified by the secretary of state. They shall appear under separate headings in the order of the serial numbers as follows:

(1) Measures proposed for submission to the people by initiative petition shall be under the heading, "Proposed by Initiative Petition";

(2) Bills passed by the legislature and ordered referred to the people by referendum petition shall be under the heading, "Passed by the Legislature and Ordered Referred by Petition";

(3) Bills passed and referred to the people by the legislature shall be under the heading, "Proposed to the People by the Legislature";

(4) Measures proposed to the legislature and rejected or not acted upon shall be under the heading, "Proposed to the Legislature and Referred to the People";

(5) Measures proposed to the legislature and alternative measures passed by the legislature in lieu thereof shall be under the heading, "Initiated by Petition and Alternative by Legislature."

29.79.310 Printing provisions on ballots for voting except on alternative measures. Except in the case of alternative voting on a measure initiated by petition, for which a substitute has been passed by the legislature, each measure submitted to the people for approval or rejection shall be so printed on the ballot, under the proper heading, that a voter can by making one cross (X) express his approval or rejection of such measure. Substantially the following form shall be a compliance with this section:

PROPOSED BY INITIATIVE PETITION

Initiative Measure No. 22, entitled (here insert the ballot title of the measure).

FOR Initiative Measure No. 22..... ☐

AGAINST Initiative Measure No. 22..... ☐

29.79.320 Printing provisions on ballots for voting on alternative measures. If an initiative measure proposed to the legislature has been rejected by the legislature and an alternative measure is passed by the legislature in lieu thereof the serial numbers and ballot titles of both such measures shall be so printed on the official ballots that a voter can express separately by making one cross (X) for each, two preferences: First, as between either measure and neither, and secondly, as between one and the other, as provided in the Constitution. Substantially the following form shall be a compliance with the constitutional provision:

**INITIATED BY PETITION AND ALTERNATIVE
BY LEGISLATURE**

Initiative Measure No. 25, entitled (here insert the ballot title of the initiative measure).

Alternative Measure No. 25B, entitled (here insert the ballot title of the alternative measure).

VOTE FOR EITHER, OR AGAINST BOTH

FOR EITHER Initiative No. 25 OR Alternative No. 25B..... ☐

AGAINST Initiative No. 25 AND Alternative No. 25B..... ☐

and vote FOR one.

FOR Initiative Measure No. 25..... ☐

FOR Alternative Measure No. 25B..... ☐

29.79.440 Violations by signers. Every person who signs an initiative or referendum petition with any other than his true name shall be guilty of a felony. Every person who knowingly signs more than one petition for the same initiative or referendum measure or who signs an initiative or referendum petition knowing that he is not a legal voter or who makes a false statement as to his residence on any initiative or referendum petition, shall be guilty of a gross misdemeanor.

29.79.480 Violations by officers. Every officer who wilfully violates any of the provisions of this chapter or chapter 29.81 RCW, for the violation of which no penalty is herein prescribed, or who wilfully fails to comply with the provisions of this chapter or chapter 29.81 RCW, shall be guilty of a gross misdemeanor.

29.79.490 Violations—Corrupt practices. Every person shall be guilty of a gross misdemeanor who:

(1) For any consideration or gratuity or promise thereof, signs or declines to sign any initiative or referendum petition; or

(2) Advertises in any manner that for or without consideration, he will solicit or procure signatures upon or influence or attempt to influence persons to sign or not to sign, to vote or not to vote upon an initiative or referendum petition or to vote for or against any initiative or referendum; or

(3) For any consideration or gratuity or promise thereof solicits or procures signatures upon an initiative or referendum petition; or

(4) Gives or offers any consideration or gratuity to any person to induce him to sign or not to sign, or to solicit or procure signatures upon an initiative or referendum petition or to vote for or against any initiative or referendum measure; or

(5) Interferes with or attempts to interfere with the right of any voter to sign or not to sign an initiative or referendum petition or with the right to vote for or against an initiative or referendum measure by threats, intimidation or any other corrupt means or practice; or

(6) Receives, handles, distributes, pays out or gives away, directly or indirectly, money or any other thing of value contributed by or received from any person, firm, association, or corporation whose residence or principal office is, or the majority of whose members or stockholders have their residence outside, the state of Washington, for any service rendered for the purpose of aiding in procuring signatures upon any initiative or referendum petition or for the purpose of aiding in the adoption or rejection of any initiative or referendum measure.

Chapter 29.80

CANDIDATES' PAMPHLET

29.80.010 Contents. There shall be mailed by the secretary of state to all voters of the state prior to each state general election a candidates' pamphlet containing photographs and campaign statements of eligible nominees who desire to participate therein.

29.80.020 Statement and photograph to be filed by nominee, date. Not later than forty-five days prior to the applicable state general election, each nominee for the office of United States senator, United States representative, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, superintendent of public instruction, commissioner of public lands, insurance commissioner, state senator, state representative,

judge of the supreme court and judge of the superior court may file with the secretary of state a typewritten statement advocating his candidacy not to exceed three hundred fifty words per printed page accompanied by a photograph not more than five years old and suitable for reproduction. No such statement or photograph shall be filed by any person who is the sole nominee for any office.

29.80.030 Statements containing obscene, libelous, etc., language may be rejected—Certain insignias, uniforms prohibited in photographs—Board of review, appeal by nominee. (1) The secretary of state shall reject any statement offered for filing, which, in his opinion, contains any obscene, profane, libelous or defamatory matter, or any language or matter, the circulation of which through the mails is prohibited by congress. Nor shall any nominee submit a photograph showing the uniform or insignia of any organization which advocates or teaches racial or religious intolerance.

(2) Within five days after such rejection the persons submitting such statement for filing may appeal to a board of review, consisting of the governor, attorney general and the lieutenant governor. The decision of such board shall be final upon the acceptance or rejection of the matter thus in controversy.

29.80.040 Publication, date—Dimensions — Consolidation with voters' pamphlet. Said nominees' statements and photographs as set forth in RCW 29.80.010 and 29.80.020 shall be published by the secretary of state as a candidates' pamphlet, the printing of which shall be completed no later than twenty days prior to the state general election concerned. The over-all dimensions of such pamphlet shall be the same as the voters' pamphlet containing the text of state measures to be voted upon as set forth in RCW 29.79.390 and whenever possible shall be combined with the voters' pamphlet as a single publication. Whenever such consolidation is possible, the candidates' portion of the text shall follow the text relating to the state measures.

29.80.050 Charges to nominees for space. Nominees shall pay for one page of space in the candidates' pamphlet as follows:

(1) United States senator, United States representative and all nominees for state offices voted upon throughout the state, each two hundred dollars.

(2) State senator and state representative, each seventy-five dollars.

All such payments shall be made to the secretary of state when the statement is offered to him for filing and be transmitted by him to the state treasurer for deposit in the general fund.

Nominees for president and vice president shall each be entitled to one page without charge and each political party nominating a presidential candidate shall be entitled to one page without charge.

Said nominees and political parties may each purchase additional pages at the rate of one hundred dollars per page not to exceed three additional pages.

29.80.060 Classification and distribution according to county—Order of appearance in pamphlet. Whenever practical, the secretary of state shall cause the pamphlets to be printed so that no candidate's picture or statement shall be included in the copy of the pamphlet going to any county where such candidate is not to be voted for.

The candidates' photographs and statements shall appear in the pamphlet in the same sequence as the positions sought appear on the state general election ballot.

29.80.070 Rules and regulations. The secretary of state, as chief election officer, shall make rules and regulations, not inconsistent with this chapter, to facilitate and clarify any procedures contained herein.

Chapter 29.81

VOTERS' PAMPHLET

29.81.010 Contents, how organized. The voters' pamphlet shall contain as to each state measure to be voted upon, the following in the order set forth in this section:

(1) Upon the top portion of the first two opposing pages relating to said measure and not exceeding one-third of the total printing area shall appear:

(a) The legal identification of the measure by serial designation and number;

(b) The official ballot title of the measure;

(c) A brief statement explaining the law as it presently exists;

(d) A brief statement explaining the effect of the proposed measure should it be approved into law;

(e) The total number of votes cast for and against the measure in both the state senate and house of representatives if the measure has been passed by the legislature;

(f) A heavy double ruled line across both pages to clearly set apart the above items from the remaining text.

(2) Upon the lower portion of the left page of the two facing pages shall appear an argument advocating the voters' approval of the measure.

(3) Upon the lower portion of the right hand page of the two facing pages shall appear an argument advocating the voters' rejection of the measure.

(4) Following each argument each member of the committee advocating for or against a measure shall be listed by name and address

to the end that the public shall be fully apprised of the advocate's identity.

(5) At the conclusion of the pamphlet the full text of each of the measures shall appear. The text of the proposed constitutional amendments shall be set forth in the form provided for in RCW 29.81.080.

29.81.020 Explanatory statement by attorney general, appeal, judicial statement—Arguments by committees. (1) The attorney general shall prepare the explanatory statements required to be presented on the top portion of the two facing pages relating to each measure. Such statements shall be prepared in clear and concise language and shall avoid the use of legal and other technical terms insofar as possible. Any person dissatisfied with the explanatory statement so prepared may at any time within ten days from the filing thereof in the office of the secretary of state appeal to the superior court of Thurston county by petition setting forth the measure, the explanatory statement prepared by the attorney general, and his objection thereto and praying for the amendment thereof. A copy of the petition and a notice of such appeal shall be served on the secretary of state and the attorney general. The court shall, upon filing of the petition, examine the measure, the explanatory statement, and the objections thereto and may hear argument thereon and shall, as soon as possible, render its decision and certify to and file with the secretary of state such explanatory statement as it determines will meet the requirements of this chapter. The decision of the superior court shall be final and its explanatory statement shall be the established explanatory statement. Such appeal shall be heard without costs to either party.

(2) Arguments advocating the voters' approval or rejection of any measure shall be prepared and submitted for printing by the committees created pursuant to RCW 29.81.030, 29.81.040 and 29.81.050. Such arguments shall be the official arguments and no other arguments shall appear in the pamphlet as to such measure. Arguments may contain graphs and charts, supported by factual statistical data and pictures or other illustrations, but cartoons or caricatures shall not be permitted.

29.81.030 Committee advocating approval of constitutional amendment, referendum bill, referendum measure—Membership—Submission of argument for printing. Arguments advocating voters' approval of any proposed constitutional amendment, referendum bill, or referendum measure shall be composed and submitted for printing by a committee created as follows: The presiding officer of the state senate shall appoint one state senator known to favor the measure and the presiding officer of the house of representatives

shall appoint one state representative known to favor the measure. The two persons so appointed shall appoint a third member to the committee who may or may not be a member of the legislature.

29.81.040 Committee advocating rejection of constitutional amendment, referendum bill—Membership—Submission of argument for printing. Arguments advocating voters' rejection of any proposed constitutional amendment or referendum bill passed by the legislature and referred to the people for final decision shall be composed and submitted for printing by a committee created as follows: The presiding officer of the state senate shall appoint one state senator and the presiding officer of the house of representatives shall appoint one state representative. Whenever possible, the two persons so appointed shall be known to have opposed the measure and they shall appoint a third member to the committee who may or may not be a member of the legislature.

29.81.050 Committee advocating rejection of referendum petition—Committees advocating for and against initiative measures—Membership—Submission of arguments for printing. Arguments advocating voters' rejection of any act passed by the legislature and referred to the people by referendum petition and arguments both for and against any initiative measure shall be composed and submitted for printing by committees created as follows:

(1) For arguments favoring any such measures, the presiding officer of the state senate, the presiding officer of the house of representatives and the secretary of state shall together appoint two persons known to favor the measure to serve on the committee. The two persons so appointed shall appoint a third person to the committee.

(2) For arguments against any such measures, the presiding officer of the state senate, the presiding officer of the house of representatives, and the secretary of state shall together appoint two persons to serve on the committee. Whenever possible, the two persons so appointed shall be known to have opposed the measure. The two persons so appointed shall appoint a third person to the committee.

29.81.060 Committees—Chairmen, advisory members, vacancies. Committees created pursuant to RCW 29.81.030, 29.81.040 and 29.81.050 shall elect from their members a chairman to conduct the business of the committee. Each committee may name other persons, not to exceed five, to serve as advisory committee members without vote.

In the event of a vacancy or vacancies in one of the committees, the remaining committee members or member, shall fill such vacancy or vacancies by appointment. Should any vacancy not be

filled within fifteen days after it first occurs, the secretary of state shall fill such vacancy by appointment.

29.81.070 Rules and regulations by secretary of state. The secretary of state shall promulgate such rules and regulations as may be necessary to facilitate the provisions of this chapter including but not limited to the setting of final dates for the appointment of committees, for the filing of arguments and explanatory statements with his office, and for filing with his office a notice of any judicial review concerning the provisions of this chapter.

29.81.080 Manner and style of printing proposed constitutional amendments in pamphlets. Any proposed constitutional amendment which amends any part of the Constitution as it then exists shall be set forth in the following form: All deleted matter shall be set in italics and enclosed in brackets and all new material shall be underlined and there shall appear in bold face type between the caption and the body of the amendment, the following statement: "All words printed in italics are in the Constitution at the present and are being taken out by this amendment. All words underscored do not appear in the Constitution as it now is written but will be put in if this amendment is adopted.": *Provided*, That if in the opinion of the secretary of state the proposed amendment is so extensive that the foregoing method is not practical then, in that case, the section of the Constitution as it stands at the time of the election and the Constitution as it will appear if amended shall be printed on facing pages headed in bold face type by the words "the Constitution as it is before amendment" and "the Constitution as it will be if amended."

29.81.090 Arguments containing obscene, libelous, treasonable, etc., language may be refused—Board of censors, appeal by committee. If in the opinion of the secretary of state any argument offered for filing contains any obscene, vulgar, profane, scandalous, libelous, defamatory, or treasonable matter, or any language tending to provoke crime or a breach of the peace, or any language or matter the circulation of which through the mails is prohibited by any act of congress, the secretary of state shall refuse to file it: *Provided*, That the committee submitting such argument for filing may appeal to a board of censors consisting of the governor, the attorney general and the superintendent of public instruction, and the decision of a majority of such board shall be final.

29.81.100 Publication date of pamphlets—Arrangement of material. At least sixty days prior to any election at which any initiative or referendum measure is to be submitted to the people, the secretary of state shall cause to be printed in pamphlet form a true

copy of the serial designation and number, the ballot title, the legislative title, the full text of and the arguments for and arguments against each such measure (including amendments to the Constitution proposed by the legislature) to be submitted to the people, and such other information pertaining to elections as may be required by law or in the judgment of the secretary of state is deemed informative to the voters.

29.81.110 Order in which measures and arguments must be printed in pamphlets. All measures and arguments shall be printed in the following order:

- (1) Those "Proposed by Initiative Petition";
- (2) Those "Proposed to the People by the Legislature";
- (3) Those "Proposed to the Legislature and Referred to the People";
- (4) Those "Initiated by Petition and Alternative by the Legislature";
- (5) "Amendments to the Constitution Proposed by the Legislature"; and
- (6) "Measures Recommending Constitutional Conventions."

29.81.120 Printing specifications and make-up of measures and arguments in pamphlets. All measures and arguments shall be printed and bound in a single pamphlet according to the following specifications:

- (1) The pages of the pamphlet shall be not larger than eight and one-half by eleven inches in size;
- (2) The outside measurement of the printed matter of each page shall be not less than six by nine inches, including running head;
- (3) It shall be printed in clear readable type;
- (4) The pamphlet shall be printed on a quality and weight of paper which in the judgment of the secretary of state best serves the voters.

It shall be the duty of the secretary of state to publish in such pamphlets a table of contents and a brief alphabetical index of subjects.

29.81.130 Costs of printing and binding pamphlets. The cost of printing and binding such pamphlets including the printing of arguments shall be paid from the moneys appropriated for printing for the secretary of state.

29.81.140 Distribution to voters. Not less than fifty-five days before any election at which initiative or referendum measures are to be submitted to the people, the secretary of state shall transmit, by mail with postage fully prepaid, to every voter in the state whose address he can with reasonable diligence ascertain, one copy of the pamphlet.

29.81.150 Distribution to officers and institutions. The secretary of state shall transmit by the least expensive means, copies of the pamphlet as follows:

(1) Two copies to:

Each state officer and each member of a state board;

Each county officer;

Each judge of the supreme and superior courts;

Each public library;

Each member of the legislature.

(2) Three copies to:

Each voting precinct in the state, by transmittal through the county auditor of each county for the precincts in his county for the information of voters at the polls;

Each educational, charitable, penal, and reformatory institution of the state for its library;

(3) Five copies to the state library;

(4) Reserve supply for distribution on request as many copies as he deems necessary.

29.81.160 Distribution costs—How paid. The cost of mailing and distributing the pamphlets shall be paid from money appropriated for postage for the secretary of state.

Chapter 29.82

THE RECALL

29.82.010 Initiating recall proceedings—Statement—Contents—Verification. Whenever any legal voter or committee or organization of legal voters of the state or of any political subdivision thereof shall desire to demand the recall and discharge of any elective public officer of the state or of such political subdivision, as the case may be, under the provisions of sections 33 and 34 of article 1 of the Constitution, he or they shall prepare a typewritten charge, reciting that such officer, naming him and giving the title of his office, has committed an act or acts of malfeasance, or an act or acts of misfeasance while in office, or has violated his oath of office, or has been guilty of any two or more of the acts specified in the Constitution as grounds for recall, which charge shall state the act or acts complained of in concise language, without unnecessary repetition, and shall be signed by the person or persons making the same, give their respective post office addresses, and be verified under oath that he or they believe the charge or charges to be true.

29.82.015 Petition—Where filed. In case the officer whose recall is to be demanded be a state officer, the person making the charge shall file the same with the secretary of state. In case the officer

whose recall is to be demanded be a county officer, the person or persons making the charge shall file the same with the county auditor. In case the officer whose recall is to be demanded be an officer of an incorporated city or town, the persons making the charge shall file the same with the clerk of said city or town. In case the officer whose recall is to be demanded is an officer of any other political subdivision of the state, the persons making the charge shall file the same with the officer whose duty it is to receive and file petitions for nomination of candidates for the office concerning the incumbent of which the recall is to be demanded.

29.82.020 Ballot synopsis. If the acts complained of in the charge are acts of malfeasance or misfeasance while in office, or a violation of the oath of office, as specified in the Constitution, the officer with whom the charge is filed shall formulate a ballot synopsis of such charge of not to exceed two hundred words, which shall set forth the name of the person charged, the title of his office, and a concise statement of the elements of the charge, and shall notify the persons filing the charge of the exact language of such ballot synopsis, and attach a copy thereof to and file the same with the charge, and thereafter such charge shall be designated on all petitions, ballots and other proceedings in relation thereto by such synopsis.

29.82.030 Petition—Form. Upon being notified of the language of the ballot synopsis of the charge, the persons filing the charge shall cause to be printed on single sheets of white paper of good quality twelve inches in width by fourteen inches in length and with a margin of one and three-fourths inches at the top for binding, blank petitions for the recall and discharge of such officer. Such petitions shall be substantially in the following form:

WARNING

Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal voter, or who makes herein any false statement, shall be fined, or imprisoned, or both.

Petition for the recall of (here insert the name of the office and of the person whose recall is petitioned for) to the Honorable (here insert the name and title of the officer with whom the charge is filed).

We the undersigned citizens of (the State of Washington or the political subdivision in which the recall is invoked, as the case may be) and legal voters of the respective precincts set opposite our respective names, respectfully direct that a special election be

called to determine whether or not (here insert the name of the person charged and the office which he holds) be recalled and discharged from his office, for and on account of (his having committed the act or acts of malfeasance or misfeasance while in office, or having violated his oath of office, as the case may be), in the following particulars: (here insert the synopsis of the charge); and each of us for himself says: I have personally signed this petition; I am a legal voter of the State of Washington in the precinct and city (or town) and county written after my name, and my residence address is correctly stated.

Petitioner's signature	Residence address, street and number, if any	Precinct name or number	City or Town	County
---------------------------	--	-------------------------------	--------------------	--------

(Here follow 20 numbered lines divided into columns as below.)

1.....	.....	.....	.....	.....
2.....	.....	.....	.....	.....
3.....	.....	.....	.....	.....
etc.				

29.82.040 Petitions—Size. Each recall petition at the time of circulating, signing and filing with the officer with whom it is to be filed, shall consist of not more than five sheets with numbered lines for not more than twenty signatures on each sheet, with the prescribed warning, title and form of petition on each sheet, and a full, true and correct copy of the original statement of the charges against the officer referred to therein, printed on sheets of paper of like size and quality as the petition, firmly fastened together.

29.82.050 Comparison and certification of signatures on petitions. Every recall petition before it is filed with the officer with whom it is required by the Constitution to be filed shall be filed with the secretary of state, county auditor or other registration officer whose duty it shall be to forthwith compare the signatures, addresses and precinct numbers on the petition with his records. The secretary of state or other officer shall by the use of his initials in ink designate opposite their signatures those persons who by his registration records are legal voters. The secretary of state or other officer shall certify upon the last signature sheet that the signatures so designated are the signatures of the legal voters of the state of Washington qualified to vote in the political subdivision affected by the recall petition and upon demand return it to the person who filed it with him. The omission to fill any blanks shall not prevent the

certification of any name, if sufficient information is given to enable one by a comparison of signatures to identify the voter.

29.82.060 Number of signatures required. When the person, committee, or organization demanding the recall of a public officer has secured sufficient signatures upon the recall petition he or it may submit the same to the officer with whom the charge was filed for filing in his office. The number of signatures required shall be as follows:

(1) In the case of a state officer, an officer of a city of the first class, a member of a school board in a city of the first class, or a county officer of a county of the first, second or third class—signatures of legal voters equal to twenty-five percent of the total number of votes cast for all candidates for the office to which the officer whose recall is demanded was elected at the preceding election.

(2) In the case of an officer of any political subdivision, city, town, township, precinct, or school district other than those mentioned in subdivision (1), and in the case of a state senator or representative—signatures of legal voters equal to thirty-five percent of the total number of votes cast for all candidates for the office to which the officer whose recall is demanded was elected at the preceding election.

29.82.070 Expense—Contributors—Sworn statement. At the time of submitting a recall petition the person, or organization submitting it shall file with the officer to whom such petition is submitted a full, true and detailed statement, giving the names and post office addresses of all persons, corporations and organizations who have contributed or aided in the preparation of the charge and in the preparation, circulation and filing of the petition, with the amount contributed by each, and a full, true and detailed statement of all expenditures, giving the amounts expended, the purpose for which expended and the names and post office addresses of the persons and corporations to whom paid, which statement shall be verified by the affidavit of the person or some member of the organization making the charge and until such statement is filed the officer shall refuse to receive the petition.

29.82.080 Canvassing petition for sufficiency of signatures—Time of—Notice. Upon the filing of a recall petition in his office, the officer with whom the charge was filed shall stamp on each petition the date of filing, and shall notify the persons filing them and the officer whose recall is demanded of the date when the petitions will be canvassed, which date shall be not less than five or more than ten days from the date of its filing.

29.82.090 Canvassing petition for sufficiency of signatures—Procedure. At the time set for the canvass in the presence of at least

one person representing the petitioners and in the presence of the person charged, or some one representing him, if either should desire to be present, the canvassing officer shall detach the sheets containing the signatures from the copies of the charge, and cause them to be firmly attached to one or more copies of the charge in such volumes as will be most convenient for canvassing and filing; and shall proceed to canvass and count the names of certified legal voters on such petitions. If he finds that the same person has signed more than one petition, he shall reject all signatures of such person from the count.

29.82.100 Certification of proposition for recall for calling of election. If at the conclusion of the canvass and count, it is found that a petition for recall bears the requisite number of signatures of certified legal voters, the officer with whom the petition is filed shall certify the proposition to the proper authority which shall fix a date, not less than ten nor more than fifteen days after the conclusion of the canvass, for calling a special election to determine whether or not the officer charged shall be recalled and discharged from his office. On the date fixed the election shall be called. The special election shall be held not less than thirty nor more than forty days from the date of the call, and notice thereof shall be given in the manner required by law for calling special elections in the state or in the political subdivision, as the case may be.

29.82.110 Destruction of insufficient recall petition. If it is found that the recall petition does not contain the requisite number of signatures of certified legal voters, the officer shall so notify the persons filing the petition, and at the expiration of thirty days from the conclusion of the count he shall destroy the petitions unless prevented therefrom by the injunction or mandate of a court.

29.82.120 Fraudulent names—Record of. The officer making the canvass of a recall petition shall keep a record of all names appearing thereon which are not certified to be legal voters of the state or of the political subdivision, as the case may be, and of all names appearing more than once thereon, and he shall report the same to the prosecuting attorneys of the respective counties where such names appear to have been signed, to the end that prosecutions may be had for such violation of this chapter.

29.82.130 Conduct of election—Form of ballot. The special election to be called for the recall of officers shall be conducted in the same manner as general, state, county, municipal or other political subdivision elections, as the case may be, are conducted. The proper election officer shall provide for the holding of recall elections and the necessary places and officers, ballot boxes, ballots, poll books,

voting machines, supplies and returns as are required by law for holding general elections. The ballots at any recall election shall contain a full, true and correct copy of the ballot synopsis of the charge, and shall be so arranged that any voter can, by making one cross (X) express his desire to have the officer charged recalled from his office, or retained therein. Substantially the following form shall be a compliance with the provisions of this section:

RECALL BALLOT

(Here insert the ballot synopsis of the charge.)

FOR the recall of (here insert the name of the officer) ☐

AGAINST the recall (here insert the name of the officer) ☐

29.82.140 Ascertaining the result. The votes on a recall election shall be counted, canvassed and the results certified in the manner provided by law for counting, canvassing and certifying the results of an election for the office from which the officer is being recalled: *Provided*, That if the officer whose recall is demanded is the officer to whom, under the law, returns of elections are made, such returns shall be made to the officer with whom the charge is filed, and who called the special election; and in case of an election for the recall of a state officer, the county canvassing boards of the various counties shall canvass and return the result of such election to the officer calling such special election.

29.82.150 When recall becomes effective. Upon the completion of the canvass of the returns of any recall election, the result shall be published in the manner required by law for the publication of the results of general elections. If a majority of all votes cast at the recall election is for the recall of the officer charged, he shall thereupon be recalled and discharged from his office, and the office shall thereupon become and be vacant.

29.82.160 Enforcement provisions — Mandamus—Appeals. The superior court of the county constituting or containing any political subdivision in which the recall is invoked shall have original jurisdiction to compel the performance of any act required of any public officer or to prevent the performance by any such officer of any act in relation to the recall not in compliance with law.

The supreme court shall have like original jurisdiction in relation to state officers and revisory jurisdiction over the decisions of the superior courts: *Provided*, That any proceeding to compel or prevent the performance of any such act shall be begun within ten days from the time the cause of complaint arises, and shall be considered an emergency matter of public concern and take precedence over other cases, and be speedily heard and determined. Any proceeding

to review a decision of any superior court shall be begun and perfected within fifteen days after its decision in a recall election case and shall be by the supreme court considered an emergency matter of public concern, and speedily heard and determined.

29.82.170 Violations by signers—Officers. Every person who signs a recall petition with any other than his true name shall be guilty of a felony; every person who knowingly signs more than one petition for the same recall, or who signs a recall petition when he is not a legal voter, or who makes a false statement as to his residence on any recall petition, and every registration officer who shall make any false report or certificate on any recall petition shall be guilty of a gross misdemeanor.

29.82.210 Violation by officers. Every officer who wilfully violates any of the provisions of this chapter, for the violation of which no penalty is herein prescribed or who wilfully fails to comply with the provisions of this chapter shall be guilty of a gross misdemeanor.

29.82.220 Violations—Corrupt practices. Every person shall be guilty of a gross misdemeanor, who:

(1) For any consideration, compensation, gratuity, reward or thing of value or promise thereof, signs or declines to sign any recall petition; or

(2) Advertises in any newspaper, magazine or other periodical publication or in any book, pamphlet, circular or letter or by means of any sign, signboard, bill, poster, handbill or card or in any manner whatsoever, that he will either for or without compensation or consideration circulate, or solicit, procure or obtain signatures upon, or influence or induce or attempt to influence or induce persons to sign or not to sign any recall petition or vote for or against any recall; or

(3) For pay or any consideration, compensation, gratuity, reward or thing of value or promise thereof, circulates, or solicits, procures or obtains or attempts to procure or obtain signatures upon any recall petition; or

(4) Pays or offers or promises to pay, or gives or offers or promises to give any consideration, compensation, gratuity, reward or thing of value to any person to induce him to sign or not to sign, or to circulate or solicit, procure or attempt to procure or obtain signatures upon any recall petition, or to vote for or against any recall; or

(5) By any other corrupt means or practice or by threats or intimidation interferes with or attempts to interfere with the right of any legal voter to sign or not to sign any recall petition or to vote for or against any recall; or

(6) Receives, accepts, handles, distributes, pays out or gives away, directly or indirectly, any money, consideration, compensation, gratuity, reward or thing of value contributed by or received from any person, firm, association, or corporation whose residence or principal office is, or the majority of whose stockholders are nonresidents of the state of Washington, for any service, work or assistance of any kind done or rendered for the purpose of aiding in procuring signatures upon any recall petition or the adoption or rejection of any recall.

Chapter 29.85

CRIMES AND PENALTIES

29.85.010 Ballots—Counterfeiting or unlawful possession. Any person other than the officer charged by law with the care of ballots, or a person entrusted by any such officer with the care of the same for the purposes required by law, who has in his possession outside of the voting room any official ballot or any person who makes or has in his possession any counterfeit of any official ballot, shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not exceeding one thousand dollars nor less than five hundred dollars, or to undergo imprisonment in the county jail for a term not less than six months nor more than one year, or both, at the discretion of the court.

29.85.020 Ballots—Officer tampering with. Any judge, inspector, clerk, or any other officer of an election who opens or marks, by folding or otherwise, any ballot presented by a voter at any election, or attempts to find out the names thereon, or suffers the same to be done by any other person, before the ballot is deposited in the ballot box, shall be guilty of a gross misdemeanor.

29.85.030 Ballots—Opening, disclosing choice of voter. If any inspector, judge, or clerk of election, previous to putting the ballot of any elector in the ballot box, attempts to pry into, or find out, any name or names on such ballot, which has been handed in by the elector in a folded form; or if any inspector, judge, or clerk of election opens, or suffers to be opened, the folded ballot of any elector which has been handed in by any elector, with a view to ascertaining the name of any person, or persons for whom such elector voted; or if any inspector, judge, or clerk of election, without the consent of the elector, discloses the name of any person or persons which such inspector, judge, or clerk has fraudulently or illegally discovered to have been voted for by such elector at any election, he shall, upon conviction thereof, be fined in any sum not less than fifty nor more than five hundred dollars.

29.85.040 Ballots — Unlawful printing or distribution. Any printer, business manager, or publisher employed by any officer authorized by the laws of this state to procure the printing of any official ballot or any person engaged in printing official ballots who appropriates to himself or gives or delivers or knowingly permits to be taken any official ballot by any other person than the officer authorized by law to receive it, or who wilfully prints or causes to be printed any official ballot in any other form than that prescribed by law or as directed by the officer authorized to procure the printing thereof or with any other names thereon or with the names spelled otherwise than as directed by such officer, or the names or printing thereon arranged in any other way than that authorized and directed by law, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars, nor less than five hundred dollars, or imprisonment in the county jail for a term not exceeding one year nor less than six months, or both, at the discretion of the court.

29.85.050 Ballots—Misleading voters in marking. Any person who fraudulently causes, or attempts to cause, any voter, at any election held pursuant to law in this state, to vote for a person different from the one he intended to vote for, shall be fined not more than one hundred nor less than ten dollars.

29.85.060 Intimidating, influencing or bribing elector. Any person who uses menace, force, threat, or corrupt means at or previous to any election held pursuant to the laws of the state towards any elector to hinder or deter such elector from voting at such election, or directly or indirectly offers any bribe or reward of any kind to induce an elector to vote for or against any person or proposition, or authorizes any person to do so, shall be guilty of a felony.

Any inspector, judge, or clerk of election who attempts to induce, by persuasion, menace, or reward, or promise thereof, any elector to vote for any person shall be guilty of a gross misdemeanor.

29.85.070 ————Influencing voter to vote or not to vote—False assertions, bribery, etc. Any person who in any way, directly or indirectly, by menace or other corrupt means or device, attempts to influence any person in giving or refusing to give his vote in any election, or deters or dissuades any person from giving his vote therein, or disturbs, hinders, persuades, threatens, or intimidates any person from giving his vote therein; or who at any such election, knowingly and wilfully makes any false assertion or propagates any false report concerning any person who is candidate thereat, which shall have a tendency to prevent his election, or with a view thereto, shall be guilty of a misdemeanor and, on con-

viction, shall be punished by a fine of not to exceed two hundred fifty dollars or by imprisonment for the term of six months, or by both.

29.85.080 ———Solicitation of bribe by candidate or voter.

Any candidate for office, in any election hereinafter mentioned, under the laws of this state, or any other person, who, directly or indirectly, offers, promises, procures, confers, or gives any money, property, thing in action, victuals, drink, preferment, or other consideration or valuable thing, by way of fee, reward, gift, or gratuity, for giving or refusing to give any vote in any election of any public officer, state, county, municipal, whatever; or any person who carries voters to any polling place by any means of transportation for the purpose of influencing their votes, shall be deemed guilty of a misdemeanor and on conviction thereof, be punished by a fine of not to exceed one thousand dollars or imprisonment not to exceed six months, or both, and, as a part of the judgment of the court, be deprived of the right of suffrage, and, if the offender was a candidate, he shall be disqualified to hold any office to which he may have been elected at such election.

Like penalties shall apply to any person who, directly or indirectly, asks for, accepts, receives, or takes any such bribe, or promise thereof, by giving or refusing to give his vote in any such election.

29.85.090 ———Solicitation of bribe by voter in primary. Any person who solicits, requests, or demands, directly or indirectly, any money, intoxicating liquor, or anything of value or the promise thereof either to influence his vote or for the purpose or pretended purpose of influencing the vote of any other person at the polls or other place prior to or on the day of any primary election, for or against any candidate for office or for or against any measure to be voted upon at a primary election, shall be guilty of a misdemeanor; upon conviction thereof, he shall be punished by a fine of not less than ten dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than six months, or by both such fine and imprisonment.

29.85.100 Certificates of nomination and ballots—Fraud as to. Every person shall be guilty of a felony and punished by imprisonment in the penitentiary for a period of not less than one year nor more than five years, who:

- (1) Falsely makes a certificate of nomination; or
- (2) Falsely makes an oath to a certificate of nomination; or
- (3) Fraudulently defaces or destroys a certificate of nomination or any part thereof; or
- (4) Files or receives for filing a certificate of nomination, knowing that it or any part of it has been falsely made; or

(5) Suppresses a certificate of nomination which has been filed, or any part thereof; or

(6) Forges or falsely makes the official endorsement on any ballot.

29.85.110 Destroying or defacing election supplies and notices.

Any person who on election day wilfully removes or destroys any of the supplies or other conveniences placed in the voting booths for the purpose of enabling the voter to prepare his ballot, or who, prior to or on election day, wilfully defaces or destroys any posted list of candidates, or during an election tears down or defaces cards of instruction for voters shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars.

29.85.120 Electioneering for hire in commission form cities.

Any person who agrees to perform any service in the interest of a candidate for an office of a city operating under the commission form of government in consideration of any money or other valuable thing shall be punished by a fine not exceeding three hundred dollars nor less than twenty-five dollars or be imprisoned in the county jail not exceeding thirty days, nor less than five days, or by both such fine and imprisonment.

29.85.130 Bribery and other election violations in commission form cities. Any person giving or offering to give a bribe, either in money, or other thing of value, to any elector for the purpose of influencing his vote at any election in a city operating under the commission form of government; or any elector who solicits, receives, or accepts such bribe; or any person who makes false answer as to his qualifications to vote at any such election; or any person who wilfully votes or offers to vote at such election knowing himself not to be a qualified elector of the precinct where he votes or offers to vote; or any person who knowingly procures, aids, or abets any violation hereof, shall, upon conviction, be guilty of a misdemeanor and fined a sum of not less than one hundred dollars nor more than five hundred dollars and be imprisoned in the county jail not less than ten days nor more than ninety days.

29.85.140 Forgery on nomination paper. Any person who forges the name of any person as a signer or witness to a nomination paper shall be deemed guilty of forgery, and on conviction thereof punished accordingly.

29.85.150 Inducing noncitizen Indian to vote. Any person who induces or attempts to induce any Indian to vote or offer his vote at any election, shall be fined in any sum not exceeding five hundred dollars, to which may be added imprisonment in the county jail not to exceed three months: *Provided*, That this section shall not

be so construed as to include Indians who are citizens and entitled to vote under the Constitution of the United States and the acts of congress.

29.85.160 Officers where voting machines are used—Violations at the polls. Every election officer in precincts where voting machines are used shall be guilty of a felony and fined not less than fifty dollars nor more than five hundred dollars, or confined in the state penitentiary not less than six months nor more than one year or punished by both such fine and imprisonment who:

- (1) Deceives any voter in recording his vote; or
- (2) Records the vote of any voter in a manner other than as designated by the voter; or
- (3) Gives information to any person as to what candidates or for or against what measures any voter has voted; or
- (4) Seeks to suggest or persuade any voter to vote for any party or for any candidate or for or against any measure.

29.85.170 Officers—Violations generally. Every person charged with the performance of any duty under the provisions of any law of this state relating to elections, including primaries, or the provisions of any charter or ordinance of any city or town of this state relating to elections who wilfully neglects or refuses to perform such duty, or who, in the performance of such duty, or in his official capacity, knowingly or fraudulently violates any of the provisions of law relating to such duty, shall be guilty of a felony and shall forfeit his office.

29.85.180 Perjury—Swearing falsely when challenged at primary. Any person whose vote is challenged at a primary election who knowingly, wilfully and corruptly swears or affirms falsely, shall be deemed guilty of perjury, and shall be punished accordingly.

29.85.190 Registration law—Officer violating. If any officer:

- (1) Wilfully neglects or refuses to perform any duty required by law in connection with the registration of voters; or
- (2) Wilfully neglects or refuses to perform such duty in the manner required by voter registration law; or
- (3) Enters or causes or permits to be entered on the registration records of any precinct the name of any person in any other manner or at any other time than as prescribed by voter registration law or enters or causes or permits to be entered on such records the name of any person not entitled to be thereon; or
- (4) Destroys, mutilates, secretes, changes or alters any registration record in connection therewith except as authorized by voter registration law, he shall be guilty of a gross misdemeanor and in addition to any other penalty otherwise provided by law, shall forfeit any office he holds.

29.85.200 Registration law—Registering under false name. Any person who falsely swears, in taking the oath or affirmation prescribed for registration, or falsely personates another and procures himself to be registered as the person so personated, or causes himself to be registered under two or more different names, or causes any name to be registered otherwise than in the manner provided by law, shall be guilty of a felony.

29.85.210 Repeaters. Any person who votes or attempts to vote more than once at any election, or who knowingly hands in two or more ballots together, or, having voted in one township, precinct, ward, or county, afterward, on the same day, votes or attempts to vote, in another township, precinct, ward, or county, shall be guilty of a gross misdemeanor, and shall be incapable of voting at any election or holding any office for two years thereafter.

29.85.220 Repeaters—Officers conniving with. Any inspector or judge of any election who knowingly permits any elector to cast a second vote at any election, or knowingly permits any person not a qualified elector to vote at any election, shall be guilty of a felony and shall be incapable of holding any office in this state for five years thereafter.

29.85.230 Returns and posted copy of results—Tampering with. It shall be a misdemeanor for any person to remove or deface the posted copy of the result of votes cast at their precinct or to delay delivery of or change the copy of election returns to be delivered to the proper election officer.

29.85.240 Unqualified persons voting. Any person knowing that he does not possess the legal qualifications of a voter who votes at any election authorized by law to be held in this state for any office whatever, shall be guilty of a felony.

29.85.260 Voting machines—Tampering with—Extra keys. Any person who tampers with or injures or attempts to injure any voting machine to be used or being used in an election, or who prevents or attempts to prevent the correct operation of such machine, or any unauthorized person who makes or has in his possession a key to a voting machine to be used or being used in an election, shall be guilty of a felony and shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the state penitentiary for not less than one year nor more than five years, or by both such fine and imprisonment.

29.85.270 Political advertising—Use of assumed name. All political advertising, whether relating to candidates or issues, however promulgated or disseminated, shall identify at least one of the sponsors thereof if the advertising is sponsored by other than the

candidate or candidates listed thereon, by listing the name and address of the sponsor or sponsors on the material or in connection with its presentation. If a candidate or candidates run for partisan political office, they and their sponsors shall also designate on all such political advertising clearly in connection with each such candidate the party to which each such candidate belongs. The person or persons listed as sponsors of such advertising shall warrant its truth. The use of an assumed name shall be unlawful. Whenever any corporation sponsors political advertising, the name and address of the president of the corporation shall be listed on the material or in connection with its presentation.

29.85.280 ————Penalty. Any violation of RCW 29.85.270 shall constitute a gross misdemeanor and shall be subject to a fine of not more than one thousand dollars or imprisonment for not more than one year, or both.

Chapter 29.98

CONSTRUCTION

29.98.010 Continuation of existing law. The provisions of this title insofar as they are substantially the same as statutory provisions repealed by this chapter, and relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

29.98.020 Title, chapter, section headings not part of law. Title headings, chapter headings, and section or subsection headings, as used in this title do not constitute any part of the law.

29.98.030 Invalidity of part of title not to affect remainder. If any provision of this title, or its application to any person or circumstance is held invalid, the remainder of the title, or the application of the provision to other persons or circumstances is not affected.

29.98.040 Repeals and saving. The following acts or parts of acts are repealed:

- (1) Sections 1 and 2, page 64, Laws of 1854;
- (2) Sections 3 through 21, pages 65 through 68, Laws of 1854;
- (3) Sections 22 through 27, pages 68 and 69, Laws of 1854;
- (4) Sections 28 through 38, pages 70 through 72, Laws of 1854;
- (5) Sections 39 through 43, pages 72 and 73, Laws of 1854;
- (6) Sections 1 through 7, pages 74 and 75, Laws of 1854;
- (7) Sections 92 through 97, pages 92 and 93, Laws of 1854;
- (8) Sections 2 through 5, page 25, Laws of 1865;
- (9) Sections 1 through 6, pages 27 and 28, Laws of 1865;

- (10) Sections 3, 4, and 5, pages 29 and 30, Laws of 1865;
- (11) Sections 1 through 9, pages 30 through 33, Laws of 1865;
- (12) Sections 1 through 12, pages 33 through 36, Laws of 1865;
- (13) Sections 1 through 15, pages 37 through 41, Laws of 1865;
- (14) Sections 1 through 21, pages 42 through 46, Laws of 1865;
- (15) Sections 1 through 15, pages 47 through 49, Laws of 1865;
- (16) Sections 1 through 12, pages 50 through 53, Laws of 1865;
- (17) Sections 1 through 5, and 8 through 11, pages 6 through 8, Laws of 1866;
- (18) Sections 1 and 2, page 19, Laws of 1868;
- (19) Section 1, page 20, Laws of 1868;
- (20) Sections 101 through 108, chapter VI, pages 204 and 205, Laws of 1873;
- (21) Section 2, page 205, Laws of 1877;
- (22) Sections 902 through 906, and 909 through 912, chapter LXXIII, Code of 1881;
- (23) Section 2679, chapter CCIX, Code of 1881;
- (24) Sections 3050 through 3054, chapter CCXXXVIII, Code of 1881;
- (25) Sections 3055 through 3059, and 3061, chapter CCXXXIX, Code of 1881;
- (26) Section 3064, chapter CCXL, Code of 1881;
- (27) Sections 3067 through 3075, chapter CCXLI, Code of 1881;
- (28) Sections 3076 through 3081, 3083 and 3085 through 3087, chapter CCXLII, Code of 1881;
- (29) Sections 3088 through 3104, chapter CCXLIII, Code of 1881;
- (30) Sections 3105 through 3123, chapter CCXLIII, Code of 1881;
- (31) Section 3124, chapter CCXLIII, Code of 1881;
- (32) Sections 3140 through 3149, 3151 and 3152, chapter CCXLIV, Code of 1881;
- (33) Sections 1, 2 and 4, pages 128 and 129, Laws of 1885-86;
- (34) Sections 1, 7 through 10, 12, 14 through 25, and 27 through 35, pages 400 through 413, Laws of 1889;
- (35) Chapter 106, Laws of 1891;
- (36) Sections 1, 3 and 4, chapter 148, Laws of 1891;
- (37) Chapter 91, Laws of 1893;
- (38) Section 2, chapter 112, Laws of 1893;
- (39) Chapter 114, Laws of 1893;
- (40) Chapter 115, Laws of 1893;
- (41) Chapter 20, Laws of 1895;
- (42) Sections 1 and 2, and 4 through 12, chapter 156, Laws of 1895;
- (43) Chapter 89, Laws of 1901;
- (44) Chapter 142, Laws of 1901;
- (45) Chapter 85, Laws of 1903;
- (46) Chapter 39, Laws of 1905;
- (47) Chapter 130, Laws of 1907;

- (48) Sections 1 through 17, 19 through 27, 30, 32 through 35, 38 and 39, chapter 209, Laws of 1907;
- (49) Chapter 235, Laws of 1907;
- (50) Chapter 22, Laws of 1909;
- (51) Sections 1 through 6, and 9 through 13, chapter 82, Laws of 1909;
- (52) Chapter 25, Laws of 1909 extraordinary session;
- (53) Chapter 89, Laws of 1911;
- (54) Chapter 101, Laws of 1911;
- (55) Sections 7, 8 and 9, chapter 116, Laws of 1911;
- (56) Chapter 58, Laws of 1913;
- (57) Chapter 135, Laws of 1913;
- (58) Sections 1 through 7, 9, 11 through 27, and 29 through 33, chapter 138, Laws of 1913;
- (59) Chapter 146, Laws of 1913;
- (60) Chapter 11, Laws of 1915;
- (61) Chapter 60, Laws of 1915;
- (62) Chapter 114, Laws of 1915;
- (63) Chapter 124, Laws of 1915;
- (64) Sections 5 through 7, chapter 189, Laws of 1915;
- (65) Chapter 7, Laws of 1917;
- (66) Chapter 23, Laws of 1917;
- (67) Chapter 30, Laws of 1917;
- (68) Sections 1 and 2, chapter 71, Laws of 1917;
- (69) Sections 5 and 7, chapter 159, Laws of 1917;
- (70) Chapter 85, Laws of 1919;
- (71) Sections 13 through 18, 20, 21, 23 and 24, chapter 163, Laws of 1919;
- (72) Section 11, chapter 7, Laws of 1921;
- (73) Chapter 33, Laws of 1921;
- (74) Sections 1 through 4, 6 and 7, chapter 61, Laws of 1921;
- (75) Chapter 68, Laws of 1921;
- (76) Chapter 116, Laws of 1921;
- (77) Sections 1, 2, 4 and 5, chapter 170, Laws of 1921;
- (78) Section 1, chapter 177, Laws of 1921;
- (79) Sections 1, 2 and 4 through 8, chapter 178, Laws of 1921;
- (80) Sections 1, 2, 4, and 5, chapter 53, Laws of 1923;
- (81) Chapter 68, Laws of 1925 extraordinary session;
- (82) Chapter 158, Laws of 1925 extraordinary session;
- (83) Section 1, chapter 155, Laws of 1927;
- (84) Chapter 182, Laws of 1927;
- (85) Chapter 200, Laws of 1927;
- (86) Sections 1 and 3, chapter 279, Laws of 1927;
- (87) Chapter 130, Laws of 1929;
- (88) Chapter 14, Laws of 1931;
- (89) Sections 3, 4, 5 and 7, chapter 28, Laws of 1931;

- (90) Chapter 21, Laws of 1933;
- (91) Sections 1 through 6, and 8 through 30, chapter 1, Laws of 1933;
- (92) Sections 1 and 2, chapter 85, Laws of 1933;
- (93) Section 1, chapter 92, Laws of 1933;
- (94) Chapter 95, Laws of 1933;
- (95) Sections 1 through 4, chapter 144, Laws of 1933;
- (96) Chapter 181, Laws of 1933;
- (97) Sections 1 through 5, chapter 41, Laws of 1933 extraordinary session;
- (98) Sections 1 through 6, chapter 20, Laws of 1935;
- (99) Sections 1 through 4, chapter 26, Laws of 1935;
- (100) Chapter 85, Laws of 1935;
- (101) Chapter 100, Laws of 1935;
- (102) Chapter 108, Laws of 1935;
- (103) Section 2, chapter 165, Laws of 1935;
- (104) Sections 1 through 10, chapter 94, Laws of 1937;
- (105) Chapter 1, Laws of 1939;
- (106) Chapter 15, Laws of 1939;
- (107) Chapter 48, Laws of 1939;
- (108) Chapter 82, Laws of 1939;
- (109) Sections 1, 2, 3 and 5, chapter 10, Laws of 1943;
- (110) Section 2, chapter 25, Laws of 1943;
- (111) Chapter 72, Laws of 1943;
- (112) Chapter 178, Laws of 1943;
- (113) Chapter 198, Laws of 1943;
- (114) Chapter 30, Laws of 1945;
- (115) Chapter 74, Laws of 1945;
- (116) Chapter 90, Laws of 1945;
- (117) Section 1, chapter 95, Laws of 1945;
- (118) Chapter 186, Laws of 1945;
- (119) Section 5, chapter 194, Laws of 1945;
- (120) Chapter 35, Laws of 1947;
- (121) Sections 1 through 5, chapter 68, Laws of 1947;
- (122) Chapter 77, Laws of 1947;
- (123) Sections 1 and 3, chapter 182, Laws of 1947;
- (124) Sections 1 through 5, chapter 234, Laws of 1947;
- (125) Chapter 161, Laws of 1949;
- (126) Chapter 163, Laws of 1949;
- (127) Chapter 8, Laws of 1950 extraordinary session;
- (128) Chapter 14, Laws of 1950 extraordinary session;
- (129) Chapter 67, Laws of 1951;
- (130) Chapter 70, Laws of 1951;
- (131) Sections 1 through 8, chapter 101, Laws of 1951;
- (132) Chapter 123, Laws of 1951;
- (133) Chapter 193, Laws of 1951;

- (134) Chapter 208, Laws of 1951;
- (135) Chapter 250, Laws of 1951;
- (136) Sections 3 through 7, chapter 257, Laws of 1951;
- (137) Chapter 113, Laws of 1953;
- (138) Chapter 196, Laws of 1953;
- (139) Chapter 242, Laws of 1953;
- (140) Chapter 4, Laws of 1955;
- (141) Chapter 50, Laws of 1955;
- (142) Sections 3, 13 and 14, chapter 55, Laws of 1955;
- (143) Chapter 101, Laws of 1955;
- (144) Sections 1 through 8, chapter 102, Laws of 1955;
- (145) Chapter 103, Laws of 1955;
- (146) Chapter 148, Laws of 1955;
- (147) Chapter 151, Laws of 1955;
- (148) Section 1, chapter 153, Laws of 1955;
- (149) Chapter 167, Laws of 1955;
- (150) Chapter 168, Laws of 1955;
- (151) Chapter 169, Laws of 1955;
- (152) Chapter 181, Laws of 1955;
- (153) Chapter 201, Laws of 1955;
- (154) Chapter 215, Laws of 1955;
- (155) Chapter 317, Laws of 1955;
- (156) Chapter 323, Laws of 1955;
- (157) Sections 2 through 7, chapter 149, Laws of 1957;
- (158) Chapter 169, Laws of 1957;
- (159) Chapter 195, Laws of 1957;
- (160) Chapter 251, Laws of 1957;
- (161) Chapter 112, Laws of 1959;
- (162) Section 7, chapter 175, Laws of 1959;
- (163) Chapter 247, Laws of 1959;
- (164) Chapter 250, Laws of 1959;
- (165) Sections 1 through 3, chapter 288, Laws of 1959;
- (166) Sections 1 through 13, and 18 through 26, chapter 329, Laws of 1959;
- (167) Chapter 32, Laws of 1961;
- (168) Chapter 43, Laws of 1961;
- (169) Chapter 50, Laws of 1961;
- (170) Chapter 78, Laws of 1961;
- (171) Chapter 109, Laws of 1961;
- (172) Sections 1 through 21, chapter 130, Laws of 1961;
- (173) Chapter 176, Laws of 1961;
- (174) Chapter 225, Laws of 1961;
- (175) Chapter 252, Laws of 1961;
- (176) Chapter 189, Laws of 1963;
- (177) Sections 1 through 11, and 22 through 25, chapter 200, Laws of 1963;

(178) Sections 1 through 5, and 7, chapter 23, Laws of 1963 extraordinary session;

(179) Chapter 25, Laws of 1963 extraordinary session.

Such repeals shall not be construed as affecting any existing right acquired under the provisions of the statutes repealed, nor as affecting any proceeding instituted thereunder, nor any rule, regulation or order promulgated thereunder, nor any administrative action taken thereunder, nor the term of office or appointment or employment of any person appointed or employed thereunder.

29.98.050 Emergency. This 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.

Passed the Senate March 3, 1965.

Passed the House March 4, 1965.

Approved by the Governor March 5, 1965.

TITLE 29 ELECTIONS

Explanatory
note.

EXPLANATORY NOTE

I. Introductory

(1) As a part of the program to restore session law language to the Revised Code of Washington, the code reviser's office and codifications subcommittee of the Statute Law Committee have carefully examined the provisions of Title 29. Pursuant to such study it was determined that the confused statutory history of the subject matter contained therein, the division and combining of session law sections by the 1941 Code Committee to create the present Title 29, and the subsequent ratification by the legislature of parts of the title by the amendment of many of the RCW sections, have all combined to make any general restoration of the session law text an impossibility. In view of the foregoing and in view of the fact that the present RCW Title 29 has been in use for a period of fourteen years, the codifications subcommittee of the Statute Law Committee, after submitting the study and work materials relating to this title to the Secretary of State's (Chief Elections Officer) office and other interested persons, and conferring with such representatives thereof as attended the meetings held for the purpose of considering the provisions hereof, herewith presents for enactment as primary law the provisions of RCW Title 29, incorporating therein such restorations and corrections as may be made without changing the substance of the law.

(2) Respecting Chapter 29.01, the 1941 Code Committee introduced certain definitions sections to encompass in one word or phrase a repetitious or cumbersome clause which appeared throughout several election acts or to allow the use of one term where several had been used in election laws, each indicative of the same thing (i.e., measure, proposition, question). In light of the chapter's longevity and subsequent amendatory (as well as new) sections utilizing these definitions we have accepted the same for reenactment purposes, implementing the chapter with the usual "scope of definitions" section (RCW 29.01.005 herein).

(3) Upon reexamination of the contents of RCW sections 29.79.3502 through 29.79.430 encompassing the law relating to a voter's pamphlet and heretofore a part of chapter 29.79, Initiative and Referendum, the

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codifications subcommittee of the Statute Law Committee determined that said sections would better serve the Code as a separate chapter of Title 29 and thus appear for reenactment purposes in a new chapter, 29.81, Voter's Pamphlet. Session law use of "this act" or "this chapter" have been translated in both the old and new chapters to reflect this reenactment change.

(4) Except as otherwise noted the translation of the term "this act" into "this chapter", and other similar translations which appear in the 1941 revision have been accepted without comment.

The remainder of these notes consist of source notes and a section by section comment regarding this reenactment. The complete study materials relating to this title are on permanent file in the office of the code reviser, at Olympia.

II. Section Comment

Chapter 29.01 Definitions

- 29.01.005 Source—[New section.]
- 29.01.010 Source—[Added by (1941) reviser to eliminate repetition of "city clerk", "city auditor" or "city controller" or "controller", as the case may be.]
- 29.01.020 Source—[Added by (1941) reviser to eliminate repetition of "city council, city commission or other governing body of a city".]
- 29.01.030 Source—[1957 c 251 § 2. Prior: 1939 c 15 § 1, part; 1933 c 1 § 3, part; RRS § 5114-3, part; prior: 1891 c 104 §§ 1, part, 2, part; RRS §§ 5116, part, 5117, part.]
- 29.01.040 Source—[Added by (1941) reviser to express the idea of a body of voters, whether a state, a legislative district, a congressional district, school district, water district, etc., especially those embracing more than one county, to avoid having to repeat a long list each time.]
- 29.01.050 Source—[1907 c 209 § 1, part; RRS § 5177(c). See also 1950 ex.s. c 14 § 3.]
(1) Other parts codified in 29.01.130 and 29.01.160.
(2) Section amendment by 1915 c 52 § 1 rejected on referendum leaving in force prior law.
(3) Session law part omitted by 1941 reviser utilized in introductory section to this chapter's definitions (see 29.01.005 above); session law part will be history note reference thereto.
- 29.01.060 Source—[Added by (1941) reviser to eliminate necessity of enumerating various officers.]
- 29.01.070 Source—[Added by (1941) reviser; taken from *Robb v. Tacoma*, 175 Wash. 580, at the bottom of page 593.]
- 29.01.080 Source—[Code 1881 § 3054; 1865 p 25 § 5; RRS § 5113.]
- 29.01.090 Source—[1907 c 209 § 6, part; RRS § 5183, part.]
(1) Other part codified as 29.18.020.
- 29.01.100 Source—[1955 c 102 § 8. Prior: 1907 c 209 § 26, part; RRS § 5203, part.]
- 29.01.110 Source—[Added by (1941) revisers; the words "measure", "proposition" and "question" have been used indiscriminately and the reviser has selected the word "measure" to represent them.]
- 29.01.120 Source—[1933 c 1 § 2; RRS § 5114-2. Prior: 1915 c 16 § 1; RRS § 5114.]
(1) Session law defined precinct for purposes of "this act", the 1933 voter registration act; it is herein made applicable to Title 29 generally.
- 29.01.130 Source—[1907 c 209 § 1, part; RRS § 5177(a). See also 1950 ex.s. c 14 § 2.]
(1) See 29.01.050 (1), (2), and (3) above.

- 29.01.140 Source—[1955 c 181 § 1. Prior: (i) Code 1881 § 3051; 1865 p 25 § 2; RRS § 5110. (ii) Code 1881 § 3053; 1866 p 8 § 11; 1865 p 65 § 4; RRS § 5111.] Explanatory note.
 (1) Reenactment publication to carry cross-reference to state Constitution, Art. 6, sec. 4, "Residence, contingencies affecting."
- 29.01.150 Source—[1957 c 251 § 3. Prior: 1939 c 15 § 1, part; 1933 c 1 § 3, part; RRS § 5114-3, part; prior: 1891 c 104 §§ 1, part, 2, part; RRS §§ 5116, part, 5117, part.]
- 29.01.160 Source—[1907 c 209 § 1, part; RRS § 5177(b).]
 (1) See 29.01.050 (1), (2), and (3) above.
- 29.01.170 Source—[Code 1881 § 3056; 1865 p 27 § 2; RRS § 5155.]
 (1) RCW text revised by omitting "for electing candidates to public office", thus encompassing also the vote upon measures and complementing the definition of "general election" contained in 29.01.070.

Chapter 29.04 General Provisions

- 29.04.010 Source—[1955 c 181 § 8. Prior: (i) 1933 c 1 § 22, part; RRS § 5114-22, part. (ii) 1933 c 1 § 23; RRS § 5114-23. See also 1935 c 26 § 3; RRS § 5189.]
 (1) See 29.51.090(1) below.
- 29.04.020 Source—[1947 c 182 § 1, part; Rem. Supp. 1947 § 5166-10, part. Prior: 1945 c 164 § 3, part; 1941 c 180 § 1, part; 1935 c 5 § 1, part; 1933 ex.s. c 29 § 1, part; prior: 1933 c 79 § 1, part; 1927 c 279 § 2, part; 1923 c 53 § 3, part; 1921 c 61 § 5, part; Rem. Supp. 1945 § 5147, part.]
 (1) Other part codified in 29.45.010.
 (2) RCW use of "elections" restored to "elections, general or special".
- 29.04.030 Source—[(i) 1907 c 209 § 25, part; RRS § 5202, part. (ii) 1889 p 407 § 19; RRS § 5276.]
 (1) Other part of 1907 c 209 § 25 codified as 29.65.130.
- 29.04.040 Source—[(i) 1921 c 178 § 1, part; 1915 c 11 § 1, part; 1907 c 130 § 1, part; 1889 p 402 § 7, part; Code 1881 § 3067, part; 1865 p 30 § 1, part; RRS § 5171, part. (ii) 1907 c 130 § 2, part; 1889 p 408 § 21, part; RRS § 5278, part. (iii) Code 1881 § 2679; 1854 p 65 § 4, part; No RRS.]
 (1) Other parts of 1921 c 178 § 1 are codified as 29.04.050 and 29.27.090.
 (2) Other part of 1907 c 130 § 2 codified as 29.48.010.
 (3) RCW omission from 1921 c 178 § 1 restored to encompass the possibility of a future change in the number of counties, as follows: "The board of county commissioners 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."
- 29.04.050 Source—[1921 c 178 § 1, part; 1915 c 11 § 1, part; 1907 c 130 § 1, part; 1889 p 402 § 7, part; Code 1881 § 3067, part; 1865 p 30 § 1, part; RRS § 5171, part.]
 (1) Other parts codified in 29.04.040 and as 29.27.090.
- 29.04.055 Source—[1963 c 200 § 23; 1951 c 70 § 1.]
- 29.04.060 Source—[(1) 1907 c 209 § 16; RRS § 5193. (ii) 1889 p 413 § 34; RRS § 5299.]
- 29.04.070 Source—[1963 c 200 § 23; 1949 c 161 § 12; Rem. Supp. 1949 § 5147-2.]
- 29.04.080 Source—[1963 c 200 § 24; 1949 c 161 § 13; Rem. Supp. 1949 § 5147-3.]

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Chapter 29.07 Registration of Voters

- 29.07.010 Source—[1957 c 251 § 4. Prior: 1939 c 15 § 1, part; 1933 c 1 § 3, part; RRS § 5114-3, part; prior: 1891 c 104 §§ 1, part, 2, part; RRS §§ 5116, part, 5117, part.]
- 29.07.020 Source—[1957 c 251 § 5. Prior: 1939 c 15 § 1, part; 1933 c 1 § 3, part; RRS § 5114-3, part; prior: 1891 c 104 §§ 1, part, 2, part; RRS §§ 5116, part, 5117, part.]
- 29.07.030 Source—[1939 c 82 § 1, part; 1933 c 1 § 4, part; RRS § 5114-4, part. Prior: 1891 c 104 § 4; RRS § 5119.]
(1) Other parts codified as 29.07.050 and in 29.07.060.
- 29.07.040 Source—[1957 c 251 § 7. Prior: (i) 1945 c 74 § 1; 1933 c 1 § 28; Rem. Supp. 1945 § 5114-28; prior: 1915 c 16 § 14; RRS § 5132. (ii) 1933 c 1 § 10, part; RRS § 5114-10, part; prior: 1919 c 163 § 11, part; 1915 c 16 § 13, part; 1905 c 171 § 4, part; 1889 p 417 § 13, part; RRS § 5131, part.]
- 29.07.050 Source—[1939 c 82 § 1, part; 1933 c 1 § 4, part; RRS § 5114-4, part.]
(1) Other parts codified as 29.07.030 and in 29.07.060.
- 29.07.060 Source—[(i) 1939 c 82 § 1, part; 1933 c 1 § 4, part; RRS § 5114-4, part. (ii) 1947 c 68 § 3, part; 1933 c 1 § 11, part; Rem. Supp. 1947 § 5114-11, part; prior: 1921 c 177 § 7, part; 1915 c 16 § 8, part; 1901 c 135 § 4, part; 1893 c 45 § 3, part; 1889 p 416 § 8, part; RRS § 5126, part.]
(1) Other parts of 1939 c 82 § 1 codified as 29.07.030 and 29.07.050.
(2) Other part of 1947 c 68 § 3 codified as 29.07.070.
- 29.07.070 Source—[1947 c 68 § 3, part; 1933 c 1 § 11, part; Rem. Supp. 1947 § 5114-11, part. Prior: 1921 c 177 § 7, part; 1915 c 16 § 8, part; 1901 c 135 § 4, part; 1893 c 45 § 3, part; 1889 p 416 § 8, part; RRS § 5126, part.]
(1) Other part codified in 29.07.060.
- 29.07.080 Source—[1933 c 1 § 12; RRS § 5114-12.]
(1) Session law text "otherwise the registration officer shall refuse to register the applicant" restored.
- 29.07.090 Source—[1933 c 1 § 13, part; RRS § 5114-13, part.]
(1) Other parts codified as 29.07.120, 29.07.130, 29.10.100 and in 29.07.140.
- 29.07.095 Source—[1957 c 251 § 13.]
- 29.07.100 Source—[1957 c 251 § 10. Prior: 1947 c 68 § 1, part; 1945 c 95 § 1, part; 1933 c 1 § 6, part; Rem. Supp. 1947 § 5114-6, part; prior: 1919 c 163 § 6, part; 1915 c 16 § 6, part; 1901 c 35 § 5, part; 1893 c 45 § 1, part; 1889 p 415 § 6, part; RRS § 5124, part.]
- 29.07.105 Source—[1957 c 251 § 12.]
- 29.07.110 Source—[1957 c 251 § 11. Prior: 1947 c 68 § 1, part; 1945 c 95 § 1, part; 1933 c 1 § 6, part; Rem. Supp. 1947 § 5114-6, part; prior: 1919 c 163 § 6, part; 1915 c 16 § 6, part; 1901 c 135 § 5, part; 1893 c 45 § 1, part; 1889 p 415 § 6, part; RRS § 5124, part.]
- 29.07.120 Source—[1933 c 1 § 13, part; RRS § 5114-13, part.]
(1) Other parts codified as 29.07.090, 29.07.130, 29.10.100 and in 29.07.140.
(2) "Saturday" changed to "Monday", "current week" changed to "prior week" to reflect present practice of weekend closure of county offices.
- 29.07.130 Source—[1933 c 1 § 13, part; RRS § 5114-13, part.]
(1) Other parts codified as 29.07.090, 29.07.120, 29.10.100 and in 29.07.140.
- 29.07.140 Source—[(i) 1933 c 1 § 30; RRS § 5114-30. (ii) 1933 c 1 § 13, part; RRS § 5114-13, part.]
(1) Other parts of 1933 c 1 § 13 codified as 29.07.090, 29.07.120, 29.07.130 and 29.10.100.
(2) Certain RCW phrases restored to session law language as follows:

- (a) "The state auditor . . ." to "The state auditor through the division of municipal corporations . . ."
- (b) ". . . the specifications for the cards, records, binders . . ." to ". . . the specifications, including style, form, color, quality and dimensions, for the cards, records, forms, binders . . ."
- (c) ". . . they must comply . . ." to ". . . they must in their procurement and use comply . . ."
- 29.07.150 Source—[1933 c 1 § 8, part; RRS § 5114-8, part. Prior: 1919 c 163 § 7, part; 1915 c 16 § 7, part; 1905 c 171 § 3, part; 1901 c 135 § 3, part; 1893 c 45 § 2, part; 1889 p 415 § 7, part; RRS § 5125, part.]
- (1) Other part codified as 29.07.180.
- 29.07.160 Source—[1947 c 68 § 2; 1933 c 1 § 9; Rem. Supp. 1947 § 5114-9.]
- 29.07.170 Source—[1957 c 251 § 8. Prior: 1933 c 1 § 10, part; RRS § 5114-10, part; prior: 1919 c 163 § 11, part; 1915 c 16 § 13, part; 1905 c 171 § 4, part; 1889 p 417 § 13, part; RRS § 5131, part.] History source to 29.48.030.
- 29.07.180 Source—[1933 c 1 § 8, part; RRS § 5114-8, part. Prior: 1919 c 163 § 7, part; 1915 c 16 § 7, part; 1905 c 171 § 3, part; 1901 c 135 § 3, part; 1893 c 45 § 2, part; 1889 p 415 § 7, part; RRS § 5125, part.]
- (1) Other part codified as 29.07.150.
- (2) Phrase "such officers" in last sentence changed to "county auditor or city clerk" to clarify which of two groups of officers mentioned in first sentence is meant.
- Chapter 29.10 Registration Transfers and Cancellations**
- 29.10.010 Source—[1955 c 181 § 3. Prior: 1933 c 1 § 14, part; RRS § 5114-14, part; prior: 1919 c 163 § 9, part; 1915 c 16 § 9, part; 1889 p 417 § 12, part; RRS § 5129, part.]
- 29.10.020 Source—[1955 c 181 § 4. Prior: 1933 c 1 § 14, part; RRS § 5114-14, part; prior: 1919 c 163 § 9, part; 1915 c 16 § 9, part; 1889 p 417 § 12, part; RRS § 5129, part.]
- 29.10.030 Source—[1955 c 181 § 5. Prior: 1933 c 1 § 14, part; RRS § 5114-14, part; prior: 1919 c 163 § 9, part; 1915 c 16 § 9, part; 1889 p 417 § 12, part; RRS § 5129, part.]
- 29.10.040 Source—[1933 c 1 § 15; RRS § 5114-15.]
- 29.10.050 Source—[1947 c 68 § 4; 1933 c 1 § 16; Rem. Supp. 1947 § 5114-16.]
- 29.10.060 Source—[1933 c 1 § 17; RRS § 5114-17.]
- (1) RCW phrase ". . . precincts are changed . . ." restored to "precincts are changed in the manner provided by law . . ."; session law content.
- (2) RCW phrase ". . . boundaries of any city or rural precinct . . ." changed to ". . . boundaries of any city, township, or rural precinct . . ." to reflect session law content.
- (3) RCW phrase ". . . city clerk or county auditor . . ." changed to ". . . city clerk, town clerk, or county auditor . . ." to reflect session law content.
- 29.10.070 Source—[1933 c 1 § 18; RRS § 5114-18.]
- 29.10.080 Source—[1945 c 30 § 1; 1933 c 1 § 19; Rem. Supp. 1945 § 5114-19.]
- (1) RCW phrase ". . . every city clerk and every county auditor . . ." changed to ". . . every city clerk, town clerk, and every county auditor . . ." to reflect session law content.
- 29.10.090 Source—[1961 c 32 § 1; 1933 c 1 § 20; RRS § 5114-20.]
- 29.10.095 Source—[1951 c 250 § 1.]
- 29.10.100 Source—[1933 c 1 § 13, part; RRS § 5114-13, part.]
- (1) Other parts codified as 29.07.090, 29.07.120, 29.07.130 and in 29.07.140.

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- (2) "Saturday" changed to "Monday", "current week" changed to "prior week", to reflect present practice of week-end closure of county offices.
- 29.10.110 Source—[1961 c 32 § 2; 1947 c 68 § 5; 1933 c 1 § 21; Rem. Supp. 1947 § 5114-21.]
- 29.10.120 Source—[1951 c 208 § 1.]
- Chapter 29.13 Times for Holding Elections and Primaries**
- 29.13.010 Source—[1955 c 151 § 1. Prior: (i) 1923 c 53 § 1; 1921 c 61 § 1; RRS § 5143. (ii) 1921 c 61 § 3; RRS § 5145.]
- 29.13.015 Source—[New section.]
- (1) Section added to avoid translation into RCW sections of twenty-five section act, 1963 c 200, where "this 1963 amendatory act" used in RCW sections of this chapter.
- 29.13.020 Source—[1963 c 200 § 1; 1955 c 55 § 1; 1951 c 101 § 1; 1949 c 161 § 1; 1927 c 182 § 1; 1923 c 53 § 2; 1921 c 61 § 2; Rem. Supp. 1949 § 5144.]
- (1) "this 1963 amendatory act" changed to "the 1963 elections act" (see 29.13.015 above).
- 29.13.021 Source—[1963 c 200 § 4.]
- (1) "this 1963 amendatory act" changed to "the 1963 elections act" (see 29.13.015 above).
- 29.13.023 Source—[1963 c 200 § 2; 1957 c 168 § 1.]
- 29.13.024 Source—[1963 c 200 § 3; 1957 c 168 § 2.]
- 29.13.025 Source—[1951 c 101 § 8.]
- 29.13.030 Source—[1963 c 200 § 5; 1955 c 55 § 2; 1951 c 257 § 3; 1951 c 101 § 2; 1949 c 161 § 2; 1927 c 279 § 1; 1921 c 170 § 1; Rem. Supp. 1949 § 5150.]
- (1) "this 1963 amendatory act" changed to "the 1963 elections act" (see 29.13.015 above).
- 29.13.040 Source—[1963 c 200 § 6; 1955 c 55 § 3; 1951 c 257 § 4; 1951 c 101 § 4; 1949 c 161 § 5; Rem. Supp. 1949 § 5153-1.]
- 29.13.045 Source—[1963 c 200 § 7; 1951 c 257 § 5.]
- 29.13.050 Source—[1963 c 200 § 8; 1959 c 86 § 1. Prior: 1951 c 257 § 6; (i) 1949 c 161 § 9; Rem. Supp. 1949 § 5146-1. (ii) 1949 c 163 § 1; 1921 c 61 § 4; Rem. Supp. 1949 § 5146.]
- (1) "this amendatory act" changed to "the 1963 elections act" (see 29.13.015 above).
- 29.13.060 Source—[1963 c 200 § 9; 1943 c 10 § 1; Rem. Supp. 1943 § 4810-1.]
- 29.13.070 Source—[1963 c 200 § 25; 1907 c 209 § 3; RRS § 5179.]
- 29.13.080 Source—[(i) 1921 c 61 § 7; RRS § 5149. (ii) 1921 c 170 § 5; RRS § 5154. (iii) 1921 c 178 § 7; 1907 c 235 § 1; 1889 p 413 § 35; RRS § 5319. (iv) 1919 c 163 § 16, part; 1907 c 209 § 17, part; RRS § 5194, part.]
- (1) Other parts of 1919 c 163 § 16 codified as 29.51.240 and 29.51.250.

Chapter 29.18 Partisan Primaries

- 29.18.010 Source—[1911 c 101 § 2; 1909 c 82 § 1; 1907 c 209 § 2; RRS § 5178.]
- (1) "(6) In first, second and third class cities holding elections under RCW 29.21.010." added under chapter exclusions to incorporate later law, 1951 c 257 § 7.
- 29.18.020 Source—[1907 c 209 § 6, part; RRS § 5183, part.]
- (1) Other part codified as 29.01.090.
- 29.18.030 Source—[1959 c 250 § 1; 1947 c 234 § 1; 1933 c 95 § 1; 1907 c 209 § 4; Rem. Supp. 1947 § 5180.]
- 29.18.035 Source—[1955 c 169 § 1.]
- 29.18.040 Source—[1907 c 209 § 7; RRS § 5184.]
- 29.18.050 Source—[1909 c 82 § 2; 1907 c 209 § 5; RRS § 5182.]

- 29.18.060 Source—[1955 c 103 § 1; 1943 c 198 § 1; Rem. Supp. 1943 § 5213-10.] Explanatory note.
- 29.18.070 Source—[(i) 1943 c 198 § 2; Rem. Supp. 1943 § 5213-11. (ii) 1943 c 198 § 3; Rem. Supp. 1943 § 5213-12.]
- 29.18.080 Source—[1943 c 198 § 6; Rem. Supp. 1943 § 5213-15.]
- 29.18.090 Source—[1943 c 198 § 4; Rem. Supp. 1943 § 5213-13.]
(1) "candidacy of any person who has filed for the same office as provided in RCW 29.18.060 and 29.18.070", restored for RCW language "candidacy for the same office of a person whose name is the same or similar to his".
- 29.18.100 Source—[1943 c 198 § 5; Rem. Supp. 1943 § 5213-14.]
(1) "enforcement of RCW 29.18.060 through 29.18.100" restored for RCW language "duplication of names of candidates for the same office".
- 29.18.110 Source—[1963 c 189 § 1; 1961 c 130 § 16. Prior: (i) 1919 c 163 § 18, part; 1907 c 209 § 23, part; RRS § 5199, part. (ii) 1933 c 21 § 1, part; 1919 c 163 § 24, part; RRS § 5200, part.]
- 29.18.120 Source—[(i) 1907 c 209 § 14; RRS § 5191. (ii) 1921 c 178 § 5; 1907 c 209 § 21; RRS § 5197. (iii) 1909 c 82 § 10; 1907 c 209 § 33; RRS § 5208.]
- 29.18.140 Source—[1909 c 82 § 9; 1907 c 209 § 30; RRS § 5206.]
- 29.18.150 Source—[1961 c 130 § 17. Prior: (i) 1933 c 21 § 1, part; 1919 c 163 § 24, part; RRS § 5200, part. (ii) 1889 p 404 § 12; RRS § 5176.]
- 29.18.200 Source—[1935 c 26 § 5, part; No RRS.]
This new section is taken from 1935 c 26 § 5, a general repealer section, heretofore uncoded, but which set out therein the purpose of the 1935 act (Initiative Measure No. 2) which provided for a blanket primary.

Chapter 29.21 Nonpartisan Primaries and Elections

- 29.21.010 Source—[1951 c 257 § 7; 1949 c 161 § 3; Rem. Supp. 1949 § 5179-1.]
(1) "four weeks prior to the municipal general election", and "four weeks prior to their city general elections" changed to "as provided in RCW 29.13.070" to conform to latest law setting time for primaries.
- 29.21.015 Source—[1955 c 101 § 2; 1955 c 4 § 1.]
- 29.21.017 Source—[1961 c 109 § 1.]
- 29.21.020 Source—[(i) 1939 c 1 § 2, part; RRS § 5274-2, part. **FORMER PART OF SECTION:** 1947 c 234 § 1, part; 1933 c 95 § 1, part; 1915 c 52 § 2, part; 1907 c 209 § 4, part; Rem. Supp. 1947 § 5180, part, now codified in 29.18.030.]
(1) Other parts codified as 29.21.085, and in 29.21.080, 29.21.090, 29.21.100 and 29.21.150.
(2) Since this chapter carries statutory provisions relating to declarations of candidacy differing from those for partisan elections we have prefaced RCW section "Except as otherwise in this chapter provided" and made last clause in section into a proviso.
- 29.21.030 Source—[1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part.]
(1) Other parts codified as 29.21.040, 29.21.050, 29.21.130 and 29.62.140 and in 29.21.090 and 29.21.150.
(2) "not less than forty-five nor more than sixty days prior to the primary election" changed to "in accordance with the time period prescribed in RCW 29.21.060" to conform with latest law.
- 29.21.040 Source—[1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part.]
(1) Other parts codified as 29.21.030, 29.21.050, 29.21.130 and 29.62.140 and in 29.21.090 and 29.21.150.

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- 29.21.050 Source—[1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part.]
(1) Other parts codified as 29.21.030, 29.21.040, 29.21.130 and 29.62.140 and in 29.21.090 and 29.21.150.
- 29.21.060 Source—[1963 c 200 § 10; 1959 c 247 § 2; 1959 c 175 § 7; 1951 c 101 § 5; 1949 c 161 § 6; 1947 c 234 § 3; 1945 c 194 § 5; Rem. Supp. 1949 § 5166-4.]
- 29.21.070 Source—[(i) 1927 c 155 § 1, part; 1925 ex.s. c 68 § 1, part; 1921 c 116 § 1, part; 1919 c 85 § 1, part; 1911 c 101 § 1, part; 1909 c 82 § 11, part; 1907 c 209 § 38, part; RRS § 5212, part. (ii) 1933 c 85 § 1, part; RRS § 5213-1, part.]
(1) Other parts of 1927 c 155 § 1 codified as 29.21.110 and in 29.21.090, 29.21.100, 29.21.120, 29.21.140 and 29.21.150.
(2) Other parts of 1933 c 85 § 1 codified as 29.21.160 and 29.21.170 and in 29.21.090, 29.21.100, 29.21.120, 29.21.140 and 29.21.150.
- 29.21.080 Source—[(i) 1939 c 1 § 1; RRS § 5274-1. (ii) 1939 c 1 § 2, part; RRS § 5274-2, part.]
(1) Other parts of 1939 c 1 § 2 codified as 29.21.020 and in 29.21.090, 29.21.100 and 29.21.150 and as 29.21.085.
(2) Second paragraph changed to: "Offices relative to the administration of the public schools, including the office of school director, shall be nonpartisan." This restores substantive content of 1939 c 1 § 1.
- 29.21.085 Source—[1939 c 1 § 2, part; RRS § 5274-2, part.]
(1) This new section restores the last proviso of 1939 c 1 § 2 (for other parts see 29.21.020(1)).
- 29.21.090 Source—[(i) 1927 c 155 § 1, part; 1925 ex.s. c 68 § 1, part; 1921 c 116 § 1, part; 1919 c 85 § 1, part; 1911 c 101 § 1, part; 1909 c 82 § 11, part; 1907 c 209 § 38, part; RRS § 5212, part. (ii) 1933 c 85 § 1, part; RRS § 5213-1, part. (iii) 1939 c 1 § 2, part; RRS § 5274-2, part. (iv) 1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part.]
(1) Other parts of 1927 c 155 codified as 29.21.110 and in 29.21.070, 29.21.100, 29.21.120, 29.21.140 and 29.21.150.
(2) Other parts of 1933 c 85 § 1 codified as 29.21.160 and 29.21.170 and in 29.21.070, 29.21.100, 29.21.120, 29.21.140 and 29.21.150.
(3) Other parts of 1939 c 1 § 2 codified as 29.21.020 and 29.21.085 and in 29.21.080, 29.21.100, and 29.21.150.
(4) Other parts of 1943 c 25 § 2 codified as 29.21.030, 29.21.040, 29.21.050, 29.21.130 and 29.62.140 and in 29.21.150.
- 29.21.100 Source—[(i) 1927 c 155 § 1, part; 1925 ex.s. c 68 § 1, part; 1921 c 116 § 1, part; 1919 c 85 § 1, part; 1911 c 101 § 1, part; 1909 c 82 § 11, part; 1907 c 209 § 38, part; RRS § 5212, part. (ii) 1933 c 85 § 1, part; RRS § 5213-1, part. (iii) 1939 c 1 § 2, part; RRS § 5274-2, part.]
(1) Other parts of 1927 c 155 § 1 codified as 29.21.110 and in 29.21.070, 29.21.090, 29.21.120, 29.21.140 and 29.21.150.
(2) Other parts of 1933 c 85 § 1 codified as 29.21.160 and 29.21.170 and in 29.21.070, 29.21.090, 29.21.120, 29.21.140 and 29.21.150.
(3) Other parts of 1939 c 1 § 2 codified as 29.21.020 and 29.21.085 and in 29.21.080, 29.21.090 and 29.21.150.
- 29.21.110 Source—[1927 c 155 § 1, part; 1925 ex.s. c 68 § 1, part; 1921 c 116 § 1, part; 1919 c 85 § 1, part; 1911 c 101 § 1, part; 1909 c 82 § 11, part; 1907 c 209 § 38, part; RRS § 5212, part.]
(1) Other parts codified in 29.21.070, 29.21.090, 29.21.100, 29.21.120, 29.21.140 and 29.21.150.
- 29.21.120 Source—[(i) 1927 c 155 § 1, part; 1925 ex.s. c 68 § 1, part; 1921 c 116 § 1, part; 1919 c 85 § 1, part; 1911 c 101 § 1, part;

- 1909 c 82 § 11, part; 1907 c 209 § 38, part; RRS § 5212, part. Explanatory note.
(ii) 1933 c 85 § 1, part; RRS § 5213-1, part.]
- (1) Other parts of 1927 c 155 § 1 codified as 29.21.110 and in 29.21.070, 29.21.090, 29.21.100, 29.21.140 and 29.21.150.
- (2) Other parts of 1933 c 85 § 1 codified as 29.21.160 and 29.21.170 and in 29.21.070, 29.21.090, 29.21.100, 29.21.140, 29.21.150.
- 29.21.130 Source—[1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part.]
- (1) Other parts codified as 29.21.030, 29.21.040, 29.21.050 and 29.62.140 and in 29.21.090 and 29.21.150.
- (2) "The ballots for the general election shall be in the same general form as for the primary election, so far as applicable." restored as last paragraph of RCW section.
- 29.21.140 Source—[(i) 1927 c 155 § 1, part; 1925 ex.s. c 68 § 1, part; 1921 c 116 § 1, part; 1919 c 85 § 1, part; 1911 c 101 § 1, part; 1909 c 82 § 11, part; 1907 c 209 § 38, part; RRS § 5212, part. (ii) 1933 c 85 § 1, part; RRS § 5213, part.]
- (1) Other parts of 1927 c 155 § 1 codified as 29.21.110 and in 29.21.070, 29.21.090, 29.21.100, 29.21.120 and 29.21.150.
- (2) Other parts of 1933 c 85 § 1 codified as 29.21.160 and 29.21.170 and in 29.21.070, 29.21.090, 29.21.100, 29.21.120 and 29.21.150.
- 29.21.150 Source—[(i) 1939 c 1 § 2, part; RRS § 5274-2, part. (ii) 1927 c 155 § 1, part; 1925 ex.s. c 68 § 1, part; 1921 c 116 § 1, part; 1919 c 85 § 1, part; 1911 c 101 § 1, part; 1909 c 82 § 11, part; 1907 c 209 § 38, part; RRS § 5212, part. (iii) 1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part. (iv) 1933 c 85 § 1, part; RRS § 5213-1, part.]
- (1) Other parts of 1939 c 1 § 2 codified as 29.21.020 and 29.21.085 and in 29.21.080, 29.21.090 and 29.21.100.
- (2) Other parts of 1927 c 155 § 1 codified as 29.21.110 and in 29.21.070, 29.21.090, 29.21.100, 29.21.120 and 29.21.140.
- (3) Other parts of 1943 c 25 § 2 codified as 29.21.030, 29.21.040, 29.21.050, 29.21.130 and 29.62.140 and in 29.21.090.
- (4) Other parts of 1933 c 85 § 1 codified as 29.21.160 and 29.21.170 and in 29.21.090, 29.21.100, 29.21.120 and 29.21.140, 29.21.070.
- (5) "for justices of the peace" restored to RCW section proviso; omitted, 1941 commingling of session law section parts.
- 29.21.160 Source—[1933 c 85 § 1, part; RRS § 5213-1, part.]
- (1) Other parts codified as 29.21.170 and in 29.21.090, 29.21.100, 29.21.120, 29.21.140 and 29.21.150, 29.21.070.
- 29.21.170 Source—[1933 c 85 § 1, part; RRS § 5213-1, part.]
- (1) Other parts codified as 29.21.160 and in 29.21.090, 29.21.100, 29.21.120, 29.21.140 and 29.21.150, 29.21.070.
- 29.21.180 Source—[1959 c 247 § 1; 1955 c 101 § 1.]
- 29.21.190 Source—[1959 c 247 § 3.]
- 29.21.200 Source—[1959 c 247 § 4.]
- 29.21.210 Source—[1959 c 247 § 5.]
- 29.21.220 Source—[1959 c 247 § 6.]
- (1) "four weeks prior to the date fixed for election in RCW 29.13.030" changed to "as provided in RCW 29.13.070" to encompass latest law.
- 29.21.230 Source—[1959 c 247 § 7.]
- Chapter 29.24 Nomination Other Than by Primary
- 29.24.010 Source—[1955 c 102 § 2. Prior: 1937 c 94 § 2, part; RRS § 5168, part.]
- 29.24.020 Source—[1955 c 102 § 3. Prior: (i) 1937 c 94 § 1; RRS § 5167. (ii) 1937 c 94 § 4; RRS § 5170. (iii) 1937 c 94 § 10; RRS § 5170-6. (iv) 1907 c 209 § 26, part; RRS § 5203, part.]

Explanatory
note.

- 29.24.030 Source—[1955 c 102 § 4. Prior: (i) 1937 c 94 § 2, part; RRS § 5168, part. (ii) 1937 c 94 § 3; RRS § 5169.]
- 29.24.040 Source—[1955 c 102 § 5. Prior: 1937 c 94 § 5, part; RRS § 5170-1, part.]
- 29.24.050 Source—[1955 c 102 § 6. Prior: 1937 c 94 § 5, part; RRS § 5170-1, part.]
- 29.24.060 Source—[1937 c 94 § 6; RRS § 5170-2.]
- 29.24.070 Source—[1955 c 102 § 7. Prior: (i) 1937 c 94 § 7, part; RRS § 5170-3, part. (ii) 1907 c 209 § 26, part; RRS § 5203, part.]
- 29.24.080 Source—[1961 c 130 § 14. Prior: (i) 1937 c 94 § 8; RRS § 5170-4. (ii) 1950 ex.s. c 14 § 19.]
- 29.24.090 Source—[1937 c 94 § 9; RRS § 5170-5.]
- 29.24.110 Source—[1963 c 200 § 11; 1951 c 101 § 3; 1949 c 161 § 4; Rem. Supp. 1949 § 5179-2.]

Chapter 29.27 Certificates and Notices

- 29.27.010 Source—[1923 c 53 § 6, part; RRS § 5148-2, part.]
- (1) Conclude 1955 c 153 § 2 which repealed session law and 29.27.070 where only part of 1923 c 53 § 6 was codified, evidenced no substantive legislative intent to repeal this RCW section or session law source part.
- (2) "The governing board of every political subdivision to the consolidated election law in class A and first class counties shall certify" changed to "The governing board of any city, town or district subject to RCW 29.13.010, 29.13.020, or 29.13.030, shall certify . . ." to encompass later law.
- (3) "county supervisor of elections" changed to "county auditor as ex officio county supervisor of elections" to encompass later law.
- 29.27.020 Source—[1949 c 161 § 10, part; 1947 c 234 § 2, part; 1935 c 26 § 1, part; 1921 c 178 § 4, part; 1907 c 209 § 8, part; Rem. Supp. 1949 § 5185, part.]
- (1) Other parts codified as 29.27.030 and 29.30.075.
- (2) "and nomination papers" restored following "declarations of candidacy" in first sentence.
- 29.27.030 Source—[1949 c 161 § 10, part; 1947 c 234 § 2, part; 1935 c 26 § 1, part; 1921 c 178 § 4, part; 1907 c 209 § 8, part; Rem. Supp. 1949 § 5185, part.]
- (1) Other parts codified as 29.27.020 and 29.30.075.
- (2) Prior RCW text through "voters, and" on fourth line deleted and recodified as 29.30.075.
- (3) Reference to "city clerk" deleted since county auditor now gives notice of primary elections for cities and towns.
- 29.27.040 Source—[1951 c 101 § 6; 1949 c 161 § 7; 1947 c 234 § 4; 1921 c 178 § 2; 1889 p 403 § 8; Rem. Supp. 1949 § 5172.]
- (1) "fourth class towns in class A counties" changed to "fourth class towns" to include such towns in all counties to encompass latest law.
- 29.27.045 Source—[Code 1881 § 3058; 1865 p 27 § 4; RRS § 5156.]
- 29.27.050 Source—[1961 c 130 § 19; 1889 p 403 § 9; RRS § 5173.]
- (1) "but in no event no later" changed to "but in any event no later"; terminology correction.
- 29.27.060 Source—[1953 c 242 § 1; 1913 c 135 § 1; 1889 p 405 § 14; RRS § 5271.]
- 29.27.065 Source—[1953 c 242 § 3.]
- 29.27.067 Source—[1953 c 242 § 4.]
- 29.27.072 Source—[1961 c 176 § 1.]
- 29.27.074 Source—[1961 c 176 § 2.]
- 29.27.076 Source—[1961 c 176 § 3.]
- 29.27.080 Source—[1955 c 153 § 1; 1951 c 101 § 7; 1949 c 161 § 11; Rem. Supp. 1949 § 5148-3a.]

- 29.27.090 Source—[1921 c 178 § 1, part; 1915 c 11 § 1, part; 1907 c 130 § 1, part; 1889 p 402 § 7, part; Code 1881 § 3067, part; 1865 p 30 § 1, part; RRS § 5171, part.] Explanatory note.
 (1) Other parts codified as 29.04.040 and 29.04.050.
 (2) "and clerks of the several municipal corporations" restored following "county auditor of each county".
- 29.27.100 Source—[1961 c 130 § 8. Prior: Code 1881 § 3096, part; 1866 p 6 § 2, part; 1865 p 39 § 7, part; RRS § 5343, part.]
- 29.27.110 Source—[(i) 1933 c 92 § 1; RRS § 5343-1. (ii) Code 1881 § 3100, part; No RRS.]
 (1) Other part of Code 1881 § 3100 codified as 29.62.120.
- 29.27.120 Source—[Code 1881 § 3102; 1865 p 41 § 13; RRS § 5347.]

Chapter 29.30 Ballots

- 29.30.010 Source—[(i) 1935 c 26 § 2, part; 1933 c 95 § 2, part; 1917 c 71 § 1, part; 1909 c 82 § 3, part; 1907 c 209 § 10, part; RRS § 5187, part. (ii) 1909 c 82 § 5, part; 1907 c 209 § 13, part; RRS § 5190, part.]
 (1) Other parts of 1935 c 26 § 2 codified as 29.30.020 and 29.30.030 and in 29.30.060.
 (2) Other parts of 1909 c 82 § 5 codified as 29.30.040, 29.30.050 and in 29.30.060.
- 29.30.020 Source—[1935 c 26 § 2, part; 1933 c 95 § 2, part; 1917 c 71 § 1, part; 1909 c 82 § 3, part; 1907 c 209 § 10, part; RRS § 5187, part.]
 (1) Other parts codified as 29.30.030 and in 29.30.010, 29.30.060.
- 29.30.030 Source—[1935 c 26 § 2, part; 1933 c 95 § 2, part; 1917 c 71 § 1, part; 1909 c 82 § 3, part; 1907 c 209 § 10, part; RRS § 5187, part.]
 (1) Other parts codified as 29.30.020 and in 29.30.010, 29.30.060.
- 29.30.040 Source—[1909 c 82 § 5, part; 1907 c 209 § 13, part; RRS § 5190, part.]
 (1) Other parts codified as 29.30.050 and in 29.30.010 and 29.30.060.
- 29.30.050 Source—[1909 c 82 § 5, part; 1907 c 209 § 13, part; RRS § 5190, part.]
 (1) Other parts codified as 29.30.040 and in 29.30.010 and 29.30.060.
 (2) "gathered as required" restored to "gathered as provided in RCW 29.30.040".
- 29.30.060 Source—[(i) 1935 c 26 § 2, part; 1933 c 95 § 2, part; 1917 c 71 § 1, part; 1909 c 82 § 3, part; 1907 c 209 § 10, part; RRS § 5187, part. (ii) 1909 c 82 § 5, part; 1907 c 209 § 13, part; RRS § 5190, part.]
 (1) Other parts of 1935 c 26 § 2 codified as 29.30.020 and 29.30.030 and in 29.30.010.
 (2) Other parts of 1909 c 82 § 5 codified as 29.30.040 and 29.30.050 and in 29.30.010.
 (3) "for public inspection" added before the period at the end of first sentence to dispense with present second paragraph.
 (4) "Sample ballots" substituted for "It" in second sentence and "and need not be alternated" restored before the period in said sentence, restoring session law context.
- 29.30.070 Source—[(i) 1935 c 26 § 2, part; 1933 c 95 § 2, part; 1917 c 71 § 1, part; 1909 c 82 § 3, part; 1907 c 209 § 10, part; RRS § 5187, part. (ii) 1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part.]
 (1) Section decodified as obsolete for present purposes (see chapters 29.13, 29.21).
- 29.30.075 Source—[1949 c 161 § 10, part; 1947 c 234 § 2, part; 1935 c 26 § 1, part; 1921 c 178 § 4, part; 1907 c 209 § 8, part; Rem. Supp. 1949 § 5185, part.]

Explanatory
note.

- (1) Other parts codified as 29.27.020 and 29.27.030.
 (2) This new RCW section added to remove session law matter appearing in RCW 29.27.030 and codify the same in its proper place.
- 29.30.080 Source—[(i) 1947 c 77 § 1; 1935 c 20 § 3; 1901 c 89 § 1; 1895 c 116 § 4; 1891 c 106 § 1; 1889 p 406 § 17; Rem. Supp. 1947 § 5274. (ii) 1905 c 39 § 1, part; 1889 p 405 § 15, part; RRS § 5272, part.]
 (1) Other parts of 1905 c 39 § 1 codified as 29.51.180 and in 29.48.030, 29.51.170, 29.51.190 and 29.54.050.
 (2) “general election” added following “All” in first sentence to pinpoint session law context.
- 29.30.090 Source—[1895 c 156 § 11, part; 1886 p 128 § 1, part; Code 1881 § 3079, part; 1865 p 34 § 4, part; RRS § 5323, part.]
 (1) Other part codified in 29.54.050.
- 29.30.100 Source—[1961 c 130 § 9. Prior: 1907 c 209 § 24, part; RRS § 5201, part.]
- 29.30.110 Source—[1961 c 130 § 18. Prior: 1919 c 163 § 18, part; RRS § 5199, part.]
- 29.30.130 Source—[1889 p 400 § 1; RRS § 5269.]

Chapter 29.33 Voting Machines

- 29.33.010 Source—[1957 c 195 § 2. Prior: 1913 c 58 § 3, part; RRS § 5302, part.]
- 29.33.015 Source—[1913 c 58 § 1, part; RRS § 5300, part.]
 (1) Other part codified in 29.33.020.
 (2) This new section is added to dispel confusion when “election” alone is used in certain of this chapter’s RCW sections (see 29.01.050).
- 29.33.020 Source—[(i) 1913 c 58 § 1, part; RRS § 5300, part. (ii) 1913 c 58 § 18; RRS § 5318.]
 (1) Other part of 1913 c 58 § 1 codified as 29.33.015.
- 29.33.030 Source—[1921 c 7 § 11, part; RRS § 10769, part.]
 (1) Other parts codified as 43.35.010 (herewith decodified) and in 29.33.040.
 (2) “, ex officio,” restored following “insurance commissioner”.
- 29.33.040 Source—[(i) 1913 c 58 § 2, part; RRS § 5301, part. (ii) 1921 c 7 § 11, part; RRS § 10769, part.]
 (1) Other parts of 1913 c 58 § 2 codified as 29.33.050, 29.33.060, 29.33.070 and 29.33.080.
 (2) Other part of 1921 c 7 § 11 codified as 29.33.030.
 (3) RCW 43.35.020, a 1941 reviser’s RCW section is herewith decodified (substance herein).
- 29.33.050 Source—[1913 c 58 § 2, part; RRS § 5301, part.]
 (1) Other parts codified as 29.33.060, 29.33.070, 29.33.080 and in 29.33.040.
 (2) “or corporation” restored following “any person”.
- 29.33.060 Source—[1913 c 58 § 2, part; RRS § 5301, part.]
 (1) Other parts codified as 29.33.050, 29.33.070, 29.33.080, and in 29.33.040.
 (2) “or corporation” restored following “any person”.
- 29.33.070 Source—[1913 c 58 § 2, part; RRS § 5301, part.]
 (1) Other parts codified as 29.33.050, 29.33.060, 29.33.080 and in 29.33.040.
- 29.33.080 Source—[1913 c 58 § 2, part; RRS § 5301, part.]
 (1) Other parts codified in 29.33.050, 29.33.060, 29.33.070 and in 29.33.040.
- 29.33.090 Source—[1935 c 20 § 4; 1913 c 58 § 4; RRS § 5303.]
- 29.33.100 Source—[1957 c 195 § 3. Prior: 1915 c 114 § 1, part; 1913 c 58 § 5, part; RRS § 5304, part.]
- 29.33.110 Source—[1913 c 58 § 17; RRS § 5317.]

- 29.33.120 Source—[1913 c 58 § 6; RRS § 5305.]
RCW section restored to read as follows:
“The governing body of a public corporation for the purpose of paying for voting machines may provide for the payment thereof in such manner as it may deem for its best interest, may issue or sell at not less than par negotiable obligations bearing interest at a rate not to exceed five percent per annum and may make their payment a charge upon the corporation or may pay for the same in cash out of its general or current expense fund or otherwise; and may contract for the purchase of such machines with regard to price, manner of purchase and time of payment as to it shall seem proper, and in estimating the amount of taxes for the general or current expense fund, if any, such amount shall be added, extending over such time as may be required to pay for such machines.”
- 29.33.130 Source—[1955 c 323 § 2. Prior: 1935 c 85 § 1, part; 1919 c 163 § 23, part; 1915 c 114 § 5, part; 1913 c 58 § 10, part; RRS § 5309, part.]
- 29.33.140 Source—[1955 c 323 § 3. Prior: 1935 c 85 § 1, part; 1919 c 163 § 23, part; 1915 c 114 § 5, part; 1913 c 58 § 10, part; RRS § 5309, part.]
- 29.33.150 Source—[1955 c 323 § 4. Prior: 1935 c 85 § 1, part; 1919 c 163 § 23, part; 1915 c 114 § 5, part; 1913 c 58 § 10, part; RRS § 5309, part.]
- 29.33.160 Source—[1957 c 195 § 4. Prior: 1955 c 323 § 5. (i) 1913 c 58 § 3, part; RRS § 5302, part. (ii) 1915 c 114 § 1, part; 1913 c 58 § 5, part; RRS § 5304, part. (iii) 1947 c 77 § 3, part; Rem. Supp. 1947 § 5318-1.]
(1) In subsection (5) “one or more voting machine” changed to “one or more voting machines”.
(2) In subsection (5) “county” changed to “election authority” to conform to latest law.
(3) In subsection (6) brackets removed from “party” thus effectuating session law intent.
- 29.33.170 Source—[1915 c 114 § 3, part; 1913 c 58 § 8, part; RRS § 5307, part.]
(1) Other part codified as 29.33.180.
- 29.33.180 Source—[1915 c 114 § 3, part; 1913 c 58 § 8, part; RRS § 5307, part.]
(1) Other part codified as 29.33.170.
(2) “or officer” restored following “board” in last sentence.
- 29.33.190 Source—[1935 c 20 § 5, part; 1921 c 178 § 6, part; 1915 c 114 § 2, part; 1913 c 58 § 7, part; RRS § 5306, part.]
(1) Other parts codified as 29.33.200 and in 29.48.030.
- 29.33.200 Source—[1935 c 20 § 5, part; 1921 c 178 § 6, part; 1915 c 114 § 2, part; 1913 c 58 § 7, part; RRS § 5306, part.]
(1) Other parts codified as 29.33.190 and in 29.48.030.
- 29.33.210 Source—[1955 c 168 § 2. Prior: 1915 c 114 § 4, part; 1913 c 58 § 9, part; RRS § 5308, part.]
- 29.33.220 Source—[1955 c 168 § 3. Prior: 1915 c 114 § 4, part; 1913 c 58 § 9, part; RRS § 5308, part.]
- 29.33.230 Source—[1917 c 7 § 1, part; 1913 c 58 § 15, part; RRS § 5315, part.]
(1) Other parts codified as 29.65.030 and (as subsequently amended) as 29.62.050, 29.62.060 and 29.62.070.

Chapter 29.36 Absentee Voting

- 29.36.010 Source—[1963 ex.s. c 23 § 1; 1955 c 167 § 2. Prior: (i) 1950 ex.s. c 8 § 1; 1943 c 72 § 1; 1933 ex.s. c 41 § 1; 1923 c 58 § 1; 1921 c 143 § 1; 1917 c 159 § 1; 1915 c 189 § 1; Rem. Supp. 1943 § 5280.

Explanatory
note.

- (ii) 1933 ex.s. c 41 § 2, part; 1923 c 58 § 2, part; 1921 c 143 § 2, part; 1917 c 159 § 2, part; 1915 c 189 § 2, part; RRS § 5281, part.]
- 29.36.020 Source—[1963 ex.s. c 23 § 2; 1955 c 167 § 3. Prior: 1933 ex.s. c 41 § 2, part; 1923 c 58 § 2, part; 1921 c 143 § 2, part; 1917 c 159 § 2, part; 1915 c 189 § 2, part; RRS § 5281, part.]
- 29.36.030 Source—[1963 ex.s. c 23 § 3; 1955 c 167 § 4. Prior: (i) 1933 ex.s. c 41 § 2, part; 1923 c 58 § 2, part; 1921 c 143 § 2, part; 1917 c 159 § 2, part; 1915 c 189 § 2, part; RRS § 5281, part. (ii) 1933 ex.s. c 41 § 3, part; 1923 c 58 § 3, part; 1921 c 143 § 3, part; 1917 c 159 § 3, part; 1915 c 189 § 3, part; RRS § 5282, part.]
- 29.36.035 Source—[1963 ex.s. c 23 § 4.]
- 29.36.040 Source—[1955 c 167 § 5. Prior: 1933 ex.s. c 41 § 3, part; 1923 c 58 § 3, part; 1921 c 143 § 3, part; 1917 c 159 § 3, part; 1915 c 189 § 3, part; RRS § 5282, part.]
- 29.36.050 Source—[1955 c 167 § 6. Prior: 1933 ex.s. c 41 § 4; 1921 c 143 § 5; RRS § 5284.]
- 29.36.060 Source—[1963 ex.s. c 23 § 5; 1955 c 167 § 7; 1955 c 50 § 2. Prior: 1933 ex.s. c 41 § 5, part; 1921 c 143 § 6, part; 1917 c 159 § 4, part; 1915 c 189 § 4, part; RRS § 5285, part.]
- 29.36.070 Source—[1955 c 50 § 3. Prior: 1933 ex.s. c 41 § 5, part; 1921 c 143 § 6, part; 1917 c 159 § 4, part; 1915 c 189 § 4, part; RRS § 5285, part.]
- 29.36.075 Source—[1961 c 78 § 1.]
- 29.36.077 Source—[1961 c 78 § 2.]
- 29.36.095 Source—[1955 c 50 § 4.]
- 29.36.100 Source—[1917 c 159 § 5; 1915 c 189 § 5; RRS § 5286.]
- 29.36.110 Source—[1963 ex.s. c 23 § 7; 1917 c 159 § 7; 1915 c 189 § 7; RRS § 5287.]

Chapter 29.39 Absentee Service Voters

- 29.39.010 Source—[1957 c 169 § 1; 1950 ex.s. c 14 § 1.]
- 29.39.020 Source—[1950 ex.s. c 14 § 2.]
- 29.39.030 Source—[1950 ex.s. c 14 § 3.]
- 29.39.040 Source—[1950 ex.s. c 14 § 4.]
- (1) " 'Date' of mailing the ballot means" changed to " 'Date of mailing the ballot' means".
- 29.39.050 Source—[1950 ex.s. c 14 § 5.]
- (1) "forty-eight states" changed to "fifty states".
- 29.39.060 Source—[1950 ex.s. c 14 § 6.]
- 29.39.070 Source—[1950 ex.s. c 14 § 7.]
- 29.39.080 Source—[1950 ex.s. c 14 § 8.]
- 29.39.090 Source—[1950 ex.s. c 14 § 9.]
- 29.39.100 Source—[1950 ex.s. c 14 § 10.]
- 29.39.110 Source—[1950 ex.s. c 14 § 11.]
- (1) "chapter 29.07" changed to "chapter 29.07 RCW".
- 29.39.120 Source—[1950 ex.s. c 14 § 12.]
- 29.39.130 Source—[1950 ex.s. c 14 § 14.]
- 29.39.140 Source—[1950 ex.s. c 14 § 13.]
- 29.39.150 Source—[1950 ex.s. c 14 § 15.]
- (1) "auditor" changed to "treasurer" in last sentence to conform to later law.
- 29.39.160 Source—[1950 ex.s. c 14 § 16.]
- 29.39.170 Source—[1950 ex.s. c 14 § 17.]
- (1) "as nearly as possible be governed by existing law" changed to "be governed by the provisions of chapter 29.39 RCW".
- 29.39.180 Source—[1950 ex.s. c 14 § 21.]
- 29.39.190 Source—[1950 ex.s. c 14 § 22.]
- 29.39.200 Source—[1950 ex.s. c 14 § 23.]
- 29.39.900 Source—[1950 ex.s. c 14 § 24.]
- (1) New section heretofore footnoted to chapter digest.

Chapter 29.42 Political Parties

Explanatory
note.

- 29.42.010 Source—[1961 c 130 § 2. Prior: 1943 c 178 § 1, part; 1939 c 48 § 1, part; 1927 c 200 § 1, part; 1925 ex.s. c 158 § 1, part; 1909 c 82 § 6, part; 1907 c 209 § 22, part; Rem. Supp. 1943 § 5198, part.]
- 29.42.020 Source—[1961 c 130 § 3. Prior: 1943 c 178 § 1, part; 1939 c 48 § 1, part; 1927 c 200 § 1, part; 1925 ex.s. c 158 § 1, part; 1909 c 82 § 6, part; 1907 c 209 § 22, part; Rem. Supp. 1943 § 5198, part.]
- 29.42.030 Source—[1961 c 130 § 4. Prior: 1943 c 178 § 1, part; 1939 c 48 § 1, part; 1927 c 200 § 1, part; 1925 ex.s. c 158 § 1, part; 1909 c 82 § 6, part; 1907 c 209 § 22, part; Rem. Supp. 1943 § 5198, part.]
- 29.42.040 Source—[1961 c 130 § 5. Prior: 1943 c 178 § 1, part; 1939 c 48 § 1, part; 1927 c 200 § 1, part; 1925 ex.s. c 158 § 1, part; 1909 c 82 § 6, part; 1907 c 209 § 22, part; Rem. Supp. 1943 § 5198, part.]
- 29.42.050 Source—[1961 c 130 § 6. Prior: 1953 c 196 § 1; 1943 c 178 § 1, part; 1939 c 48 § 1, part; 1927 c 200 § 1, part; 1925 ex.s. c 158 § 1, part; 1909 c 82 § 6, part; 1907 c 209 § 22, part; Rem. Supp. 1943 § 5198, part.]

Chapter 29.45 Precinct Election Officers

- 29.45.010 Source—[(i) 1935 c 165 § 2, part; RRS § 5147-1, part. (ii) Code 1881 § 3068, part; 1865 p 30 § 2, part; RRS § 5158, part. (iii) 1907 c 209 § 15, part; RRS § 5192, part. (iv) 1895 c 156 § 6, part; 1889 p 407 § 20, part; RRS § 5277, part. (v) 1947 c 182 § 1, part; Rem. Supp. 1947 § 5166-10, part. Prior: 1945 c 164 § 3, part; 1941 c 180 § 1, part; 1935 c 5 § 1, part; 1933 ex.s. c 29 § 1, part; prior: 1933 c 79 § 1, part; 1927 c 279 § 2, part; 1923 c 53 § 3, part; 1921 c 61 § 5, part; Rem. Supp. 1945 § 5147, part.]
- (1) Other part of 1935 c 165 § 2 codified in 29.45.030.
- (2) Other part of Code 1881 § 3068 codified in 29.45.040.
- (3) Other parts of 1907 c 209 § 15 codified in 29.45.030 and 29.45-.040; history reference in 29.45.120.
- (4) Other part of 1895 c 156 § 6 codified in 29.48.030.
- (5) Other part of 1947 c 182 § 1 codified in 29.04.020.
- (6) First sentence changed after "county auditor" to read "or other appointing body or officer, where the law so provides in elections in lesser constituencies, . . ." to conform to later law.
- 29.45.020 Source—[1955 c 168 § 4. Prior: (i) 1915 c 114 § 4, part; 1913 c 58 § 9, part; RRS § 5308, part. (ii) 1895 c 156 § 1, part; Code 1881 § 3069, part; 1865 p 31 § 3, part; RRS § 5159, part.]
- 29.45.030 Source—[(i) 1907 c 209 § 15, part; RRS § 5192, part. (ii) 1935 c 165 § 2, part; RRS § 5147-1, part.]
- (1) Other parts of 1907 c 209 § 15 codified in 29.45.010 and 29.45-.040; history reference in 29.45.120.
- (2) Other part of 1935 c 165 § 2 codified in 29.45.010.
- 29.45.040 Source—[(i) Code 1881 § 3075, part; 1865 p 32 § 9, part; RRS § 5165, part. (ii) Code 1881 § 3068, part; 1865 p 30 § 2, part; RRS § 5158, part. (iii) 1907 c 209 § 15, part; RRS § 5192, part.]
- (1) Other part of Code 1881 § 3075 codified as 29.45.070.
- (2) Other part of Code 1881 § 3068 codified in 29.45.010.
- (3) Other parts of 1907 c 209 § 15 codified in 29.45.010 and 29.45.030; history reference in 29.45.120.
- (4) Last sentence restored to read: "The inspector shall have the power to fill any vacancy that may occur in the board of judges, or by absence or refusal to serve of either of the clerks after the polls shall have been opened."
- 29.45.050 Source—[1955 c 148 § 2. Prior: (i) 1923 c 53 § 4, part; 1921 c 61 § 6, part; RRS § 5148, part. (ii) 1921 c 170 § 4, part; RRS § 5153, part.]

Explanatory
note.

- 29.45.060 Source—[1955 c 148 § 3. Prior: (i) 1923 c 53 § 4, part; 1921 c 61 § 6, part; RRS § 5148, part. (ii) 1921 c 170 § 4, part; RRS § 5153, part.]
- 29.45.070 Source—[Code 1881 § 3075, part; 1865 p 32 § 9, part; RRS § 5165, part.]
(1) Other part of Code 1881 § 3075 codified in 29.45.040.
- 29.45.080 Source—[(1) Code 1881 § 3070; 1865 p 31 § 4; RRS § 5160. (ii) 1895 c 156 § 2, part; Code 1881 § 3074, part; 1865 p 32 § 8, part; RRS § 5164, part.]
(1) Other part of 1895 c 156 § 2 codified in 29.48.030.
(2) “and verified under the hand of the person by whom such oath or affirmation is administered” restored at end of first sentence.
- 29.45.090 Source—[Code 1881 § 3071; 1865 p 31 § 5; RRS § 5161.]
- 29.45.100 Source—[Code 1881 § 3072; 1865 p 31 § 6; RRS § 5162.]
- 29.45.110 Source—[Code 1881 § 3073; 1865 p 32 § 7; RRS § 5163.]
- 29.45.120 Source—[1961 c 43 § 1; 1951 c 67 § 1; 1945 c 186 § 1; 1919 c 163 § 13; 1895 c 20 § 1; Code 1881 § 3151; 1866 p 8 § 9; 1865 p 52 § 12; Rem. Supp. 1945 § 5166. See also 1907 c 209 § 15; RRS § 5192.]

Chapter 29.48 Polling Place Regulations Before Polls Open

- 29.48.005 Source—[1951 c 123 § 1.]
(1) “primary or” added before “election” to clarify scope of section.
- 29.48.007 Source—[1955 c 201 § 1.]
- 29.48.010 Source—[1907 c 130 § 2, part; 1889 p 408 § 21, part; RRS § 5278, part.]
(1) Other parts codified as 29.51.010 and in 29.04.040.
(2) “or voting at the last preceding election where there is no registration” restored to end of second sentence.
- 29.48.020 Source—[1957 c 195 § 6. Prior: 1913 c 58 § 12, part; RRS § 5312, part.]
- 29.48.030 Source—[(i) 1921 c 178 § 8; Code 1881 § 3078; 1865 p 34 § 3; RRS § 5322. (ii) 1919 c 163 § 20, part; 1895 c 156 § 9, part; 1889 p 411 § 28, part; RRS § 5293, part. (iii) 1907 c 209 § 20; RRS § 5196. (iv) 1913 c 138 § 29, part; RRS § 5425, part. (v) 1915 c 124 § 1; 1895 c 156 § 5; 1893 c 91 § 1; 1889 p 407 § 18; RRS § 5275. (vi) 1921 c 68 § 1, part; RRS § 5320, part. (vii) 1895 c 156 § 6, part; 1889 p 407 § 20, part; RRS § 5277, part. (viii) 1895 c 156 § 2, part; Code 1881 § 3074, part; 1865 p 32 § 8, part; RRS § 5164, part. (ix) 1905 c 39 § 1, part; 1889 p 405 § 15, part; RRS § 5272, part; (x) 1935 c 20 § 5, part; 1921 c 178 § 6, part; 1915 c 114 § 2, part; 1913 c 58 § 7, part; RRS § 5306, part. (xi) 1854 p 67 § 16; No RRS. (xii) 1854 p 67 § 17, part; No RRS. (xiii) 1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part. (xiv) 1915 c 14 § 6, part; 1913 c 58 § 11, part; RRS § 5311, part. See also 1933 c 1 § 10 as subsequently amended by 1957 c 251 § 8, presently RCW 29.07.170 and Code 1881 § 3093, part, 1903 c 85 § 1, part, as subsequently amended by 1957 c 194 § 9, presently RCW 29.54.080.]
(1) Other part of 1919 c 163 § 20 codified in 29.48.060.
(2) Other parts of 1913 c 138 § 29 codified as 29.81.140, 29.81.150 and 29.81.160.
(3) Other part of 1921 c 68 § 1 codified as 29.48.090.
(4) Other part of 1895 c 156 § 6 codified in 29.45.010.
(5) Other part of 1895 c 156 § 2 codified in 29.45.080.
(6) Other parts of 1905 c 39 § 1 codified as 29.51.180 and in 29.51.170, 29.51.190, 29.30.080 and 29.54.050.
(7) Other parts of 1935 c 20 § 5 codified as 29.33.190 and 29.33.200.
(8) Other part of 1854 p 67 § 17 codified as 29.48.070.
(9) Other parts of 1915 c 114 § 7 codified as 29.51.130, 29.51.140, 29.51.150, 29.51.160, 29.51.200, 29.85.160 and in 29.51.070, 29.51.190, 29.51.220 and 29.51.050.

- (10) Other parts of 1915 c 114 § 6 codified as 29.48.040 and 29.48.050.
- (11) Initial clause, "At least forty-five minutes" stricken and returned to proper session law source (present 29.48.040); "and allowing a reasonable time for preparation thereof," added following "election" (first) in first sentence restoring general session law intent.
- (12) In subsection (2) after "therein", "or such further number as the county auditor or other officer in charge of such primary or election may certify to be necessary," restored.
- (13) In subsection (4) after "printed", "in English" restored.
- (14) In subsection (7) after "ballots", "or two sample ballots prepared as blanks" restored, thus permitting striking present subsection (10).
- 29.48.040 Source—[1915 c 114 § 6, part; 1913 c 58 § 11, part; RRS § 5311, part.]
- (1) Other parts codified as 29.48.050 and in 29.48.030.
- (2) "not later than forty-five minutes before the time for opening the polls" restored following "precinct" in first paragraph (see 29.48.030(11) above).
- (3) "as reported by the custodian" restored following "thereof" in subsection (1).
- 29.48.050 Source—[1915 c 114 § 6, part; 1913 c 58 § 11, part; RRS § 5311, part.]
- (1) Other parts codified as 29.48.040 and in 29.48.030.
- 29.48.060 Source—[1919 c 163 § 20, part; 1895 c 116 § 9, part; 1889 p 411 § 28, part; RRS § 5293, part. See also 1913 c 58 § 12, part, as subsequently amended by 1957 c 195 § 7, presently RCW 29.48.080.
- (1) Other part codified in 29.48.030.
- 29.48.070 Source—[1854 p 67 § 17, part; No RRS. See also Code 1881 § 3089 as subsequently amended by 1955 c 148 § 4, presently RCW 29.54.030, and 1955 c 148 § 5, presently RCW 29.54.045.]
- (1) Other part codified in 29.48.030.
- (2) "except in the manner and for the purposes otherwise provided by law" added following last clause in section to conform to later law.
- 29.48.080 Source—[1957 c 195 § 7. Prior: 1913 c 58 § 12, part; RRS § 5312, part.]
- (1) History reference source to 29.48.060.
- 29.48.090 Source—[1921 c 68 § 1, part; RRS § 5320, part.]
- (1) Other part codified in 29.48.030.
- (2) "primaries and" added following "At all" to reflect session law intent.
- 29.48.100 Source—[Code 1881 § 3077; 1865 p 34 § 2; RRS § 5321.]

Chapter 29.51 Polling Place Regulations During Voting Hours

- 29.51.010 Source—[1907 c 130 § 2, part; 1889 p 408 § 21, part; RRS § 5278, part.]
- (1) Other parts codified as 29.48.010 and in 29.04.040.
- 29.51.020 Source—[(i) 1947 c 35 § 1, part; 1889 p 412 § 33, part; Rem. Supp. 1947 § 5298, part. (ii) 1895 c 156 § 7, part; 1889 p 409 § 22, part; Code 1881 § 3079, part; 1865 p 34 § 4, part; RRS § 5279, part.]
- (1) Other parts of 1947 c 35 § 1 codified as 29.51.030 and 29.51.230 and in 29.51.200.
- (2) Other parts of 1895 c 156 § 7 codified as 29.51.080 and in 29.51.050, 29.51.070 and 29.51.190.
- (3) "primary or" added before "election day" in first sentence to reflect session law intent.

- Explanatory note.
- 29.51.030 Source—[1947 c 35 § 1, part; 1889 p 412 § 33, part; Rem. Supp. 1947 § 5298, part.]
 (1) Other parts codified as 29.51.230 and in 29.51.020 and in 29.51.200.
 (2) “primary or” added before “election day” to reflect session law intent.
- 29.51.040 Source—[1854 p 68 § 21; No RRS.]
- 29.51.050 Source—[(i) 1895 c 156 § 7, part; 1889 p 409 § 22, part; Code 1881 § 3079, part; 1865 p 34 § 4, part; RRS § 5279, part. (ii) 1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part.]
 (1) Other parts of 1895 c 156 § 7 codified as 29.51.080 and in 29.51.020, 29.51.070 and 29.51.190.
 (2) Other parts of 1915 c 114 § 7 codified as 29.51.130, 29.51.140, 29.51.150, 29.51.160, 29.51.200, 29.85.160 and in 29.48.030, 29.51.070, 29.51.190 and 29.51.220.
- 29.51.060 Source—[1933 c 1 § 24; RRS § 5114-24.]
 (1) “primary or” added before “election” in first sentence to reflect session law intent.
- 29.51.070 Source—[(i) 1895 c 156 § 7, part; 1889 p 409 § 22, part; 1881 § 3079, part; 1865 p 34 § 4, part; RRS § 5279, part. (ii) 1933 c 1 § 25; RRS § 5114-25. (iii) 1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part.]
 (1) Other parts of 1895 c 156 § 7 codified as 29.51.080 and in 29.51.020, 29.51.050 and 29.51.190.
 (2) Other parts of 1915 c 114 § 7 codified as 29.51.130, 29.51.140, 29.51.150, 29.51.160, 29.51.200, 29.85.160 and in 29.48.030, 29.51.050, 29.51.190 and 29.51.220.
 (3) “and, where voting machines are used, before each voter enters the voting machine booth,” restored following “each vote,”.
 (4) “which entry may be with pen and ink or by a stamp provided for that purpose” restored following final clause of sentence.
- 29.51.080 Source—[1895 c 156 § 7, part; 1889 p 409 § 22, part; Code 1881 § 3079, part; 1865 p 34 § 4, part; RRS § 5279, part.]
 (1) Other parts codified in 29.51.020, 29.51.050, 29.51.070 and 29.51.190.
 (2) “primaries or” added before “elections” to reflect session law intent.
- 29.51.090 Source—[(i) 1935 c 26 § 3, part; 1921 c 177 § 1, part; 1919 c 163 § 15, part; 1917 c 71 § 2, part; 1909 c 82 § 4, part; 1907 c 209 § 12, part; RRS § 5189, part. (ii) 1947 c 77 § 2, part; 1895 c 156 § 8, part; 1889 p 409 § 23, part; Rem. Supp. 1947 § 5288, part.]
 (1) Other parts of 1935 c 26 § 3 codified in 29.51.190 and 29.51-.220; history reference to 29.04.010.
 (2) Other parts of 1947 c 77 § 2 codified as 29.51.100 and 29.51.110.
- 29.51.100 Source—[(i) 1947 c 77 § 2, part; 1895 c 156 § 8, part; 1889 p 409 § 23, part; Rem. Supp. 1947 § 5288, part. (ii) 1889 p 410 § 24, part; RRS § 5289, part.]
 (1) Other parts of 1947 c 77 § 2 codified as 29.51.110 and in 29.51.090.
 (2) Other part of 1889 p 410 § 24 codified in 29.51.220.
- 29.51.110 Source—[1947 c 77 § 2, part; 1895 c 156 § 8, part; 1889 p 409 § 23, part; Rem. Supp. 1947 § 5288, part.]
 (1) Other parts codified in 29.51.100 and 29.51.090.
- 29.51.120 Source—[Code 1881 § 3080, part; 1865 p 34 § 5, part; RRS § 5324, part.]
 (1) Other part codified as 29.54.060.
- 29.51.125 Source—[1963 ex.s. c 24 § 1.]

- 29.51.130 Source—[1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part.] Explanatory note.
 (1) Other parts codified as 29.51.140, 29.51.150, 29.51.160, 29.51-.200 and 29.85.160 and in 29.48.030, 29.51.070, 29.51.190, 29.51.220 and 29.51.050.
- 29.51.140 Source—[1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part.]
 (1) Other parts codified as 29.51.130, 29.51.150, 29.51.160, 29.51-.200 and 29.85.160 and in 29.48.030, 29.51.050, 29.51.070, 29.51.190 and 29.51.220.
- 29.51.150 Source—[1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part.]
 (1) Other parts codified as 29.51.130, 29.51.140, 29.51.160, 29.51-.200 and 29.85.160 and in 29.48.030, 29.51.050, 29.51.070, 29.51.190 and 29.51.220.
- 29.51.160 Source—[1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part.]
 (1) Other parts codified as 29.51.130, 29.51.140, 29.51.150, 29.51-.200 and 29.85.160, and in 29.48.030, 29.51.050, 29.51.070, 29.51.190 and 29.51.220.
 (2) “primary or” added before “election” in second and third sentences to reflect session law intent.
- 29.51.170 Source—[(i) 1931 c 14 § 1; 1909 c 82 § 12; RRS § 5213. (ii) 1933 c 85 § 2; RRS § 5213-2. (iii) 1905 c 39 § 1, part; 1889 p 405 § 15, part; RRS § 5272, part.]
 (1) Other parts of 1905 c 39 § 1 codified as 29.51.180 and in 29.48.030, 29.51.190, 29.30.080 and 29.54.050.
- 29.51.180 Source—[1905 c 39 § 1, part; 1889 p 405 § 15, part; RRS § 5272, part.]
 (1) Other parts codified in 29.48.030, 29.51.170, 29.51.190, 29.30.080 and 29.54.050.
- 29.51.190 Source—[(i) 1889 p 410 § 25; RRS § 5290. (ii) 1935 c 26 § 3, part; 1921 c 177 § 1, part; 1919 c 163 § 15, part; 1917 c 71 § 2, part; 1909 c 82 § 4, part; 1907 c 209 § 12, part; RRS § 5189, part. (iii) 1895 c 156 § 7, part; 1889 p 409 § 22, part; Code 1881 § 3079, part; 1865 p 34 § 4, part; RRS § 5279, part. (iv) 1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part. (v) 1905 c 39 § 1, part; 1889 p 405 § 15, part; RRS § 5272, part.]
 (1) Other parts of 1935 c 26 § 3 codified in 29.51.090 and 29.51-.220; history reference to 29.04.010.
 (2) Other parts of 1895 c 156 § 7 codified as 29.51.080 and in 29.51.020, 29.51.050 and 29.51.070.
 (3) Other parts of 1915 c 114 § 7 codified as 29.51.130, 29.51.140, 29.51.150, 29.51.160, 29.51.200 and 29.85.160 and in 29.48.030, 29.51-.050, 29.51.070 and 29.51.220.
 (4) Other parts of 1905 c 39 § 1 codified as 29.51.180 and in 29.30.080, 29.48.030, 29.51.170 and 29.54.050.
 (5) “no ballots shall be cast other than those printed by the respective county auditors or other authorized election officials as provided by law, and” restored after “are used.”
- 29.51.200 Source—[(i) 1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part. (ii) 1947 c 35 § 1, part; 1889 p 412 § 33, part; Rem. Supp. 1947 § 5298, part. Former law: 1901 c 135 § 6; 1889 p 410 § 26.]
 (1) Other parts of 1915 c 114 § 7 codified as 29.51.130, 29.51.140, 29.51.150, 29.51.160 and 29.85.160 and in 29.48.030, 29.51.050, 29.51-.070, 29.51.190 and 29.51.220.
 (2) Other parts of 1947 c 35 § 1 codified as 29.51.030 and 29.51-.230 and in 29.51.020.
- 29.51.210 Source—[1935 c 100 § 1; RRS § 5291-1. Former law: 1901 c 135 § 6; 1889 p 410 § 26.]

Explanatory
note.

(1) Section restored as follows:

"A blind person, or one with such defective vision that he cannot see to mark his ballot, and who is otherwise qualified to vote, may designate his spouse, or any near relative, who can see and is also a registered voter, to mark his ballot: *Provided*, That the foregoing shall not prevent any such person from designating election officers for that purpose, as now provided by law, but no election officer shall prevent such person from exercising his choice as heretofore set forth."

29.51.215 Source—[1935 c 100 § 2; RRS § 5291-2. Formerly RCW 29.85.250.]

(1) Recodified RCW section restored to session law purpose.

29.51.220 Source—[(i) 1889 p 410 § 24, part; RRS § 5289, part. (ii) 1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part. (iii) 1935 c 26 § 3, part; 1921 c 177 § 1, part; 1919 c 163 § 15, part; 1917 c 71 § 2, part; 1909 c 82 § 4, part; 1907 c 209 § 12, part; RRS § 5189, part.]

(1) Other part of 1889 p 410 § 24 codified in 29.51.100.

(2) Other parts of 1915 c 114 § 7 codified as 29.51.130, 29.51.140, 29.51.150, 29.51.160, 29.51.200 and 29.85.160 and in 29.48.030, 29.51-.050, 29.51.070 and 29.51.190.

(3) Other parts of 1935 c 26 § 3 codified in 29.51.090 and 29.51-.190; history reference to 29.04.010.

29.51.230 Source—[1947 c 35 § 1, part; 1889 p 412 § 33, part; Rem. Supp. 1947 § 5298, part.]

(1) Other parts codified as 29.51.030 and in 29.51.020 and 29.51.200.

29.51.240 Source—[1919 c 163 § 16, part; 1907 c 209 § 17, part; RRS § 5194, part. See also RCW 29.13.080.]

(1) Other parts codified as 29.51.250 and in 29.13.080.

29.51.250 Source—[1919 c 163 § 16, part; 1907 c 209 § 17, part; RRS § 5194, part. See also RCW 29.13.080.]

(1) Other parts codified as 29.51.240 and in 29.13.080.

29.51.260 Source—[Code 1881 § 3087; 1865 p 36 § 12; RRS § 5331.]

Chapter 29.54 Polling Place Regulations During Voting Hours and After Closing

29.54.010 Source—[1893 c 91 § 2; RRS § 5332.]

29.54.020 Source—[(i) 1945 c 90 § 1, part; Code 1881 § 3092, part; 1868 p 19 § 2, part; Rem. Supp. 1945 § 5337, part. (ii) 1935 c 26 § 4; 1919 c 163 § 17; 1907 c 209 § 19; RRS § 5195. (iii) Code 1881 § 3088, part; 1865 p 37 § 1, part; RRS § 5333, part.]

(1) Other part of 1945 c 90 § 1 codified as 29.54.070.

(2) Other part of Code 1881 § 3088 codified in 29.54.040.

29.54.030 Source—[1955 c 148 § 4; Code 1881 § 3089; 1865 p 37 § 1, part; RRS § 5334.]

29.54.035 Source—[1955 c 148 § 6.]

29.54.040 Source—[(i) Code 1881 § 3088, part; 1865 p 37 § 1, part; RRS § 5333, part. (ii) Code 1881 § 3090; 1865 p 37 § 1, part; RRS § 5335.]

(1) Other part of Code 1881 § 3088 codified in 29.54.020.

29.54.045 Source—[1955 c 148 § 5.]

29.54.050 Source—[(i) Code 1881 § 3091; 1865 p 38 § 2; RRS § 5336. (ii) 1895 c 156 § 10; 1889 p 411 § 29; RRS § 5294. (iii) 1905 c 39 § 1, part; 1889 p 405 § 15, part; RRS § 5272, part. (iv) 1895 c 156 § 11, part; 1886 p 128 § 1, part; Code 1881 § 3079, part; 1865 p 34 § 4, part; RRS § 5323, part.]

(1) Other parts of 1905 c 39 § 1 codified as 29.51.180 and in 29.48.030, 29.51.170, 29.51.190 and 29.30.080.

(2) Other part of 1895 c 156 § 11 codified as 29.30.090.

(3) New subsection added to restore 1905 c 39 § 1, part, formerly omitted: "(3) Printed other than by the respective county auditors or other authorized election officials as provided by law."

- 29.54.060 Source—[Code 1881 § 3080, part; 1865 p 34 § 5, part; RRS § 5324, part.] Explanatory note.
 (1) Other part codified as 29.51.120.
 (2) “and returned in the same manner as other ballots” restored at end of second sentence.
- 29.54.070 Source—[1945 c 90 § 1, part; Code 1881 § 3092, part; 1868 p 19 § 2, part; Rem. Supp. 1945 § 5337, part.]
 (1) Other part of 1945 c 90 § 1 codified in 29.54.020.
- 29.54.080 Source—[1957 c 195 § 9. Prior: (i) Code 1881 § 3093, part; 1865 p 38 § 3, part; RRS § 5338, part. (ii) 1903 c 85 § 1, part; Code 1881 § 3094, part; 1865 p 38 § 4, part; RRS § 5339, part.]
 (1) History reference source to 29.48.030.
- 29.54.090 Source—[1957 c 195 § 10. Prior: 1935 c 20 § 6, part; 1915 c 114 § 8, part; 1913 c 58 § 14, part; RRS § 5314, part.]
- 29.54.100 Source—[1957 c 195 § 11. Prior: 1935 c 20 § 6, part; 1915 c 114 § 8, part; 1913 c 58 § 14, part; RRS § 5314, part.]
- 29.54.110 Source—[1957 c 195 § 12. Prior: 1935 c 20 § 6, part; 1915 c 114 § 8, part; 1913 c 58 § 14, part; RRS § 5314, part.]
- 29.54.120 Source—[1957 c 195 § 13. Prior: 1935 c 20 § 6, part; 1915 c 114 § 8, part; 1913 c 58 § 14, part; RRS § 5314, part.]
- 29.54.130 Source—[1957 c 195 § 14. Prior: (i) 1935 c 20 § 6, part; 1915 c 114 § 8, part; 1913 c 58 § 14, part; RRS § 5314, part. (ii) Code 1881 § 3093, part; 1865 p 38 § 3, part; RRS § 5338, part. (iii) 1903 c 85 § 1, part; Code 1881 § 3094, part; 1865 p 38 § 4, part; RRS § 5339, part.]
- 29.54.140 Source—[(i) 1935 c 108 § 2; RRS § 5339-2. (ii) 1935 c 108 § 1; RRS § 5339-1.]

Chapter 29.59 Challenging

- 29.59.010 Source—[1955 c 181 § 7. Prior: 1933 c 1 § 22, part; RRS § 5114-22, part.]
 (1) “election” changed to “primary or election, general or special” to reflect session law intent.
 (2) “as hereinafter provided” changed to “as provided in RCW 29.59.070” at end of section to conform to latest law.
- 29.59.020 Source—[1955 c 168 § 5. Prior: 1895 c 156 § 1, part; Code 1881 § 3069, part; 1865 p 31 § 2, part; RRS § 5159, part.]
- 29.59.030 Source—[Code 1881 § 3081; 1865 p 34 § 6; RRS § 5325.]
- 29.59.040 Source—[1961 c 225 § 1; 1947 c 77 § 4; Rem. Supp. 1947 § 5332-1.]
 (1) “election” changed to “primary or election, general or special” to reflect session law intent.
- 29.59.050 Source—[(i) Code 1881 § 3083; 1865 p 34 § 8; RRS § 5327. (ii) 1905 c 39 § 2; 1893 c 114 § 1; Code 1881 § 3085; 1865 p 36 § 10; RRS § 5329.]
- 29.59.060 Source—[Code 1881 § 3086; 1865 p 36 § 11; RRS § 5330.]
 (1) “or disfranchised” restored following “remains unpar-doned”.
- 29.59.070 Source—[1961 c 225 § 2; 1955 c 181 § 9.]

Chapter 29.62 Canvassing the Returns

- 29.62.010 Source—[1961 c 130 § 10. Prior: (i) 1907 c 209 § 24, part; RRS § 5201, part. (ii) Code 1881 § 3096, part; 1866 p 6 § 2, part; 1865 p 39 § 7, part; RRS § 5343, part.]
- 29.62.020 Source—[1957 c 195 § 15. Prior: 1919 c 163 § 21, part; Code 1881 § 3095, part; 1868 p 20 § 1, part; 1865 p 39 § 6, part; RRS § 5340, part.]
- 29.62.030 Source—[1957 c 195 § 16. Prior: (i) Code 1881 § 3098; 1865 p 39 § 8; RRS § 5345. (ii) 1919 c 163 § 21, part; Code 1881 § 3095, part; 1868 p 20 § 1, part; 1865 p 39 § 6, part; RRS § 5340, part.]
- 29.62.040 Source—[1957 c 195 § 17. Prior: (i) 1919 c 163 § 21, part; Code 1881 § 3095, part; 1868 p 20 § 1, part; 1865 p 39 § 6, part; RRS

Explanatory
note.

- § 5340, part. (ii) 1893 c 112 § 2; RRS § 5342. (iii) 1903 c 85 § 1, part; Code 1881 § 3094, part; 1865 p 38 § 4, part; RRS § 5339, part.]
- 29.62.050 Source—[1951 c 193 § 1; 1917 c 7 § 1, part; 1913 c 58 § 15, part; RRS § 5315, part.]
(1) "election" changed to "primary or election" in first sentence to reflect session law intent.
- 29.62.060 Source—[1951 c 193 § 2; 1917 c 7 § 1, part; 1913 c 58 § 15, part; RRS § 5315, part.]
(1) "participating in the primary or" added following "political party" in first sentence to reflect session law intent.
- 29.62.070 Source—[1951 c 193 § 3; 1917 c 7 § 1, part; 1913 c 58 § 15, part; RRS § 5315, part.]
- 29.62.080 Source—[1961 c 130 § 13. Prior: (i) Code 1881 § 3097; 1866 p 7 § 3; RRS § 5344. (ii) Code 1881 § 3104; 1865 p 41 § 15; RRS § 5349.]
- 29.62.090 Source—[(i) 1895 c 156 § 12; Code 1881 § 3101; 1865 p 40 § 12; RRS § 5346. (ii) Code 1881 § 3103; 1865 p 41 § 14; RRS § 5348.]
(1) "embracing more than one county" stricken following "districts" to reflect session law intent.
- 29.62.100 Source—[1961 c 130 § 11. Prior: 1907 c 209 § 24, part; RRS § 5201, part.]
- 29.62.110 Source—[1961 c 130 § 12. Prior: 1907 c 209 § 24, part; RRS § 5201, part.]
(1) "in no event" changed to "in any event"; terminology correction.
- 29.62.120 Source—[Code 1881 § 3100, part; No RRS.]
(1) Other part codified in 29.27.110.
- 29.62.130 Source—[(i) 1913 c 138 § 30; RRS § 5426. (ii) 1917 c 23 § 1; RRS § 5341.]
- 29.62.140 Source—[1943 c 25 § 2, part; 1911 c 116 § 7, part; Rem. Supp. 1943 § 9096, part. See also 29.04.010 and 29.13.040.]
(1) Other parts codified as 29.21.030, 29.21.040, 29.21.050 and 29.21.130 and in 29.21.090 and 29.21.150.
(2) "city clerk" changed to "county auditor" to conform to later law.
(3) "on the day following the primary or election the city clerk shall canvass the returns and" changed to "at such time as provided by RCW 29.62.020, the county canvassing board shall canvass the returns of the primary or election, and the county auditor, upon receipt of the certificate of canvass shall" to conform to later law.
- 29.62.150 Source—[1933 c 1 § 29; RRS § 5114-29.]
(1) "election(s)" changed to "primary(ies) or election(s)" throughout to reflect session law intent.

Chapter 29.64 Statutory Recount Proceedings

- 29.64.010 Source—[1963 ex.s. c 25 § 1; 1961 c 50 § 1; 1955 c 215 § 1.]
- 29.64.015 Source—[1963 ex.s. c 25 § 2.]
- 29.64.020 Source—[1961 c 50 § 2; 1955 c 215 § 2.]
(1) "\$.02" changed to "two cents"; RCW form.
- 29.64.030 Source—[1961 c 50 § 3; 1955 c 215 § 3.]
- 29.64.040 Source—[1955 c 215 § 4.]
- 29.64.050 Source—[1955 c 215 § 5.]
- 29.64.060 Source—[1955 c 215 § 6.]
- 29.64.070 Source—[1955 c 215 § 7.]
- 29.64.900 Source—[1955 c 215 § 8.]

Chapter 29.65 Contests

- 29.65.010 Source—[1959 c 329 § 26. Prior: (i) Code 1881 § 3105; 1865 p 42 § 1; RRS § 5366. (ii) Code 1881 § 3109; 1865 p 43 § 5; RRS § 5370.]

- 29.65.020 Source—[(i) Code 1881 § 3110; 1865 p 43 § 6; RRS § 5371. (ii) Code 1881 § 3112; 1865 p 44 § 8; RRS § 5373.] Explanatory note.
 (1) “district” added after “county” in subsection (1) to conform to later law (29.65.010).
 (2) “complaint” restored to “written statement of contest” in first paragraph, “statement of contest” in subsection (4).
 (3) “the basis of the contest” restored to “the particular proceedings or cause for which such election is contested” in last paragraph.
- 29.65.030 Source—[1917 c 7 § 1, part; 1913 c 58 § 15, part; RRS § 5315, part.]
 (1) Other parts codified as 29.33.230 and (as subsequently amended) as 29.62.050, 29.62.060 and 29.62.070.
 (2) Section edited to reflect session law application to primary elections.
- 29.65.040 Source—[(i) Code 1881 § 3113; 1865 p 44 § 9; RRS § 5374. (ii) Code 1881 § 3114; 1865 p 45 § 10; RRS § 5375.]
 (1) Session law language restored to reflect legislative intent.
- 29.65.050 Source—[(i) Code 1881 § 3115; 1865 p 45 § 11; RRS § 5376. (ii) Code 1881 § 3116; 1865 p 45 § 12; RRS § 5377. (iii) Code 1881 § 3117; 1865 p 45 § 13; RRS § 5378. *Former parts of section:* (i) Code 1881 § 3119; 1865 p 45 § 15; RRS § 5379, now codified in 29.65.055. (ii) Code 1881 § 3120; 1865 p 45 § 16; RRS § 5380, now codified in 29.65.055.]
 (1) RCW section consisting of five session law parts has been restored and divided into this and a new RCW section, 29.65.055.
- 29.65.055 Source—[(i) Code 1881 § 3119; 1865 p 45 § 15; RRS § 5379, formerly RCW 29.65.050, part. (ii) Code 1881 § 3120; 1865 p 45 § 16; RRS § 5380, formerly 29.65.050, part.]
 (1) New RCW section; see 29.65.050(1) above.
- 29.65.060 Source—[Code 1881 § 3106; 1865 p 43 § 2; RRS § 5367.]
- 29.65.070 Source—[Code 1881 § 3107; 1865 p 43 § 3; RRS § 5368.]
- 29.65.080 Source—[Code 1881 § 3111, part; 1865 p 44 § 7, part; RRS § 5372, part.]
 (1) Other part codified as 29.65.090.
- 29.65.090 Source—[Code 1881 § 3111, part; 1865 p 44 § 7, part; RRS § 5372, part.]
 (1) Other part codified as 29.65.080.
- 29.65.100 Source—[Code 1881 § 3108; 1865 p 43 § 4; RRS § 5369.]
- 29.65.110 Source—[(i) Code 1881 § 3122; 1865 p 46 § 18; RRS § 5381. (ii) Code 1881 § 3123, part; 1865 p 46 § 19, part; RRS § 5382, part.]
 (1) Other part of Code 1881 § 3123 codified as 29.65.120.
- 29.65.120 Source—[Code 1881 § 3123, part; 1865 p 46 § 19, part; RRS § 5382, part.]
 (1) Other part codified in 29.65.110.
- 29.65.130 Source—[1907 c 209 § 25, part; RRS § 5202, part.]
 (1) Other part codified in 29.04.030.

Chapter 29.68 U.S. Congressional Elections

- 29.68.005 Source—[1959 c 288 § 1; 1957 c 149 § 6.]
- 29.68.007 Source—[1957 c 149 § 7.]
 (1) “this act” changed to “this chapter”, the session law being added thereto.
- 29.68.011 Source—[1957 c 149 § 2. Prior: RCW 29.68.010; 1931 c 28 § 1; RRS § 3792; prior: 1913 c 94 § 1; 1907 c 181 § 1.]
- 29.68.021 Source—[1957 c 149 § 3. Prior: RCW 29.68.020; 1931 c 28 § 2; RRS § 3793; prior: 1913 c 94 § 2; 1907 c 181 § 2.]
- 29.68.030 Source—[1931 c 28 § 3; RRS § 3794. Prior: 1913 c 94 § 3; 1907 c 181 § 3.]
- 29.68.040 Source—[1931 c 28 § 4; RRS § 3795. Prior: 1913 c 94 § 4.]
- 29.68.050 Source—[1931 c 28 § 5; RRS § 3796. Prior: 1913 c 94 § 5.]

- Explanatory note.
- 29.68.062 Source—[1959 c 288 § 2. Prior: RCW 29.68.061; 1957 c 149 § 4; prior: RCW 29.68.060; 1931 c 28 § 6; RRS § 3796-1.]
- 29.68.066 Source—[1959 c 288 § 3. Prior: RCW 29.68.065; 1957 c 149 § 5.]
- 29.68.070 Source—[1921 c 33 § 1; RRS § 3798.]
- 29.68.080 Source—[1915 c 60 § 1; 1909 ex.s. c 25 § 1; RRS § 3799.]
(1) "existing by death, resignation, disability or failure to qualify" restored following "vacancy" where first used in section.
- 29.68.090 Source—[(i) 1909 ex.s. c 25 § 2, part; RRS § 3800, part. (ii) 1909 ex.s. c 25 § 3, part; RRS § 3801, part.]
(1) Other part of 1909 ex.s. c 25 § 2 codified as 29.68.100.
(2) Other parts of 1909 ex.s. c 25 § 3 codified as 29.68.110 and 29.68.120.
(3) "No name shall be printed on the primary ballots that shall not have been filed with the secretary of state at least ten days before the special primary" added as last sentence, restoring omitted session law part of 1909 ex.s. c 25 § 3.
- 29.68.100 Source—[1909 ex.s. c 25 § 2, part; RRS § 3800, part.]
(1) Other part codified in 29.68.090.
- 29.68.110 Source—[1909 ex.s. c 25 § 3, part; RRS § 3801, part.]
(1) Other parts codified as 29.68.120 and in 29.68.090.
- 29.68.120 Source—[1909 ex.s. c 25 § 3, part; RRS § 3801, part.]
(1) Other parts codified as 29.68.110 and in 29.68.090.
- 29.68.130 Source—[1909 ex.s. c 25 § 4; RRS § 3802.]
(1) "this chapter" changed to "RCW 29.68.080 through 29.68.120" to reflect session law intent.
(2) "applicable" restored to "not inconsistent therewith, and shall be construed with and as a part thereof for the purpose of carrying out the spirit and intent thereof".

Chapter 29.71 U. S. Presidential Electors

- 29.71.010 Source—[1891 c 148 § 1; RRS § 5138.]
- 29.71.020 Source—[1935 c 20 § 1; RRS § 5138-1.]
- 29.71.030 Source—[1935 c 20 § 2; RRS § 5139. Prior: 1891 c 148 § 2.]
- 29.71.040 Source—[1909 c 22 § 1; 1891 c 148 § 3; RRS § 5140.]
- 29.71.050 Source—[1891 c 148 § 4; RRS § 5141.]

Chapter 29.74 U. S. Constitutional Amendment Conventions

- 29.74.010 Source—[1933 c 181 § 1, part; RRS § 5249-1, part.]
(1) Other parts codified as 29.74.020, 29.74.040 and in 29.74.030.
- 29.74.020 Source—[1933 c 181 § 1, part; RRS § 5249-1, part.]
(1) Other parts codified as 29.74.010 and 29.74.040 and in 29.74.030.
- 29.74.030 Source—[(i) 1933 c 181 § 1, part; RRS § 5249-1, part. (ii) 1933 c 181 § 9; RRS § 5249-9.]
(1) Other parts of 1933 c 181 § 1 codified as 29.74.010, 29.74.020, and 29.74.040.
- 29.74.040 Source—[1933 c 181 § 1, part; RRS § 5249-1, part.]
(1) Other parts codified as 29.74.010 and 29.74.020 and in 29.74.030.
- 29.74.050 Source—[1933 c 181 § 2; RRS § 5249-2.]
- 29.74.060 Source—[1933 c 181 § 3; RRS § 5249-3.]
- 29.74.070 Source—[1933 c 181 § 4, part; RRS § 5249-4, part.]
(1) Other part codified as 29.74.080.
(2) "except as otherwise in this chapter provided" restored following "conducted".
- 29.74.080 Source—[1933 c 181 § 4, part; RRS § 5249-4, part.]
(1) Other part codified as 29.74.070.
- 29.74.090 Source—[1933 c 181 § 5; RRS § 5249-5.]
- 29.74.100 Source—[1933 c 181 § 6; RRS § 5249-6.]

- 29.74.110 Source—[1933 c 181 § 7, part; RRS § 5249-7, part.] Explanatory
(1) Other part codified in 29.74.130. note.
- 29.74.120 Source—[1933 c 181 § 8, part; RRS § 5249-8, part.]
(1) Other part codified in 29.74.130.
- 29.74.130 Source—[(i) 1933 c 181 § 7, part; RRS § 5249-7, part. (ii) 1933 c
181 § 8, part; RRS § 5249-8, part.]
(1) Other part of 1933 c 181 § 7 codified as 29.74.110.
(2) Other part of 1933 c 181 § 8 codified as 29.74.120.
- 29.74.140 Source—[1933 c 181 § 10; RRS § 5249-10.]
- 29.74.150 Source—[1933 c 181 § 11; RRS § 5249-11.]

Chapter 29.79 Initiative and Referendum

Chapter Note: RCW sections 29.79.3502 through 29.79.430 are
decodified and herein enacted as new chapter, 29.81, Voter's
Pamphlet.

- 29.79.010 Source—[1913 c 138 § 1, part; RRS § 5397, part.]
(1) Other parts codified as 29.79.030 and in 29.79.020.
(2) "of the state" restored following "legal voters".
- 29.79.020 Source—[(i) 1913 c 138 § 1, part; RRS § 5397, part. (ii) 1913
c 138 § 6, part; RRS § 5402, part. (iii) 1913 c 138 § 5, part;
RRS § 5401, part. (iv) 1913 c 138 § 7, part; RRS § 5403, part.]
(1) Other parts of 1913 c 138 § 1 codified as 29.79.010 and
29.79.030.
(2) Other part of 1913 c 138 § 6 codified as 29.79.100.
(3) Other part of 1913 c 138 § 5 codified as 29.79.090.
(4) Other part of 1913 c 138 § 7 codified as 29.79.110.
- 29.79.030 Source—[1913 c 138 § 1, part; RRS § 5397, part.]
(1) Other parts codified as 29.79.010 and in 29.79.020.
- 29.79.040 Source—[1953 c 242 § 2; 1913 c 138 § 2; RRS § 5398.]
- 29.79.050 Source—[1913 c 138 § 3, part; RRS § 5399, part.]
(1) Other part codified as 29.79.060.
- 29.79.060 Source—[1913 c 138 § 3, part; RRS § 5399, part.]
(1) Other part codified as 29.79.050.
- 29.79.070 Source—[1913 c 138 § 4, part; RRS § 5400, part.]
(1) Other part codified in 29.79.080.
- 29.79.080 Source—[(i) 1913 c 138 § 4, part; RRS § 5400, part. (ii) 1913 c 138
§ 9; RRS § 5405.]
(1) Other part of 1913 c 138 § 4 codified as 29.79.070.
- 29.79.090 Source—[1913 c 138 § 5, part; RRS § 5401, part.]
(1) Other part codified in 29.79.020.
- 29.79.100 Source—[1913 c 138 § 6, part; RRS § 5402, part.]
(1) Other part codified in 29.79.020.
- 29.79.110 Source—[1913 c 138 § 7, part; RRS § 5403, part.]
(1) Other part codified in 29.79.020.
- 29.79.120 Source—[1913 c 138 § 11, part; RRS § 5407, part. See also Art.
2, Sec. 1(A), Amendment 30, state Constitution (L. 1955, p.
1860, S.J.R. No. 4).]
(1) Other parts codified as 29.79.130 and in 29.79.150.
(2) Section revised to reflect contents of Art. 2, Sec. 1(A),
Amendment 30, state Constitution.
- 29.79.130 Source—[1913 c 138 § 11, part; RRS § 5407, part.]
(1) Other parts codified as 29.79.120 and in 29.79.150.
- 29.79.140 Source—[1913 c 138 § 12, part; RRS § 5408, part.]
(1) Other part codified in 29.79.150.
- 29.79.150 Source—[(i) 1913 c 138 § 11, part; RRS § 5407, part. (ii) 1913
c 138 § 12, part; RRS § 5408, part.]
(1) Other parts of 1913 c 138 § 11 codified as 29.79.120 and
29.79.130.
(2) Other part of 1913 c 138 § 12 codified as 29.79.140.

Explanatory
note.

- 29.79.160 Source—[1913 c 138 § 13, part; RRS § 5409, part.]
(1) Other parts codified as 29.79.170 and 29.79.180.
(2) "and matters" restored following "other cases" in first paragraph.
- 29.79.170 Source—[1913 c 138 § 13, part; RRS § 5409, part.]
(1) Other parts codified as 29.79.160 and 29.79.180.
- 29.79.180 Source—[1913 c 138 § 13, part; RRS § 5409, part.]
(1) Other parts codified in 29.79.160 and 29.79.170.
- 29.79.190 Source—[1913 c 138 § 14; RRS § 5410.]
- 29.79.200 Source—[1933 c 144 § 1; 1913 c 138 § 15; RRS § 5411.]
(1) "registered voters" restored to "legal voters".
- 29.79.210 Source—[1913 c 138 § 17; RRS § 5413.]
(1) "registered voters" restored to "legal voters".
- 29.79.220 Source—[1933 c 144 § 3; 1913 c 138 § 18; RRS § 5414.]
(1) RCW reference in section enlarged to reflect session law intent.
- 29.79.230 Source—[1913 c 138 § 19; RRS § 5415.]
- 29.79.240 Source—[1933 c 144 § 2; 1913 c 138 § 16; RRS § 5412.]
- 29.79.250 Source—[1913 c 138 § 20, part; RRS § 5416, part.]
(1) Other part codified as 29.79.260.
- 29.79.260 Source—[1913 c 138 § 20, part; RRS § 5416, part.]
(1) Other part codified as 29.79.250.
(2) "he" changed to "the secretary of state" for clarification.
- 29.79.270 Source—[1913 c 138 § 21; RRS § 5417.]
- 29.79.280 Source—[1913 c 138 § 22, part; RRS § 5418, part.]
(1) Other part codified as 29.79.290.
- 29.79.290 Source—[1913 c 138 § 22, part; RRS § 5418, part.]
(1) Other part codified as 29.79.280.
- 29.79.300 Source—[1913 c 138 § 23; RRS § 5419.]
- 29.79.310 Source—[1913 c 138 § 24; RRS § 5420.]
- 29.79.320 Source—[1913 c 138 § 25; RRS § 5421.]
- 29.79.440 Source—[1913 c 138 § 31, part; RRS § 5427, part. Formerly also 29.79.450, 29.79.460 and 29.79.470.]
(1) Session law section codified herein, in 29.79.450, 29.79.460 and 29.79.470 is restored as one section.
- 29.79.450 Source—[1913 c 138 § 31, part; RRS § 5427, part.]
(1) Decodified; see 29.79.440(1) above.
- 29.79.460 Source—[1913 c 138 § 31, part; RRS § 5427, part.]
(1) Decodified; see 29.79.440(1) above.
- 29.79.470 Source—[1913 c 138 § 31, part; RRS § 5427, part.]
(1) Decodified; see 29.79.440(1) above.
- 29.79.480 Source—[1913 c 138 § 32, part; RRS § 5428, part.]
(1) Other part codified as 29.79.490.
(2) "this chapter" changed to "this chapter or chapter 29.81 RCW" to conform to new chapter placement.
- 29.79.490 Source—[1913 c 138 § 32, part; RRS § 5428, part.]
(1) Other part codified as 29.79.480.

Chapter 29.80 Candidates' Pamphlet

- 29.80.010 Source—[1959 c 329 § 19.]
- 29.80.020 Source—[1959 c 329 § 20.]
- 29.80.030 Source—[1959 c 329 § 21.]
- 29.80.040 Source—[1959 c 329 § 22.]
(1) "sections 1 and 2 of this act [RCW 29.80.010 and 29.80.020]" changed to "RCW 29.80.010 and 29.80.020".
- 29.80.050 Source—[1959 c 329 § 23.]
- 29.80.060 Source—[1959 c 329 § 24.]
- 29.80.070 Source—[1959 c 329 § 25.]

Chapter 29.81 Voters' Pamphlet

Explanatory
note.

- 29.81.010 Source—[1959 c 329 § 1. Formerly RCW 29.79.3502.]
(1) RCW reference in section changed to comply with new placement.
- 29.81.020 Source—[1959 c 329 § 2. Formerly RCW 29.79.3506.]
(1) RCW references in section changed to comply with new placement.
(2) "this amendatory act" changed to "this chapter".
- 29.81.030 Source—[1959 c 329 § 3. Formerly RCW 29.79.3510.]
- 29.81.040 Source—[1959 c 329 § 4. Formerly RCW 29.79.3514.]
- 29.81.050 Source—[1959 c 329 § 5. Formerly RCW 29.79.3518.]
- 29.81.060 Source—[1959 c 329 § 6. Formerly RCW 29.79.3522.]
(1) RCW references in section changed to comply with new placement.
- 29.81.070 Source—[1959 c 329 § 7. Formerly RCW 29.79.3526.]
(1) "this amendatory act" changed to "this chapter".
- 29.81.080 Source—[1959 c 329 § 8. Formerly RCW 29.79.3530.]
- 29.81.090 Source—[1959 c 329 § 18. Prior: 1933 c 144 § 4, part; 1929 c 130 § 1, part; 1913 c 138 § 26, part; RRS § 5422, part. Formerly RCW 29.79.360.]
- 29.81.100 Source—[1959 c 329 § 10. Prior: 1917 c 30 § 1, part; 1913 c 138 § 27, part; RRS § 5423, part. Formerly RCW 29.79.370.]
- 29.81.110 Source—[1959 c 329 § 11. Prior: 1917 c 30 § 1, part; 1913 c 138 § 27, part; RRS § 5423, part. Formerly RCW 29.79.380.]
- 29.81.120 Source—[1959 c 329 § 12. Prior: 1917 c 30 § 1, part; 1913 c 138 § 27, part; RRS § 5423, part. Formerly RCW 29.79.390.]
- 29.81.130 Source—[1959 c 329 § 13. Prior: 1917 c 30 § 1, part; 1913 c 138 § 27, part; RRS § 5423, part. Formerly RCW 29.79.400.]
- 29.81.140 Source—[1913 c 138 § 29, part; RRS § 5425, part. Formerly RCW 29.79.410.]
(1) Other parts codified as 29.81.150, 29.81.160 and in 29.48.030.
- 29.81.150 Source—[1913 c 138 § 29, part; RRS § 5425, part. Formerly RCW 29.79.420.]
(1) Other parts codified as 29.81.140, 29.81.160 and in 29.48.030.
- 29.81.160 Source—[1913 c 138 § 29, part; RRS § 5425, part. Formerly RCW 29.79.430.]
(1) Other parts codified as 29.81.140 and 29.81.150 and in 29.48.030.

Chapter 29.82 The Recall

- 29.82.010 Source—[1913 c 146 § 1; RRS § 5350. Former part of section: 1913 c 146 § 2; RRS § 5351, now codified in RCW 29.82.015.] [SLC-RO-2.]
(1) Initial word in section, "That", deleted.
- 29.82.015 Source—[1913 c 146 § 2; RRS § 5351. Formerly RCW 29.82.010, part.] [SLC-RO-2.]
- 29.82.020 Source—[1913 c 146 § 3; RRS § 5352.] [SLC-RO-2.]
- 29.82.030 Source—[1913 c 146 § 4; RRS § 5353.]
(1) "registered voter" restored to "legal voter".
- 29.82.040 Source—[1913 c 146 § 6; RRS § 5355.]
- 29.82.050 Source—[1913 c 146 § 7; RRS § 5356.]
(1) "registered voters" restored to "legal voters".
(2) "public corporation" restored to "political subdivision".
- 29.82.060 Source—[1913 c 146 § 8, part; RRS § 5357, part.]
(1) Other part codified as 29.82.070.
- 29.82.070 Source—[1913 c 146 § 8, part; RRS § 5357, part.]
(1) Other part codified as 29.82.060.
- 29.82.080 Source—[1913 c 146 § 9, part; RRS § 5358, part.]
(1) Other parts codified as 29.82.090, 29.82.100 and 29.82.110.

Explanatory
note.

- 29.82.090 Source—[1913 c 146 § 9, part; RRS § 5358, part.]
 (1) Other parts codified as 29.82.080, 29.82.100 and 29.82.110.
 (2) "registered voters" restored to "legal voters".
- 29.82.100 Source—[1913 c 146 § 9, part; RRS § 5358, part.]
 (1) Other parts codified as 29.82.080, 29.82.090 and 29.82.110.
 (2) "registered voter" restored to "legal voter".
- 29.82.110 Source—[1913 c 146 § 9, part; RRS § 5358, part.]
 (1) Other parts codified as 29.82.080, 29.82.090 and 29.82.100.
 (2) "registered voter" restored to "legal voter".
- 29.82.120 Source—[1913 c 146 § 10; RRS § 5359.]
 (1) "registered voter" restored to "legal voter".
- 29.82.130 Source—[1913 c 146 § 11; RRS § 5360. See also RCW 29.48.040.]
- 29.82.140 Source—[1913 c 146 § 12; RRS § 5361.]
- 29.82.150 Source—[1913 c 146 § 13; RRS § 5362.]
- 29.82.160 Source—[1913 c 146 § 14; RRS § 5363.]
 (1) "public corporation" restored to "political subdivision".
- 29.82.170 Source—[1913 c 146 § 15; RRS § 5364.]
 (1) Session law section codified herein, in 29.82.180, 29.82.190 and 29.82.200 is restored as one section.
- 29.82.180 Source—[1913 c 146 § 15, part; RRS § 5364, part.]
 (1) Decodified; see 29.82.170(1) above.
- 29.82.190 Source—[1913 c 146 § 15, part; RRS § 5364, part.]
 (1) Decodified; see 29.82.170(1) above.
- 29.82.200 Source—[1913 c 146 § 15, part; RRS § 5364, part.]
 (1) Decodified; see 29.82.170(1) above.
- 29.82.210 Source—[1953 c 113 § 1. Prior: 1913 c 146 § 16, part; RRS § 5365, part.]
- 29.82.220 Source—[1953 c 113 § 2. Prior: 1913 c 146 § 16, part; RRS § 5365, part.]

Chapter 29.85 Crimes and Penalties

- 29.85.010 Source—[1893 c 115 § 2; RRS § 5396.]
 (1) "intrusted" corrected to "entrusted".
 (2) "guilty of a misdemeanor and shall upon conviction thereof be" restored before "sentenced".
- 29.85.020 Source—[1911 c 89 § 1, part; Code 1881 § 906; 1873 p 205 § 105; 1854 p 93 § 96; RRS § 5387.]
 (1) 1911 c 89 § 1 amended seven Rem. & Bal. sections which codifications have subsequently treated as individual sections, although combining some.
- 29.85.030 Source—[Code 1881 § 3146; 1865 p 51 § 7; No RRS.]
- 29.85.040 Source—[1893 c 115 § 1; RRS § 5395.]
 (1) "guilty of a misdemeanor and upon conviction thereof shall be" restored before "sentenced".
- 29.85.050 Source—[Code 1881 § 902; 1873 p 204 § 101; 1854 p 92 § 92; RRS § 5390.]
- 29.85.060 Source—[(i) 1911 c 89 § 1, part; Code 1881 § 904; 1873 p 204 § 103; 1854 p 93 § 94; RRS § 5386. (ii) 1911 c 89 § 1, part; 1901 c 142 § 1; Code 1881 § 909; 1873 p 205 § 106; 1865 p 50 § 1; 1854 p 93 § 97; RRS § 5388.]
 (1) As to 1911 c 89 § 1, part, see 29.85.020(1) above.
 (2) "pursuant to law" restored to "pursuant to the laws of the state".
- 29.85.070 Source—[Code 1881 § 3140; RRS § 5389.]
- 29.85.080 Source—[Code 1881 § 3148; RRS § 5394.]
 (1) "in any election hereinafter mentioned, under the laws of this state" restored following "candidate for office".
 (2) "state, county, municipal, whatever" restored following "public officer".
 (3) "be deemed guilty of a misdemeanor and" restored before "on conviction".

- 29.85.090 Source—[1907 c 209 § 32; RRS § 5207.] Explanatory note.
 (1) “, directly or indirectly, any money, intoxicating liquor, or” restored following “or demands”.
 (2) “at the polls or other place prior to or on the day of any primary election” restored following “other person”.
- 29.85.100 Source—[1889 p 411 § 30; RRS § 5295.]
- 29.85.110 Source—[(i) 1889 p 412 § 31; RRS § 5296.]
 (1) 1935 c 108 § 3, part, decodified; reunited with other part as 29.85.230.
 (2) Session law language restored after “conveniences” to read “placed in the voting booths for the purpose of enabling the voter to prepare his ballot, or who, prior to or on election day, wilfully defaces or destroys any posted list of candidates, or during an election tears down or defaces cards of instruction for voters shall . . .”
- 29.85.120 Source—[1911 c 116 § 8; RRS § 9097.]
- 29.85.130 Source—[1911 c 116 § 9; RRS § 9098.]
 (1) Session law language restored after “upon conviction,” to read “be guilty of a misdemeanor and fined a sum of not less than one hundred dollars nor more than five hundred dollars and be imprisoned in the county jail . . .”
- 29.85.140 Source—[1907 c 209 § 35; RRS § 5210.]
- 29.85.150 Source—[Code 1881 § 910; 1873 p 205 § 107; RRS § 5391.]
- 29.85.160 Source—[1915 c 114 § 7, part; 1913 c 58 § 13, part; RRS § 5313, part.]
 (1) Other parts codified as 29.51.130, 29.51.140, 29.51.150, 29.51.160, 29.51.200 and in 29.48.030, 29.51.070, 29.51.190, 29.51.220 and 29.51.050 .
- 29.85.170 Source—[(i) 1889 p 412 § 32; RRS § 5297. (ii) 1911 c 89 § 1, part; Code 1881 § 912; 1877 p 205 § 2; RRS § 5392.]
 (1) As to 1911 c 89 § 1, see 29.85.020(1) above.
- 29.85.180 Source—[1907 c 209 § 34; RRS § 5209.]
- 29.85.190 Source—[1933 c 1 § 26; RRS § 5114-26. Prior: 1889 p 418 § 15; RRS § 5133.]
 (1) RCW section rewritten to restore session law content.
- 29.85.200 Source—[1933 c 1 § 27; RRS § 5114-27. Prior: 1893 c 45 § 5; 1889 p 418 § 16; RRS § 5136.]
- 29.85.210 Source—[1911 c 89 § 1, part; Code 1881 § 903; 1873 p 204 § 102; 1865 p 51 § 5; 1854 p 93 § 93; RRS § 5383.]
 (1) See 29.85.020(1) above.
 (2) “shall be punished as for a gross misdemeanor, and also adjudged incapable” restored to “shall be guilty of a gross misdemeanor, and shall be incapable”.
- 29.85.220 Source—[1911 c 89 § 1, part; Code 1881 § 911; 1873 p 205 § 108; RRS § 5385.]
 (1) See 29.85.020(1) above.
- 29.85.230 Source—[1935 c 108 § 3, part; RRS § 5339-3, part.]
 (1) See 29.85.110(1) above.
 (2) “for any person to remove or deface the posted copy of the result of votes cast at their precinct or” added following “misdemeanor” on restoration of section part.
- 29.85.240 Source—[1911 c 89 § 1, part; Code 1881 § 905; 1873 p 204 § 104; 1865 p 51 § 4; 1854 p 93 § 95; RRS § 5384.]
 (1) See 29.85.020(1) above.
 (2) “for any office whatever” restored following “in this state”.
- 29.85.250 Source—[1935 c 100 § 2; RRS § 5291-2.]
 (1) Decodified; see 29.51.215 above.
- 29.85.260 Source—[1913 c 58 § 16; RRS § 5316.]
 (1) “guilty of a felony and shall be” restored before “punished”.
- 29.85.270 Source—[1959 c 112 § 1; 1955 c 317 § 1.]
- 29.85.280 Source—[1955 c 317 § 2.]

Chapter 29.98 Construction

Explanatory
note.

- 29.98.010 This section has been added to preserve continuity with the laws which this bill reenacts.
- 29.98.020 Provides that chapter, etc., headings are not part of the law.
- 29.98.030 Severability.
- 29.98.040 Repeals and saving. Except as to certain obsolete or temporary sections, the laws set forth in the schedule of repeals were either repealed previously or are substantially reenacted in this bill.
- 29.98.050 Emergency clause.

CHAPTER 10.

[Second Substitute Senate Bill No. 34.]

NUCLEAR ENERGY.

AN ACT relating to nuclear industry; establishing a revolving fund designated the "perpetual maintenance fund"; amending section 43.31.040, chapter 8, Laws of 1965 (Senate Bill No. 4) and RCW 43.31.040; amending section 4, chapter 207, Laws of 1961 and RCW 70.98.040; adding new sections to chapter 8, Laws of 1965 (Senate Bill No. 4) and to chapter 43.31 RCW; and declaring an emergency.

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

SECTION 1. There is added to chapter 8, Laws of 1965 (Senate Bill No. 4) and to chapter 43.31 RCW a new section to read as follows:

New section.

It is the intent of the legislature that the state through the department of commerce and economic development shall:

Nuclear industry, promotion of.

(1) Encourage, promote and cooperate in the development of the use of nuclear energy for peaceful and productive purposes;

Purpose—Scope.

(2) Translate the state's nuclear resources and position in the nuclear energy field from an exclusive federal base to one with a healthy private enterprise component;

(3) Stimulate the nuclear possibilities of the state by catalyzing the interest of industry; agriculture and education around the state's nuclear resources and opportunities;