

# HOUSE OF REPRESENTATIVES

Olympia, Washington

## Bill Analysis

Bill No. HB 1593

Regulation of poll-site counting devices.

Brief title

Hearing Date 2/10/99

Reps Edmonds, Bush and Miloscia

Sponsor(s)

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State Government Committee

Phone 786-7127

### BACKGROUND:

Statutes provide details about how elections are conducted, including requirements for the use of paper ballots, voting machines, and electronic devices. These requirements set out protocols for checking voting devices and counting ballots.

### SUMMARY:

A number of requirements established for poll-site counting devices and various election provisions are altered or eliminated.

#### 1. Requirements for voting precincts.

Requirements for precincts using voting machines, electronic counting devices, and these precincts must have an adequate number of devices, at least one voting machine for every 300 active registered voters, or a major fraction thereof in a primary or general election, or an even-numbered year. The auditor may determine the number of poll-site counting devices at these precincts.

The requirements are eliminated that at least one voting machine be provided for every 50 active registered voters in a precinct where paper ballots are used.

#### 2. Invalidation of ballots.

Absent ballots shall be marked at polling places, and invalid if they are marked so as to identify a voter.

#### 3. Procedures for election officials at precincts.

Procedures and requirements for poll-site counting devices are established, and procedures for using voting machines are eliminated.

a. Testing of devices.

Electoral officials must see the number on each poll-ballot counting device agree with the control number provided by the election department. If the numbers do not agree, the device is not used. The poll may be opened pending examination of the device if the numbers agree. The electoral officials initial the device and see whether the counter registers 000. The counter is reset to 000 if another number appears and the electoral official finds that the ballot is empty.

Ballots may only be processed through voting device poll-ballot counting device if a zero report is produced. The inspector and at least one of the judges must verify a zero ballot has been run through the machine and that all totals for each officer are zero. If the totals are not zero, the inspector then resets the device or contacts the election department. The device allows continuing through the auxiliary emergency device.

b. Use of poll-ballot counting device.

Voters are provided with instructions on how to use poll-ballot counting devices. Each poll-ballot counting device must be programmed to return blank ballot on overvote. Ballots for private examination steps must be taken to ensure the secrecy of the ballot. A ballot is returned to a poll-ballot counting device if the voter remarques the original ballot, requests a new ballot, or completes a special ballot and returns the ballot as a special ballot.

c. Failure of a poll-ballot counting device.

If a poll-ballot counting device fails to operate during polling hours, voting must continue and ballots are deposited in a tabulation secure ballot compartment separate from the tabulation ballots.

d. Programmed memory pack.

The programmed memory pack for each poll-ballot counting device must be sealed at the device during final preparation and testing. Except when the device breaks down, the memory pack must remain sealed. The device is not to be opened until reports and telephonic transmission of results have been completed. The precinct electoral officials are responsible for transferring the sealed voted ballots to ensure that the memory pack is returned to the election department. If the device is returned, the memory pack must remain sealed. The device if the device remains at the polling place, the precinct electoral official breaks the seal, removes the memory pack, and seals and returns the memory pack and seal along with regular ballots and special ballots to the election department election day.

e. Telephonic transmission of accumulatedly.

The accumulatedly for each poll-ballot counting device may be telephonically transmitted to the central reporting station. A printed record must be made of the results. The electoral officials for any telephonic transmission. During canvass of the election results, telephonic transmission is considered unofficial. A complete reconciliation of the results has been performed. Reconciliation is completed by directing the results from the memory pack in the central accumulation by comparing the report produced by the polling station election

night with the results received by the central accumulator.

f Return of ballots.

All ballots by poll-south day are to be returned to the election department sealed ballot  
containers immediately. However, ballots in counties that comprise entire islands and  
from islands in any other county must be collected within 24 hours of the close of polls. The ballots  
are sealed by two of the election precinct officers at the polling place. A log of the seals and the names of  
the people sealing them must be completed. A copy of the log is retained by the inspector. A copy  
is placed in the ballot transfer and a copy is transported with the ballots to the election department  
where the seals must be verified by the county auditor or a designated representative. Ballots may be  
transported by election employees if the containers are sealed and the seals are verified when returned  
to the election department.

Counted ballots may be picked up prior to the close of polls and may be counted at the county center prior  
to the close of the polls, but the election returns must be held secret.

g. Provisions relating to voting machines.

Various laws relating to voting machines are repealed.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill passed.