

SB 5744 - S AMD 48
By Senator Mulliken

NOT ADOPTED 03/04/2005

1 On page 1, after line 3, insert the following:

2 "NEW SECTION. **Sec. 1.** The uniform application of election laws,
3 rules, and procedures is of the paramount importance to the citizens of
4 this state. It is the intent of the legislature to make all voting
5 precincts in each county have the same population, as nearly as is
6 practical. This act therefore applies to all counties, including
7 without limitation counties operating under a home rule charter.

8 **Sec. 2.** RCW 29A.16.040 and 2004 c 266 s 10 are each amended to
9 read as follows:

10 The county legislative authority of each county in the state
11 (~~((hereafter formed))~~) shall(~~(, at their first session,~~)~~,~~) divide their
12 respective counties into election precincts and establish the
13 boundaries of the precincts. Within each county, all precincts must
14 have the same number of active registered voters, as nearly as is
15 practical. The county auditor shall thereupon designate the voting
16 place for each such precinct or whether the precinct is a vote by mail
17 precinct.

18 (1) Precinct boundaries may be altered at any time as long as
19 sufficient time exists prior to a given election for the necessary
20 procedural steps to be honored. Except as permitted under subsection
21 (~~((5))~~) (3) of this section, no precinct boundaries may be changed
22 during the period starting on the thirtieth day prior to the first day
23 for candidates to file for the primary election and ending with the day
24 of the general election.

25 (2) The county legislative authority may establish by ordinance a
26 limitation on the maximum number of active registered voters in each
27 precinct within its jurisdiction. (~~The limitation may be different~~
28 ~~for precincts based upon the method of voting used for such precincts~~

1 ~~and the number may be less than the number established by law, but in~~
2 ~~no case may the number exceed that authorized by law.~~

3 ~~(3) Precincts in which voting machines or electronic voting devices~~
4 ~~are used may contain as many as nine hundred active registered voters.~~
5 ~~The number of poll site ballot counting devices at each polling place~~
6 ~~is at the discretion of the auditor. The number of devices must be~~
7 ~~adequate to meet the expected voter turnout.~~

8 ~~(4) On petition of twenty five or more voters resident more than~~
9 ~~ten miles from any polling site, the county legislative authority shall~~
10 ~~establish a separate voting precinct therefor.~~

11 ~~(5))~~ (3) The county auditor shall temporarily adjust precinct
12 boundaries when a city or town annexes unincorporated territory to the
13 city or town, or whenever unincorporated territory is incorporated as
14 a city or town. The adjustment must be made as soon as possible after
15 the approval of the annexation or incorporation. The temporary
16 adjustment must be limited to the minimum changes necessary to
17 accommodate the addition of the territory to the city or town, or to
18 establish the eligible voters within the boundaries of the new city or
19 town, and remains in effect only until precinct boundary modifications
20 reflecting the annexation or incorporation are adopted by the county
21 legislative authority.

22 ~~((+6))~~ (4) In determining the number of active registered voters
23 for the purposes of this section, persons who are ongoing absentee
24 voters under RCW 29A.40.040 shall not be counted. Nothing in this
25 subsection may be construed as altering the vote tallying requirements
26 of RCW 29A.60.230.

27 **Sec. 3.** RCW 29A.16.050 and 2003 c 111 s 405 are each amended to
28 read as follows:

29 (1) Every voting precinct must be wholly within a single
30 congressional district, a single legislative district, a single
31 district of a county legislative authority, and, if applicable, a
32 single city.

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

35 (3) Except as provided in this subsection, changes to the
36 boundaries of any precinct shall follow visible, physical features
37 delineated on the most current maps provided by the United States

1 census bureau. A change need not follow such visible, physical
2 features if (a) it is necessitated by an annexation or incorporation
3 and the proposed precinct boundary is identical to an exterior boundary
4 of the annexed or incorporated area which does not follow a visible,
5 physical feature; ~~((or))~~ (b) doing so would substantially impair
6 election administration in the involved area; or (c) doing so would
7 result in an unequal number of active registered voters among the
8 various precincts of that county.

9 (4) After a change to precinct boundaries is adopted by the county
10 legislative authority, if the change does not follow visible physical
11 features, the county auditor shall send to the secretary of state an
12 electronic or paper copy of the description, a map or maps of the
13 changes, and a statement of the applicable exception under subsection
14 (3) of this section. For boundary changes made pursuant to subsection
15 (3)(b) of this section, the auditor shall include a statement of the
16 reasons why following visible, physical features would have
17 substantially impaired election administration.

18 (5) Every voting precinct within each county shall be designated by
19 number for the purpose of preparation of maps and the tabulation of
20 population for apportionment purposes. These precincts may be
21 identified with names or other numbers for other election purposes.

22 (6) After a change to precinct boundaries in a city or town, the
23 county auditor shall send one copy of the map or maps delineating the
24 new precinct boundaries within that city or town to the city or town
25 clerk.

26 (7) Precinct maps are public records and shall be available for
27 inspection by the public during normal office hours in the offices
28 where they are kept. Copies shall be made available to the public for
29 a fee necessary to cover the cost of reproduction.

30 **Sec. 4.** RCW 29A.16.060 and 2003 c 111 s 406 are each amended to
31 read as follows:

32 ~~((At any special election or primary, the county auditor may
33 combine, unite, or divide precincts and may combine or unite election
34 boards for the purpose of holding such election.))~~ At any general
35 election, the county auditor may combine or unite election boards for
36 the purpose of holding such election, but shall report all election
37 returns by individual precinct."

1 Renumber the section following consecutively.

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2 In line 1 of the title, after "Relating to" strike the remainder of
3 the title and insert "election procedures; amending RCW 29A.16.040,
4 29A.16.050, 29A.16.060, and 29A.48.010; and creating a new section."

EFFECT: Requires that all precincts must have the same number of active registered voters as is nearly practical.

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