

# SENATE BILL REPORT

## SB 5564

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As Passed Senate, March 4, 2005

**Title:** An act relating to a manual of election laws and rules.

**Brief Description:** Requiring the secretary of state to prepare a manual of election laws and rules.

**Sponsors:** Senators Schmidt, Kastama, Weinstein, Roach, Shin, Rockefeller, Oke and Kohl-Welles.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/14/05, 2/17/05 [DP-WM, DNP].

Passed Senate: 3/4/05, 38-10.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Roach, Ranking Minority Member; Fairley, Kline, Mulliken and Pridemore.

**Minority Report:** Do not pass.

Signed by Senators Haugen and McCaslin.

**Staff:** Diane Smith (786-7410)

**Background:** The vote-counting center is the facility designated by the county auditor to count and canvass mail ballots, absentee ballots and polling place ballots that are transferred to a central site to be counted, rather than being counted by a poll-site ballot counting device, on the day of a primary or election.

Observers from each major political party, if they have been appointed by their parties, and members of the public, observe the counting of voted ballots by the county auditor at the counting centers. Only those persons employed and authorized by the county auditor may touch the ballots, ballot containers, or operate vote tallying equipment.

Canvassing is done by the county canvassing board. This board is chaired by the county auditor and includes the county prosecutor, and the chair of the county legislative authority, or their designees. The board must adopt administrative rules to facilitate and govern the canvassing process in its jurisdiction. These rules must be adopted in a public meeting and be available to the public for review and copying.

Recounts are performed by the canvassing board, the only persons who may handle the ballots, and observed by all witnesses in attendance.

The Secretary of State is the chief election officer for all federal, state, county, city, town, and district elections.

**Summary of Bill:** The Secretary of State must prepare a manual for use during vote counting, recounting, tabulation, and canvassing. The manual must be in easy-to-understand, plain language and available in all vote-counting centers in the state.

**Appropriation:** None.

**Fiscal Note:** Available. Fiscal impact anticipated to be below \$50,000 per fiscal year.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Pierce county already has a canvassing board manual, as does the secretary of state. This can be considered an "SOP manual" that provides consistent, plain-spoken answers, especially to the public, when questions arise at polling places.

**Testimony Against:** None.

**Who Testified:** PRO: Katie Blinn, the Office of the Secretary of State; Pat McCarthy, Pierce County Auditor.