

SENATE BILL REPORT

SB 6423

As Reported By Senate Committee On:
Government Operations & Elections, February 2, 2006

Title: An act relating to absentee or provisional ballot notice requirements.

Brief Description: Modifying absentee or provisional ballot notice requirements.

Sponsors: Senators Haugen and Kastama.

Brief History:

Committee Activity: Government Operations & Elections: 1/24/06, 2/2/06 [DPS, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 6423 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken and Pridemore.

Minority Report: That it be referred without recommendation.

Signed by Senator Roach, Ranking Minority Member.

Staff: Mac Nicholson (786-7445)

Background: If a voter fails to sign the outside envelope on an absentee or provisional ballot, or if the signature doesn't match the signature on the registration file, the auditor is required to notify the voter of the problem by telephone. If the auditor is unable to contact the voter by telephone, the auditor may send notice by first class mail.

In order to correct a mismatched signature, the voter must appear in person and sign a new registration form or sign a copy of an affidavit, provided by the auditor, and return it no later than the day before certification. If the signature on the affidavit does not match the signature on the registration record, the voter must appear in person and sign a new registration form.

Summary of Substitute Bill: The requirement that the auditor notify all voters with signature problems by telephone is removed. Instead, notice is mailed to the voters by first class mail. If the ballot is received within three business days of the final meeting of the canvassing board, then the auditor must attempt to notify the voter by telephone.

In cases of a mismatched signature, the auditor is to include a voter registration form with the notice sent to the voter. The requirement that a voter appear in person and sign a new registration, or sign a copy of the affidavit provided by the auditor, in order to correct a mismatched signature is removed. Instead, the voter is required to provide a new registration.

Substitute Bill Compared to Original Bill: In the original bill, a phone call was required if the ballot was received within 48 hours of the final meeting of the canvassing board. The substitute changes that time period to three business days.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: The auditors' experience after the last election is that its not effective to call voters and notify them of signature problems on their absentee ballots. Its more effective to mail them notice, which is something that auditors do anyway. Appearing in person to correct a mismatched signature is burdensome to many voters who have to commute long distances to get to the auditor's office. Given that we allow registration by mail, it makes sense to allow voters to fix or update their signatures by mail also.

Testimony Against: None.

Who Testified: PRO: Suzanne Sinclair and Bob Terwilliger, Washington Association of County Auditors.