
ENGROSSED SUBSTITUTE HOUSE BILL 2594

State of Washington

59th Legislature

2006 Regular Session

By House Committee on State Government Operations & Accountability
(originally sponsored by Representatives Hasegawa, McCoy, Santos,
Pettigrew, Kenney, Hudgins, Upthegrove, Hunt, O'Brien, Haigh, Kagi
and Dickerson)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to bilingual voting assistance; amending RCW
2 29A.44.410; reenacting and amending RCW 29A.44.240; creating new
3 sections; and providing expiration dates.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The purpose of this act is to create a task
6 force to effectuate the legislature's intent to enact section 203 of
7 the voting rights act.

8 This section expires January 31, 2007.

9 NEW SECTION. **Sec. 2.** (1) A joint select legislative task force on
10 increasing voter participation for single-language minority groups is
11 established, with members as provided in this subsection.

12 (a) The president of the senate shall appoint one member from each
13 of the two largest caucuses of the senate.

14 (b) The speaker of the house of representatives shall appoint one
15 member from each of the two largest caucuses of the house of
16 representatives.

17 (c) The president of the senate and the speaker of the house of

1 representatives jointly shall appoint members from each of the
2 following groups:

3 (i) Two members representing county auditors or election directors
4 in counties that are required to provide election materials in a
5 language other than English. One of these members shall be from a
6 county required to provide election materials in Chinese, and one shall
7 be from a county required to provide election materials in Spanish;

8 (ii) Four representatives from bilingual communities;

9 (iii) Two representatives from an organization with expertise with
10 section 203 of the voting rights act;

11 (iv) One representative of an organization that has expertise in
12 civil liberties.

13 (d) The office of the secretary of state shall cooperate with the
14 task force and maintain a liaison representative, who shall be a
15 nonvoting member. The office shall cooperate with the task force and
16 provide information as the cochairs may reasonably request.

17 (e) Appointments under this subsection must be made within thirty
18 days of the effective date of this section.

19 (f) The task force shall choose its cochairs from among its
20 legislative membership.

21 (2) The task force shall:

22 (a) Make recommendations on implementing the requirements of
23 section 203 of the voting rights act within the state;

24 (b) Identify ways to increase voter participation by single-
25 language minority groups who do not speak or understand English
26 adequately enough to participate in the electoral process;

27 (c) Recommend parameters for providing languages other than English
28 on voting and election materials; and

29 (d) Make other recommendations as necessary.

30 (3) Staff support for the task force shall be provided by the
31 senate committee services and the house of representatives office of
32 program research.

33 (4) Legislative members of the task force shall be reimbursed for
34 travel expenses in accordance with RCW 44.04.120. Nonlegislative
35 members, except those representing an employer or organization, are
36 entitled to be reimbursed for travel expenses in accordance with RCW
37 43.03.050 and 43.03.060.

1 (5) The expenses of the task force shall be paid jointly by the
2 senate and the house of representatives. Task force expenditures are
3 subject to approval by the senate facilities and operations committee
4 and the house of representatives executive rules committee, or their
5 successor committees.

6 (6) The task force shall report its findings, recommendations, and
7 proposed legislation to the appropriate committees of the legislature
8 by January 2007.

9 (7) This section expires January 31, 2007.

10 **Sec. 3.** RCW 29A.44.240 and 2003 c 111 s 1123 and 2003 c 53 s 180
11 are each reenacted and amended to read as follows:

12 (1) Voting shall be secret except to the extent necessary to assist
13 sensory or physically disabled voters, or voters who require language
14 interpretation.

15 (2) If any voter declares in the presence of the election officers
16 that because of sensory or physical disability he or she is unable to
17 register or record his or her vote, he or she may designate a person of
18 his or her choice or two election officers from opposite political
19 parties to enter the voting machine booth with him or her and record
20 his or her vote as he or she directs.

21 (3) Any voter who requires interpretation assistance may designate
22 a person of his or her choice to enter the voting machine booth with
23 him or her to provide language interpretation and to assist the voter
24 in recording his or her vote. A person who assists with language
25 interpretation under this subsection may not be the voter's employer or
26 be associated with the voter's union.

27 (4) A person violating this section is guilty of a misdemeanor.

28 **Sec. 4.** RCW 29A.44.410 and 2003 c 111 s 1134 are each amended to
29 read as follows:

30 (1) At least ten days prior to any primary or election, general or
31 special, the county auditor shall appoint one inspector and two judges
32 of election for each precinct (or each combination of precincts
33 temporarily consolidated as a single precinct for that primary or
34 election), other than those precincts designated as vote-by-mail
35 precincts pursuant to RCW 29A.48.010. Except as provided in subsection
36 (3) of this section, the persons appointed shall be among those whose

1 names are contained on the lists furnished under RCW 29A.44.430 by the
2 chairpersons of the county central committees of the political parties
3 entitled to representation thereon. Such precinct election officers,
4 whenever possible, should be residents of the precinct in which they
5 serve.

6 (2) The county auditor may delete from the lists of names submitted
7 to the auditor by the chairpersons of the county central committees
8 under RCW 29A.44.430: (a) The names of those persons who indicate to
9 the auditor that they cannot or do not wish to serve as precinct
10 election officers for the primary or election or who otherwise cannot
11 so serve; and (b) the names of those persons who lack the ability to
12 conduct properly the duties of an inspector or judge of election after
13 training in that proper conduct has been made available to them by the
14 auditor. The lists which are submitted to the auditor in a timely
15 manner under RCW 29A.44.430, less the deletions authorized by this
16 subsection, constitute the official nomination lists for inspectors and
17 judges of election.

18 (3) If the number of persons whose names are on the official
19 nomination list for a political party is not sufficient to satisfy the
20 requirements of subsection (4) of this section as it applies to that
21 political party or is otherwise insufficient to provide the number of
22 precinct election officials required from that political party, the
23 auditor shall notify the chair of the party's county central committee
24 regarding the deficiency. The chair may, within five business days of
25 being notified by the auditor, add to the party's nomination list the
26 names of additional persons belonging to that political party who are
27 qualified to serve on the election boards. To the extent that,
28 following this procedure, the number of persons whose names appear on
29 the official nomination lists of the political parties is insufficient
30 to provide the number of election inspectors and judges required for a
31 primary or election, the auditor may appoint a properly trained person
32 whose name does not appear on such a list as an inspector or judge of
33 election for a precinct. The auditor must make reasonable efforts to
34 appoint staff and poll workers who are bilingual. Available bilingual
35 poll workers must be assigned to poll sites based on the language
36 spoken by the poll worker and the population speaking that language in
37 the county.

1 (4) The county auditor shall designate the inspector and one judge
2 in each precinct from that political party which polled the highest
3 number of votes in the county for its candidate for president at the
4 last preceding presidential election and one judge from that political
5 party polling the next highest number of votes in the county for its
6 candidate for president at the same election. The provisions of this
7 subsection apply only if the number of names on the official nomination
8 list for inspectors and judges of election for a political party is
9 sufficient to satisfy the requirements imposed by this subsection.

10 (5) Except as provided in RCW 29A.44.440 for the filling of
11 vacancies, this shall be the exclusive method for the appointment of
12 inspectors and judges to serve as precinct election officers at any
13 primary or election, general or special, and shall supersede the
14 provisions of any and all other statutes, whether general or special in
15 nature, having different requirements.

--- END ---