

SENATE BILL REPORT

2SHB 1572

As Reported by Senate Committee On:
Government Operations & Elections, February 25, 2010

Title: An act relating to all mail elections.

Brief Description: Adopting all mail voting.

Sponsors: House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Hunt, Liias, Appleton, Miloscia and Williams).

Brief History: Passed House: 2/15/10, 57-41.

Committee Activity: Government Operations & Elections: 2/23/10, 2/25/10 [DPA, DNP, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass as amended.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Pridemore.

Minority Report: Do not pass.

Signed by Senator Roach, Ranking Minority Member.

Minority Report: That it be referred without recommendation.

Signed by Senator Swecker.

Staff: Alison Mendiola (786-7483)

Background: As early as 1915 a voter was allowed to cast an absentee ballot if that voter was not able to be present to vote at the polls on election day. In 1933 voters with disabilities and voters over the age of 65 were authorized to vote an absentee ballot. By 1967 a county auditor could designate a mail ballot precinct if the precinct had less than 100 registered voters. By 1974 the Legislature expanded absentee voting to all voters who made a request, and by 1993 those voters could request to vote absentee on an on-going basis. In 2005 county auditors were allowed to conduct all elections entirely by mail ballot with the approval of the county legislative authority. Today all counties, except Pierce County, conduct elections entirely by mail.

Summary of Bill (Recommended Amendments): Vote by Mail. All counties must conduct all elections entirely by mail ballot. County auditors must notify each registered

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voter not receiving an absentee ballot on a regular basis that all future elections will be conducted by mail. The notification must include information on the locations of voting centers.

Definitions. Ballot drop-off site is defined as a site or sites designated by the county auditor in which a voter may deposit his or her ballot in a secure location device on or before election day. A voting center is defined as a facility or facilities designated by the county auditor that serves as a disability access voting location, issues provisional ballots, and serves as a ballot drop-off site.

Voting Centers. A registered voter may transfer his or her voter registration, execute a name change, or obtain a replacement ballot at a voting center. County auditors are required to designate at least one location as a voting center for purposes of disability access voting. Procedural requirements formerly conducted at polling places are required at voting centers, as applicable. Voters must provide identification and sign an oath affirming his or her qualifications to vote.

Requirements for handling ballots and provisional ballots are the same as for poll sites. The county auditor is required to appoint three election officials for each voting center. The appointments must be made at least 20 days prior to a primary or an election. The appointments of election officials for each voting center are the same as the requirements for appointing inspectors and judges of elections.

Precinct Size. Determinations of precinct size are changed from not more than 900 active registered poll voters to a maximum of 2,000 active registered voters. This provision does not go into effect until 2012.

Precinct Committee Officers. A county auditor is to provide for the election of one precinct committee officer positions for every 1,000 registered voters, or a fraction thereof, in a precinct as of the day of the general election in the previous odd-numbered year. The county auditor must designate position numbers for the precinct committee officer positions prior to accepting declarations of candidacy.

Reconciliation Reports. Reconciliation reports prepared by county auditors no longer must include numbers relating to poll voters. A requirement is added to include in the report the total number of ballots received, in addition to the ballots issued, counted, and rejected.

General Provisions and Changes. All references to polls, poll site voting, poll books, poll lists, precinct polling places, poll site ballot counting devices, absentee voting, precinct election officers, and inspectors and judges of election are removed. Where applicable, references to polling place are changed to voting center; absentee ballot is changed to mail ballot; poll workers are changed to election workers; precinct election officers are changed to election officers; and inspectors and judges of election are changed to election observers.

Recodified Statutes. Certain statutes relating to absentee voting are recodified in with statutes relating to voting by mail.

Repealed Statutes. Certain statutes relating to precinct and polling place determination and accessibility; absentee voting; polling place elections and poll workers; voting by mail; canvassing; casting a vote at a polling site; duties of election officers in securing unused ballots at polling sites; and crimes and penalties are repealed.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS & ELECTIONS COMMITTEE (Recommended Amendments): A technical correction was made.

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 except for sections 85 and 90, pertaining to processing ballots and canvassing votes after the expiration of the instant runoff voting pilot project take effect July 1, 2013.

Staff Summary of Public Testimony: PRO: This bill isn't only about Pierce County, it's about all counties because of the language referring to polling places, which is being changed to voting centers. Also there are a lot of technical corrections made to catch up with the actual voting practices. There are no polling centers in 38 of the 39 counties, so the references are outdated. The reference to precinct size is not really a change but an update to the statute, again to keep up with the actual practices. Even in Pierce County there is a higher turnout rate for absentee voters than those who vote in-person. There will still be accessible voting. Conducting all elections by mail decreases the risks of error associated with hiring and managing 1,000 temporary poll workers. A change should be made to the election of precinct committee officers (PCO) since the statute requires a 10 percent vote and you don't have to declare your candidacy before voting. This results in people being elected as PCOs that don't want to be or don't even know they were elected.

Persons Testifying: PRO: Carolyn Weikel, Washington State Association of County Auditors; Kate Blinn, Office of the Secretary of State; Rick DeWitt, 44th District Democrats.