

(iii) Will satisfy need(s) identified in the project sponsor's watershed strategy or plan; and

(iv) Includes only elements eligible under the board's program from which funds were originally allocated.

(3) The board may condition any conversion approval as needed to protect the public habit investment.

[Statutory Authority: RCW 42.17.250, [42.17].260(5), [42.17.]290, 43.21C.120(1), chapters 34.05, 42.30, 77.85 RCW. 01-04-052, § 420-12-085, filed 2/2/01, effective 3/5/01.]

**WAC 420-12-090 Condemnation not eligible.** The board shall not approve any grant for proposals where the title to property is acquired through or as a direct result of condemnation proceedings. All acquisitions must be on a willing-seller basis.

[Statutory Authority: RCW 42.17.250, [42.17].260(5), [42.17.]290, 43.21C.120(1), chapters 34.05, 42.30, 77.85 RCW. 01-04-052, § 420-12-090, filed 2/2/01, effective 3/5/01.]

## Title 434 WAC SECRETARY OF STATE

### Chapters

<b>434-208</b>	<b>Elections.</b>
<b>434-257</b>	<b>Regulations on accessibility of polling places.</b>
<b>434-260</b>	<b>Election review process and certification of election administrators.</b>
<b>434-380</b>	<b>Official candidates' pamphlet—Statements and photographs.</b>
<b>434-381</b>	<b>Voters' pamphlet.</b>

### Chapter 434-208 WAC

#### ELECTIONS

(Formerly chapter 434-08 WAC)

### WAC

434-208-050	Repealed.
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#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

434-208-050	Restrictions on write-in or sticker votes. [98-08-010, recodified as § 434-208-050, filed 3/18/98, effective 3/18/98; Regulation 5, filed 3/24/60.] Repealed by 02-02-039, filed 12/26/01, effective 1/26/02. Statutory Authority: RCW 29.04.080.
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**WAC 434-208-050 Repealed.** See Disposition Table at beginning of this chapter.

### Chapter 434-257 WAC

#### REGULATIONS ON ACCESSIBILITY OF POLLING PLACES

(Formerly chapter 434-57 WAC)

### WAC

434-257-010	Purpose.
434-257-020	Definitions.
434-257-030	Standards for accessible polling places.

[2002 WAC Supp—page 2174]

434-257-050	Repealed.
434-257-070	Report of precincts and polling places.
434-257-080	Repealed.
434-257-090	Accessible polling places—Exceptions.
434-257-100	Procedures for inaccessible polling places.
434-257-120	Repealed.
434-257-130	Voting instructions.
434-257-150	Notice of accessibility.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

434-257-050	Assistance from persons with disabilities. [98-08-010, recodified as § 434-257-050, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-050, filed 3/27/86.] Repealed by 02-02-066, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.57.170.
434-257-080	Examination of inaccessible polling places. [98-08-010, recodified as § 434-257-080, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-080, filed 3/27/86.] Repealed by 02-02-066, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.57.170.
434-257-120	Accessible permanent voter registration facilities. [98-08-010, recodified as § 434-257-120, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-120, filed 3/27/86.] Repealed by 02-02-066, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.57.170.

**WAC 434-257-010 Purpose.** These regulations are adopted pursuant to RCW 29.57.170 to implement the provisions of chapter 29.57 RCW regarding the accessibility of polling places for all elections.

[Statutory Authority: RCW 29.57.170. 02-02-066, § 434-257-010, filed 12/28/01, effective 1/28/02; 98-08-010, recodified as § 434-257-010, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-010, filed 3/27/86.]

**WAC 434-257-020 Definitions.** As used in these regulations:

(1) "Accessible" means the combination of factors which create an environment free of barriers to the mobility or functioning of voters. The environment consists of the routes of travel to and through buildings or facilities used for the purpose of voting.

(2) "Alternative polling place" means an accessible location which could be used as a polling place in the event that the existing site is inaccessible and which is reasonably convenient to assigned voters as determined by the county auditor.

(3) "County auditor" means the county auditor or county election official.

(4) "Election" means any primary, special or general election.

(5) "State of emergency" means any condition which, in the opinion of the county auditor and secretary of state, would interfere with the safe and efficient conduct of an election.

[Statutory Authority: RCW 29.57.170. 02-02-066, § 434-257-020, filed 12/28/01, effective 1/28/02; 98-08-010, recodified as § 434-257-020, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-020, filed 3/27/86.]

**WAC 434-257-030 Standards for accessible polling places.** A polling place is accessible if the standards of the state building code council are met or exceeded. If the stan-

dards cannot be met, alternative accommodations may be permitted under RCW 29.57.090. The following survey form may be used to determine if a polling place is accessible and meets or exceeds the standards of the state building code council. A poll site is fully accessible if all responses in each

category are either "YES" or "N/A." A poll site is considered accessible but inconvenient if all "NO" responses in each category are only in shaded boxes and all responses in the unshaded boxes are either "YES" or "N/A."

### CATEGORY I: PARKING

	YES	NO	N/A
1. Are there off-street parking spaces either permanently or temporarily designated for the people with disabilities?			
2. With regard to off-street parking:			
a. Are such parking spaces at least 96 inches wide with a 60 inch aisle? (One van accessible space 96 inches width with 96 inch aisle.)			
b. Are such parking spaces on level ground (with a slope no greater than a rise of 1 inch in 48 inches)?			
c. Is the parking area firm, stable, smooth and slip resistant?			
d. Are the parking spaces within the shortest possible accessible route of travel?			
e. Is there a curb-cut to connect these parking spaces to an accessible walk or to the building entrance?			
f. Are these parking spaces designated by post-mounted signs bearing the symbol of accessibility?			
3. Is there a relatively level passenger drop-off zone at least 8 feet wide with a curb-cut connecting it to an accessible walk or to the building entrance?			

### CATEGORY II: WALKWAYS OR PATHWAYS TO THE BUILDING

	YES	NO	N/A
1. Is the walkway or pathway to the building paved (concrete, asphalt, macadam, etc.)?			
2. Is the walkway or pathway to the building at least 44 inches wide?			
3. Are all curbs along the pathway to the building cut or ramped with at least 44 inch clear width and with slopes of no more than a 1 inch rise in 20 inches?			
4. Are all stairs or steps along the walkway or pathway to the building either ramped (with a slope of no more than a 1 inch rise in 12 feet) or else provided with a suitable alternative means of access?			
5. Do stair steps along the walkway or pathway to the building have nonslip surfaces and handrails?			
6. Is the walkway or pathway to the building entrance:			
a. Free of protrusions (such as fire hydrants, tree trunks, or other obstacles) which narrow the passage to less than 44 inches?			
b. Free of any abrupt edges or breaks in the surface where the difference is over ½ inch in height (such as where it crosses a driveway, parking lot, or another walkway, etc.)?			

**CATEGORY II:  
WALKWAYS OR PATHWAYS TO THE BUILDING (cont'd)**

	YES	NO	N/A
c. Free of any overhanging objects (such as tree branches, signs, etc.) which hang lower than 79 inches?			
d. Free of any slopes or inclines greater than a 1 inch rise to 20 inches?			
e. Free of any grating with openings of over ½ inch wide?			
7. Are walkways always well lighted?			
8. Are provisions made to ensure that walkways are free of such hazards as ice, snow, leaves, or other debris on the day of election?			
9. Are there signs which identify the accessible route of travel if that route is different from the primary route of travel to the building?			

**CATEGORY III:  
RAMPS AND ELEVATORS ENTERING OR INSIDE THE BUILDING**

	YES	NO	N/A
1. Are building stairs or steps which are over 30 inches high (either at the entrance or between the entrance and the voting area) provided either with a ramp, with an elevator, or with an alternative means of unassisted passage (such as a chair lift or an alternative route of travel)?			
2. With regard to ramps:			
a. Do all ramps have a slope no greater than a rise of 1 inch high for 20 inches of ramp?			
b. Are ramps provided with non-slip surfaces?			
c. For any ramp rising more than 6 inches or longer than 72 inches, is a hand rail provided? (Note: Any ramp with a slope of 1:20 does not need rails.)			
d. Are handrails 34 inches to 38 inches above the ramp surface?			
e. Can handrails be gripped (should be approx. 1 ½ inch from wall, but are not more than 2 inches)?			
f. Are ramps and landing areas with drop-offs provided with a least a 2 inch curb at the side to prevent slipping off the ramps?			
g. If there is a door at the top of the ramp, is there a level space of at least 5 feet by 5 feet where a wheelchair can rest while the door is opened?			

## CATEGORY III:

## RAMPS AND ELEVATORS ENTERING OR INSIDE THE BUILDING (Con't)

	YES	NO	N/A
3. With regard to elevators (if elevators are the only accessible route):			
a. Is the elevator cab at least 54 inches by 68 inches wide?			
b. Do elevator doors provide at least 32 inches clear width?			
c. Are elevator controls less than 54 inches high (i.e. can a person in a chair operate the controls)?			
d. Are control panels marked with raised lettering?			
e. Is the elevator in close proximity to the entrance of the building?			

## CATEGORY IV:

## OTHER ARCHITECTURAL FEATURES

	YES	NO	N/A
1. With regard to doors along the route of travel:			
a. Do all doors have an opening which clears at least 32 inches wide?			
b. Are all door thresholds less than ½ inch high?			
c. Are all doors equipped with arch or lever-type handles, push plates, or automatic openers (so that twisting a doorknob is not required)?			
d. Where automatic doors are used, does the door remain open at least 3 seconds?			
f. Are glass doors marked with safety seals?			
2. With regard to stairs along the route:			
a. Do stairs have a non-slip surface?			
b. Do stairs have handrails 34 to 38 inches above step level?			
e. Can handrails be gripped?			
c. Do all steps have risers (the little vertical walls at the back of each step)?			
e. Do all steps have tread areas at least 11 inches deep?			
g. Are all steps less than 7 inches in height?			

**CATEGORY IV:  
OTHER ARCHITECTURAL FEATURES (cont'd)**

	YES	NO	N/A
g. Are stairs well lit?			
h. Are stairs free of obstacles?			
3. With regard to corridors along the route:			
a. Is the corridor at least 44 inches wide?			
b. Is the corridor free of obstacles or protrusions (such as boxes, water fountains, etc.) which extend more than 4 inches from the wall and higher than 17 inches? If so put a box or planter under obstacle so a person with a visual impairment can identify it with a cane.			
c. Is there sufficient lighting at all points along the route?			
d. Does the corridor have a non-slip surface?			
e. Are all rugs and mats securely fastened? If not try to remove them.			

**CATEGORY V:  
FEATURES WITHIN THE VOTING AREA**

	YES	NO	N/A
1. Are instructions for voting printed in 12 point or larger type in simple language, and plainly displayed? Is Braille or larger print available upon request?			
2. Is there sufficient unobstructed space for the reasonable movement of voters in wheelchairs that still provides privacy?			
3. Can all necessary parts of the voting equipment be reached by a person seated in a chair or, at least, is an alternative means of casting a ballot provided?			
4. Are magnifying devices available for those who request them?			
5. Is there adequate lighting in the voting area?			
6. Is seating available for elderly or handicapped voters awaiting their turn to vote?			

**SUMMARY OF ACCESSIBILITY BY CATEGORIES**

Please review the responses within each category on the previous pages and indicate below whether each category is:

- **INACCESSIBLE** (If there is a "NO" response in *any* unshaded box in the category.)
- **ACCESSIBLE BUT INCONVENIENT** (If all "NO" responses in the category are only in *shaded* boxes and all the responses in the *unshaded* boxes are either "YES" or "N/A".)
- **FULLY ACCESSIBLE** (If *all* responses in the category are either "YES" or "N/A".)

Category	Inaccessible	Accessible But Inconvenient	Fully Accessible
I. Parking			
II. Walkways or pathways to building			
III. Ramps and elevators entering or inside of the building			
IV. Other architectural features			
V. Voting area			
VI. Other			

**OVERALL DETERMINATION OF POLLING PLACE ACCESSIBILITY**

(mark one box only)

If one or more of the categories above is marked "INACCESSIBLE",  
then the polling place is .....INACCESSIBLE ☐

If no category is marked "INACCESSIBLE", but one or more is  
marked "ACCESSIBLE BUT INCONVENIENT", then the polling  
place is .....ACCESSIBLE BUT INCONVENIENT ☐

If *all* categories above are marked "FULLY ACCESSIBLE", then  
the polling place is .....FULLY ACCESSIBLE ☐

**DISPOSITION OF INACCESSIBLE POLLING PLACE**

If the polling place is INACCESSIBLE:

- a. Has an alternative accessible facility been sought?
- b. Are permanent or temporary alterations planned to render the  
polling place accessible in the coming elections?

Yes No

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

**WAC 434-257-050 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-257-070 Report of precincts and polling places.** (1) No later than April 1 of each even-numbered year, each county auditor shall submit to the secretary of state, a report showing the number of precincts and assigned polling places within that county. This report shall specify those polling places which are inaccessible, and what efforts have been made to locate alternative polling places or to make the existing facilities temporarily accessible.

(2) If a county shows all polling places as accessible after two consecutive report periods, no further reports need be submitted unless the secretary of state specifically reinstates the requirement for that county. Notice of reinstatement must be in writing and delivered at least sixty days before the reporting date.

(3) The secretary of state shall review and keep on file the reports of polling places submitted by each county auditor.

[Statutory Authority: RCW 29.57.170. 02-02-066, § 434-257-070, filed 12/28/01, effective 1/28/02; 98-08-010, recodified as § 434-257-070, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-070, filed 3/27/86.]

**WAC 434-257-080 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-257-090 Accessible polling places—Exceptions.** An inaccessible polling place shall not be used in any election unless the following conditions have been met:

(1) The county auditor has made a reasonable effort to locate an alternative polling place and that measures to temporarily modify the existing polling place are not feasible, and

(2) The registered voters assigned to such an inaccessible polling place have been notified as required, or

(3) The secretary of state has determined that a state of emergency exists.

[Statutory Authority: RCW 29.57.170. 02-02-066, § 434-257-090, filed 12/28/01, effective 1/28/02; 98-08-010, recodified as § 434-257-090, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-090, filed 3/27/86.]

**WAC 434-257-100 Procedures for inaccessible polling places.** (1) No later than thirty days before an election, the county auditor shall mail a notice to each registered voter assigned to an inaccessible polling place which has been authorized for use under these rules and shall contain the following information:

(a) The polling place for that precinct is inaccessible, for the election or elections indicated in the notice, according to the accessibility standards established for voters. The extent and nature of inaccessibility shall be specified.

(b) No later than twenty days before the election or elections indicated in the notice, voters may request to be assigned to an alternative polling place as listed in the notice, or may request to vote by absentee ballot.

[2002 WAC Supp—page 2180]

(c) An absentee ballot request form or instructions for requesting an absentee ballot for the specific election or elections indicated in the notice.

(2) Subsequent to the transmittal of a notice under (1) of this section and no later than thirty days before the next election, the county auditor shall also notify any person who registers to vote and is assigned to a precinct for which the polling place is inaccessible.

(3) The county auditor shall make the following accommodations in voting procedures necessary to allow the use of alternative polling places by voters:

(a) The county auditor shall assemble election materials for voters who request to vote at an alternative polling place. The following materials shall be separated according to the precinct in which the voters are registered and placed into an envelope which clearly identifies that precinct:

(i) A poll book or precinct list which contains the names of only those voters from that precinct assigned to the alternative polling place;

(ii) A ballot for each voter from the precinct in which that voter is registered;

(iii) An envelope for voted ballots which is clearly marked "Ballots for Precinct . . . . . from Alternative Polling Place . . . . .";

(iv) Instructions for the precinct election officers.

(b) The procedures for voting and ballot tabulation for all ballots cast by a voter at an alternative polling place shall be as follows:

(i) The voter shall be given a ballot from the precinct in which that voter is registered and contains all the issues and candidates for which that voter is legally qualified to vote. For lever machine precincts, the voter shall be provided with an appropriate paper ballot.

(ii) After the voter has cast his or her ballot, the ballot shall be placed in a separate ballot box or an envelope designated for ballots cast in an alternative polling place.

(iii) Following the close of the polls, ballots shall be transmitted in the designated envelopes to the county auditor's office. Within each county, all ballots cast at alternative polling places shall be canvassed and reported by legislative district separately from absentee or question ballots.

[Statutory Authority: RCW 29.57.170. 02-02-066, § 434-257-100, filed 12/28/01, effective 1/28/02; 98-08-010, recodified as § 434-257-100, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-100, filed 3/27/86.]

**WAC 434-257-120 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-257-130 Voting instructions.** Each county auditor shall conspicuously display voting instructions, printed in at least 16-point bold type, at each polling place on the day of the election.

[Statutory Authority: RCW 29.57.170. 02-02-066, § 434-257-130, filed 12/28/01, effective 1/28/02; 98-08-010, recodified as § 434-257-130, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-130, filed 3/27/86.]

**WAC 434-257-150 Notice of accessibility.** Each county auditor shall include a list of polling places, indicating

those polling places which are accessible according to the standards for voters, in the notice of election published under RCW 29.27.030 and 29.27.080.

[Statutory Authority: RCW 29.57.170. 02-02-066, § 434-257-150, filed 12/28/01, effective 1/28/02; 98-08-010, recodified as § 434-257-150, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.57.170. 86-08-045 (Order 86-02), § 434-57-150, filed 3/27/86.]

**Chapter 434-260 WAC**  
**ELECTION REVIEW PROCESS AND**  
**CERTIFICATION OF ELECTION**  
**ADMINISTRATORS**  
 (Formerly chapter 434-60 WAC)

**WAC**

434-260-220	Certification of election administrators.
434-260-225	Certification of assistant election administrators.
434-260-300	Maintaining certification as an election administrator.
434-260-305	Maintaining certification as an assistant election administrator.
434-260-307	Lapse of certification of election administrator.
434-260-309	Lapse of certification of assistant election administrator.

**WAC 434-260-220 Certification of election administrators.** Election administrators shall become certified upon completion of the following:

(1) Completion of the secretary of state's mandatory orientation course;

(2) Two years' continuous service as an election administrator immediately prior to the date of a request for initial certification;

(3) Taking and passing the open book written test described in WAC 434-260-260;

(4) A minimum of forty hours participation in conferences and workshops involving elections related subjects or subjects approved by the election administration and certification board and sponsored by:

- (a) Washington Association of County Auditors;
- (b) Secretary of state;
- (c) The Elections Center;
- (d) Visiting other county election departments for training and/or orientation purposes (maximum four hours);
- (e) The Federal Election Commission;
- (f) Other national associations related to elections or government administration, approved by the Election Administration and Certification Board; or
- (g) Other conferences or courses approved by the Election Administration and Certification Board.

Such training shall be received not more than five years prior to the date of a request for initial certification and shall include at least thirty hours of election-specific training.

(5) A high school diploma or its equivalent.

[Statutory Authority: RCW 29.60.020. 01-11-111, § 434-260-220, filed 5/21/01, effective 6/21/01; 99-12-004, § 434-260-220, filed 5/19/99, effective 6/19/99; 98-08-010, recodified as § 434-260-220, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.60.020. 94-07-018, § 434-60-220, filed 3/8/94, effective 4/8/94.]

**WAC 434-260-225 Certification of assistant election administrators.** Assistant election administrators shall become certified upon completion of the following:

(1) The secretary of state's mandatory orientation course;

(2) One year continuous service in election administration immediately prior to the date of a request for initial certification;

(3) Passing the open book test described in WAC 434-260-260;

(4) A minimum of twenty hours participation in conferences and workshops sponsored by those organizations listed in WAC 434-260-220(4). Such training shall be received within five years prior to the date of a request for certification and shall include at least fifteen hours of election-specific training;

(5) A high school diploma or equivalent.

[Statutory Authority: RCW 29.60.020. 01-11-111, § 434-260-225, filed 5/21/01, effective 6/21/01; 99-12-004, § 434-260-225, filed 5/19/99, effective 6/19/99.]

**WAC 434-260-300 Maintaining certification as an election administrator.** After attaining initial certification the election administrator is responsible for maintaining his or her certification. Maintenance of certification shall consist of:

(1) Continuous service as an election administrator during the year for which maintenance is required;

(2) Participation in an annual minimum of eighteen hours of continuing education, at least six hours of which shall be on election-specific training. This training may be received at any election oriented workshop or conference sponsored by any of the organizations listed in WAC 434-260-220. In addition to receiving credit for participation in election workshops or conferences, election administrators may also receive a maximum of two hours for visiting other county election departments for training purposes and for any other training approved by the elections administration and certification board.

[Statutory Authority: RCW 29.60.020. 01-11-111, § 434-260-300, filed 5/21/01, effective 6/21/01; 99-12-004, § 434-260-300, filed 5/19/99, effective 6/19/99; 98-08-010, recodified as § 434-260-300, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.60.020. 94-07-018, § 434-60-300, filed 3/8/94, effective 4/8/94.]

**WAC 434-260-305 Maintaining certification as an assistant election administrator.** After attaining initial certification the assistant election administrator is responsible for maintaining his or her certification. Maintenance of certification shall consist of participation in an annual minimum of six hours of continuing education, at least two hours of which shall be on election-specific training. This training may be received at an election oriented workshop or conference sponsored by any of the organizations listed in WAC 434-260-220. In addition to receiving credit for participation in workshops and conferences, assistant election administrators may also receive a maximum of two hours for visiting other county election departments for training purposes and for any other training approved by the elections administration and certification board.

[Statutory Authority: RCW 29.60.020. 01-11-111, § 434-260-305, filed 5/21/01, effective 6/21/01; 99-12-004, § 434-260-305, filed 5/19/99, effective 6/19/99.]



**WAC 434-260-307 Lapse of certification of election administrator.** Certification as an election administrator shall lapse when minimum requirements for maintaining certification are not met for two consecutive years. Recertification shall occur upon the following:

- (1) Completion of the secretary of state's mandatory orientation course;
- (2) Two years continuous service as an election administrator immediately prior to the date of a request for recertification;
- (3) Taking and passing the open book written test described in WAC 434-260-260;
- (4) A minimum of forty hours participation in conferences and workshops sponsored by those organizations listed in WAC 434-260-220(4). Such training shall be attended within five years prior to the date of a request for recertification and shall not include more than twenty hours of training used for prior certification and maintenance.

An election administrator shall be allowed one recertification in any five-year period.

[Statutory Authority: RCW 29.60.020. 01-11-111, § 434-260-307, filed 5/21/01, effective 6/21/01.]

**WAC 434-260-309 Lapse of certification of assistant election administrator.** Certification as an assistant election administrator shall lapse when minimum requirements for maintaining certification are not met for two consecutive years. Recertification may occur upon completion of the following:

- (1) Completion of the secretary of state's mandatory orientation course;
- (2) Completion of one year continuous service in election administration immediately prior to the date of a request for recertification;
- (3) Taking and passing the open book written test described in WAC 434-260-260;
- (4) A minimum of twenty hours participation in conferences and workshops sponsored by those organizations listed in WAC 434-260-220(4). Such training shall be attended within five years prior to the date of a request for recertification and shall not include more than ten hours of training used for prior certification and maintenance.

An assistant election administrator shall be allowed one recertification in any five-year period.

[Statutory Authority: RCW 29.60.020. 01-11-111, § 434-260-309, filed 5/21/01, effective 6/21/01.]

### Chapter 434-380 WAC

#### OFFICIAL CANDIDATES' PAMPHLET— STATEMENTS AND PHOTOGRAPHS

#### WAC

434-380-010 through 434-380-070 Repealed.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

434-380-010 Deadline for submission of statements and photographs. [98-08-010, recodified as § 434-380-010, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-010, filed

434-380-020

434-380-030

434-380-040

434-380-050

434-380-060

434-380-070

8/9/78.] Repealed by 02-02-065, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.  
Rejection of statement or photograph. [98-08-010, recodified as § 434-380-020, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-020, filed 8/9/78.] Repealed by 02-02-065, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.  
Photographs. [98-08-010, recodified as § 434-380-030, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-030, filed 8/9/78.] Repealed by 02-02-065, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.  
Length of statements. [98-08-010, recodified as § 434-380-040, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-040, filed 8/9/78.] Repealed by 02-02-065, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.  
Restrictions on style for candidates' statement. [98-08-010, recodified as § 434-380-050, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-050, filed 8/9/78.] Repealed by 02-02-065, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.  
Content of statements for candidates' pamphlet. [98-08-010, recodified as § 434-380-060, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-060, filed 8/9/78.] Repealed by 02-02-065, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.  
Editing and review. [98-08-010, recodified as § 434-380-070, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-070, filed 8/9/78.] Repealed by 02-02-065, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

**WAC 434-380-010 through 434-380-070 Repealed.**  
See Disposition Table at beginning of this chapter.

### Chapter 434-381 WAC

#### VOTERS' PAMPHLET

(Formerly chapter 434-81 WAC)

#### WAC

434-381-010 Repealed.  
434-381-020 Repealed.  
434-381-030 Repealed.  
434-381-040 Repealed.  
434-381-050 Repealed.  
434-381-060 Repealed.  
434-381-070 Repealed.  
434-381-080 Repealed.  
434-381-090 Repealed.  
434-381-100 Repealed.  
434-381-110 Committee contacts.  
434-381-120 Deadlines.  
434-381-130 Size and quality of photographs.  
434-381-140 Restriction on photographs.  
434-381-150 Rejection of photographs.  
434-381-160 Listing committee names and contact information.  
434-381-170 Statement and argument format.  
434-381-180 Editing statements and arguments.  
434-381-190 Prevention of art work, photographs or other material by candidate.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

434-381-010 Committees to write arguments for and against constitutional amendments, referendum bills, and alternatives to initiatives to the legislature. [98-08-010, recodified as § 434-381-010, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-010, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

- 434-381-020 Committees to write arguments for and against initiatives, initiatives to the legislature, and referendum measures. [98-08-010, recodified as § 434-381-020, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-020, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.
- 434-381-030 Additional members on committees to draft arguments for the voters pamphlets. [98-08-010, recodified as § 434-381-030, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-030, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.
- 434-381-040 Selection of a chairperson for committees to draft arguments for or against measures appearing in the voters pamphlet. [98-08-010, recodified as § 434-381-040, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-040, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.
- 434-381-050 Advisory committees. [98-08-010, recodified as § 434-381-050, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-050, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.
- 434-381-060 Length of statements and rebuttals. [98-08-010, recodified as § 434-381-060, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-060, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.
- 434-381-070 Restrictions on the style of statements in the voters pamphlets. [98-08-010, recodified as § 434-381-070, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-070, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.
- 434-381-080 Submission of statements and rebuttals. [98-08-010, recodified as § 434-381-080, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-080, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.
- 434-381-090 Rejection of statements for the voters pamphlet. [98-08-010, recodified as § 434-381-090, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-090, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.
- 434-381-100 Editing of statements for the voters pamphlet. [98-08-010, recodified as § 434-381-100, filed 3/18/98, effective 3/18/98. Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-100, filed 4/17/79.] Repealed by 02-02-067, filed 12/28/01, effective 1/28/02. Statutory Authority: RCW 29.81.320.

**WAC 434-381-010 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-020 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-030 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-040 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-050 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-060 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-070 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-080 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-090 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-100 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 434-381-110 Committee contacts.** Every candidate or committee appearing in the state voters pamphlet shall designate a contact person with whom the secretary shall communicate all matters related to the pamphlet. Within five business days of the appointment of the initial members, the committee shall provide a name, mailing address, telephone number, and fax number and e-mail address as applicable. In the case of candidates the secretary shall use the information on the declaration of candidacy unless the candidate provides different information pursuant to this section.

[Statutory Authority: RCW 29.81.320. 02-02-067, § 434-381-110, filed 12/28/01, effective 1/28/02.]

**WAC 434-381-120 Deadlines.** (1) Candidate statements and photographs shall be submitted to the secretary of state:

(a) For candidates who filed during the regular filing period, within three business days after filing their declaration of candidacy;

(b) For candidates who filed during a special filing period, or were selected by a political party pursuant to either RCW 29.15.150 or 29.15.160, within three business days after the close of the special filing period or selection by the party.

(2) For ballot measures, including initiatives, referendums, alternatives to initiatives to the legislature, and constitutional amendments, the following documents shall be filed with the secretary of state on or before the following deadlines:

(a) Appointments of the initial two members of committees to prepare arguments for and against measures:

(i) For an initiative to the people or referendum measure: Within ten business days after the submission of signed petitions to the secretary of state;

(ii) For an initiative to the legislature, with or without an alternative, constitutional amendment or referendum bill, within ten business days after the adjournment of the regular or special session at which the legislature approved or referred the measure to the ballot;

(b) Appointment of additional members of committees to prepare arguments for and against ballot measures, not later than the date the committee submits its initial argument to the secretary of state;

(c) Arguments for or against a ballot measure, no later than twenty calendar days following appointment of the initial committee members;

(d) Rebuttals of arguments for or against a ballot measure, by no later than fourteen calendar days following the transmittal of the final statement to the committees by the secretary. The secretary shall not transmit arguments to opposing committees for the purpose of rebuttals until both arguments are complete.

(3) If a ballot measure is the product of a special session of the legislature and the secretary of state determines that the deadlines set forth in subsection (2) of this section are impractical due to the timing of that special session, then the secretary of state may establish a schedule of deadlines unique to that measure.

(4) The deadlines stated in this rule are intended to promote the timely publication of the voters pamphlet. Nothing in this rule shall preclude the secretary of state from accepting a late filing when, in the secretary's judgment, it is reasonable to do so.

[Statutory Authority: RCW 29.81.320. 02-02-067, § 434-381-120, filed 12/28/01, effective 1/28/02.]

#### **WAC 434-381-130 Size and quality of photographs.**

Candidate photographs submitted for inclusion in the voters pamphlet must have been taken within the past five years and should be sized between two and one half inches by three inches and eight by ten inches. The secretary may adjust or crop photos as necessary to fit the publication format.

[Statutory Authority: RCW 29.81.320. 02-02-067, § 434-381-130, filed 12/28/01, effective 1/28/02.]

**WAC 434-381-140 Restriction on photographs.** No photograph submitted for inclusion in the voters pamphlet may reveal clothing or insignia suggesting the holding of a public office. Examples of such clothing or insignia include, but are not limited to, judicial robes, law enforcement or military uniforms, official seals or symbols similar thereto other than the flag of the state of Washington, or other similar indicia of public office.

[Statutory Authority: RCW 29.81.320. 02-02-067, § 434-381-140, filed 12/28/01, effective 1/28/02.]

**WAC 434-381-150 Rejection of photographs.** The secretary may reject candidate photographs that do not meet the guidelines outlined by rule.

(1) The secretary will notify candidates whose photographs are being rejected;

(2) Candidates whose photographs are rejected by the secretary will be allowed to submit a new photograph;

(3) Replacement photographs must be submitted by the date specified by the secretary.

[Statutory Authority: RCW 29.81.320. 02-02-067, § 434-381-150, filed 12/28/01, effective 1/28/02.]

**WAC 434-381-160 Listing committee names and contact information.** Committee names and contact information shall be submitted to the secretary of state.

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(1) Names for publication in the voters pamphlet shall be listed in the order submitted by the committee;

(2) Each committee member may use up to eight words as a title or identification. "Title or identification" means a formal or informal description of the present or past occupation, role within an organization, educational qualification, or office of an individual, but does not include any expression of opinion or motivation;

(3) The secretary will make every effort to maintain consistency in form and style for publications;

(4) State legislators will be identified in the following manner: State representative or state senator, with each title constituting two words;

(5) State elected officials will be identified as follows: Governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands and insurance commissioner, with each title counting as many words as in that title;

(6) Additional titles or descriptions may be added to reach the maximum title length; and

(7) Each committee may submit contact information for inclusion in the voters pamphlet consisting of: A telephone number, an e-mail, and an Internet address which will not count toward the maximum word allowance.

[Statutory Authority: RCW 29.81.320. 02-02-067, § 434-381-160, filed 12/28/01, effective 1/28/02.]

#### **WAC 434-381-170 Statement and argument format.**

(1) Statements or arguments submitted for inclusion in the voters pamphlet shall not exceed the word limit set by statute.

(a) Arguments for or against measures may contain up to four headings used to highlight major points in the argument and will not count toward the maximum word count set for arguments;

(b) The initial four headings may not exceed fifteen words for each heading;

(c) Additional headings may be used after the initial four headings in an argument, which will count toward the maximum word count of the argument;

(d) Photographs or charts may be used in candidate statements or arguments substituting fifty words from the statement or argument for each square inch used by the photograph or chart. This subsection does not apply to the photographs submitted pursuant to WAC 434-381-130 (size and quality of photographs).

(2) Statements and arguments submitted to the secretary of state shall be printed in a format that in the opinion of the secretary will provide the best reproduction.

(a) Statements and arguments will be typeset in a standard font without the use of boldface or underlining;

(b) Italics may be used to add emphasis to statements or arguments;

(c) Argument headings will be typeset entirely in boldface capital letters.

[Statutory Authority: RCW 29.81.320. 02-02-067, § 434-381-170, filed 12/28/01, effective 1/28/02.]

**WAC 434-381-180 Editing statements and arguments.** The secretary of state is not responsible for the con-

tent of arguments or statements and shall not edit the content of statements or arguments:

(1) The secretary may correct obvious errors in grammar, spelling or punctuation;

(2) The secretary shall promptly attempt to notify any candidate or committee, by any means the secretary deems reasonable under the circumstances, if a statement or argument exceeds the maximum number of words. If the candidate or committee does not provide the secretary with a revised statement or argument that does not exceed the limit within three business days after the deadline for submission of the statement or argument, then the secretary shall modify the statement to fit the limit by removing words or sentences, starting at the end, until the maximum word limit is reached. More words than necessary to achieve the maximum word limit may be removed by the secretary so that the statement or argument ends in a complete sentence;

(3) The secretary shall notify any committee that submits a title or identification for their members that does not conform to WAC 434-381-160(2). If the committee does not provide the secretary with a revised title that meets the requirements established in WAC 434-381-160(2) within three business days, the secretary shall publish the name without any title or identification;

(4) Prior to publishing the pamphlet the secretary shall make a reasonable effort to provide a proof copy to the candidate or committee as it will appear showing any changes to the statement or argument; and

(5) After submission of the statement or argument to the secretary, candidates or committees may only correct obvious errors or inaccuracies discovered in their own proof copy. Changes in content are not allowed.

[Statutory Authority: RCW 29.81.320. 02-02-067, § 434-381-180, filed 12/28/01, effective 1/28/02.]

**WAC 434-381-190 Prevention of art work, photographs or other material by candidate.** (1) The secretary shall be prohibited from using the art work, photography, or other materials provided by candidates for public office in the voters pamphlet in which the candidate's name appears, except that required by law or rule for the candidate's statements or, information provided by the office that publishes the pamphlet;

(2) Prior to final printing of the voters pamphlet a responsible employee of the office of the secretary of state will review complete "camera ready" copies of each edition of the voters pamphlet;

(3) Language shall be placed into contracts, with the office of the secretary of state to produce the voters pamphlet, to certify that those providing content materials for the voters pamphlet are not candidates for public office and those individuals will not run for public office while their materials are being used in a state or local pamphlet produced in conjunction with the state voters pamphlet.

[Statutory Authority: RCW 29.81.320. 02-02-067, § 434-381-190, filed 12/28/01, effective 1/28/02.]

## Title 446 WAC

### STATE PATROL

#### Chapters

446-16

Washington state identification section.

#### Chapter 446-16 WAC

#### WASHINGTON STATE IDENTIFICATION SECTION

WAC

446-16-030

Inspection by the subject of their record.

**WAC 446-16-030 Inspection by the subject of their record.** (1) Any person desiring to inspect criminal history record information which refers to themselves may do so at the central office of the Washington state patrol identification and criminal history section, between the hours of 8 a.m. and 5 p.m., Monday through Friday, excepting legal holidays.

(2) Any person desiring to inspect criminal history record information pertaining to themselves shall first permit their fingerprints to be taken by the section for identification purposes if requested to do so. The section, in their discretion, may accept other identification in lieu of fingerprints.

(3) A reasonable period of time, not to exceed thirty minutes, shall be allowed each individual to examine criminal history record information pertaining to themselves.

(4) No person shall be allowed to retain or reproduce any criminal history record information pertaining to themselves except for the purpose of challenge or correction of entries of arrests by submitting law enforcement agencies of the state of Washington. Visual examination only shall be permitted of such information unless the individual asserts their belief that criminal history record information from a submitting law enforcement agency of the state of Washington concerning them is inaccurate, incomplete or maintained in violation of the law; and unless they request correction or completion of the information on a form furnished by the section, or requests expungement pursuant to WAC 446-16-025.

(5) If any person who desires to examine criminal history record information pertaining to themselves is unable to read or is otherwise unable to examine same because of a physical disability, they may designate another person of their own choice to assist them. The person about whom the information pertains shall execute, with their mark, a form provided by the section consenting to the inspection of criminal history record information pertaining to themselves by another person for the purpose of it being read or otherwise described to them. Such designated person shall then be permitted to read or otherwise describe or translate the criminal history record information to the person about whom it pertains.

[Statutory Authority: Chapters 10.97 and 43.43 RCW. 01-20-039, § 446-16-030, filed 9/26/01, effective 10/27/01; 97-05-048, § 446-16-030, filed 2/18/97, effective 3/21/97. Statutory Authority: RCW 10.97.080 and 10.97.090. 92-15-014, § 446-16-030, filed 7/6/92, effective 8/6/92; Order 1, § 446-16-030, filed 2/11/74.]