

HOUSE BILL REPORT

SB 5564

As Passed House:
April 13, 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: By Senators Schmidt, Kastama, Weinstein, Roach, Shin, Rockefeller, Oke and Kohl-Welles.

Brief History:

Committee Activity:

State Government Operations & Accountability: 3/11/05, 4/1/05 [DP].

Floor Activity:

Passed House: 4/13/05, 96-0.

Brief Summary of Bill

- Requires the Secretary of State to prepare and distribute a manual of election laws and rules.

HOUSE COMMITTEE ON STATE GOVERNMENT OPERATIONS & ACCOUNTABILITY

Majority Report: Do pass. Signed by 7 members: Representatives Haigh, Chair; Green, Vice Chair; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; Hunt, McDermott and Miloscia.

Staff: Hannah Lidman (786-7291).

Background:

Each county has a vote-counting center designated by the county auditor for the counting and canvassing of 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.

The center must be observed by representatives from each major political party, if they have been appointed by their parties. The proceedings at the center must be open to the public, but only those employed or authorized by the county may touch ballots, ballot containers, or operate any vote tallying equipment.

Canvassing is done by the county canvassing board in each county. 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 canvassing 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 county canvassing board. Members of the canvassing board or their authorized representatives are the only persons who may handle the ballots.

Summary of Bill:

The Secretary of State must prepare a manual explaining all election laws and rules 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.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) A detailed and easy-to-use election manual is already published and provided to county auditors every year. The funding for the intensive training program on election procedure for county auditor staff was cut in the late 1990s. Legislation this session requests several more staff for the training program.

(With concerns) The restrictions on election observers are too stringent. Election observers should be allowed to observe ballot counting proceedings unhindered.

Testimony Against: None.

Persons Testifying: (In support) Katie Blinn, Office of the Secretary of State.

(With concerns) Michael G. Nelson.

Persons Signed In To Testify But Not Testifying: None.