

# SENATE BILL REPORT

## SHB 1754

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As Reported By Senate Committee On:  
Government Operations & Elections, March 30, 2005

**Title:** An act relating to mail ballot elections.

**Brief Description:** Authorizing county-wide mail ballot elections.

**Sponsors:** House Committee on State Government Operations & Accountability (originally sponsored by Representatives Hunt, Nixon, McDermott, Haigh, Upthegrove, Moeller, Kenney, Chase, Simpson, Miloscia, Sells and Linville; by request of Secretary of State).

**Brief History:** Passed House: 3/15/05, 58-38.

**Committee Activity:** Government Operations & Elections: 3/28/05, 3/30/05 [DPA, DNP].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** Do pass as amended.

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

**Minority Report:** Do not pass.

Signed by Senators Roach, Ranking Minority Member; and Benton.

**Staff:** Mac Nicholson (786-7445)

**Background:** Elections in Washington are conducted through a mix of absentee voting by mail and poll site voting. Existing statutory authority allows the county auditor to designate precincts with fewer than 200 active registered voters as mail ballot precincts. Some counties have revised all precincts in the county such that all precincts have fewer than 200 active registered voters, thereby turning the entire county into a vote by mail county. Ferry, Okanagon, Clallam, and Skamania counties are all currently vote by mail counties, and Whatcom is in the process of becoming one.

Additionally, special elections not held in conjunction with a state primary or general election may be conducted by mail ballot if requested by the body calling for the special election and agreed to by the county auditor.

The county auditor must provide for in-person disability access voting at locations that comply with federal and state access requirements.

**Summary of Amended Bill:** A county auditor may conduct all elections by mail ballot with express authorization to do so from the county legislative authority. The county must give at least 90 days notice to the auditor before conducting the first all mail ballot election. Additionally, all registered voters must be notified of the change to an all mail ballot election. If the county and auditor decide to return to polling place elections, 180 days notice must be given.

**Amended Bill Compared to Original Bill:** The amended bill removes the requirement that by 2008, all elections must be conducted entirely by mail ballot.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** Counties should be able to decide for themselves whether or not to convert to an all mail election. Absentee voter rates exceed 70 percent in several counties and all mail ballot elections ease or eliminate concerns about election procedures that arose during the recent general election. All mail ballot elections are very popular in Oregon, and citizens there don't want to go back to poll site voting. The county can maintain drop off sites so voters don't have to pay postage and to ease concerns about security of the ballot in the mail. Counties are still required to provide places for disabled voters to vote in person. Some counties have difficulties getting poll workers from each party and rather than expand the county election staff, it may make better sense to convert to all mail elections. The chain of custody is expanded in mail elections, and new technologies that allow citizens to check and see whether their ballot was counted or changed should be examined. Some counties need to purchase new voting systems, or provide a paper trail on existing systems, and allowing all mail elections will help the counties choose an appropriate system. All mail ballot elections have increased voter turnout, especially for special elections.

**Testimony Against:** None.

**Who Testified:** PRO: Representative Hunt, prime sponsor; Sam Reed, Secretary of State; Corky Mattingly, Yakima County Auditor & Washington State Association of County Auditors; Evelyn Arnold, Chelan County Auditor; Shirley Forslof, Whatcom County Auditor; Bob Terwilliger, Snohomish County Auditor; Karen Flynn, Kitsap County Auditor; Michael Garvison, Skamania County Auditor; Tim Schellberg, Smith Alling Lane.