

Chapter 434-219 WAC

PRESIDENTIAL PRIMARY

(Formerly chapter 434-75 WAC)

WAC

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RCW 29.19.070. 03-23-093, § 434-219-150, filed 11/17/03, effective 12/18/03; 96-03-141, recodified as § 434-219-150, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-150, filed 8/26/91, effective 9/26/91.] Repealed by 11-24-064, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630.

Political party and unaffiliated ballots—Arrangement. [Statutory Authority: RCW 29A.04.611. 06-11-042, § 434-219-160, filed 5/10/06, effective 6/10/06. Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-160, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-160, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-160, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-160, filed 8/26/91, effective 9/26/91.] Repealed by 07-24-044, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29A.04.-611.

Incomplete ballot code on consolidated absentee ballot. [Statutory Authority: RCW 29.19.070. 00-03-003, § 434-219-165, filed 1/6/00, effective 2/6/00.] Repealed by 07-24-044, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29A.04.611.

Order of political parties. [Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-170, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-170, filed 1/6/00, effective 2/6/00.] Repealed by 07-24-044, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29A.04.611.

Ballots—Arrangement of names—Instructions. [Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-180, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-180, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-180, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-180, filed 8/26/91, effective 9/26/91.] Repealed by 07-24-044, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29A.04.-611.

Issuing polling place ballots. [Statutory Authority: RCW 29A.04.611. 07-24-044, § 434-219-210, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-210, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-210, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-210, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-210, filed 8/26/91, effective 9/26/91.] Repealed by 11-24-064, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630.

Absentee ballots—Declarations—Instructions. [Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-220, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-220, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-220, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-220, filed 8/26/91, effective 9/26/91.] Repealed by 07-24-044, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29A.04.-611.

Tabulating, reporting, and canvassing write-in votes. [Statutory Authority: RCW 29.19.070. 00-03-003, § 434-219-255, filed 1/6/00, effective 2/6/00.] Repealed by 03-23-093, filed 11/17/03, effective 12/18/03. Statutory Authority: RCW 29.19.070.

Canvassing and tabulation of presidential primary absentee ballots. [Statutory Authority: RCW 29.19.070. 00-03-003, § 434-219-260, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-260, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-260, filed 8/26/91, effective 9/26/91.] Repealed by 07-24-044, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29A.04.611.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

434-219-010 Authority and purpose. [Statutory Authority: RCW 29.19.070. 96-03-141, recodified as § 434-219-010, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-010, filed 8/26/91, effective 9/26/91.] Repealed by 03-23-093, filed 11/17/03, effective 12/18/03. Statutory Authority: RCW 29.19.070.

434-219-020 Definitions. [Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-020, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-020, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-020, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-020, filed 8/26/91, effective 9/26/91.] Repealed by 07-24-044, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29A.04.611.

434-219-030 Presidential primary—When held. [Statutory Authority: RCW 29.19.070. 96-03-141, recodified as § 434-219-030, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-030, filed 8/26/91, effective 9/26/91.] Repealed by 03-23-093, filed 11/17/03, effective 12/18/03. Statutory Authority: RCW 29.19.070.

434-219-040 Presidential primary—Changing the date. [Statutory Authority: RCW 29.19.070. 96-03-141, recodified as § 434-219-040, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-040, filed 8/26/91, effective 9/26/91.] Repealed by 03-23-093, filed 11/17/03, effective 12/18/03. Statutory Authority: RCW 29.19.070.

434-219-070 Removal from list of designees. [Statutory Authority: RCW 29.19.070. 96-03-141, recodified as § 434-219-070, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-070, filed 8/26/91, effective 9/26/91.] Repealed by 07-24-044, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29A.04.611.

434-219-130 Conduct of the presidential primary. [Statutory Authority: RCW 29.19.070. 96-03-141, recodified as § 434-219-130, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-130, filed 8/26/91, effective 9/26/91.] Repealed by 03-23-093, filed 11/17/03, effective 12/18/03. Statutory Authority: RCW 29.19.070.

434-219-150 Party declaration at the polling place. [Statutory Authority: RCW 29A.04.611. 07-24-044, § 434-219-150, filed 11/30/07, effective 12/31/07. Statutory Authority:

- 434-219-270 Vote-by-mail precincts. [Statutory Authority: RCW 29.19.070. 00-03-003, § 434-219-270, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-270, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-270, filed 8/26/91, effective 9/26/91.] Repealed by 03-23-093, filed 11/17/03, effective 12/18/03. Statutory Authority: RCW 29.19.070.
- 434-219-280 Votes not tabulated. [Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-280, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-280, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-280, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-280, filed 8/26/91, effective 9/26/91.] Repealed by 07-24-044, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29A.04.611.
- 434-219-285 Record of ballots not tabulated. [Statutory Authority: RCW 29.19.070. 00-03-003, § 434-219-285, filed 1/6/00, effective 2/6/00.] Repealed by 03-23-093, filed 11/17/03, effective 12/18/03. Statutory Authority: RCW 29.19.070.
- 434-219-300 Sealing of voting devices. [Statutory Authority: RCW 29.19.070. 00-03-003, § 434-219-300, filed 1/6/00, effective 2/6/00.] Repealed by 03-23-093, filed 11/17/03, effective 12/18/03. Statutory Authority: RCW 29.19.070.
- 434-219-350 Time for submission and payment of claims for reimbursement. [Statutory Authority: RCW 29.19.070. 96-03-141, recodified as § 434-219-350, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-350, filed 8/26/91, effective 9/26/91.] Repealed by 03-23-093, filed 11/17/03, effective 12/18/03. Statutory Authority: RCW 29.19.070.

WAC 434-219-050 Procedures to be followed when changing primary date. If the date of the presidential primary is changed pursuant to RCW 29A.56.020 from the fourth Tuesday in May to another date, the secretary of state shall promptly notify the county auditors and the chairperson of the national committee of each major political party, in writing, of that date.

[Statutory Authority: RCW 29A.04.611. 07-24-044, § 434-219-050, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070. 96-03-141, recodified as § 434-219-050, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-050, filed 8/26/91, effective 9/26/91.]

WAC 434-219-060 Designation of candidates by secretary of state. Not less than ninety days prior to the date set for the presidential primary, the secretary of state shall compile a list of persons whose candidacy for the office of President of the United States is generally advocated or whose candidacy is generally recognized in the national news media. He or she shall promptly notify, in writing, the county auditors, the chairperson of each major political party, and each of the candidates whose names will be placed on the ballot at the presidential primary unless the candidate withdraws under WAC 434-219-115.

[Statutory Authority: RCW 29A.04.611. 07-24-044, § 434-219-060, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070. 96-03-141, recodified as § 434-219-060, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-060, filed 8/26/91, effective 9/26/91.]

WAC 434-219-080 Petition process for ballot access. Members of a major political party may petition the secretary of state, pursuant to the provisions of RCW 29A.56.030, to include on the presidential primary ballot the name of any candidate of that party not designated by the secretary of state under WAC 434-219-060. Petitions may be circulated for signatures not earlier than the first day following the designation of candidates by the secretary of state under WAC 434-219-060. Such petitions must be filed with the secretary of

state not later than seventy-five days prior to the primary, shall be accompanied by a signed, notarized statement by the candidate concerned giving his or her consent to the nomination, and must bear the signatures of at least one thousand persons registered to vote in the state of Washington at the time the petition signatures are verified.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. 11-24-064, § 434-219-080, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611. 07-24-044, § 434-219-080, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-080, filed 11/17/03, effective 12/18/03; 96-03-141, recodified as § 434-219-080, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-080, filed 8/26/91, effective 9/26/91.]

WAC 434-219-090 Form of the nominating petition.

Nominating petitions shall be addressed to the secretary of state, be uniform in size, and shall contain the following:

- (1) The name of the candidate and his or her political party;
- (2) A statement that the persons signing the petition are registered voters of the state of Washington, that they are affiliated with the political party of the person on whose behalf the petition is filed, and that they have only signed the petition once;
- (3) Numbered lines for no more than twenty signatures;
- (4) Space for the signature, printed name, and address at which each petition signer is registered to vote, including county of residence;
- (5) Space for the signer to list the name or number of his or her precinct, if known.

[Statutory Authority: RCW 29.19.070. 96-03-141, recodified as § 434-219-090, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-090, filed 8/26/91, effective 9/26/91.]

WAC 434-219-100 Verification of signatures by secretary of state. Upon receipt of any nominating petition filed pursuant to WAC 434-219-080, the secretary of state shall promptly canvass and verify the signatures in order to determine the validity of the petition. The secretary may reject, without verification of signatures, any petition that clearly bears insufficient signatures, any petition that is not accompanied by a consent to the nomination by the candidate, or any petition that is in a form inconsistent with the provisions of WAC 434-219-090. To the extent that it is not inconsistent with other provisions of these rules, the canvass and verification process may be observed in the same manner as that specified in RCW 29A.72.230 for the observation of the canvass and verification of initiative signatures. The secretary of state shall reject the signature of any person not registered to vote in Washington, and, if the same name is signed more than once, shall reject all but the first valid signature. No signature may be rejected solely on the basis that it is not accompanied by the address or precinct name or number of the signer.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. 11-24-064, § 434-219-100, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611. 07-24-044, § 434-219-100, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-100, filed 11/17/03, effective 12/18/03; 96-03-141, recodified as § 434-219-100, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-100, filed 8/26/91, effective 9/26/91.]

WAC 434-219-110 Determination of sufficiency. In the event the secretary of state determines that the petition bears insufficient valid signatures, he or she shall notify the person filing the petition and the candidate on whose behalf the petition was filed. Persons so notified may submit additional signatures in support of the nomination as long as those signatures are submitted prior to the deadline established by RCW 29A.56.030.

In the event the secretary of state determines the petition bears sufficient signatures, he or she shall add that candidate in the official certification of candidates to the county auditors.

[Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-110, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 96-03-141, recodified as § 434-219-110, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-110, filed 8/26/91, effective 9/26/91.]

WAC 434-219-115 Withdrawal. Each candidate shall appear on the primary ballot unless, not later than sixty-seven days prior to the primary, the candidate files with the secretary of state a signed, notarized statement that he or she is not now and will not become a candidate for president. The secretary of state shall promptly notify the county auditors, the chairperson of the national political party of that candidate, and all remaining candidates of any names removed from the list of candidates for the presidential primary.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630, 11-24-064, § 434-219-115, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-115, filed 11/30/07, effective 12/31/07.]

WAC 434-219-120 Certification of candidates. Immediately following the last day for candidates to withdraw, the secretary of state shall certify to the county auditors the final list of candidates who will appear on the presidential primary ballot.

[Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-120, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 00-03-003, § 434-219-120, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-120, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-120, filed 8/26/91, effective 9/26/91.]

WAC 434-219-140 Party declarations. (1) No later than August 15 in the calendar year preceding the year in which the presidential preference primary is to be held, the state chair of each major party shall submit in writing to the secretary of state the exact wording of any party declaration required by rules of the state or national party.

(2) The secretary of state shall certify the language of each major party's declaration to the county auditors no later than August 30 in the calendar year preceding the year in which the presidential preference primary is to be held.

(3) Each registered voter desiring to participate in the presidential primary of a major party that requires a declaration shall subscribe to the declaration.

[Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-140, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 99-22-073, § 434-219-140, filed 11/2/99, effective 12/3/99; 96-03-141, recodified as § 434-219-140, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-140, filed 8/26/91, effective 9/26/91.]

WAC 434-219-155 Party declaration on ballot materials. (1) Each political party declaration shall be printed on

(12/6/11)

the return envelope with the standard ballot declaration required by WAC 434-250-050. Each declaration shall be printed with a checkbox for voters to indicate the party declaration to which they subscribe. The county auditor shall provide an instruction for the party declarations substantially similar to the following: "You must mark a party checkbox in order for your presidential primary vote to count. You may only select one party."

(2) The date and signature lines for the ballot declaration shall also serve as the date and signature lines for the political party declaration.

(3) In addition to other instructions normally provided to voters, the county auditor shall ensure that voters are given specific instructions on how to mark their ballot so that it will be counted in accordance with the oath they signed on the return envelope.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630, 11-24-064, § 434-219-155, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-155, filed 11/30/07, effective 12/31/07.]

WAC 434-219-185 Logic and accuracy tests. The logic and accuracy test shall be conducted pursuant to the provisions of chapter 434-335 WAC and RCW 29A.12.130.

[Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-185, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 03-23-093, § 434-219-185, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-185, filed 1/6/00, effective 2/6/00.]

WAC 434-219-190 Special election held in conjunction with the presidential primary. If a presidential primary occurs at the same election as a special election, all measures or candidates for office for which the voters are eligible to vote at that special election shall be listed on the ballot in such a manner that each voter can identify and vote on those candidates or measures separately from the presidential primary candidates.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630, 11-24-064, § 434-219-190, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 09-18-098, § 434-219-190, filed 9/1/09, effective 10/2/09; 07-24-044, § 434-219-190, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 96-03-141, recodified as § 434-219-190, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-190, filed 8/26/91, effective 9/26/91.]

WAC 434-219-230 Processing of ballots. (1) If the voter checked a political party declaration, a notation of the party checked must be made in the voter's registration file.

(2) If the declaration is not signed or the signature on the declaration does not match the signature on file, the county auditor must attempt to contact the voter as outlined in WAC 434-261-050. If the voter also failed to check a political party declaration, the county auditor must also provide the voter the opportunity to check a party declaration.

(3) The ballot must be sorted according to major party declaration choice before it is removed from the return envelope. Once the ballot is removed from the return envelope and secrecy envelope, it must be inspected and processed consistent with the party declaration.

(4) If the voter's signature is verified, the voter may be credited with having participated in the election, even if the voter failed to check a political party declaration.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. 11-24-064, § 434-219-230, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611. 07-24-044, § 434-219-230, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070. 03-23-093, § 434-219-230, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-230, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-230, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-230, filed 8/26/91, effective 9/26/91.]

WAC 434-219-240 Canvassing consolidated ballots that include a party checkbox. If a county auditor issues consolidated ballots that include a party checkbox on the ballot, the following canvassing protocols must be followed:

- (1) If a voter:
 - (a) Signs a party declaration on the return envelope;
 - (b) Checks the party box on the consolidated ballot for the same party declared on the return envelope; and
 - (c) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.
- (2) If a voter:
 - (a) Signs a party declaration on the return envelope;
 - (b) Checks the party box on the consolidated ballot for the same party declared on the return envelope; and
 - (c) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.
- (3) If a voter:
 - (a) Signs a party declaration on the return envelope;
 - (b) Checks the party box on the consolidated ballot for a different party than declared on the return envelope; and
 - (c) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.
- (4) If a voter:
 - (a) Signs a party declaration on the return envelope;
 - (b) Checks a party box on the consolidated ballot for a different party than declared on the return envelope; and
 - (c) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.
- (5) If a voter:
 - (a) Signs a party declaration on the return envelope;
 - (b) Fails to check a party box on the consolidated ballot; and
 - (c) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.
- (6) If a voter:
 - (a) Signs a party declaration on the return envelope;
 - (b) Fails to check a party box on the consolidated ballot; and
 - (c) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.
- (7) If a voter:
 - (a) Signs a party declaration on the return envelope;
 - (b) Checks more than one party box on the consolidated ballot; and
 - (c) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.
- (8) If a voter:
 - (a) Signs a party declaration on the return envelope;
 - (b) Checks more than one party box on the consolidated ballot; and

(c) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.

(9) If a voter:

- (a) Signs a party declaration on the return envelope;
- (b) Checks the party box on the consolidated ballot for the same party declared on the return envelope; and
- (c) Votes for candidates of more than one party, the partisan votes shall not be counted.

(10) If a voter:

- (a) Signs a party declaration on the return envelope;
- (b) Checks the party box on the consolidated ballot for a different party than declared on the return envelope; and
- (c) Votes for candidates of more than one party, the partisan votes shall not be counted.

(11) If a voter:

- (a) Signs a party declaration on the return envelope;
- (b) Fails to check a party box on the consolidated ballot; and

(c) Votes for candidates of more than one party, the partisan votes shall not be counted.

(12) If a voter:

- (a) Signs a party declaration on the return envelope;
- (b) Checks more than one party box on the consolidated ballot; and

(c) Votes for candidates of more than one party, the partisan votes shall not be counted.

(13) If a voter signs a party declaration on the return envelope for more than one party, the partisan votes shall not be counted.

(14) If a voter fails to sign a party declaration on the return envelope, the partisan votes shall not be counted.

[Statutory Authority: RCW 29A.04.611. 07-24-044, § 434-219-240, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070. 00-03-003, § 434-219-240, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-240, filed 1/24/96, effective 2/24/96; 92-08-032, § 434-75-240, filed 3/24/92, effective 4/1/92; 91-18-012, § 434-75-240, filed 8/26/91, effective 9/26/91.]

WAC 434-219-250 Canvassing separate party ballots and consolidated ballots that do not include a party checkbox. If a county auditor issues either separate party ballots or consolidated ballots that do not include a party checkbox on the ballot, the following canvassing protocols must be followed:

(1) If a voter:

- (a) Signs a party declaration on the return envelope; and
- (b) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.

(2) If a voter:

- (a) Signs a party declaration on the return envelope; and
- (b) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.

(3) If a voter:

- (a) Signs a party declaration on the return envelope; and
- (b) Votes for candidates of more than one party, the partisan votes shall not be counted.

(4) If a voter signs a party declaration on the return envelope for more than one party, the partisan votes shall not be counted.

(5) If a voter fails to sign a party declaration on the return envelope, the partisan votes shall not be counted.

[Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-250, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 03-23-093, § 434-219-250, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-250, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-250, filed 1/24/96, effective 2/24/96; 92-08-032, § 434-75-250, filed 3/24/92, effective 4/1/92; 91-18-012, § 434-75-250, filed 8/26/91, effective 9/26/91.]

WAC 434-219-290 Certification of presidential primary by secretary of state. County canvassing boards shall certify the results of the presidential primary fourteen days following the primary. The county auditor shall transmit the returns to the secretary of state immediately. Not later than twenty-one days following the presidential primary, the secretary of state shall certify the results of the presidential primary and notify the candidates and the chairperson of the national and state committees of each major political party of the votes cast for all candidates listed on the ballot.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630, 11-24-064, § 434-219-290, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-290, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 03-23-093, § 434-219-290, filed 11/17/03, effective 12/18/03; 00-03-003, § 434-219-290, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-290, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-290, filed 8/26/91, effective 9/26/91.]

WAC 434-219-310 Statutory recount provisions do not apply. The provisions of chapter 29A.64 RCW regarding statutory recounts do not apply to a presidential primary.

[Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-310, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 00-03-003, § 434-219-310, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-310, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-310, filed 8/26/91, effective 9/26/91.]

WAC 434-219-320 Transmittal of political party preference data and results to the major political parties. No later than thirty days following the presidential primary:

(1) Upon request, each county auditor shall provide to the county committee of each major political party, at actual reproduction cost, the results of the presidential primary by precinct, and the names and addresses of voters registered in the county who signed a party declaration for that party and the signature was verified.

(2) Upon request, the secretary of state shall provide to the state committees of each major political party, at actual reproduction cost, the names and addresses of all voters registered in the state who signed a party declaration for that party and the signature was verified.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630, 11-24-064, § 434-219-320, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-320, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 00-03-003, § 434-219-320, filed 1/6/00, effective 2/6/00; 96-03-141, recodified as § 434-219-320, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-320, filed 8/26/91, effective 9/26/91.]

WAC 434-219-330 Retention of election material. The county auditor shall maintain all presidential primary material, including ballot request forms, ballot envelopes, and ballots, for a period of twenty-two months following the

presidential primary. Sixty days following certification of the presidential primary by the secretary of state, the county auditor must remove from the voter registration files any record of party designation in the presidential primary.

[Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630, 11-24-064, § 434-219-330, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-330, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 96-03-141, recodified as § 434-219-330, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-330, filed 8/26/91, effective 9/26/91.]

WAC 434-219-340 Claims for reimbursement. Following the presidential primary, each county auditor shall provide to the secretary of state a completed claim for reimbursement of expenses incurred by the county in conducting the primary. This cost shall be prorated with any other jurisdictions holding special elections in conjunction with the primary under RCW 29A.04.410. The procedures for allocating such costs shall be the same as those prescribed by the office of the state auditor for election cost allocations to the state, cities, towns, and special purpose districts. Claims for reimbursement and supporting documents shall be submitted to the secretary of state not later than sixty days following the certification of the presidential primary by the secretary of state.

[Statutory Authority: RCW 29A.04.611, 07-24-044, § 434-219-340, filed 11/30/07, effective 12/31/07. Statutory Authority: RCW 29.19.070, 03-23-093, § 434-219-340, filed 11/17/03, effective 12/18/03; 96-03-141, recodified as § 434-219-340, filed 1/24/96, effective 2/24/96; 91-18-012, § 434-75-340, filed 8/26/91, effective 9/26/91.]