

# Title 434 WAC

## SECRETARY OF STATE

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### Chapter 434-08 WAC ELECTIONS

#### WAC

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**WAC 434-08-010 Advisory election upon contemplation of classification advancement.** Any second or third class city contemplating advancement to the rank of first class city under charter government, may hold a preliminary advisory election to determine the wishes of the electorate concerning the advancement of classification under the following qualifications:

(1) Such preliminary advisory election must be held on the day of a regular city primary or city general election.

(2) The resulting votes on said question shall be advisory only and not binding upon the governing body of said city. [Regulation 1, filed 3/24/60.]

**WAC 434-08-020 Remedial steps--Third class city under mayor-council government.** Whenever any third class city operating under the mayor-council form

of government shall inadvertently advise candidates subject to a city primary that four councilmanic positions are to be filled, each for a four year term, when by law only three councilmanic positions are to be filled for a four year term and the fourth position is to be filled for a two year term and the filing period is closed, then the following remedial steps shall be taken:

(1) The city clerk shall cause all names of candidates to appear in alphabetical sequence on the city primary ballot under the heading "Councilman" (Vote for four). No term of office shall be designated on the ballot.

(2) After the primary has been held, the city clerk shall cause the names of the eight candidates receiving the most votes at the city primary to appear on the city general election ballot in order of most votes received. The position designation shall be the same as appeared on the city primary ballot.

(3) The votes cast for candidates at the city general election shall be interpreted as follows:

(a) The three candidates receiving the greatest number of votes shall be assigned each a term of four years.

(b) The candidate ranked fourth in order of votes received shall be assigned a term of two years and said position shall be designated at all future elections as "Councilman-at-Large".

(c) In the event two or more candidates receive the same number of votes for the fourth position, then said tie shall be determined by lot. [Regulation 2, filed 3/24/60.]

**WAC 434-08-030 Determination of original terms of councilmen--Second, third, or fourth class city or town.** When any second, third or fourth class city (or town) newly organized under the mayor-council or council-manager forms of government shall hold its first regular election subsequent to its organization election, the staggering of the original terms of councilmen shall be determined as follows:

(1) **Second class city (mayor-council):** Of the twelve councilmen elected, the six councilmen receiving the greatest number of votes shall be assigned four year terms while the remaining six councilmen shall be assigned two year terms. Thereafter, at all subsequent regular elections, the terms of all councilmen shall be set as four years.

(2) **Third class city (mayor-council):** Of the seven councilmen elected, the three councilmen receiving the greatest number of votes shall be assigned terms of four years while the remaining four councilmen shall be assigned terms of two years. Thereafter, at all subsequent regular elections, the terms of all councilmen shall be set

as four years, except the position of councilman-at-large which shall remain at two years.

(3) **Fourth class city (or town) (mayor-council):** Of the five councilmen elected, the three councilmen receiving the greatest number of votes shall be assigned terms of four years while the remaining two councilmen shall be assigned terms of two years. Thereafter, at all subsequent regular elections, the terms of all councilmen shall be set as four years.

(4) **Second, third and fourth class cities organized under the council-manager plan:** The staggering of terms of councilmen shall be as set forth by RCW 35.18.020 (relating to existing cities adopting council-manager plan). [Regulation 3, filed 3/24/60.]

**WAC 434-08-040 Appointment of clerks.** In each precinct containing one hundred or more registered voters and wherein paper ballots alone are voted, the inspector and judges, before the opening of the polls, shall appoint two registered voters to act as clerks: *Provided, however, That:*

(1) The election officer (county auditor, city, town or district clerk, as the case may be) having jurisdiction of the election concerned, may designate at what hour the clerks shall report for duty.

(2) Said hour of start of duty for the clerks may vary among the precincts according to the discretion of the election officer having jurisdiction. [Regulation 4, filed 3/24/60.]

**WAC 434-08-050 Restrictions on write-in or sticker votes.** No write-in or sticker vote cast on a partisan office at any primary or election shall be valid or counted unless the voter has restricted his choice to one of the political parties appearing upon said ballot.

In other words, the voter may write in names of candidates who do not appear upon the ballot, but not names of political parties. [Regulation 5, filed 3/24/60.]

## Chapter 434-12 WAC TRADEMARKS

### WAC

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**WAC 434-12-010 Authority and purpose.** These rules are adopted under authority of RCW 34.04.020 to govern procedure in trademark cancellation proceedings before the secretary of state under RCW 19.77.100. [Regulation 1, § 1, filed 2/15/66.]

**WAC 434-12-020 Applicable statute.** All trademark cancellation proceedings shall comply fully with RCW 19.77.100, and this regulation shall be considered a supplement to and not a replacement for that statute. [Regulation 1, § 2, filed 2/15/66.]

**WAC 434-12-030 Definitions.** As used in this regulation:

(1) "Secretary" means the secretary of state, assistant secretary of state, deputy secretary of state, or any other person commissioned by the secretary of state to act on his behalf in a trademark case.

(2) "Trademark case" means a trademark cancellation proceeding brought under RCW 19.77.100.

(3) "Person" includes groups of persons, corporations, cooperatives, business trusts and all other entities capable of holding title to property. [Regulation 1, § 3, filed 2/15/66.]

**WAC 434-12-040 Form of papers.** All petitions, answers, and other papers prepared for filing in a trademark case shall be typewritten on letter-sized (8 1/2 x 11 inch) paper. The first page of each paper shall contain a caption as provided in WAC 434-12-050. [Regulation 1, § 4, filed 2/15/66.]

**WAC 434-12-050 Caption.** Captions on papers filed in trademark cases shall contain the words "BEFORE THE SECRETARY OF STATE OF THE STATE OF WASHINGTON"; the name of the petitioner; the name of the registrant of the trademark registration sought to be cancelled; the name of the trademark registration sought to be cancelled; the file number of the trademark registration, if known; and a designation of the nature of the paper. The caption shall be in substantially the following form:

BEFORE THE SECRETARY OF STATE OF THE STATE OF WASHINGTON	
JOHN DOE,	} Trademark File
Petitioner,	
vs.	
ROE TRADING CO., INC.,	No. ....
Registrant of ZBFC as a Trademark.	(Title of paper)

[Regulation 1, § 5, filed 2/15/66.]

**WAC 434-12-060 Signing papers.** (1) Every paper offered for filing must be signed by the party offering it, or his attorney, and shall clearly show the address to which all notices, motions or responses shall be sent.

(2) Every paper of a party represented by an attorney shall be signed by at least one attorney of record in his individual name, whose address shall be stated.

(3) The signature of a party or attorney constitutes a certificate by him that he has read the paper; that to the best of his knowledge, information and belief, there is good ground to support it; and that it is not interposed for delay. If a paper is not signed or is signed with intent to defeat the purpose of this rule, it may be stricken and the case may proceed as if the paper had not been filed. [Regulation 1, § 6, filed 2/15/66.]

**WAC 434-12-070 Verification.** Petitions, answers, and statements of further facts (pertinent to issues raised by the answer), in addition to being signed, shall be verified before a notary public or other officer authorized to administer oaths. The form of verification shall be substantially as follows:

STATE OF WASHINGTON }  
COUNTY OF \_\_\_\_\_ } ss

JOHN DOE, being first duly sworn, on oath deposes and says:

I am the petitioner in this case. I have read the foregoing petition and know its contents, and I believe that the statements in it are true.

-----  
(Signature)

SUBSCRIBED AND SWORN to before me this ----  
day of ----- 19--

(SEAL)

-----  
NOTARY PUBLIC in and  
for the  
State of Washington, resid-  
ing at  
-----

[Regulation 1, § 7, filed 2/15/66.]

**WAC 434-12-080 Computation of time.** In computing any period of time prescribed or allowed by these rules, by order of the secretary, or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation. [Regulation 1, § 8, filed 2/15/66.]

**WAC 434-12-090 Appearance and practice before secretary.** (1) No person other than the following may appear in a representative capacity before the secretary:

(a) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington;

(b) Attorneys at law duly qualified and entitled to practice before the highest court of record of any other state, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by Washington law;

(c) A bona fide officer, partner, or full time employee of an individual firm, association, partnership, or corporation who appears for such individual firm, association, partnership, or corporation.

(2) No former employee of the secretary or member of the attorney general's staff may at any time after severing his employment with the secretary or the attorney general, appear in a representative capacity on behalf of other parties in a formal proceeding wherein he previously took an active part. [Regulation 1, § 9, filed 2/15/66.]

**WAC 434-12-100 Service of process.** (1) The secretary shall cause to be served all orders, notices and other papers issued by him, together with any other papers which he is required by law to serve. Every other paper shall be served by the party filing it.

(2) All papers shall be served upon all counsel of record at the time of filing and upon all parties not represented by counsel or upon their agents designated by them or by law. Any counsel entering an appearance subsequent to the initiation of the proceeding shall notify all other counsel then of record and all parties not represented by counsel of such fact.

(3) Service of papers shall be made personally or by first class, registered, or certified mail; or by telegraph.

(4) Service upon parties shall be regarded as complete: By mail, upon deposit in the United States mail postage fully prepaid and properly addressed; by telegraph, when deposited with a telegraph company properly addressed and with toll charges fully prepaid.

(5) Papers required to be filed with the secretary shall be deemed filed upon actual receipt by the secretary at Olympia accompanied by proof of service upon parties required to be served. [Regulation 1, § 10, filed 2/15/66.]

**WAC 434-12-110 Joinder, consolidation.** (1) No petition shall request cancellation of more than one trademark.

(2) On his own motion or on motion of a party, the secretary may in his discretion order that two or more trademark cases be consolidated for hearing. [Regulation 1, § 11, filed 2/15/66.]

**WAC 434-12-120 Withdrawal of petition.** A petition for cancellation may be withdrawn without prejudice before the answer is filed. After answer is filed the petition may only be withdrawn without prejudice with the consent of registrant. [Regulation 1, § 12, filed 2/15/66.]

**WAC 434-12-130 Notice of hearing.** The notice of hearing shall state:

(1) The date, time and place of hearing;

- (2) The name of the hearing examiner;
- (3) The issues to be considered;
- (4) The fact that the hearing will be conducted in accordance with the administrative procedure act, chapter 34.04 RCW, and these rules; and
- (5) Such other information as the secretary deems necessary or helpful. [Regulation 1, § 13, filed 2/15/66.]

**WAC 434-12-140 Hearing examiner.** (1) The hearing examiner shall be the secretary of state, assistant secretary of state, deputy secretary of state, or any other person commissioned by the secretary to serve as hearing examiner in a particular case.

(2) When the designated hearing examiner is a person other than the secretary of state, assistant secretary of state or deputy secretary of state, the petitioner or the registrant may, within seven days after the notice of hearing identifying the examiner is served, give notice in writing that the designated person is unacceptable to him. If such a notice is filed, the secretary of state will designate himself, or the assistant secretary of state or deputy secretary of state to serve in place of the hearing examiner who was originally designated.

(3) When the designated hearing examiner is a person other than the secretary of state, assistant secretary of state or deputy secretary of state, he shall make a proposal for decision, in accordance with RCW 34.04.110 and WAC 434-12-230. The final decision shall be rendered by the secretary of state, assistant secretary of state or deputy secretary of state after an opportunity has been afforded each party adversely affected to file exceptions and present written argument, and, if so ordered, oral argument, as is provided in RCW 34.04.110. [Regulation 1, § 14, filed 2/15/66.]

**WAC 434-12-150 Motions.** (1) Issues of law may be raised in the petition, answer, or statement of further facts (pertinent to the issues raised by the answer) or they may be raised at any time by motion.

(2) Motions, except those made during the hearing, shall be in writing and shall be accompanied by a brief written memorandum of points and authorities urged in support of the motion.

(3) When a written motion is filed, the secretary shall by order either:

(a) State that the motion will be ruled on at the hearing, or

(b) Rule on the motion, after giving parties other than the moving party (whose memorandum must be submitted with his motion) the opportunity to submit written argument. If the secretary decides to rule on the motion at a time other than the hearing, he may also, in his discretion, order that oral argument will be heard. [Regulation 1, § 15, filed 2/15/66.]

**WAC 434-12-160 Discovery.** (1) Discovery may be practiced as provided in Rules of Pleading, Practice and Procedure (superior court) numbers 26 through 36. Whenever the superior court discovery rules refer to "the court", the reference shall be deemed to be to the

secretary, when the discovery is being practiced in a trademark case.

(2) If any party or an officer or managing agent of a party refuses to make discovery after being ordered by the secretary to do so, the secretary may make such orders in regard to the refusal as are just, and among others the following:

(a) An order that the matters regarding which the questions were asked shall be taken to be established for purposes of the trademark case in accordance with the claim of the party obtaining the order.

(b) An order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting him from introducing in evidence designated documents or things or items of testimony, or from introducing evidence of physical or mental condition.

(c) An order striking out pleadings or parts thereof, or staying further proceedings until the order is obeyed, or dismissing the trademark case or any part of it, or cancelling the trademark registration.

(d) Any party may sue in superior court for a judgment ordering compliance with a discovery order issued by the secretary. [Regulation 1, § 16, filed 2/15/66.]

**WAC 434-12-170 Subpoenas.** (1) Upon application of any party or his counsel, there shall be issued to such party subpoenas requiring the attendance and testimony of witnesses or the production of evidence.

(2) The subpoena power of the secretary shall extend throughout the state of Washington.

(3) Service of subpoenas shall be made by delivering a copy of the subpoena to the person subpoenaed, or by leaving a copy at the place of his usual abode with some person of suitable age and discretion then resident therein, and by tendering him on demand the same fees which a court of record would allow under RCW 5.56-.010 for attendance as a witness, for traveling to and returning from the place where he is required to attend, and for meals and lodging, if allowed by the secretary in the same manner as amounts for meals and lodging may be allowed by a judge under RCW 5.56.010.

(4) The fees, mileage and expenses of witnesses summoned before the secretary shall be paid by the party at whose instance they appear.

(5) Unless the service of a subpoena is acknowledged on its face by the person subpoenaed, the person serving the subpoena shall make proof of service by filing the subpoena and the required return, affidavit, or acknowledgment of service with the secretary or the officer before whom the witness is required to testify or produce evidence. Failure to make proof of service does not affect the validity of the service.

(6) Upon motion made promptly, and in any event at or before the time specified in the subpoena for compliance, by the person to whom the subpoena is directed (and upon notice to the party to whom the subpoena was issued) the secretary may:

(a) Quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue; or

(b) Condition denial of the motion upon just and reasonable conditions. [Regulation 1, § 17, filed 2/15/66.]

**WAC 434-12-180 Prehearing conference.** (1) The secretary on his own motion, or on motion of a party, may in his discretion direct the parties or their representatives to appear at a specified time and place for a conference to consider:

- (a) The simplification of the issues;
- (b) The necessity of amendments to the pleadings;
- (c) The possibility of obtaining stipulations and admissions of fact or of the genuineness of documents, which will avoid unnecessary proof;
- (d) Limiting the number of expert witnesses; or
- (e) Such other matters as may aid in the disposition of the trademark case.

(2) The secretary shall make an order which recites the action taken at the conference, the amendments allowed to the pleadings, and the agreements made by the parties or their representatives as to any of the matters considered, and which limits the issues for hearing to those not disposed of by admissions or agreements. The order shall control the subsequent course of the trademark case unless modified for good cause by subsequent order. [Regulation 1, § 18, filed 2/15/66.]

**WAC 434-12-190 Intervention.** The secretary in his discretion may permit a person other than the petitioner and registrant to intervene in a trademark case. [Regulation 1, § 19, filed 2/15/66.]

**WAC 434-12-200 Hearings are public.** Hearings shall be open to the public, subject to such reasonable regulations as the hearing officer shall prescribe. [Regulation 1, § 20, filed 2/15/66.]

**WAC 434-12-210 Rules of evidence.** (1) Evidence shall be received in accordance with RCW 34.04.100. All relevant evidence is admissible which, in the opinion of the officer conducting the hearing, is the best evidence reasonably obtainable, having due regard for its necessity, availability and trustworthiness.

(2) When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The officer conducting the hearing may, in his discretion, either with or without objection, exclude inadmissible evidence or order cumulative evidence discontinued. A party objecting to the introduction of evidence shall state the precise grounds for objection promptly following the time such evidence is offered. [Regulation 1, § 21, filed 2/15/66.]

**WAC 434-12-220 Record.** The secretary shall make a record of the hearing in the manner provided in RCW 34.04.090. In addition, any party is free to make his own record, if he so desires. [Regulation 1, § 22, filed 2/15/66.]

**WAC 434-12-230 Form and content of decision.** Every decision and order, whether proposed, initial, or final, shall:

- (1) Be captioned as provided in WAC 434-12-050;

(2) Designate all parties and counsel attending the proceeding;

(3) Include a concise statement of the nature and background of the proceeding;

(4) Be accompanied by appropriate findings of fact, when issues of fact have been determined, and conclusions of law, when issues of law have been determined. [Regulation 1, § 23, filed 2/15/66.]

## Chapter 434-12A WAC

### PUBLIC RECORDS AND RULES OF PROCEDURE

#### WAC

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434-12A-120	Review of denials of public records request.
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434-12A-990	Appendix A—Form—Organization chart.
434-12A-99001	Appendix B—Form—Request for public record.

**WAC 434-12A-010 Purpose.** The purpose of this chapter shall be to provide an official public record of the information required by RCW 42.17.250 to be adopted by the office of the secretary of state. [Order 74-2, § 434-12A-010, filed 2/19/74.]

**WAC 434-12A-020 Definitions.** (1) "Public record" includes any writing containing information relating to the conduct or performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency, regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films or prints, magnetic or punched cards, discs, drums, and other documents. [Order 74-2, § 434-12A-020, filed 2/19/74.]

**WAC 434-12A-030 Description of the organization of the office of the secretary of state.** (1) The secretary of state's major activities are to:

(a) Serve as chief election officer under the provisions of RCW 29.04.070;

(b) Register and license all domestic and foreign, profit and nonprofit corporations, and record related filings;

(c) Act as repository for filings required or permitted under the Uniform Commercial Code;

(d) Register and attest to the official acts of the legislature and the governor;

(e) Affix the state seal and attest to commissions, pardons, and other public instruments to which the signature of the governor is required;

(f) Record conveyances made to the state, certified copies of franchises, or other papers filed in the office;

(g) Receive and file official bonds of those officers required by law to submit them to the secretary of state;

(h) Certify to the legislature all matters required by the law to be certified;

(i) Attest to and authenticate certificates and other documents issued by the secretary of state's office;

(j) Serve as an agent for official communications to the Public Disclosure Commission and provide certain administrative services to that agency.

(2) The offices of the secretary of state and their staff are located at:

(a) Main Administrative Office, Legislative Building, Olympia.

(b) Corporations Division, Legislative Building, Olympia.

(c) Uniform Commercial Code Section, Insurance Building, Olympia.

(d) Elections Division, Insurance Building, Olympia.

(3) The organizational chart, attached hereto as Appendix A, illustrates the general structure and organization of the staff of the secretary of state. [Order 74-2, § 434-12A-030, filed 2/19/74.]

**WAC 434-12A-040 Public records available.** All public records of the office as defined in WAC 434-12-020(1) are deemed to be available for public inspection and copying pursuant to these rules except as provided by RCW 42.17.310 and WAC 434-12-110. [Order 74-2, § 434-12A-040, filed 2/19/74.]

**WAC 434-12A-050 Office hours.** Public records shall be available for inspection and copying at all divisional offices of the secretary of state during its customary office hours. For the purpose of this chapter, the customary office hours shall be from 8:00 a.m. to noon, and from 1:00 p.m. to 5:00 p.m. Monday through Friday, excluding legal holidays. [Order 74-2, § 434-12A-050, filed 2/19/74.]

**WAC 434-12A-060 Public records officer.** (1) A public records officer shall be located in each division of the office.

(a) In the main administrative office, the public records officer shall be the administrative assistant or his designee.

(b) In the corporations division the public records officer shall be the corporations supervisor or his designee.

(c) In the elections division the public records officer shall be the elections supervisor or his designee.

(d) In the Uniform Commercial Code section the public records officer shall be the clerical supervisor of the section or his designee.

(2) The public records officers shall be responsible for the implementation of the office rules and regulations

regarding release of public records, preparation and maintenance of the indices to public records of his division or section, and coordination of the staff of the division or section in this regard. [Order 74-2, § 434-12A-060, filed 2/19/74.]

**WAC 434-12A-070 Protection of public records.** The public records officer shall:

(1) Implement whatever procedures are necessary to assure the retention and integrity of the secretary of state's records.

(2) Establish reasonable measures to provide that the secretary of state's records are not lost, stolen, altered, defaced, or destroyed when such records are made available for inspection and/or copying.

(3) Records of the office of the secretary of state made available for inspection or copying pursuant to these rules, shall not be removed from the divisional offices of the secretary of state. [Order 74-2, § 434-12A-070, filed 2/19/74.]

**WAC 434-12A-080 Records index.** (1) Index. The secretary of state's office will compile, maintain, and make available to all persons so requesting, a current index which provides identifying information as to the following records issued, adopted, or promulgated after June 30, 1972:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretation of policy, statute and the constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others.

(f) Correspondence and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) Availability. The current index, as and when compiled by the office of the secretary of state, shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection. [Order 74-2, § 434-12A-080, filed 2/19/74.]

**WAC 434-12A-090 Requests for public records.** Chapter 42.17 RCW requires that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive

interference with essential functions of the agency. Public records may be inspected or copies of public records obtained by the public at each divisional office of the secretary of state upon compliance with the following procedures:

(1) A request shall be made in writing. A request form, prescribed by the secretary of state, shall be available at each divisional office. The written request or prescribed form shall be submitted or presented to a public records officer, or to any member of the office staff, if a public records officer is not available, at any divisional office of the secretary of state during customary office hours. The request shall include the following information:

(a) The name and address of the person requesting the records;

(b) The time of the day, and calendar date, on which the request was received;

(c) The nature of the request;

(d) If the matter requested is referenced within the current index, maintained by the records officer, a reference to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested. [Order 74-2, § 434-12A-090, filed 2/19/74.]

**WAC 434-12A-100 Inspection and copying.** (1) No fee shall be charged for the personal inspection of public records.

(2) Where an individual requests a copy, or a certified copy, of a document or instrument which is not a public record, as that term is defined by RCW 42.17.020(24) and WAC 434-12-020(1), the office of the secretary of state shall charge a fee of:

(a) Fifty cents per page for the first ten pages and twenty-five cents per page thereafter for providing copies of corporation records;

(b) Five dollars per document for certified copies of profit corporation records;

(c) Two dollars plus fifty cents per page for certified copies of nonprofit corporation records;

(d) Four dollars for copies of statements listed to an individual debtor from Uniform Commercial Code records;

(e) Fifty cents per page for the first ten pages, and twenty-five cents per page for each additional page for a copy of any law, resolution, record or other document filed in the office of the secretary of state.

(3) Where an individual requests a copy of a document or record which is a public record, as that term is defined by RCW 42.17.020(24) and WAC 434-12-020(1), and which has been filed with the office of the

secretary of state pursuant to a specific statutory requirement to file such documents, the office of the secretary of state shall charge fifty cents per page for the first ten pages and twenty-five cents per page for each additional page of such document or record.

(4) Where an individual requests a copy of a document or record which is a public record, as that term is defined by RCW 42.17.020(24) and WAC 434-12-020(1) but which has not been filed with the office of the secretary of state pursuant to a specific statutory requirement to file such documents, the office of the secretary of state shall charge a fee of ten cents per page for each page of such document or record. This charge is intended to reimburse the office of the secretary of state for a portion of the actual costs of copying, but not to exceed such actual costs.

(5) Where an individual requests to personally make a copy of a document or record referred to in subsection (3) or (4) of this section and the public records officer determines that this would not result in excessive interference with other essential functions of the agency, the charge shall be equal to the amount necessary to reimburse the office of the secretary of state for its actual costs incidental to such copying as determined by the public records officer of that section or division. [Order 74-2, § 434-12A-100, filed 2/19/74.]

**WAC 434-12A-110 Exemptions, deletions, and denials.** (1) The secretary of state reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 434-12-090 is exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.260 the secretary of state reserves the right to delete identifying details when he makes available or publishes any public record, in any cases where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW.

(3) All denials of requests for public records will be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [Order 74-2, § 434-12A-110, filed 2/19/74.]

**WAC 434-12A-120 Review of denials of public records request.** (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by so indicating in the space provided for this purpose on the standard request form adopted by WAC 434-12-130 or by tendering a written request for review. The request for review shall specifically refer to, or be accompanied by, a copy of the written statement by the public records officer, or other staff member, which constituted or accompanied the denial.

(2) Immediately after receiving a request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the secretary of state, or in his absence, a designee of the secretary of state. The secretary of state



or designee, as the case may be, shall immediately consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the secretary of state or his designee has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever first occurs. [Order 74-2, § 434-12A-120, filed 2/19/74.]

**WAC 434-12A-130 Adoption of standard request form.** The office of the secretary of state hereby adopts the form attached hereto as Appendix B, entitled "Request for Public Record", which may be used by persons, requesting inspection and/or copying or copies of its records, where other forms are not already provided or in use. [Order 74-2, § 434-12A-130, filed 2/19/74.]

**WAC 434-12A-140 Communications and submissions relating to public records.** All communications with the office including, but not limited to, the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW and these rules shall be addressed as follows: Office of the secretary of state, Legislative Building, Olympia, Washington 98504. [Order 74-2, § 434-12A-140, filed 2/19/74.]

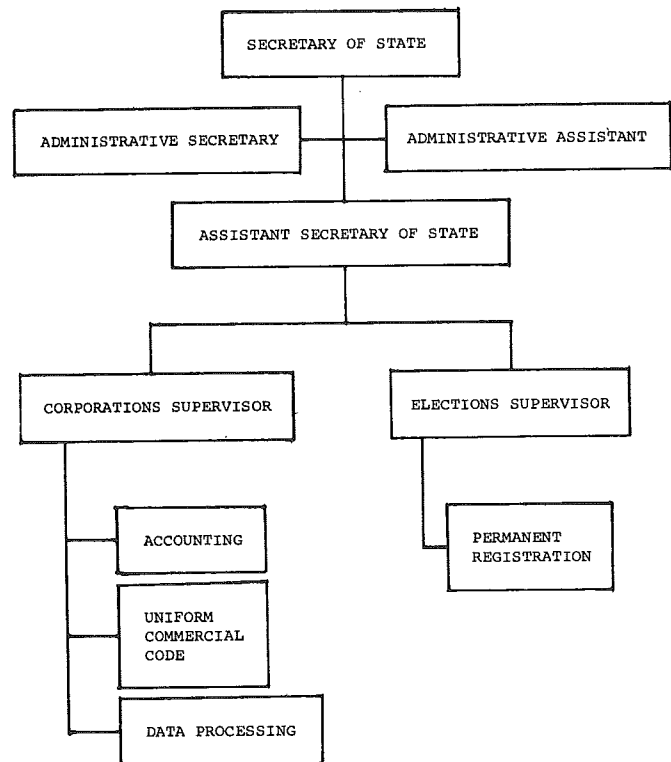
**WAC 434-12A-150 Revolving fund.** Pursuant to RCW 43.07.130, and subject to the current availability of such materials, the office of the secretary of state will supply any of the following items of printed matter to the public for a charge equal to the costs of printing, reprinting, and distributing such printed matter:

- (1) Lists of active corporations;
- (2) The provisions of Title 23 RCW;
- (3) The provisions of Title 23A RCW;
- (4) The provisions of Title 24 RCW;
- (5) The provisions of Title 29 RCW;
- (6) The provisions of Title 62A RCW;
- (7) The provisions of chapter 18.100 RCW;
- (8) The provisions of chapter 19.77 RCW;
- (9) The provisions of chapter 43.07 RCW;
- (10) The provisions of the Washington state Constitution;
- (11) The provisions of initiative measure 276 and rules and regulations adopted by the public disclosure commission; and
- (12) Rules and regulations related to the statutory provisions set forth above.

Upon request, any person may receive a list of such printed matter currently available, the cost of each such item of printed matter, and instructions for ordering one or more items. The revenue derived in this manner shall be placed in the secretary of state's revolving fund. [Order 74-2, § 434-12A-150, filed 2/19/74.]

**WAC 434-12A-990 Appendix A—Form—Organization chart.**

(APPENDIX A)



[Order 74-2, Appendix A (codified as WAC 434-12A-990), filed 2/19/74.]

**WAC 434-12A-99001 Appendix B—Form—Request for public record.**

**OFFICE OF THE SECRETARY OF STATE  
REQUEST FOR PUBLIC RECORD**

DATE: ..... TIME: .....

NAME: .....

ADDRESS: .....

DESCRIPTION OF RECORD(S) REQUESTED: ...

I certify that the information obtained through this request for public records will not be used for commercial purposes.

INITIALS OF PRO

SIGNATURE



<b>FOR OFFICE USE ONLY</b> Number of pages ----- Number of copies ----- Per copy charge \$ ----- TOTAL CHARGE \$ ----- <input type="checkbox"/> Request granted  <input type="checkbox"/> Request granted with exceptions or deletions noted below  <input type="checkbox"/> Request denied	<b>REQUEST FOR REVIEW OF EXEMPTION, DELETION OR DENIAL</b>  I hereby appeal for a review of the denial of this request for access to or copies of public records. I have attached a copy of the written denial furnished to me by this office.  DATE: -----  SIGNATURE -----
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[Order 74-2, Appendix B (codified as WAC 434-12A-99001), filed 2/19/74.]

### Chapter 434-16 WAC

#### FILING UNDER UNIFORM COMMERCIAL CODE

##### WAC

434-16-010	Authority and purpose.
434-16-020	Applicable statute.
434-16-030	Definitions.
434-16-040	Standard forms.
434-16-050	Official approval of forms.
434-16-060	Rejection of filings.
434-16-070	Prefiled financing statements.
434-16-080	Request for information or copies.
434-16-090	Amendment fees.

**WAC 434-16-010 Authority and purpose.** These rules are adopted under authority of RCW 62A.9-409(1) [1967 c 114 § 12(1)], and RCW 34.04.020, to standardize filing forms for use under the Uniform Commercial Code and to establish uniform procedures for filing with, and obtaining information from, filing officers. [Regulation 1, § 1, filed 5/18/67.]

**WAC 434-16-020 Applicable statute.** This regulation shall be considered a supplement to and not a replacement for Article 62A.9 RCW. [Regulation 1, § 2, filed 5/18/67.]

**WAC 434-16-030 Definitions.** As used in this regulation: "Filing officer" means the secretary of state or the county auditor or any person commissioned by them to act on their behalf in a Uniform Commercial Code filing procedure.

"Person" includes groups of persons, corporations, co-operatives, business trusts and all other entities capable of holding title to property.

"Filings" includes all documents submitted to a filing officer under Article 62A.9 RCW. [Regulation 1, § 3, filed 5/18/67.]

**WAC 434-16-040 Standard forms.** The following exhibits, attached to these rules and by this reference made a part hereof, shall be considered to conform to standards prescribed by the secretary of state for the purpose indicated, under the respective provisions of

RCW 62A.9-403(5), 62A.9-404(1), 62A.9-405(2) and 62A.9-406:

Exhibit A - UCC-1 Standard Financing Statement

Exhibit B - UCC-3 Standard Statements of Continuation, Termination, Assignment, Amendment or Release.

The following exhibit, also attached and incorporated, is hereby approved for the purpose indicated:

Exhibit C - UCC-11R Standard Request for Information or Copies. [Regulation 1, § 4, filed 5/18/67.]

**Reviser's note:** \*Exhibits A, B, and C, referred to above in WAC 434-16-040, are multi-copy forms which are unsuitable for reproduction herein. Specifications for these forms may be obtained from the office of the secretary of state. Sample copies as filed on May 18, 1967, may be inspected by interested persons in the code reviser's office, Legislative Building, Olympia.

**WAC 434-16-050 Official approval of forms.** A supplier of standard forms who wishes to print on such forms a legend indicating that they have been officially approved as standard forms by the secretary of state shall submit five sets of reproducible proof copies of each such form to the office of the secretary of state which copies must demonstrate to the satisfaction of the secretary of state that the approved form in final printing will conform to content, format, size and construction of Exhibits A, B and C, referred to above.\* If the secretary of state is so satisfied, he shall notify such supplier in writing. No person shall print such a legend on any forms for use under the Uniform Commercial Code, nor shall he in any manner represent that there has been such approval, without first applying for such approval and receiving such notice from the secretary of state. [Regulation 1, § 5, filed 5/18/67.]

\*Reviser's note: See note following WAC 434-16-040.

**WAC 434-16-060 Rejection of filings.** Any filings rejected for any reason by any filing officer shall be returned with reasonable promptness to the person submitting the same, and shall be accompanied by a brief but specific written statement of the reasons for rejection. [Regulation 1, § 6, filed 5/18/67.]

**WAC 434-16-070 Prefiled financing statements.** All copies of all financing statements that are filed under the provisions of RCW 62A.9-409(2) [1967 c 114 § 12(2)], shall be marked "PRE-FILED". Only financing statements will be accepted by a filing officer prior to July 1, 1967. [Regulation 1, § 7, filed 5/18/67.]

**WAC 434-16-080 Request for information or copies.** A separate request for information (see exhibit C. Form UCC-11R)\* must be submitted with respect to each individual debtor concerning whom information is sought. For this purpose a husband and wife shall be considered to be two individual debtors. [Regulation 1, § 8, filed 5/18/67.]

\*Reviser's note: See note following WAC 434-16-040.

**WAC 434-16-090 Amendment fees.** The fee for filing an amendment to a financing statement shall be the

same as that for filing a financing statement. [Regulation 1, § 9, filed 5/18/67.]

required the above request for inspection should be made. See WAC 434-20-050 for expiration date of forms for registration.

**Chapter 434-20 WAC**  
**VOTER REGISTRATION FORMS—MANUAL**  
**VOTER REGISTRATION**

**WAC**

- 434-20-010 Permanent registration form 1.
- 434-20-020 Registrar's certificate of registered voters.
- 434-20-030 Certificate of transfer of registrations.
- 434-20-040 Certificate of cancellation of registrations.
- 434-20-050 Use of forms previously prescribed.

**Reviser's note:** Voter registration forms and supplemental affidavit of registration forms filed with Order 4, on August 10, 1971, and with Order 8, filed 6/15/72 are unsuitable for reproduction herein. Specifications for these forms may be obtained from the office of the Secretary of State, Elections Division, Insurance Building, Olympia, Wa. 98504. Sample copies may be inspected by interested persons in the Code Reviser's Office, Legislative Building, Olympia, Wa. 98504. Order 74-4, filed June 3, 1974 includes certain forms which will be of a quality not normally printed in WAC. If inspection of these forms are

**WAC 434-20-010 Permanent registration form 1.**  
In counties which do not maintain voter registration records on data processing systems under the provisions of RCW 29.07.150(2) and provide precinct lists of registered voters at the precinct polling place as provided by RCW 29.48.030, the county auditor shall complete, for each newly registered voter, a manual record on a form substantially similar to the sample included below. The form, designated as Permanent Registration Form 1, shall measure eight and one-half inches by eleven inches and be printed on paper stock of twenty-five percent rag index bristol or a comparable substitute approved by the office of the Secretary of State. For each registered voter, the county auditor shall record the voter's name, address, date of registration, sex, the month and day of birth, the name of the precinct in which the voter resides, and the names of all municipal corporations or special taxing districts in which the voter resides.

ORIGINAL REGISTER OF VOTER		GIVEN NAME	SURNAME																																																																														
STATE OF WASHINGTON, COUNTY OF _____ ss. _____ "I, the undersigned, on oath or affirmation, do hereby declare that the foregoing facts touching my qualifications as a voter, recorded in my presence by the registration officer, are true. I further certify that I will be at least 18 years of age at the time of voting and that I am a taxpayer in the State of Washington." this _____ day of _____ 19____ SIGNATURE OF REGISTRATION OFFICER _____		Sign Here _____ X SIGNATURE OF VOTER _____ PRINT NAME HERE FOR POSITIVE IDENTIFICATION _____																																																																															
1. SEX: <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE ADDRESS _____ MOVED TO _____ DATE _____ PRECINCT _____		2. U. S. CITIZENSHIP CITIZEN BY BIRTH <input type="checkbox"/> NATURALIZED <input type="checkbox"/> RECORD SIGNING OF PETITIONS HERE (IN PENCIL) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>53</td><td>27</td><td>1</td></tr> <tr><td>54</td><td>28</td><td>2</td></tr> <tr><td>55</td><td>29</td><td>3</td></tr> <tr><td>56</td><td>30</td><td>4</td></tr> <tr><td>57</td><td>31</td><td>5</td></tr> <tr><td>58</td><td>32</td><td>6</td></tr> <tr><td>59</td><td>33</td><td>7</td></tr> <tr><td>60</td><td>34</td><td>8</td></tr> <tr><td>61</td><td>35</td><td>9</td></tr> <tr><td>62</td><td>36</td><td>10</td></tr> <tr><td>63</td><td>37</td><td>11</td></tr> <tr><td>64</td><td>38</td><td>12</td></tr> <tr><td>65</td><td>39</td><td>13</td></tr> <tr><td>66</td><td>40</td><td>14</td></tr> <tr><td>67</td><td>41</td><td>15</td></tr> <tr><td>68</td><td>42</td><td>16</td></tr> <tr><td>69</td><td>43</td><td>17</td></tr> <tr><td>70</td><td>44</td><td>18</td></tr> <tr><td>71</td><td>45</td><td>19</td></tr> <tr><td>72</td><td>46</td><td>20</td></tr> <tr><td>73</td><td>47</td><td>21</td></tr> <tr><td>74</td><td>48</td><td>22</td></tr> <tr><td>75</td><td>49</td><td>23</td></tr> <tr><td>76</td><td>50</td><td>24</td></tr> <tr><td>77</td><td>51</td><td>25</td></tr> <tr><td>78</td><td>52</td><td>26</td></tr> </table>		53	27	1	54	28	2	55	29	3	56	30	4	57	31	5	58	32	6	59	33	7	60	34	8	61	35	9	62	36	10	63	37	11	64	38	12	65	39	13	66	40	14	67	41	15	68	42	16	69	43	17	70	44	18	71	45	19	72	46	20	73	47	21	74	48	22	75	49	23	76	50	24	77	51	25	78	52	26
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[Order 74-4, § 434-20-010, filed 6/3/74. Formerly WAC 458-20-010 entitled Manual voter registration forms, Order 8, § 434-20-010, filed 6/15/72; Order 4 and Emergency Order 3, § 434-20-010, filed 8/10/71.]

**Reviser's note:** The above form is of a quality not normally printed in the Washington Administrative Code. If inspection of the form is required, it may be inspected in the Code Reviser's Office, Legislative Bldg., Olympia, WA. 98504.

**WAC 434-20-020 Registrar's certificate of registered voters.** In counties which do not maintain voter registration records on data processing systems under the provisions of RCW 29.07.150(2) and provide precinct lists of registered voters at the precinct polling place as provided by RCW 29.48.030, the county auditor shall certify, prior to any primary or election, as to the authenticity of the voter registration records of each precinct, or portion of a precinct, in the jurisdiction for

which such primary or election is being held. A form for this purpose, similar to the sample included below and designated as Permanent Registration Form 4, shall be included with the records in each precinct binder. The form shall measure eight and one-half inches by eleven inches and be printed on paper stock of twenty-five percent rag index bristol or a comparable substitute approved by the office of the Secretary of State.

CERTIFICATE OF AUTHENTICITY OF REGISTERED VOTERS OF _____ PRECINCT	
STATE OF WASHINGTON, COUNTY OF _____	PRECINCT NO. _____
1. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
2. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
3. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
4. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
5. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
6. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
7. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
8. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
9. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
10. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
11. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
12. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
13. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
14. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____
15. I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE RECORD CONTAINED HEREIN IS A COMPLETE AND AUTHENTIC RECORD OF THE REGISTERED VOTERS OF THIS PRECINCT AS OF _____ 19____	REGISTRAR OF VOTERS _____

[Order 74-4, § 434-20-020, filed 6/3/74. Formerly WAC 434-20-020 entitled Use of forms previously prescribed, Order 4 and Emergency Order 3, § 434-20-020, filed 8/10/71.]

**Reviser's note:** The above form is of a quality not normally printed in the Washington Administrative Code. If inspection of the forms is required, it may be inspected in the Code Reviser's Office, Legislative Bldg., Olympia, WA. 98504.

**WAC 434-20-030 Certificate of transfer of registrations.** In counties which do not maintain voter registration records on data processing systems under the provisions of RCW 29.07.150(2) and provide precinct lists of registered voters of the precinct polling place as

provided by RCW 29.48.030, the county auditor shall notify the office of the Secretary of State of all transfers of voter registrations, in the manner provided by RCW 29.10.100. He shall transmit, on a form substantially similar to the sample included below and designated as Permanent Registration Form 7, the name, previous address, date of registration, and new address for each voter whose registration has been transferred since the last previous report. The form shall measure eight and three-eighths inches by ten and seven-eighths inches and be printed on pink paper stock of sixteen pound rag bond or a comparable substitute approved by the office of the Secretary of State.

## Registrar of Voters' Certificate of Transfer of Registration

State of Washington, CITY \_\_\_\_\_ or of \_\_\_\_\_ Saturday, \_\_\_\_\_, 19\_\_\_\_  
COUNTY \_\_\_\_\_

SECRETARY OF STATE,  
Olympia, Washington.

I hereby certify that I have TRANSFERRED on the registration records of this COUNTY, the registered voters as follows:

[illegible]

Signed \_\_\_\_\_  
City Clerk or County Auditor and Registrar of Voters.

By \_\_\_\_\_  
Deputy Registrar.

[Order 74-4, § 434-20-030, filed 6/3/74. Formerly WAC 434-20-030 entitled Additional forms relating to voter registration records, Order 4 and Emergency Order 3, § 434-20-030, filed 8/10/71.]

**Reviser's note:** The above form is of a quality not normally printed in the Washington Administrative Code. If inspection of the form is required, it may be inspected in the Code Reviser's Office, Legislative Bldg., Olympia, WA. 98504.

**WAC 434-20-040 Certificate of cancellation of registrations.** In counties which do not maintain voter registration records on data processing systems under the provisions of RCW 29.07.150(2) and provide precinct lists of registered voters at the precinct polling

place as provided by RCW 29.48.030, the county auditor shall notify the office of the Secretary of State of all cancellations of voter registrations in the manner provided by RCW 29.10.100. He shall transmit, on a form substantially similar to the sample included below and designated as Permanent Registration Form 8, the name, previous address, and date of registration for each voter whose registration has been cancelled since the last previous report. The form shall measure eight and three-eighths inches by ten and seven-eighths inches and be printed on blue paper stock of sixteen pound rag bond or a comparable substitute approved by the office of the Secretary of State.

## Registrar of Voters' Certificate of Cancellation of Registration

State of Washington, <sup>Pierce</sup>County \_\_\_\_\_ Saturday, \_\_\_\_\_, 19 \_\_\_\_\_

SECRETARY OF STATE,  
Olympia, Washington.

I hereby certify that I have CANCELLED registrations on the registration records of Pierce County as follows:

NAME OF VOTER	RESIDENCE	Date Registered			PRECINCT
		Month	Day	Year	

Signed \_\_\_\_\_  
Pierce County Auditor

By \_\_\_\_\_  
Deputy.

Z-1147

[Order 74-4, § 434-20-040, filed 6/3/74.]

**WAC 434-20-050 Use of forms previously prescribed.** All voter registration forms provided, adopted, or specified by the Division of Municipal Corporations

(1980 Ed.)

of the office of the State Auditor or by the office of the Secretary of State prior to January 1, 1974, are hereby repealed effective July 1, 1975. Existing supplies of forms provided, adopted, or specified prior to January 1,

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1974, may be used prior to the effective date of this section, but no new supplies of such forms shall be acquired after July 1, 1974. After July 1, 1975, all county auditors, their deputy registrars, and their agents shall use only those voter registration forms adopted and specified by chapters 434-20 and 434-24 WAC as now or hereafter amended. [Order 74-4, § 434-20-050, filed 6/3/74.]

### Chapter 434-24 WAC

#### MAINTENANCE OF VOTER REGISTRATION RECORDS ON ELECTRONIC DATA PROCESSING SYSTEMS

##### WAC

434-24-010	Contents of computer file of registered voters.
434-24-015	Uniform control number.
434-24-020	County codes.
434-24-025	Precinct codes.
434-24-030	Taxing district codes.
434-24-035	Maintenance of recent voting record.
434-24-040	Oath of deputy registrars.
434-24-050	Basic voter registration form.
434-24-055	Voter registration worksheet.
434-24-060	Transmittal of signature cards to the secretary of state.
434-24-070	Voters' request for transfer.
434-24-080	Transmittal of transfers to the secretary of state.
434-24-085	Notice of new registration or transfer.
434-24-090	Voters' authorization to cancel registration.
434-24-095	Cancellation due to death.
434-24-100	Cancellation for failure to vote.
434-24-105	Notification of cancellation for failure to vote.
434-24-110	Transmittal of cancellations to the secretary of state.
434-24-115	Challenge of voter's registration.
434-24-120	Contents of precinct list of registered voters.
434-24-130	Contents of list of registered voters for the public.
434-24-140	Requests for list of registered voters.
434-24-150	Subsidies for establishment of automated voter registration systems.
434-24-155	Subsidies for maintenance of records on automated voter registration systems.
434-24-160	Approval of automated voter registration systems.
434-24-170	Continuing review of automated voter registration systems.

**WAC 434-24-010 Contents of computer file of registered voters.** In counties which maintain voter registration records on electronic data processing systems under the provisions of RCW 29.07.150(2) and provide precinct lists of registered voters at the precinct polling place as provided by RCW 29.48.030, a record or records containing the following information shall be maintained on each registered voter in the computer file: name, address, registration number, sex, date of birth, date of registration, applicable district and precinct codes, and up to five dates upon which the individual has voted since establishing that registration record. The county may assign numeric or alphabetic codes for city names in order to facilitate economical storage of the voter's address. When existing manual voter registration records are converted to data processing, the county auditor shall record the last date upon which the individual voted: *Provided*, That if the individual has not voted since establishing that record no data shall be recorded. Subsequent dates upon which the individual votes shall

be recorded and retained as provided by WAC 434-24-035 as now or hereafter amended. [Order 74-4, § 434-24-010, filed 6/3/74; Order 6, § 434-24-010, filed 3/3/72.]

**WAC 434-24-015 Uniform control number.** All counties which maintain voter registration records on electronic data processing systems under the provisions of RCW 29.07.150(2) and provide precinct lists of registered voters at the precinct polling place as provided by RCW 29.48.030 shall assign to each voter registration record in the computer file a permanent control number composed of two alphabetic characters representing the county in which the voter is registered, followed by two numeric characters which shall be the last two digits of the year in which the registration was taken, followed by a six digit item number assigned in sequence: *Provided*, That for those registrations taken prior to the time at which a county has placed all its current registrations on the computer file, the two numeric characters, which normally correspond to the year of registration, may be assigned arbitrarily, and: *Provided further*, That the components of the uniform registration number need not be stored in the computer file as a single item of information. [Order 74-4, § 434-24-015, filed 6/3/74.]

**WAC 434-24-020 County codes.** All counties which maintain voter registration records on electronic data processing systems under the provisions of subsection (2) of RCW 29.07.150 and provide precinct lists of registered voters at the precinct polling place as provided by RCW 29.48.030, shall use the following system of two character codes for designating the county in which the voter is registered:

Adams — AD	Lewis — LE
Asotin — AS	Lincoln — LI
Benton — BE	Mason — MA
Chelan — CH	Okanogan — OK
Clallam — CM	Pacific — PA
Clark — CR	Pend Oreille — PE
Columbia — CU	Pierce — PI
Cowlitz — CZ	San Juan — SJ
Douglas — DG	Skagit — SK
Ferry — FE	Skamania — SM
Franklin — FR	Snohomish — SN
Garfield — GA	Spokane — SP
Grant — GR	Stevens — ST
Grays Harbor — GY	Thurston — TH
Island — IS	Wahkiakum — WK
Jefferson — JE	Walla Walla — WL
King — KI	Whatcom — WM
Kitsap — KP	Whitman — WT
Kittitas — KS	Yakima — YA
Klickitat — KT	

[Order 74-4, § 434-24-020, filed 6/3/74; Order 6, § 434-24-020, filed 3/3/72.]

**WAC 434-24-025 Precinct codes.** Counties shall assign numeric codes of up to six digits in length to designate for each voter registration record the precinct in

which that individual voter is located. [Order 74-4, § 434-24-025, filed 6/3/74. Formerly WAC 434-24-030, Order 6, filed 3/3/72.]

**WAC 434-24-030 Taxing district codes.** Counties shall assign numeric codes of up to six digits in length to designate for each voter registration record the taxing district or combination of taxing districts in which that individual voter is located. [Order 74-4, § 434-24-030, filed 6/3/74. Formerly WAC 434-24-040, Order 6, filed 3/3/72.]

**WAC 434-24-035 Maintenance of recent voting record.** After each primary or election, in counties which maintain voter registration records on electronic data processing systems under the provisions of RCW 29.07.150(2) and provide precinct lists of registered voters at the precinct polling as provided by RCW 29.48-.030, a date shall be entered in the voter registration record of each individual who cast a proper ballot at that

election, either at the polling place or by absentee. In the case of each individual record, the five most recent of such dates shall be retained in that record: *Provided*, That if the voter has not voted at least five times since establishing his current registration record, only the available dates shall be recorded. If there are already five such dates being maintained in a given record, the least recent date shall be deleted at the time that any new date is added to that record. [Order 74-4, § 434-24-035, filed 6/3/74.]

**WAC 434-24-040 Oath of deputy registrars.** Pursuant to RCW 29.07.050, each county auditor shall require each deputy voter registrar to take the oath provided therein and to sign a certificate on a form substantially similar to the sample included below. The form shall be designated as Permanent Registration Form 6A. The county auditor shall acknowledge the oath and file it in his office.

### OATH OF REGISTRATION OFFICER

STATE OF WASHINGTON

County of..... City of..... Precinct.....

"I, ....., do swear (or affirm) that I will truly, faithfully and impartially perform my duties as registration officer, to the best of my judgement and abilities, and that I will register no person except upon his personal application before me."

Subscribed and sworn to before me this..... day of..... 19.....

Registrar

This oath must be administered and certified to by an officer legally authorized to administer oaths, and shall be filed with the Registrar of Voters.

[Order 74-4, § 434-24-040, filed 6/3/74. Formerly WAC 434-24-040, Taxing district codes, Order 6, § 434-24-040, filed 3/3/72.]

**WAC 434-24-050 Basic voter registration form.** Each original voter registration shall be recorded on a

form substantially similar to the sample included below. The form, designated Permanent Registration Form 2A, shall measure eight inches by eight inches and be printed on paper stock of one hundred pound index or a comparable substitute approved by the office of the Secretary of State.



<b>ORIGINAL REGISTER OF VOTER</b>	FIRST NAME	INITIAL	LAST NAME
---	------------	---------	-----------

RESIDENCE ADDRESS		STATE OF WASHINGTON County of _____ "I, the undersigned, on oath or affirmation, do hereby declare that the facts set forth herein relating to my qualifications as a voter, recorded by the registration officer in my presence, are true. I further certify that I am not presently denied my civil rights as a result of being convicted of an infamous crime and that I will be at least eighteen years of age at the time of voting." <b>SIGN HERE</b> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> SIGNATURE OF VOTER  PRINT NAME HERE FOR POSITIVE IDENTIFICATION  Subscribed and sworn to before me this _____ day of _____, 19____
CITY OR TOWN		
RESIDENCE LOCATION (IF ADDRESS ABOVE IS ROUTE OR BOX)		
MALE <input type="checkbox"/> FEMALE <input type="checkbox"/>	DATE OF BIRTH <input type="text"/> - <input type="text"/> - <input type="text"/>	
U. S. CITIZENSHIP <input type="checkbox"/>		ACCOUNT NUMBER _____ SIGNATURE OF REGISTRATION OFFICER _____ <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <b>TRANSFERS</b>            In order to use this form to transfer an existing registration, enter the name and new address of the voter under the appropriate headings at the top of this form, enter the old address in the space for "last previous registration", have the voter sign below the oath, and place a check in the box at the right.           <div style="float: right; border: 1px solid black; width: 30px; height: 30px; margin-top: 10px;"></div> </div>
SOCIAL SECURITY NUMBER		
IDENTIFICATION PRODUCED    YES <input type="checkbox"/> NO <input type="checkbox"/>	HOME PHONE _____	
LAST PREVIOUS REGISTRATION    RESIDENCE ADDRESS CITY OR TOWN    ZIP CODE		

<b>FOR OFFICE USE ONLY</b>	REGISTRATION NUMBER		DATE OF REGISTRATION		<b>Record Signing of Petitions Here (In Pencil)</b>
	PRECINCT CODE		PRECINCT NAME		
	DISTRICT/LEVY CODE				
	PRECINCT NAME				

**PENALTY PROVISION**  
 RCW 29.36.110: Any person who violates any of the provisions relating to swearing and voting, shall be guilty of a felony and shall be punished by imprisonment of not more than five years or a fine of not more than five thousand dollars, or by both such fine and imprisonment.

**INSTRUCTIONS**  
 1. Enter the applicant's name, address, and other pertinent information in the appropriate spaces at the top, left-hand side of the form.  
 2. Administer the affidavit at the top, right-hand side of the form.  
 3. Have the applicant sign beneath the affidavit **AND** on the 3x5 form immediately to the right. Acknowledge the voter's signature on the main form.  
 4. Return the completed form to the County Auditor or Department of Elections.


LAST NAME (PRINT)		FIRST NAME		INITIAL
REGISTRATION NUMBER		SIGN HERE		
COUNTRY		SIGNATURE OF VOTER		
STREET AND NUMBER OR RURAL ROUTE		DATE	PRECINCT	
CITY		ZIP CODE		
MOVED TO				
RECORD SIGNING OF PETITIONS HERE (IN PENCIL)				

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[Order 74-4, § 434-24-050, filed 6/3/74; Order 8, § 434-24-050, filed 6/15/72; Order 6, § 434-24-050, filed 3/3/72.]

**WAC 434-24-055 Voter registration worksheet.** Voter registrars may, at the direction of the county auditor, record the responses of the applicant for voter registration on a form substantially similar to the sample included below in lieu of recording them directly upon the basic voter registration form provided by WAC 434-

24-050, as now or hereafter amended. The form shall be designated Permanent Registration Form 1A. The county auditor shall transfer the information from the worksheet to the appropriate locations on the permanent registration record provided by WAC 434-24-050. After the information has been transferred, the worksheet forms shall be filed and retained by the county auditor for such a period of time as shall be required under the provisions of RCW 40.14.070, as now or hereafter amended.

VOTER REGISTRATION WORK SHEET										PRECINCT _____
Voter's Telephone No. _____					Parents Telephone No. _____					
Please print name as signed _____										
Address (mailing) _____					Post Office _____		Zip _____			
*Whenever mailing address does not contain street numbers to precisely locate place of residence, additional information is necessary to determine the precinct and districts in which the prospective voter resides.										
*Residence location (indicate one) (A) Same as above <input type="checkbox"/> (B) Unit No. _____ Block No. _____										
(C) Sec. _____ Twn. _____ Rg. _____ (D) Other _____										
1. Male <input type="checkbox"/> Female <input type="checkbox"/> 2. Date of birth _____ Month _____ Day _____ Year _____ 3. U.S. Citizenship <input type="checkbox"/>										
4. Identification Produced Yes <input type="checkbox"/> No <input type="checkbox"/> 5. Social Security Number _____										
6. Last registered in this state: County _____ Address _____										
City or Town _____ Zip _____ (If presently registered elsewhere complete Cancellation Card.)										
7. The following is the affidavit concerning your answers to the questions above.										
Please do not sign until you are in the presence of the registrar.										
<p>"I, the undersigned, on oath or affirmation, do hereby declare that the facts set forth herein relating to my qualifications as a voter, recorded by the registration officer in my presence, are true. I further certify that I am not presently denied my civil rights as a result of being convicted of an infamous crime and that I will be at least eighteen years of age at the time of voting."</p>										
SIGN HERE					 _____ Signature of Voter					
Subscribed and sworn to before me this _____ day of _____, 19 _____										
					_____ Signature of Registration Officer					
REGISTRAR PLEASE NOTE: Have all forms been signed and acknowledged?										
CEME- TERY	P.U.D.	HOSPITAL	LIBRARY	PORT	WATER	FIRE	SEWER	SCHOOL	PRECINCT	

[Order 74-4, § 434-24-055, filed 6/3/74.]

**WAC 434-24-060 Transmittal of signature cards to the secretary of state.** Each group of initiative and referendum signature cards transmitted to the office of the Secretary of State under the provisions of RCW 29.07-.120 shall be accompanied by a properly executed certificate on a form substantially similar to the sample

included below. The form, designated Permanent Registration Form 5A shall measure five inches by eight inches and be printed on paper stock of sixteen pound bond or a comparable substitute approved by the office of the Secretary of State.

## Registrar of Voters' Certificate of Original Third Cards

State of Washington, County of \_\_\_\_\_ 19\_\_\_\_

SECRETARY OF STATE,  
Olympia, Washington.

Herewith I transmit to you \_\_\_\_\_ registration cards, and I hereby certify that they are the original third cards, signed by the voters whose names appear thereon, respectively, and that these voters are duly registered in the precincts and from the addresses shown thereon, respectively.

Signed \_\_\_\_\_  
Registrar of Voters.

County of \_\_\_\_\_ Washington

[Order 74-4, § 434-24-060, filed 6/3/74. Formerly WAC 434-24-060, Voters' request for transfer, Order 6, filed 3/3/72.]

**WAC 434-24-070 Voters' request for transfer.** All registrars shall maintain a supply of, and furnish to the public on request, forms substantially similar to the sample included below for the purpose of allowing registered voters to request the transfer of their voter registration record under the provisions of RCW 29.10.020: *Provided*, That Permanent Registration Form 2A, as provided by WAC 434-24-040, may be used to record a

request to transfer the existing registration of a voter in the manner provided thereon. The form, designated Permanent Registration Form 9A, shall measure three and one-fourth inches by five and one-half inches and be printed on paper stock of one hundred twenty-five pound index or a comparable substitute approved by the office of the Secretary of State.

VOTER'S REQUEST FOR TRANSFER					REGISTRATION NUMBER				
I hereby request that my registration be transferred									
FROM _____									
ADDRESS (OLD RESIDENCE)									
_____									
CITY									
In _____									
OLD PRECINCT (IF KNOWN)									
TO _____									
ADDRESS (NEW RESIDENCE)									
_____									
CITY									
Zip _____									
DESCRIPTION OF LOCATION									
_____									
_____									
<b>NOTE:</b> SIGNATURE OF VOTER MAKING REQUEST MUST CORRESPOND WITH SIGNATURE ON ORIGINAL REGISTRATION RECORD.					PRECINCT NAME OR NUMBER _____				
Date _____, 197____					RECEIVED BY _____				
					X _____ SIGNATURE OF VOTER				
					PLEASE TYPE OR PRINT NAME ON THIS LINE _____				

[Order 74-4, § 434-24-070, filed 6/3/74. Formerly WAC 434-24-070, Voters' authorization to cancel registration, Order 6, filed 3/3/72.]

**WAC 434-24-080 Transmittal of transfers to the secretary of state.** Pursuant to the requirements of RCW 29.10.100, the registration officer of each county which maintains voter registration records on electronic data processing systems under the provisions of RCW 29.07.150(2) and provides precinct lists of registered voters at the precinct polling place as provided by RCW 29.48.030, shall prepare an alphabetical list of all voter registration records transferred within that county since the last previous report. The list shall be printed on paper stock measuring eight and one-half inches by fourteen and seven-eighths inches and shall be of substantially the following form:

State of Washington }  
County of ----- } ss.

I, -----, hereby certify that I have transferred the following registered voters on the registration records of this county:

Signed: -----

REGISTRATION NUMBER	NAME OF VOTER	DATE OF REGISTRATION	NEW ADDRESS
-----			

(An alphabetical list of names, registration numbers, date of registration, and new addresses for each registered voter whose residence has been transferred follows.)

[Order 74-4, § 434-24-080, filed 6/3/74. Formerly WAC 434-24-080, Transmittal of signature cards to the Secretary of State, Order 6, filed 3/3/72.]

**WAC 434-24-085 Notice of new registration or transfer.** Whenever an individual registers to vote pursuant to RCW 29.07.070, 29.07.080, and 29.07.090 or transfers his registration record pursuant to RCW 29.10.100 or whenever a change in precinct boundaries requires that the existing record of a voter be moved from one precinct to another or be placed in a new precinct, the registration officer of the county shall notify by first class non-forwardable mail, the individual or voter of such new registration, transfer, or change of precinct boundary acknowledging that the request of the individual or voter with respect to his record has been processed. Such notices and acknowledgment shall be provided on a form substantially similar to the sample included below. The form, designated Permanent Registration Form 11A shall be printed on paper stock of one hundred pound index or a comparable substitute approved by the office of the Secretary of State.

YOUR NEW VOTER REGISTRATION CARD	
<p>Your precinct has been changed From To</p> <p>PLEASE SIGN AND DETACH</p> <div style="border: 1px solid black; padding: 5px;"> <p align="center"><b>CERTIFICATE OF REGISTRATION</b></p> <p align="center">COUNTY, STATE OF WASHINGTON</p> <p>THIS IS TO CERTIFY THAT:</p> <p>Signature of Registered Citizen</p> <p>is a registered voter in Precinct of county of under date of</p> </div>	<p>If the address shown incorrect, or if you move from the address shown on this card, you must register the change with the County Auditor:</p> <p><b>NEW CARD IS ISSUED PURSUANT TO:</b></p> <p><input type="checkbox"/> 1. New registration</p> <p><input type="checkbox"/> 2. Transfer</p> <p><input type="checkbox"/> 3. New address given by you at a recent election.</p> <p><input type="checkbox"/> 4. Precinct correction by this office</p> <p><input type="checkbox"/> 5. Change of precinct boundaries</p>

[Order 74-4, § 434-24-085, filed 6/3/74.]

**WAC 434-24-090 Voters' authorization to cancel registration.** All registrars shall maintain a supply of, and furnish to the public on request, forms substantially similar to the sample included below, for the purpose of allowing registered voters to request that their registration under a former name or at a former residence be

cancelled. The form, designated Permanent Registration Form 10A, shall measure three and one-fourth inches by five and one-half inches and be printed on paper stock of one hundred twenty-five pound index or a comparable substitute approved by the office of the Secretary of State.

<b>VOTER'S REQUEST FOR CANCELLATION</b>					<b>REGISTRATION NUMBER</b>				
I hereby request that my registration be cancelled									
FROM _____									
<small>ADDRESS (OLD RESIDENCE)</small>									
In _____									
<small>CITY ZIP COUNTY</small>									
In _____									
<small>PRECINCT (IF KNOWN)</small>									
<input type="checkbox"/> CHANGE OF RESIDENCE									
<input type="checkbox"/> CHANGE OF NAME									
<b>X</b> _____									
<small>SIGNATURE OF VOTER (OLD NAME)</small>									
_____									
<small>PLEASE TYPE OR PRINT NAME ON THIS LINE</small>									
<b>NOTE:</b> SIGNATURE OF VOTER MAKING REQUEST MUST CORRESPOND WITH SIGNATURE ON ORIGINAL REGISTRATION RECORD									
Date _____, 197									

[Order 74-4, § 434-24-090, filed 6/3/74. Formerly WAC 434-24-090, Transmittal of transfers to the Secretary of State, Order 6, filed 3/3/72.]

**WAC 434-24-095 Cancellation due to death.** Pursuant to RCW 29.10.090, the registration officer shall maintain a supply of, furnish to the public upon request, and include in the supplies sent to each precinct for use by the precinct election officials, forms substantially

similar to the sample included below for the purpose of permitting registered voters to request that the voter registration record of any person, whom they personally know to be deceased, be cancelled. The form, designated Permanent Registration Form 13A, shall measure three and one-fourth inches by five and one-half inches and shall be printed on paper stock of one hundred twenty-five pound index or a comparable substitute approved by the office of the Secretary of state.

<b>REQUEST FOR CANCELLATION OF REGISTRATION BECAUSE OF DEATH</b>					<b>REGISTRATION NUMBER</b>				
I hereby declare, under penalties of perjury, that I am a Registered Voter and according to my personal knowledge or belief:									
_____									
<small>(NAME OF DECEASED VOTER)</small>									
_____									
<small>(ADDRESS GIVEN ON REGISTRATION RECORD)</small>									
_____									
<small>PRECINCT NAME OR NUMBER</small>									
has died and I am requesting that the voting registration records of said deceased person be cancelled.									
_____									
<small>(SIGNATURE OF VOTER)</small>									
_____									
<small>(ADDRESS)</small>									
_____									
<small>DATE</small>									
<b>NOTE:</b> This record is to be attached to Permanent Registration Form No. 2 and the Secretary of State notified of cancellation (Chapter 32, Laws of 1961).									

[Order 74-4, § 434-24-095, filed 6/3/74.]

**WAC 434-24-100 Cancellation for failure to vote.** On the first day of April of each odd-numbered year, or

as soon thereafter as is practical and expedient, the registration officer of each county shall cancel the registrations of all persons who have not voted at any time during the thirty months immediately preceding the first day of April of that year. No registration shall be cancelled for which the date of registration is not prior to thirty months preceding the first day of April of that year. [Order 74-4, § 434-24-100, filed 6/3/74. Formerly WAC 434-24-100, Transmittal of cancellations to the Secretary of State, Order 6, filed 3/3/72.]

**WAC 434-24-105 Notification of cancellation for failure to vote.** The registration officer shall notify, by mail, each registered voter whose registration has been cancelled for failure to vote pursuant to RCW 29.10.080 and WAC 434-24-100. Such notice shall be on a form substantially similar to the sample included below. The form, designated Permanent Registration Form 12A, shall measure three and one-quarter inches by five and one-half inches and be printed on paper stock of one hundred twenty-five pound index or a comparable substitute approved by the office of the Secretary of State.

<p style="text-align: center;"><b>NOTIFICATION TO VOTER OF CANCELLATION OF REGISTRATION</b></p> <p>IN ACCORDANCE WITH THE PROVISIONS OF THE PERMANENT REGISTRATION LAW (RCW 29.10.080) YOU ARE HEREBY NOTIFIED THAT, BECAUSE YOU HAVE NOT VOTED DURING THE PAST THIRTY (30) MONTHS, YOUR VOTING REGISTRATION IS NOW CANCELLED. PLEASE UNDERSTAND THAT YOU ARE NOT ENTITLED TO VOTE AT ANY ELECTION UNTIL YOU RE-REGISTER. SHOULD YOU HAVE ANY QUESTION, PLEASE FEEL FREE TO CONTACT MY OFFICE AT:</p> <p style="margin-top: 20px;">Respectfully yours,</p> <p style="text-align: right; margin-top: 20px;">COUNTY AUDITOR</p>	<p>RETURN POSTAGE GUARANTEED</p>
---	----------------------------------

[Order 74-4, § 434-24-105, filed 6/3/74.]

**WAC 434-24-110 Transmittal of cancellations to the secretary of state.** Pursuant to the requirements of RCW 29.10.100, the registration officer in each county which maintains voter registration records on electronic data processing systems under the provisions of RCW 29.07.150(2) and provides precinct lists of registered voters at the polling place as provided by RCW 29.48-.030 shall prepare an alphabetical list of all voter registrations cancelled from the registration records of that county since the last previous report. The list shall be printed on paper stock measuring eight and one-half inches by fourteen and seven-eighths inches and shall be of substantially the following form:

State of Washington }  
County of \_\_\_\_\_ } ss.

I, \_\_\_\_\_, hereby certify that I have cancelled from the registration records of this county, the following persons:

Signed: \_\_\_\_\_  
Registrar of Voters

REGISTRATION NUMBER	NAME OF VOTER	DATE OF REGISTRATION	ADDRESS

(an alphabetical list of names, addresses, registration numbers, and date of registration, for each person whose registration record has been cancelled follows.)

[Order 74-4, § 434-24-110, filed 6/3/74. Formerly WAC 434-24-110, Contents of precinct list of registered voters, Order 6, filed 3/3/72.]

**WAC 434-24-115 Challenge of voter's registration.** All registrars shall maintain a supply of, and furnish to the public on request, forms substantially similar to sample included below for the purpose of allowing: (1) a registered voter to challenge the registration of another voter on the basis of residence pursuant to RCW 29.59-.010; or (2) a precinct committeeman or precinct election officer to challenge the registration of any voter on the basis of residence pursuant to RCW 29.10.130. The form, designated as Permanent Registration Form 15A, shall be in duplicate, the original to be retained by the registration officer and the duplicate copy to be sent to the voter, whose residence has been challenged, at the



address at which the challenger asserts that the voter presently resides.

ORIGINAL: To be retained by registration officer.

### CHALLENGE OF VOTER'S REGISTRATION

I, \_\_\_\_\_ declare, under penalties of perjury,  
(Please print name)

that I reside at \_\_\_\_\_  
(Street and number, or rural route) (City or town)

County of \_\_\_\_\_ State of Washington, and pursuant to Chapter  
 225, Laws of 1967, I herewith challenge the registration of the following named voter on the  
 grounds that according to my personal knowledge and belief said voter does not actually  
 reside and maintain an abode at the address as given on his permanent registration record:

\_\_\_\_\_  
(Print name of challenged voter) (Precinct)

Residence as given on permanent registration record:  
 \_\_\_\_\_  
(Street and number, or rural route) (Name of city or town) (County)

I further declare, under penalties of perjury, that the actual residence of said voter is as stated below and that said voter is not protected  
 from loss of legal residence by the constitutional and statutory provisions as listed on the reverse side of this form.

**ACTUAL RESIDENCE: (This information must be valid in order for any challenge to be valid)**

\_\_\_\_\_  
(Street and number, or rural route) (Name of city or town) (State)

I further understand that in the event said challenged voter denies my allegation as to his present actual residence and appears at the  
 required time at your office or files an affidavit — state law requires that I also must be present or file an affidavit, otherwise no further con-  
 sideration will be given to this challenge.

\_\_\_\_\_  
(Date)      \* \_\_\_\_\_  
(Signature of voter making challenge)

**\* WARNING: To properly execute this form it is necessary to check the appropriate square  
 (one only) as described below:**

A. ☐ **REGISTERED VOTER:**  
 If this challenge is being initiated by a registered voter not acting either as a precinct committeeman or a precinct election officer, there is no  
 geographical limitation but the challenge must be filed with the registration officer (city clerk or county auditor as the case may be) **NO**  
**LATER THAN 60 DAYS** prior to any approaching primary or election, general or special (RCW 29.59.010).

B. ☐ **PRECINCT COMMITTEEMAN OR PRECINCT ELECTION OFFICER:**  
 If this challenge is being initiated by a precinct committeeman or precinct election officer, the challenge must be restricted to voters of the  
 same precinct wherein such officers serve but the forms may be filled out at the polling place on the day of the election. However, it must be  
 understood that such action cannot stop the challenged voter from casting his ballot at the time the challenge is being made (RCW 29.10.130).

**IMPORTANT:** Please read the constitutional and statutory provisions listed on reverse side which protects the voting residence of certain persons,  
 before filling out this form.

[Order 74-4, § 434-24-115, filed 6/3/74.]

**WAC 434-24-120 Contents of precinct list of registered voters.** The precinct list of registered voters as required by RCW 29.48.030 shall contain the name, address, sex, month and day of birth, and voter registration number of each voter in the precinct, a listing of the districts in which that voter resides, and a designation of the applicable county, legislative district, and precinct. The names shall be listed alphabetically by surname. The list may also contain a space for each voter to sign his name and his current address and a space for the inspector or judge to credit the voter with having participated in a particular election as provided in RCW

29.51.070. Each county shall submit its output format for listing to the Secretary of State who shall determine whether such format is suitable for use at the polls. If so, he shall approve that format for use in all elections in that county. [Order 74-4, § 434-24-120, filed 6/3/74. Formerly WAC 434-24-120, contents of lists of registered voters for the public, Order 6, filed 3/3/72.]

**WAC 434-24-130 Contents of list of registered voters for the public.** Pursuant to the provisions of RCW 29.04.100, the registration officer in each county which maintains voter registration records on electronic data

processing systems under the provisions of RCW 29.07.150(2) and provides precinct lists of registered voters at the place as provided by RCW 29.48.030 shall furnish to any person, upon request, current lists of registered voters at actual reproduction cost. The registration officer shall, upon request, select names from the voter registration records on the basis of the precinct code, the district code, date of registration, or voting history of each individual voter in that portion of the voter registration file. Such lists may contain any information maintained on the computer file except the date of birth of each registered voter and may be in the form of computer printouts, computer-prepared labels, microfilm duplicates, or magnetic tape copies of such information. Such voter registration lists shall be used only for political purposes; commercial use of this information shall be punishable as provided in RCW 29.04.120

as now or hereafter amended. [Order 74-4, § 434-24-130, filed 6/3/74. Formerly WAC 434-24-130, Requests for lists of registered voters, Order 6, filed 3/3/72.]

**WAC 434-24-140 Requests for list of registered voters.** In counties which maintain voter registration records on electronic data processing systems under the provisions of RCW 29.07.150(2) and provide precinct lists of registered voters at the precinct polling place as provided by RCW 29.48.030, the county auditor shall require each person who requests a list of registered voters under the authority of RCW 29.04.100 and WAC 434-24-130 to sign a request on a form substantially similar to the sample included below. The form shall be designated as Permanent Registration Form 14A.

REQUEST FOR LIST OF REGISTERED VOTERS

\_\_\_\_\_ County Auditor \_\_\_\_\_ Date

I request a listing of registered voters for the following  
precinct and/or taxing districts:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- ☐ computer printed list  
☐ mailing labels  
☐ magnetic tape

I understand that the County Auditor is required by law to furnish copies of current registration lists of registered voters in his possession to any person, upon request, PROVIDED: That such lists be used only for political purposes and shall not be used for commercial purposes. (RCW 29.04.100)

I further understand that any violation of RCW 29.04.100 relating to the use of lists of registered voters is a felony and shall be punished by imprisonment in the state penitentiary for a period of not more than five years or a fine of not more than five thousand dollars, or both such fine and imprisonment, in addition to possible civil penalties.

\_\_\_\_\_  
(Name of Requester (please print))\_\_\_\_\_  
(Witness)\_\_\_\_\_  
(Address)\_\_\_\_\_  
(Approved by)\_\_\_\_\_  
(Signature)

[Order 74-4, § 434-24-140, filed 6/3/74. Formerly WAC 434-24-130.]

**WAC 434-24-150 Subsidies for establishment of automated voter registration systems.** Pursuant to section 13, chapter 127, Laws of 1974, and subject to the approval of the automated voter registration system as provided by WAC 434-24-160, the office of the Secretary of State shall pay, from the voter registration assistance account, to each county, with fewer than thirty thousand registered voters at the time of the state general election held in the previous calendar year, which has established an automated voter registration system after February 19, 1974, and prior to July 1, 1975, an amount equal to thirty cents times the number of registered voters in that county at the time of that election. A

county shall be deemed to have established an automated voter registration system when all of the voter registration records of that county are maintained on the automated system and no original, manual records are used at the precinct in the conduct of the election. One half of the subsidy to any county shall be paid upon approval of the automated voter registration system as provided by WAC 434-24-160 and the remainder shall be paid when all of the existing voter registration records of that county have been converted to maintenance solely on the automated system. [Order 74-4, § 434-24-150, filed 6/3/74.]

**WAC 434-24-155 Subsidies for maintenance of records on automated voter registration systems.** Pursuant to section 13, chapter 127, Laws of 1974, and subject to the approval of the operating system as provided by WAC 434-24-160, and WAC 434-27-170, the office of the Secretary of State shall pay annually, from the voter registration assistance account, to each county with fewer than ten thousand registered voters at the time of the state general election held in the previous calendar year, an amount equal to thirty cents times the number of registered voters in that county at the time of that election: *Provided*, That prior to July 1, 1975, the office of the Secretary of State shall pay quarterly, from the voter registration assistance account, to each such county for each full calendar quarter after all of the existing voter registration records of that county have been converted to maintenance on the automated system, an amount equal to seven and one-half cents times the number of registered voters in that county at the time of the state general election held in the previous calendar year. [Order 74-4, § 434-24-155, filed 6/3/74.]

**WAC 434-24-160 Approval of automated voter registration systems.** Each county which maintains voter registration records on electronic data processing systems under the provisions of RCW 29.07.150(2) and provides precinct lists of registered voters at the precinct polling place as provided by RCW 29.48.030 shall submit to the office of the Secretary of State a summary description of the automated voter registration system used by that county or by the governmental unit or firm with which the county contracts for maintenance of voter registration records. Such summary description shall contain, but not be limited to the following:

- (1) input formats;
- (2) data storage formats or record layouts;
- (3) output formats;
- (4) samples of the outputs required by WAC 434-24-080, 434-24-085, 434-24-105, 434-24-110, 62434-24-120, and 62434-24-130;
- (5) samples of any edit listings or other working output not specifically required by these regulations; and
- (6) any manuals of administrative procedure prepared for use by the elections staff of the county auditor or the date processing staff of that county or the governmental unit or firm with which the county contracts for maintenance of voter registration records.

If the automated voter registration system conforms to all of the requirements of state law and of these regulations, the office of the Secretary of State shall approve and certify that system for use. If the automated voter registration system fails to conform to all of the requirements of state law and these regulations, the office of the Secretary of State shall notify the county auditor of the nature of the non-conformity. The county auditor shall correct the non-conforming aspects of the automated voter registration system and provide to the office of the Secretary of State such evidence of the change or changes in the system as that office may deem appropriate. [Order 74-4, § 434-24-160, filed 6/3/74.]

**WAC 434-24-170 Continuing review of automated voter registration systems.** (1) Whenever, through action of the state legislature, federal congress or any division of the state or federal judiciary, changes occur in the voter registration laws which require modifications of the automated voter registration systems of the counties which maintain voter registration records on electronic data processing systems, the office of the Secretary of State shall notify each county auditor of the nature of the modifications required. The county auditor shall effect such modifications to the operating system and provide to the office of the Secretary of State such evidence of those modifications as he may deem appropriate.

(2) Whenever a county substantially modifies the input formats, data storage formats, output formats, or manuals of administrative procedure for its automated voter registration system, it shall notify the office of the Secretary of State. Such modifications shall be reviewed and approved in the manner provided for review and approval of new automated voter registration systems in WAC 434-24-160. [Order 74-4, § 434-24-170, filed 6/3/74.]

## Chapter 434-28 WAC

### DECLARATIONS OF CANDIDACY AND FILING PROCEDURES

#### WAC

- |            |  |
|------------|--|
| 434-28-012 | Declaration and affidavit of candidacy—Offices subject to a primary.   |
| 434-28-020 | Declaration of candidacy—Precinct committeeman.                        |
| 434-28-040 | Declaration of candidacy—Nonpartisan offices not subject to a primary. |

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

- |            |  |
|------------|--|
| 434-28-010 | Declaration of candidacy—Partisan offices other than precinct committeeman. [Order 75-1, § 434-28-010, filed 6/26/75.] Repealed by 80-05-014 (Order 80-1), filed 4/8/80. Statutory Authority: RCW 29.04.080. |
| 434-28-030 | Declaration of candidacy—Nonpartisan offices subject to a primary. [Order 75-1, § 434-28-030, filed 6/26/75.] Repealed by 80-05-014 (Order 80-1), filed 4/8/80. Statutory Authority: RCW 29.04.080.          |

**WAC 434-28-012 Declaration and affidavit of candidacy—Offices subject to a primary.** Declarations and affidavits of candidacy for all partisan and nonpartisan offices subject to a primary shall be filed in substantially the following form:

#### DECLARATION AND AFFIDAVIT OF CANDIDACY

State of Washington       )  
  ) ss.  
County of \_\_\_\_\_ )

#### DECLARATION

- (1) I, (Print name as you are registered to vote), declare that I am a registered voter residing at
- (2) (Street and number or rural route),  
(City or town), (Zip code), County of \_\_\_\_\_, state of Washington; that, at the time of filing this declaration, I am legally qualified to assume office if elected; that I hereby

declare myself a candidate for nomination to the office of

- (3) (Name of the office)  
(Congressional or legislative district,  
county, city, or other jurisdiction)  
(Position number, if applicable)  
(Director or commissioner district, if any), for
- (4) ☐ a full term or a full term and a short term or  
☐ an unexpired term at the primary election to be held on the
- (5)        day of September, 19  ; that
- (6) ☐ this office is nonpartisan or  
☐ this office is partisan and I hereby request that my name be printed on the official primary ballot as  
☐ a candidate of the                      party or  
☐ an independent candidate nominated pursuant to chapter 29.24 RCW and; that
- (7) ☐ there is no filing fee because the office is without a fixed annual salary, or  
☐ I accompany herewith the sum of                      dollars, the fee required by law of me for becoming a candidate, or  
☐ I am without sufficient assets or income to pay the fee required by law.

AFFIDAVIT

FURTHER, I do solemnly swear, or affirm, that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington.

(Phone number, optional) (Print name exactly as you wish it to appear on the ballot)

(Signature of candidate as registered to vote)

Subscribed and sworn to before me this                      day of           , 19  .

(Signature of acknowledging official)

(SEAL)

(Title of acknowledging official)

The forms shall measure eight and one-half inches by eleven inches and may also contain space for recording the date and time of filing and a sequential filing and receipt number. One copy of each properly executed and filed declaration and affidavit of candidacy shall be forwarded to the public disclosure commission as required by RCW 29.18.040. One copy of each properly executed and filed declaration and affidavit of candidacy, containing such information on the requirements of chapter 42.17 RCW as may be provided by resolution of the public disclosure commission, shall be returned to the candidate. [Statutory Authority: RCW 29.04.080. 80-05-014 (Order 80-1), § 434-28-012, filed 4/8/80.]

**WAC 434-28-020 Declaration of candidacy--Precinct committeeman.** Declarations and affidavits of candidacy for the office of precinct committeeman, shall be filed in the form hereinafter set forth:

DECLARATION AND AFFIDAVIT OF CANDIDACY

State of Washington }  
County of                      } ss.

I, (Name as it will appear on ballot), declare that I am a registered voter residing at (Street and

Number or Rural Route)           , (City or Town)           , County of                     , state of Washington; that, at the time of filing this declaration, I am legally qualified to assume office if elected; that I hereby declare myself a candidate for the office of precinct committeeman to be elected at the general election to be held on the        day of November, 19  , and hereby request that my name be printed upon the official general election ballots as a candidate of the                      party, and:

☐ I accompany herewith the sum of                      dollars, the fee required by law of me for becoming a candidate; or

☐ I am without sufficient assets or income to pay the fee required by law.

AFFIDAVIT

FURTHER, I do solemnly swear, or affirm, that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington.

(Signature of candidate)

Subscribed and sworn to before me this        day of           , 19  .

(Signature of acknowledging official)

(SEAL)

(Title of acknowledging official)

The forms shall measure eight and one-half inches by eleven inches and be printed on paper stock of twenty pound bond or a comparable substitute. The form may also contain space for recording the date and time of filing, a receipt number, if applicable, and a sequential filing number. [Order 75-1, § 434-28-020, filed 6/26/75.]

**WAC 434-28-040 Declaration of candidacy--Nonpartisan offices not subject to a primary.** Declarations and affidavits of candidacy for nonpartisan offices, not subject to a primary shall be filed in the form hereinafter set forth:

DECLARATION AND AFFIDAVIT OF CANDIDACY

State of Washington }  
County of                      } ss.

DECLARATION

I, (Name as it will appear on ballot), declare that I am a registered voter residing at (Street and Number or Rural Route), (City or Town), County of                     , state of Washington; that, at the time of filing this declaration, I am legally qualified to assume office if elected; that I hereby declare myself a candidate for the office of                     , for ☐ a full

term or ☐ an unexpired term, to be elected at the general election to be held on the ----- day of November, 19--, and hereby request that my name be printed upon the official general ballots and:

☐ I accompany herewith the sum of ----- dollars, the fee required by law of me for becoming a candidate; or

☐ I am without sufficient assets or income to pay the fee required by law.

#### AFFIDAVIT

FURTHER, I do solemnly swear, or affirm, that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington.

-----  
(Signature of candidate)

Subscribed and sworn to before me this ----- day of -----, 19--.

-----  
(Signature of acknowledging official)

(SEAL)

-----  
(Title of acknowledging official)

The forms shall measure eight and one-half inches by eleven inches and be printed on paper stock of twenty pound bond or a comparable substitute. The form may also contain space for recording the date and time of filing, a receipt number, if applicable, and a sequential filing number. [Order 75-1, § 434-28-040, filed 6/26/75.]

#### Chapter 434-32 WAC NEW RESIDENT VOTERS

##### WAC

434-32-010 Definition of new resident voter extended.

**WAC 434-32-010 Definition of new resident voter extended.** Pursuant to section 202(d) of Public Law 91-285, citizens of the United States and of the state of Washington otherwise qualified to vote for President and Vice President who are temporarily residing outside of the state of Washington and their spouses and dependents otherwise qualified to vote for President and Vice President when residing with or accompanying them shall be qualified to vote for the choice of electors for President and Vice President or for President and Vice President consistent with the procedures for new resident voters established in chapter 29.72 RCW. [Order 8, § 434-32-010, filed 6/15/72.]

#### Chapter 434-62 WAC CANVASSING AND CERTIFICATION OF PRIMARIES AND ELECTIONS

##### WAC

434-62-005	Authority and purpose.
434-62-010	Definitions.
434-62-020	Preliminary abstract of votes.
434-62-030	Auditor's abstract of votes.
434-62-040	Verification of auditor's abstract of votes.
434-62-050	Errors or discrepancies discovered during the verification of the auditor's abstract of votes.
434-62-060	Documentation of corrective action taken.
434-62-070	Official county canvass report.
434-62-080	Auditor's abstract of votes—Secretary of state to receive certified copy—Transmittal.
434-62-090	Receipt of certified copy of auditor's abstract of votes by secretary of state.
434-62-100	Canvass of returns by the secretary of state—Powers and duties.
434-62-110	Certification of primary returns by the secretary of state.
434-62-120	Certification of general election returns by the secretary of state.
434-62-130	Certification of special primaries and special elections.
434-62-140	Microfilm copies of election returns.

**WAC 434-62-005 Authority and purpose.** These rules are adopted pursuant to RCW 29.04.080 and chapter 34.04 RCW in order to establish uniform procedures governing the canvass of primaries and elections, general and special, and to ensure the accurate and timely certification of those election returns. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-005, filed 10/3/80.]

**WAC 434-62-010 Definitions.** As used in these regulations:

(1) "Canvassing" is that process of examining in detail a ballot, groups of ballots, election sub-totals, or grand totals, in order to determine the final official returns of a primary, special, or general election, and to safeguard the integrity of the election process.

(2) "County Canvassing Board" is that body charged by law with the duty of canvassing absentee ballots, of ruling on the validity of questioned or challenged ballots, of the verifying all unofficial returns as listed in the Auditor's Abstract of votes, and the producing of the Official County Canvass Report; it shall be composed of the county auditor, prosecuting attorney, and chairman of the board of the county legislative authority, or their designated representatives.

(3) "Preliminary Abstract of Votes" is that report prepared by the county auditor which lists registered voters, votes cast, and all vote totals by precinct, or by combination of precincts if applicable, but it shall not include any absentee ballot totals or any subtotals or county-wide totals.

(4) "Auditor's Abstract of Votes" is that report prepared by the county auditor which lists registered voters, votes cast, all of the vote totals by precinct, or by combination of precincts if applicable, and which includes absentee ballot totals, legislative district sub-totals, if any, and county-wide totals. Vote totals in the Auditor's

Abstract of Votes shall be unofficial until verified and certified by the county canvassing board.

(5) "Verification of the Auditor's Abstract of Votes" is that process whereby the county canvassing board determines that all of the individual precinct and absentee ballot totals, as shown on the Auditor's Abstract of Votes, have been correctly listed and that the various sub-totals are an accurate reflection of the sum of those individual precinct and absentee ballot totals.

(6) "County Canvass Report" is the Auditor's Abstract of Votes after verification by the county canvassing board and shall contain a certificate which shall include the oath as specified in RCW 29.62.040, the original signatures of each member of the county canvassing board, the county seal, and all other material pertinent to the election.

(7) "Certified Copy of the County Canvass Report" is that report transmitted by the county auditor to the Secretary of State which contains registered voters and votes cast by precinct, or combination of precincts if applicable, votes cast for and against state measures, and votes cast for candidates for federal and state-wide offices and for any office whose jurisdiction encompasses more than one county, absentee ballot totals for those measures and candidates, sub-totals if applicable, and county-wide totals. It shall also include a certificate, bearing original signatures and an original county seal, identical to that included in the Official County Canvass Report, and any other material which may be pertinent to the canvass of the election. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-010, filed 10/3/80.]

**WAC 434-62-020 Preliminary abstract of votes.** Following the election and prior to the official canvass, the county auditor shall prepare an abstract of votes, listing registered voters and votes cast, votes cast for and against measures, and votes cast for candidates, by precinct or groups of precincts in the event precincts have been combined pursuant to RCW 29.04.055. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-020, filed 10/3/80.]

**WAC 434-62-030 Auditor's abstract of votes.** No later than the tenth day following any primary or special election and the fifteenth day following any general election the county canvassing board shall meet and canvass all absentee ballots not previously processed under the provisions of chapter 29.36 RCW, together with all questioned and challenged ballots. Upon completion of this canvass the board shall direct the county auditor to include all absentee ballot totals and all challenged and questioned ballot totals, or legislative district sub-totals if applicable, in the preliminary abstract of votes prepared pursuant to WAC 434-62-020. The county auditor shall then add these totals to the existing precinct totals. The ensuing report, containing a count of all ballots cast in the election, sub-total reports by legislative district, and county-wide totals shall constitute the Auditor's Abstract of Votes. [Statutory Authority:

RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-030, filed 10/3/80.]

**WAC 434-62-040 Verification of auditor's abstract of votes.** The county canvassing board shall examine the Auditor's Abstract of Votes and shall verify that all of the individual precinct and absentee ballot totals have been included in the abstract and that the sub-totals and county-wide totals for registered voters and votes cast are an accurate reflection of the sum of those individual precinct and absentee ballot totals. This verification shall be accomplished, in counties with fewer than 100,000 registered voters, by directing the county auditor or his or her representative to add these individual precinct and absentee ballot totals in the presence of the canvassing board manually or by using an adding machine. The canvassing board shall then compare the sub-totals and totals produced in this manner against the sub-totals and totals as they appear on the Auditor's Abstract of Votes and verify that the figures are identical. In counties with more than 100,000 registered voters the adding machine tapes or manual totals may be produced prior to the meeting of the canvassing board, but in such counties the canvassing board shall carefully compare the pre-produced sub-totals and totals against the sub-totals and totals as they appear on the Official Abstract of Votes and verify that the two sets of figures are identical. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-040, filed 10/3/80.]

**WAC 434-62-050 Errors or discrepancies discovered during the verification of the auditor's abstract of votes.** In the event that the county canvassing board, during the verifications process, discovers that errors exist in the Auditor's Abstract of Votes or that discrepancies exist between that abstract and the manual or adding machine totals for registered voters and votes cast produced pursuant to WAC 434-62-040, the board shall investigate those errors and discrepancies. They shall be empowered to take whatever corrective steps a majority of the board deems necessary, including changing or modifying the Auditor's Abstract of Votes if the error or discrepancy is discovered in that document. The canvassing board may then proceed to verify votes cast on measures or for candidates if a majority of the board believes that the nature of the errors or discrepancies discovered warrant such further action on their part. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-050, filed 10/3/80.]

**WAC 434-62-060 Documentation of corrective action taken.** If the canvassing board decides to take corrective action with respect to any part of the Auditor's Abstract of Votes, they shall prepare a written narrative of the errors or discrepancies discovered, the cause of those errors, if known, and the corrective action taken. In the event the Auditor's Abstract of Votes is altered or modified by the canvassing board, those alterations and modifications shall be initialed by each member of the canvassing board. Additionally, the written narrative shall be signed by each member of the board. [Statutory



Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-060, filed 10/3/80.]

**WAC 434-62-070 Official county canvass report.** Upon completion of the verification of the Auditor's Abstract of Votes and the documentation of any corrective action taken, the county canvassing board shall sign a certification that the abstract is a full, true, and correct representation of the votes cast for the issues and offices listed thereon. The certification shall also state the total number of registered voters and votes cast in the county. The certification shall contain the oath required by RCW 29.62.040, signed by the county auditor and attested to by the chairman of the board of the county legislative authority, and shall have a space where the official seal of the county shall be attached. This certification, the Auditor's Abstract of Votes, any adding machine tapes produced during the verification process, and the written narrative of errors and discrepancies discovered and corrected, if applicable, shall constitute the Official County Canvass Report. This report may not be subsequently amended or altered, except in the event a recount conducted pursuant to chapter 29.64 RCW, or upon order of the Superior Court, or by the county canvassing board re-convened specifically for that purpose. The vote totals contained therein shall constitute the official returns of that election. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-070, filed 10/3/80.]

**WAC 434-62-080 Auditor's abstract of votes—Secretary of state to receive certified copy—Transmittal.** No later than the next business day following the certification of the returns of any primary, special, or general election at which votes were cast for or against state measures or for candidates for federal and state-wide office or for offices whose jurisdiction encompasses more than one county, the county auditor shall send a certified copy of that part of the Auditor's Abstract of Votes covering those issues and offices to the secretary of state. This copy must be no larger than eleven inches by fourteen inches and have a certificate identical to that accompanying the Official County Canvass Report, bearing the county seal and original signatures of the officers required to sign that document attached or affixed thereto. A copy of the written narrative documenting errors and discrepancies discovered and corrective action taken shall accompany the abstract if applicable. Copies of the adding machine tapes used during the verification process need not be sent to the secretary of state. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-080, filed 10/3/80.]

**WAC 434-62-090 Receipt of certified copy of auditor's abstract of votes by secretary of state.** The secretary of state shall ensure that all material required to be submitted pursuant to state law and these regulations has been included in the certified copy of the Auditor's Abstract of Votes transmitted to his or her office. In the event the secretary of state determines that the certified copy of the Auditor's Abstract of Votes is incomplete, he

or she shall notify the county auditor of that fact and shall request that the missing part of the abstract be forwarded immediately. No county's certified copy of the abstract of votes shall be considered as complete for acceptance by the secretary of state until all of the material required by statute and regulation has been received by the secretary of state. In the event the certified copy of the official abstract is illegible or in improper form, the secretary of state shall return that abstract and require an immediate re-submission of the abstract in proper or legible form. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-090, filed 10/3/80.]

**WAC 434-62-100 Canvass of returns by the secretary of state—Powers and duties.** Upon receipt of a complete certified copy of the Auditor's Abstract of Votes from a county auditor, the secretary of state shall proceed to include the results from that abstract in the official canvass of the primary, special, or general election prepared by that office. This shall be done by adding the certified returns from each completed county abstract of votes in order to determine the final results for those offices and issues he or she is required by law to certify. The secretary of state shall accept the certified copy of the Official Abstract of Votes from each county as being full, true, and correct in all respects. The secretary of state may include in the official canvass, a narrative which details or describes any apparent discrepancies discovered during the canvassing procedure, and may notify the county or counties involved of such discrepancies. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-100, filed 10/3/80.]

**WAC 434-62-110 Certification of primary returns by the secretary of state.** Upon completion of the canvass of each county's certified copy of the Auditor's Abstract of Votes and no later than the third Tuesday following the primary, the secretary of state shall certify to the appropriate county auditors the returns for all candidates for federal and state-wide offices, for those offices whose jurisdiction encompasses more than one county, and the ballot titles for all state measures. In the event the secretary of state is unable to certify all or part of a primary election by the third Tuesday following that primary because he or she has not received completed certified copies of the Auditor's Abstract of Votes from one or more counties, he or she shall certify the state ballot measures and those candidates for which completed abstracts have been received. The secretary of state shall also set forth, by letter to the county auditors, those reasons which render him or her unable to certify the entire primary. The certification of the remainder of the primary shall take place when all outstanding certified copies of official abstracts have been received and filed. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-110, filed 10/3/80.]

**WAC 434-62-120 Certification of general election returns by the secretary of state.** Upon completion of the

canvass of each county's certified copy of the Auditor's Abstract of Votes and no later than the thirtieth day following a general election the secretary of state shall certify to the governor the returns for all candidates for federal and statewide offices, for those offices whose jurisdiction encompasses more than one county, and for all state ballot measures. In the event the secretary of state is unable to certify all or part of a general election by the thirtieth day following that election because he or she has not received completed certified copies of the Auditor's Abstract of Votes from one or more counties, he or she shall certify those candidates for which completed abstracts have been received. The secretary of state shall also set forth, by letter to the governor, those reasons which render him or her unable to certify the entire election. The certification of the remainder of the election shall take place when all outstanding certified copies of official abstracts have been received. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-120, filed 10/3/80.]

**WAC 434-62-130 Certification of special primaries and special elections.** Insofar as practicable, the procedures governing the certification of special primaries by the secretary of state shall be the same as those governing the certification of primaries, and the procedures governing the certification of special elections shall be the same as those governing general elections. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-130, filed 10/3/80.]

**WAC 434-62-140 Microfilm copies of election returns.** The secretary of state shall produce and make available for public inspection and copying pursuant to chapter 434-12 WAC microfilm or microfiche copies of all county canvass reports submitted to his or her office. The charges for microfilm duplicates or photocopies produced from the microfilm originals shall be equal to the actual cost of reproduction including personnel time and any cost of mailing. [Statutory Authority: RCW 29.04.080. 80-15-008 (Order 80-3), § 434-62-140, filed 10/3/80.]

## Chapter 434-69 WAC MAPS AND CENSUS CORRESPONDENCE LISTINGS

### WAC

434-69-005	Authority and purpose.
434-69-010	Definitions.
434-69-020	Precinct maps—Availability and distribution.
434-69-030	Precinct lists—Preparation and filing.
434-69-040	Base maps, census overlay maps, and related information—Duties of the secretary of state.
434-69-050	Precinct overlay maps—Preparation.
434-69-060	Census correspondence listings—Preparation.
434-69-070	Detail maps and census correspondence listings—Maintenance, distribution, and filing.
434-69-080	Compensation to county auditors for direct expenses.

**WAC 434-69-005 Authority and purpose.** These rules are adopted under authority of RCW 29.04.140 pursuant to chapter 34.04 RCW to establish and govern

the procedures in the census mapping project by the secretary of state. [Statutory Authority: RCW 29.04.140. 80-05-013 (Order 80-2), § 434-69-005, filed 4/8/80.]

**WAC 434-69-010 Definitions.** As used in these regulations:

(1) "Census mapping project" includes all functions performed by the secretary of state and each county auditor in the preparation, maintenance, distribution, and filing of precinct maps, detail maps, and census correspondence listings pursuant to RCW 29.04.130.

(2) "Secretary of state" includes the secretary of state, assistant secretary of state, deputy secretary of state, or any other person authorized by the secretary of state to act in his or her behalf in the census mapping project.

(3) "County auditor" includes each county auditor, county elections official, or any other person authorized by the county auditor to act in his or her behalf in the census mapping project.

(4) "Census maps" refers to the maps provided by the U.S. Census Bureau which indicate census unit boundaries and numeric identification of such census units.

(5) "Census units" refers to the census geographic area designations for which the population count will be reported including census tracts, block groups, blocks, enumeration districts, and county census divisions.

(6) "Precinct maps" refers to the maps prepared by each county auditor pursuant to RCW 29.04.130 which indicate the boundaries and numeric identification of each precinct in that county.

(7) "Precinct lists" refers to the lists prepared by each county auditor pursuant to RCW 29.04.050(3) which indicate the names and consecutively assigned numbers of each precinct in that county.

(8) "Base maps" refers to the sets of mylar maps of each county which are provided by the secretary of state on which final detail maps will be prepared.

(9) "Census overlay maps" refers to the mylar overlay maps prepared by the secretary of state which indicate census unit boundaries and numeric identification for the area covered by each base map.

(10) "Precinct overlay maps" refers to the mylar overlay maps prepared by each county auditor which indicate precinct boundaries and numeric identification for the area covered by each base map.

(11) "Detail map" refers to the sets of maps produced by the combination of the base maps with the corresponding census and precinct overlay maps for each county.

(12) "Census correspondence listings" refers to the lists prepared by each county auditor pursuant to RCW 29.04.130 which indicate the census units or portions of census units contained in each precinct in that county. [Statutory Authority: RCW 29.04.140. 80-05-013 (Order 80-2), § 434-69-010, filed 4/8/80.]

**WAC 434-69-020 Precinct maps—Availability and distribution.** (1) Pursuant to the provisions of RCW 29.04.130, on or before July 1, 1980, each county auditor

shall prepare for public inspection and use precinct maps of that county. (2) On or before July 18, 1980, each county auditor shall transmit to the secretary of state one complete set of precinct maps of that county. (3) Each county auditor shall also send one copy of the precinct maps of each city or town in that county to the clerk of that city or town. [Statutory Authority: RCW 29.04.140. 80-05-013 (Order 80-2), § 434-69-020, filed 4/8/80.]

**WAC 434-69-030 Precinct lists--Preparation and filing.** On or before July 18, 1980, each county auditor shall prepare and transmit to the secretary of state a precinct list of that county. Precinct names shall be listed in alphabetical order and shall also be numbered consecutively. [Statutory Authority: RCW 29.04.140. 80-05-013 (Order 80-2), § 434-69-030, filed 4/8/80.]

**WAC 434-69-040 Base maps, census overlay maps, and related information--Duties of the secretary of state.** On or before September 15, 1980, the secretary of state shall prepare and transmit to each county auditor the following: (1) a set of base maps of that county; (2) a set of census overlay maps for each base map of that county; and (3) a sequential census unit listing, provided by the U.S. Census Bureau, which indicates all census units delineated on the census and base maps of that county. [Statutory Authority: RCW 29.04.140. 80-05-013 (Order 80-2), § 434-69-040, filed 4/8/80.]

**WAC 434-69-050 Precinct overlay maps--Preparation.** Pursuant to the provisions of RCW 29.04.130, each county auditor shall prepare precinct overlay maps for each base map of the county and each city and town within that county according to the following procedures:

(1) Precinct overlay maps shall be prepared on the reproducible mylar overlays provided by the secretary of state; (2) Each county auditor shall transfer all precinct boundaries and numeric identification in red ink onto

the mylar overlay for each base map of that county; and (3) Each overlay map shall include the following identification in the lower left hand corner: (a) the name of the area covered by the map; (b) an arrow indicating north; and (c) the preparation date of the precinct overlay map. [Statutory Authority: RCW 29.04.140. 80-05-013 (Order 80-2), § 434-69-050, filed 4/8/80.]

**WAC 434-69-060 Census correspondence listings--Preparation.** Pursuant to the provisions of RCW 29.04.130, each county auditor shall prepare a census correspondence listing according to the following procedures: (1) Record the census tracts or county census divisions (CCD) and the smallest census units in each area for which population counts are to be reported from the sequential census unit listing supplied by the U.S. Census Bureau. (The order of census information on the census correspondence listing shall be identical to the sequential census unit listing.) (2) Record the number or numbers, as assigned pursuant to RCW 29.04.050(3), of each precinct which is wholly or partially coextensive with the census unit; (3) Wherever census unit or precinct boundaries are not coincident, estimate for each portion of a split census unit, the proportion of the total number of registered voters residing in each precinct containing a portion of the split census unit. (Each county auditor shall refer to current voter registration lists and other available information to determine such estimated proportion of registered voters. Such estimates shall be expressed to at least the nearest 10 percent of the total number of registered voters within the precinct.) The census correspondence listings shall be prepared in substantially the following form:

County _____		Map sheets _____	
Census Tract CCD	Block ED	Precinct Number	% of Registered Voters

[Statutory Authority: RCW 29.04.140. 80-05-013 (Order 80-2), § 434-69-060, filed 4/8/80.]

**WAC 434-69-070 Detail maps and census correspondence listings--Maintenance, distribution, and filing.** (1) On or before November 1, 1980, each county auditor

shall send to the secretary of state the complete set of mylar detail maps and census correspondence listings for that county; (2) The secretary of state shall maintain the original sets of mylar detail maps of each county; (3) The secretary of state shall reproduce and distribute

copies of detail maps to each county auditor for the actual cost of reproduction; and (4) Each county auditor shall maintain copies of precinct maps, detail maps, and census correspondence listings of the county. Such maps shall be available for public inspection during normal office hours. Copies shall be made available to the public for a fee necessary to cover the cost of reproduction under such rules as the county auditor has adopted pursuant to RCW 42.17.260. [Statutory Authority: RCW 29.04.140. 80-05-013 (Order 80-2), § 434-69-070, filed 4/8/80.]

**WAC 434-69-080 Compensation to county auditors for direct expenses.** (1) Each county auditor may be reimbursed for direct expenses incurred for the preparation of precinct overlay maps and census correspondence listings. Compensation shall be made at a maximum rate of \$15.00 per 1,000 registered voters, as of the 1980 general election, for personnel costs, and \$2.00 per 1,000 registered voters, as of the 1980 general election, for supply costs. (2) On or before April 1, 1981, each county auditor may submit to the secretary of state an invoice voucher for compensation for direct expenses. For auditing purposes, a detailed summary indicating the number of personnel, number of hours worked, and supplies used in the census mapping project must be submitted with the invoice voucher. [Statutory Authority: RCW 29.04.140. 80-05-013 (Order 80-2), § 434-69-080, filed 4/8/80.]

#### Chapter 434-79 WAC

#### VERIFICATION OF SIGNATURES ON REFERENDUM AND INITIATIVE PETITIONS

##### WAC

434-79-010 Random sampling procedure.

**WAC 434-79-010 Random sampling procedure.** In the verification of signatures on initiative and referendum petitions, pursuant to RCW 29.79.200 and RCW 29.79.220, when the number of signatures submitted is more than 110 percent of the number of signatures required by Article II, Section 1A of the Washington State Constitution, the following statistical test may be employed:

(1) Take an unrestricted random sample of the signatures submitted;

(2) Check each signature sampled to determine the number of valid signatures in the sample, the number of signatures in the sample which are invalid because the individual signing is not registered or the signature is improper in form, and the number of signatures which are duplicated in the sample;

(3) Calculate an allowance for the chance error of sampling by multiplying the square root of the number of invalid signatures in the sample by 1.5;

(4) Estimate the upper limit of the number of signatures in the population which are invalid by dividing the

sum of the invalid signatures in the sample and the allowance for the chance error of sampling by the sampling ratio, i.e. the number of signatures sampled divided by the number of signatures submitted;

(5) Determine the maximum allowable number of pairs of signatures in the population by subtracting the sum of 110 percent of the number of signatures required by Article II, Section 1A of the Washington State Constitution and the estimate of the upper limit of the number of invalid signatures in the population from the number of signatures submitted;

(6) Determine the expected number of pairs of signatures in the sample by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures in the population;

(7) Determine the acceptable number of pairs of signatures in the sample by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample;

(8) If the number of pairs of signatures in the sample is greater than the acceptable number of pairs of signatures in the sample, each signature shall be canvassed to determine the exact number of valid signatures;

(9) If the number of pairs of signatures in the sample is less than the acceptable number of pairs of signatures in the sample, the petition shall be deemed to contain sufficient signatures and the serial number and ballot title shall be certified to the state legislature as provided in RCW 29.79.200 or to the county auditors as provided in RCW 29.79.230. [Statutory Authority: RCW 29.79.200. 78-08-032 (Order 78-2), § 434-79-010, filed 7/17/78.]

#### Chapter 434-80 WAC

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

##### WAC

434-80-010	Deadline for submission of statements and photographs.
434-80-020	Rejection of statement or photograph.
434-80-030	Photographs.
434-80-040	Length of statements.
434-80-050	Restrictions on style for candidates' statement.
434-80-060	Content of statements for candidates' pamphlet.
434-80-070	Editing and review.

**WAC 434-80-010 Deadline for submission of statements and photographs.** Statements and photographs of candidates submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 shall be filed in the office of the secretary of state not later than 5:00 pm on the Friday prior to the state primary held pursuant to RCW 29.13.070. Publication of statements and photographs received after this date will be solely dependent on the schedule for composition of those portions of candidates' pamphlet in which that statement is to appear. [Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-010, filed 8/9/78.]

**WAC 434-80-020 Rejection of statement or photograph.** Any statement of a candidate submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 which, in the opinion of the secretary of state, contains any obscene, profane, libelous, or defamatory matter or any language or matter the circulation of which by mail is prohibited by federal law shall be rejected. Any photograph showing the uniform or insignia of any organization which advocates or teaches racial or religious intolerance shall be rejected. Within five days of the rejection of a statement or photograph, the candidate may appeal such rejection to a board of review consisting of the governor, lieutenant governor, and attorney general. The board shall render a decision within three business days of the appeal and such decision to accept or reject the statement or photograph shall be final. [Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-020, filed 8/9/78.]

**WAC 434-80-030 Photographs.** Photographs of candidates submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 shall be no more than five years old. Such photographs shall be black and white glossy prints of the head and shoulders only and shall be no larger than eight inches by ten inches or smaller than four inches by five inches. [Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-030, filed 8/9/78.]

**WAC 434-80-040 Length of statements.** The maximum number of words for statements of candidates to be published in the official candidates' pamphlet pursuant to RCW 29.80.040 shall be determined according to the office sought as follows:

## OFFICE

## WORDS

State representative ..... 100

State senator, judge of the superior court, judge of the court of appeals, judge of the supreme court, lieutenant governor, secretary of state, auditor, treasurer, attorney general, superintendent of public instruction, commissioner of public lands, and insurance commissioner ..... 200

Governor, United States representative, and United States senator ..... 300

If a statement contains more than the maximum number of words permitted for that particular office, all material after the last complete sentence which is not in excess of the maximum length, counting from the beginning of the statement, will be omitted in the publication of the official candidates' pamphlet. [Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-040, filed 8/9/78.]

**WAC 434-80-050 Restrictions on style for candidates' statement.** The secretary of state finds that it is in the public interest that all statements published in the

official candidates' pamphlet pursuant to RCW 29.80-050 be of substantially similar format and style. To promote such consistency:

1) All statements shall be typeset in block paragraph style without tables; lists, or other material requiring multiple indentation; and

2) words or other material which are underlined, in italics, or all in upper case letters will be typeset in italics. [Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-050, filed 8/9/78.]

**WAC 434-80-060 Content of statements for candidates' pamphlet.** The secretary of state finds that it is in the public interest that all statements published in the official candidates' pamphlet pursuant to RCW 29.80-050 be accurate as to form and syntax. To promote such accuracy:

1) All statements submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 shall be typewritten on plain sheets of white paper measuring eight and one-half inches by eleven inches and containing the name, mailing address, and telephone number of the candidate;

2) the secretary of state shall not make any change in the content of any statement submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 which alters the meaning or substance of the statement; and

3) the secretary of state shall correct any incidental errors of spelling, grammar, and punctuation which he feels would unfairly prejudice the statement of that candidate or confuse the voter. [Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-060, filed 8/9/78.]

**WAC 434-80-070 Editing and review.** If the secretary of state finds it necessary to make changes in the length or format of a statement or corrections in grammar, spelling, or punctuation in the text of a statement of a candidate submitted for publication in the official candidates' pamphlet pursuant to RCW 29.80.020 on or before the third Friday prior to the state primary held pursuant to RCW 29.13.070, a proof copy of the statement to be published showing the changes in length or format shall be sent to the candidate at the address on his or her statement. Candidates who submit statements after the third Friday prior to the state primary held pursuant to RCW 29.13.070 will not be notified of changes in the length or format of their statements or of other corrections made pursuant to WAC 434-80-040, 434-80-050, and 434-80-060. [Statutory Authority: RCW 29.80.070. 78-09-018 (Order 78-4), § 434-80-070, filed 8/9/78.]

## Chapter 434-81 WAC VOTERS' PAMPHLET

## WAC

434-81-010

Committees to write arguments for and against constitutional amendments, referendum bills, and alternatives to initiatives to the legislature.

- 434-81-020 Committees to write arguments for and against initiatives, initiatives to the legislature, and referendum measures.
- 434-81-030 Additional members on committees to draft arguments for the voters pamphlets.
- 434-81-040 Selection of a chairperson for committees to draft arguments for or against measures appearing in the voters pamphlet.
- 434-81-050 Advisory committees.
- 434-81-060 Length of statements and rebuttals.
- 434-81-070 Restrictions on the style of statements in the voters pamphlets.
- 434-81-080 Submission of statements and rebuttals.
- 434-81-090 Rejection of statements for the voters pamphlet.
- 434-81-100 Editing of statements for the voters pamphlet.

**WAC 434-81-010 Committees to write arguments for and against constitutional amendments, referendum bills, and alternatives to initiatives to the legislature.** Within forty-five days of the final passage of any constitutional amendment, referendum bill, or alternative to an initiative to the legislature by both houses of the state legislature, the presiding officer of the state senate shall appoint one senator known to favor the measure and one senator known to have opposed the measure to serve on the respective committees to draft arguments for and against the measure in the official voters pamphlet and the presiding officer (or officers acting concurrently) of the house of representatives shall appoint one representative known to favor the measure and one representative known to oppose the measure to serve on the respective committees. If no senator or representative consents to serve on a committee to draft an argument for or against a measure appearing in the voters pamphlet, the presiding officer of the senate, the presiding officer or officers of the house of representatives, and the secretary of state, acting concurrently, shall appoint up to two persons who wish to support or oppose that measure, as the case may be. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-010, filed 4/17/79.]

**WAC 434-81-020 Committees to write arguments for and against initiatives, initiatives to the legislature, and referendum measures.** Within thirty days after the submission of signatures in support of a proposed initiative or referendum measure or within thirty days after the adjournment of a regular session of the legislature at which an initiative to the legislature was not approved, the presiding officer of the state senate, the presiding officer or officers of the state house of representatives, and the secretary of state, acting concurrently, shall appoint for each such initiative, referendum measure or initiative to the legislature two persons known to favor such measure and two persons known to oppose such measure to serve on the respective committees to draft arguments for and against that measure to appear in the voters pamphlet. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-020, filed 4/17/79.]

**WAC 434-81-030 Additional members on committees to draft arguments for the voters pamphlets.** Within ten days after the appointment of the latter of the two persons appointed pursuant to WAC 434-81-010 or

WAC 434-81-020 to serve on a committee to draft arguments for or against a measure appearing in the voters pamphlet, such persons shall appoint a third person to serve with them on that committee and shall, within ten days, notify the secretary of state in writing of the name and address of the person so appointed. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-030, filed 4/17/79.]

**WAC 434-81-040 Selection of a chairperson for committees to draft arguments for or against measures appearing in the voters pamphlet.** Within ten days after the selection of a third person to serve on a committee to draft an argument for or against a measure appearing in the voters pamphlet, the committee shall elect from among their members a chairperson and shall immediately notify the secretary of state of the name, address and telephone number of the person so elected. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-040, filed 4/17/79.]

**WAC 434-81-050 Advisory committees.** Committees appointed to write arguments for or against measures appearing in the voters pamphlet may select up to five other persons to serve as an advisory committee. They shall notify the secretary of state of such appointments prior to the first day of August prior to the election at which the measure is to be submitted. Persons serving on advisory committees to committees drafting arguments for or against measures appearing in the voters pamphlet who are officers, employees, or representatives of any organization may only be designated as such if that organization has taken an official action to support or oppose the measure, as the case may be. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-050, filed 4/17/79.]

**WAC 434-81-060 Length of statements and rebuttals.** Arguments for and against measure[s] appearing in the voters pamphlet shall not exceed two hundred and fifty words, except that the committee may use up to four headings to summarize and identify major arguments or portions of the statement for the convenience of the reader and such headings shall not be included in the computation of the number of words in the statement. Rebuttals to arguments for and against measures appearing in the voters pamphlet shall not exceed seventy-five words and must address issues raised in the opposing argument without injecting issues not previously discussed by either the argument for or against that measure. Headings are not permitted in connection with rebuttal statements. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-060, filed 4/17/79.]

**WAC 434-81-070 Restrictions on the style of statements in the voters pamphlets.** The secretary of state find[s] that it is in the public interest that all statements published in the voters pamphlet be of substantially similar format and style. To promote such consistency, all

statements submitted for publication in the voters pamphlet shall be typewritten on plain sheets of white paper measuring eight and one half inches by eleven inches and containing the name, address, and telephone number of the chairperson of the committee submitting such statement. All statements shall be typeset in block paragraph style without tables, lists, or other material requiring multiple indentation and words which are underlined, in italics, or all in upper-case letters will be typeset in italics. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-070, filed 4/17/79.]

**WAC 434-81-080 Submission of statements and rebuttals.** Arguments for or against measures appearing in the voters pamphlet shall be submitted to the secretary of state by the chairperson of the committee appointed to draft that argument within sixty days after the appointment of said chairperson or by September 1 whichever is earlier. Rebuttals of arguments to statements for or against measures appearing in the voters pamphlet shall be submitted to the secretary of state by the chairperson of the opposing committee within thirty days following receipt of said argument by the committee or by September 15, whichever is earlier. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-080, filed 4/17/79.]

**WAC 434-81-090 Rejection of statements for the voters pamphlet.** Any statement submitted for publication in the voters pamphlet pursuant to WAC 434-81-080 which, in the opinion of the secretary of state, contains any obscene, libelous, or defamatory matter or any language or matter the circulation of which is prohibited by federal law shall be rejected. Within five days of the rejection of any statement, the committee proposing such statement may appeal the rejection to a board of review consisting of the governor, lieutenant governor, and the superintendent of public instruction. The board shall render a decision within three business days of the appeal and such decision to accept or reject the statement shall be final. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-090, filed 4/17/79.]

**WAC 434-81-100 Editing of statements for the voters pamphlet.** The secretary of state finds that it is in the public interest that all statements published in the voters pamphlet be accurate as to form and syntax. To promote such accuracy, the secretary of state may correct any incidental errors of spelling, grammar, and punctuation which he feels would unfairly prejudice the statement or confuse the voters so long as such corrections do not alter the meaning or substance of the statement. [Statutory Authority: RCW 29.81.070. 79-05-024 (Order 79-1), § 434-81-100, filed 4/17/79.]