

information to any qualified bidder or his agent, requesting it in person, and if more than one supplier is available, it shall seek competitive bidding in such manner as it deems in the best interests of the district.

In the event of any emergency when the public interest or property of the district would suffer material injury or damage by delay, upon resolution of the board declaring the existence of such an emergency and reciting the facts constituting the same, the board may waive the requirements of this section with reference to any purchase or contract: *Provided*, That an "emergency", for the purposes of this section, means a condition likely to result in immediate physical injury to persons or to property of the school district in the absence of prompt remedial action.

Emergency purchases, waiver.

SEC. 2. Section 15, page 293, Laws of 1909, section 1, chapter 82, Laws of 1947, and RCW 28.62.170 are each repealed.

Repeal.

Passed the Senate March 9, 1961.

Passed the House March 9, 1961.

Approved by the Governor March 20, 1961.

## CHAPTER 225.

[ S. B. 458. ]

### ELECTIONS—CHALLENGING RIGHT TO VOTE.

AN ACT relating to elections; amending section 4, chapter 77, Laws of 1947 and RCW 29.59.040; and amending section 9, chapter 181, Laws of 1955 and RCW 29.59.070.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 4, chapter 77, Laws of 1947 and RCW 29.59.040 are each amended to read as follows:

RCW 29.59.040 amended.

Whenever the right to vote of any person presenting himself as a voter at any polling place for any election has been challenged and the officers conducting the election at such polling place have

Procedure upon challenge of right to vote—Census of challenged vote.

refused to accept the vote of such person because of such challenge, or otherwise, a ballot shall be voted by such challenged person and placed in a sealed envelope. The sealed ballots of challenged voters shall be transmitted at the close of the election to the canvassing board or other authority charged by law with canvassing the returns of the particular election. The board or such other authority shall upon request of the challenger, at the time the vote is canvassed, consider the case of each challenge and shall decide whether or not the ballot in each case shall be accepted or rejected: *Provided*, That should the challenger fail to make such request, the challenged ballot shall be accepted as valid and counted. The decision of the board or such other authority shall be final.

In precincts where voting machines are used, any person whose right to vote is properly challenged shall be furnished with a paper ballot, and such ballot, after said person has marked it, shall be sealed and disposed of as hereinabove provided.

RCW 29.59.070  
amended.

SEC. 2. Section 9, chapter 181, Laws of 1955 and RCW 29.59.070 are each amended to read as follows:

Challenge on  
lack of resi-  
dence—  
Procedure.

Any voter may challenge the registration of any other voter on the grounds that the challenged voter does not physically reside and maintain an abode at the address as given on his permanent registration record. Such challenge shall be made in writing and shall be filed with the appropriate registration officer not later than sixty days prior to any primary or election, general or special. The registration officer shall by certified mail immediately notify the voter concerned that a challenge has been made.

Upon receipt of such notice, the challenged voter, should the allegation be correct, shall either transfer his registration or register anew, as the case may be, within thirty days. Should the challenged voter fail to register anew or transfer his registration or fail

to respond to such notice within the prescribed thirty days, the registration officer shall cancel the registration record and so notify the voter concerned.

Should the challenged voter deny the allegation, he shall so notify in writing the registration officer who shall immediately notify the challenger and the challenged voter to appear at a meeting to be held in the registration office at a day and hour certain to be stated in the notice: *Provided*, That should the challenged voter be unable to appear in person he may file a reply by means of an affidavit stating therein under oath the reasons he believes his registration to be valid and should the challenger be unable to appear in person he may file a statement by means of affidavit stating therein under oath the reasons he believes the registration to be invalid.

The hearing shall take place at the time and place designated by the registration officer. In the event both the challenger and the challenged voter file affidavits instead of appearing in person, an evaluation of such affidavits by the registration officer shall constitute a hearing for the purposes of the section.

At the meeting to be held by the registration officer, he shall hear both parties according to the facts presented and his ruling shall be final, unless ordered otherwise by a court of competent jurisdiction. If the challenger fails to appear at the meeting or fails to file an affidavit, the registration in question shall remain in full effect. If the challenged voter fails to appear at the meeting or fails to file an affidavit, then the registration shall be canceled and the voter so notified: *Provided, however*, That only the voter who transfers his registration or registers on or after the fifty-ninth day prior to any primary or election, shall be subject to challenge on the grounds of residence alone at the polling place.

Passed the Senate March 9, 1961.

Passed the House March 8, 1961.

Approved by the Governor March 20, 1961.