

CHAPTER 225.

[Substitute House Bill No. 617.]

CHALLENGING OF REGISTERED VOTERS.

AN ACT relating to challenging of registered voters; amending section 29.59.010, chapter 9, Laws of 1965 and RCW 29.59.010; amending section 2, chapter 156, Laws of 1965 extraordinary session and RCW 29.10.130; amending section 3, chapter 156, Laws of 1965 extraordinary session and RCW 29.10.140; and repealing section 29.59.070, chapter 9, Laws of 1965 and RCW 29.59.070.

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

RCW 29.59.010 amended.

Section 1. Section 29.59.010, chapter 9, Laws of 1965 and RCW 29.59.010 are each amended to read as follows:

Elections. Challenging registered voters—Right to challenge—Conditions.

Registration of a person as a voter shall be presumptive evidence of his right to vote at any primary or election, general or special, but any person's right to vote may be challenged at the polls and he may be required then and there to establish his right to vote: *Provided*, That challenges on grounds of residence alone initiated by a registered voter shall be offered at the office of the appropriate registration officer in the manner provided in RCW 29.10.130, 29.10.140, and 29.10.150 subject to the following conditions:

(1) Such challenge must be filed not later than sixty days prior to any primary or election, special or regular.

(2) The registered voter filing such challenge must furnish the address at which the challenged voter actually resides in order to assure that proper notice will be received by the challenged voter.

(3) *The registered voter may only challenge the residence of another voter in his precinct.*

RCW 29.10.130 amended.

Sec. 2. Section 2, chapter 156, Laws of 1965 extraordinary session and RCW 29.10.130 are each amended to read as follows:

Any precinct committeeman, precinct election officer or registration officer may sign a preliminary request form, subject to the penalties of perjury, to the effect that to his personal knowledge and belief another registered voter does not actually reside and maintain his abode at the address as given on his registration record and that the voter in question is not protected by the provisions of Article VI, Section 4, of the Constitution of the state of Washington: *Provided*, That (1) a precinct committeeman or precinct election officer may only challenge the residence of a voter registered in the precinct wherein such precinct committeeman or precinct election officer serves and (2) the person filing such challenge must furnish the address at which the challenged voter actually resides in order to assure that proper notice will be received by the challenged voter.

Cancellation of registration of voters—Based on residence grounds—Preliminary request form.

Sec. 3. Section 3, chapter 156, Laws of 1965 extraordinary session and RCW 29.10.140 are each amended to read as follows:

RCW 29.10.140 amended.

All such signed forms shall be delivered to the appropriate registration officer who shall cancel the registration records of the voters concerned on the thirtieth day following date of mailing or as soon thereafter as is practicable: *Provided*, That notice of intent to cancel the registration on account of a claimed change of residence shall be mailed by certified mail to that address at which the challenged voter actually resides in order to assure that proper notice will be received by the challenged voter.

Elections—Cancellation of registration—Cancellation based upon residence—Procedural steps required.

Any voter, whose registration has been so questioned, who believes that the allegation is not true, shall within twenty days of such mailing or publication file a written protest with his registration officer. Said registration officer shall immediately notify, by certified mail, the challenger and the challenged voter to appear at a meeting to be held at a place, day and hour certain to be stated in the

Elections—
Cancellation
of registration
—Cancellation
based upon
residence—
Procedural
steps required.

notice, for determination of the validity of such registration: *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 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 this 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 may remain in full effect as determined by the registration officer. 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.

Repeal.

Sec. 4. Section 29.59.070, chapter 9, Laws of 1965 and RCW 29.59.070 are each repealed.

Passed the House March 2, 1967.

Passed the Senate March 7, 1967.

Approved by the Governor March 21, 1967, with the exception of an item in Section 1 which was vetoed.

NOTE: Governor's explanation of partial veto is as follows:

"This bill revises the procedure for challenging a person's right to vote on the ground that he does not reside in the precinct in which he is registered. Under existing law and under this bill, such a challenge must be made at least sixty days before an election, so that a

challenged voter may preserve his right to vote by transferring his registration to the precinct where he resides.

"This bill further protects the rights of the challenged voter by assuring that he will receive a notice in the mail at his new address advising him that his current registration has been challenged. However, there is one restriction in the bill which is not necessary to protect the challenged voter. This is the provision that another registered voter cannot make the challenge unless he resides in the same precinct.

"Therefore, I have vetoed lines 24 and 25 on page one of the bill which provides:

"(3) The registered voter may only challenge the residence of another voter in his precinct."

"The remainder of Substitute House Bill 617 is approved."

DANIEL J. EVANS,
Governor.

CHAPTER 226.

[House Bill No. 478.]

YAKIMA ARMORY.

AN ACT relating to state government; authorizing the sale, lease or exchange of the Yakima armory and the acquisition of a new armory or armories.

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

Section 1. The Washington state military department is hereby authorized to sell, lease or exchange Yakima, Washington, which sale, lease or exchange in Yakima County state of Washington the present state armory, land and buildings in the city of Yakima, at 202 South 3d Street, legally described as Lots 1, 2, 3, 4, 5, and 6 in Block 53 in the city of North shall be by and under the direction of the adjutant general in accordance with the procedures provided by law: *Provided*, That in the opinion of the adjutant general the appraised value of said land and buildings is in a sum which together with other funds available to the state military department will provide sufficient funds for the purchase of real property and for the construction of a new armory or armories.

Yakima armory—Sale or lease or exchange.