

# HOUSE BILL REPORT

## HB 1190

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As Reported By House Committee On:  
State Government  
Appropriations

**Title:** An act relating to voter registration.

**Brief Description:** Providing for voter registration by affidavit.

**Sponsors:** Representatives Anderson, Reams, Wang, Rust, J. Kohl, Thibaudeau, G. Cole, Appelwick, Leonard, Johanson and Pruitt.

**Brief History:**

Reported by House Committee on:  
State Government, February 18, 1993, DPS;  
Appropriations, March 4, 1993, DPS(SG).

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**HOUSE COMMITTEE ON STATE GOVERNMENT**

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Anderson, Chair; Reams, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Campbell; Conway; and Pruitt.

**Staff:** Kenneth Hirst (786-7105).

**Background:** An applicant for voter registration must provide a voter registration officer certain information concerning the applicant's qualifications as a voter. The applicant must produce identification when it is necessary to establish the applicant's date of birth. The applicant must also sign an oath of registration.

Whenever a voter registration card is sent by an auditor to a new registrant but is returned by the Postal Service as undeliverable, the auditor must initiate an inquiry into the validity of the registration of that voter.

Each deputy registrar other than a city or town clerk or salaried county employee is entitled to receive a fee of not less than 20 cents for each elector registered.

**Summary of Substitute Bill:**

Registration by Affidavit - Forms; Oath. A procedure for registering to vote by affidavit is established. The forms to be used are to be adopted by the Secretary of State by rule. Such a form must require the applicant to provide the information required under current law for registering to vote. The instructions must direct the elector to sign a portion of the form that can be used as an initiative signature card and to sign and attest to a voter registration oath. The form must contain, in a conspicuous place, a warning that knowingly providing false information on the form or knowingly making a false declaration about the elector's qualifications is a Class C felony. It must identify the penalties associated with such a felony.

Delivery & Processing. The completed form may be filed by mail or other delivery with the county auditor. If the information is incomplete, the auditor must promptly send the applicant a notice of the deficiency. If the information is complete and the form and oath are signed, the person is registered on the date of the postmark on the affidavit or, if not postmarked or the postmark is illegible, on the date the completed affidavit was received by the auditor. The auditor must send to the registrant, by first class mail, a voter registration card within 45 days of receiving the affidavit. For an affidavit filed before the closing of the precinct registration files, the card must be sent not later than seven days before the next primary or election.

Undeliverable Registration Card. The postal service is to be instructed not to forward the registration card to any other address and return to the auditor cards which are undeliverable. If the card is returned as undeliverable, the voter registration of the person is immediately canceled. A notice regarding the cancellation must be sent to the person. This notice may be forwarded by the Postal Service.

Form. The affidavit form must be designed to permit the elector to register to vote or both to register and to cancel a previous voter registration in this state by filing just one affidavit. The secretary must develop the forms in consultation with the county auditors and must provide free copies of the form to the auditors. A replica of the form, such as one printed in a newspaper or telephone book, may be used to register to vote. The county auditor is to supply interested parties with copies of the forms and keep a supply of the forms.

Other. This procedure for voter registration is supplemental to other forms of registration. A provision of law is repealed which entitles each deputy registrar, with

certain exceptions, to receive a fee for each elector registered.

**Substitute Bill Compared to Original Bill:** The substitute bill deletes from the original bill a requirement that a person registering by affidavit list on the form the person's driver's license, social security, or identicaid number. The substitute bill also expressly states that the form and registration oath must be signed for the form to be considered completed.

**Fiscal Note:** Available.

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

**Testimony For:** Original bill: (1) This form of registration is available in 27 states and, under the new federal "motor voter" law, will have to be available in all states for federal elections. (2) For those people who find it difficult to register in person with a deputy registrar, this bill provides greater access to voting by providing an alternative method of registering.

**Testimony Against:** The Class "C" felony for falsely swearing is too punitive.

**Witnesses:** Gary McIntosh, Office of the Secretary of State (in favor); Karen Flynn, Washington State Association of County Auditors (in favor); and Kevin Klumpp (opposed to penalty provision).

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#### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on State Government be substituted therefor and the substitute bill do pass. Signed by 22 members: Representatives Valle, Vice Chair; Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dunshee; G. Fisher; Jacobsen; Lemmon; Linville; Morton; Peery; Rust; Sehlin; Sommers; Stevens; Wang; Wineberry; and Wolfe.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Sheahan and Talcott.

**Staff:** Beth Redfield (786-7130).

**Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on State Government:** No new changes were recommended.

**Fiscal Note:** Available.

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

**Testimony For:** Twenty-eight other states allow voter registration by mail. Washington is a progressive state and it is surprising that voting by mail is not currently allowed. The bill can be implemented effectively. Voter registration by mail will enhance voter participation; currently many people do not know where to register.

**Testimony Against:** None.

**Witnesses:** Ralph Munro, Secretary of State, (supports); and Karen Flynn, Kitsap County Auditor (supports).