



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Office of the Secretary of State, Elections Division

- Preproposal Statement of Inquiry was filed as WSR 08-14-161 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

Election related procedures, including protected records voters, voters requiring verification of identity, certification of voting systems, affidavits by initiative and referendum sponsors, and deadlines for candidate statements.

Hearing location(s):

Office of the Secretary of State, Elections Division
520 Union Ave. S.E.
Olympia, WA

Date: December 23, 2008 Time: 11:00 am

Submit written comments to:

Name: Katie Blinn
Address: P.O. Box 40220, Olympia, WA 98504-0220

e-mail kblinn@secstate.wa.gov

fax (360) 586-5629 by (date) December 23, 2008

Assistance for persons with disabilities: Contact

Katie Blinn by December 23, 2008

TTY (800) 422-8683 or (360) 902-4168

Date of intended adoption: January 20, 2009

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

These rules: move procedures for protected records voters into election-related WAC chapters, clarify which government documents a voter may use to prove his or her identity, repeal antiquated references, clarify the appointment of members of the voting systems review board, change terminology from "independent testing authority" to "voting system test laboratory," repeal references to telephonic transmission since that technology is antiquated and obsolete, clarify the process for testing voting systems during certification testing, repeal the requirement that initiative and referendum sponsors have the affidavit notarized, and create one standard deadline for statements submitted by candidates for the voters' pamphlet.

Reasons supporting proposal:

Statutory authority for adoption: RCW 29A.04.611

Statute being implemented: RCW 40.24.060, 29A.08.113, 28A.12.020, 29A.72.010, and 29A.32.031.

Is rule necessary because of a:

Federal Law?

Federal Court Decision?

State Court Decision?

Yes

No

Yes

No

Yes

No

If yes, CITATION:

Washington Association of Churches. v. Sam Reed, 492 F. Supp. 2d 1264 (2006).

DATE

November 5, 2008

NAME (type or print)

Steve Excell

SIGNATURE

TITLE Assistant Secretary of State

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 05, 2008

TIME: 4:02 PM

WSR 08-23-004

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization)

Office of the Secretary of State, Elections Division

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting Katie Blinn	P.O. Box 40220, Olympia, WA 98504-0220	(360) 902-4168
Implementation Katie Blinn	P.O. Box 40220, Olympia, WA 98504-0220	(360) 902-4168
Enforcement Katie Blinn	P.O. Box 40220, Olympia, WA 98504-0220	(360) 902-4168

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

Not applicable.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

Not applicable.