Washington Secretary of State
SAM REED

Advisory Issue: 06 Voting Instructions
December 20, 2007

Instructions to voters for the Presidential Primary differ from a regular partisan primary in several ways.

- Voter declaration of party affiliation
- Record of party preference
- Consolidated or separate ballots
- Nonpartisan races or issues

Voting instructions are located in more than one citation and in more than one chapter.

- **WAC 434-220-030**
- **WAC 434-220-040**
- **RCW 29A.56.040**
- **WAC 434-219-155**
- **WAC 434-250-040**

WAC 434-220-030 and WAC 434-220-040 define instruction requirements for partisan primaries. Two statements should **not** be included in your instructions:

1. "There will be no record of which party you select…" WAC 434-220-030(4)(b)(1); and
2. "Your affiliation with a political party is inferred by choosing that party's ballot, but no record will be made of your choice." WAC 434-220-040(3)(b).

Do not include these statements in your instructions. All other requirements in these WACs must be included in your instructions.

These WACs also require statements regarding the inclusion of nonpartisan candidates and measures. Remember to adjust your instructions to reflect nonpartisan issues if you have them on the ballot.

With the exception of RCW 29A.56.040(4), voter instructions may be printed on the ballot or on a separate piece of paper as the first page of the ballot. WAC 434-220-030(5) and WAC 434-220-040(4).

RCW 29A.56.040(4) states, "A presidential primary ballot with votes for more than one candidate is void, and notice to this effect, stated in clear, simple language and printed in large

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type, must appear on the face of each presidential primary ballot or on or about each voting device." **This information must be printed on the ballot**, not on a separate sheet of paper.

WAC 434-219-155(3). Mail ballot voters must be instructed on how to mark the ballot so that it will be counted in accordance with the party affiliation on the return envelope. This rule is available only on the OSOS web site in the Cycle 4 rules located at: http://www.secstate.wa.gov/elections/pdf/rulemaking/consolidated_final_cycle_4_rules.pdf

Because the voter may not realize there are party oaths on the envelope, your ballot instructions should refer the voter to the oaths on the envelope. The voter should be instructed to first mark a party oath on the envelope, and second, vote only for candidates of that party on the ballot.

WAC 434-250-040 lists all the information required for mail ballot voters.

For your convenience, the applicable WACs are attached.

Ballot graphics are also attached for Hart, Premier and ES&S systems. Clear visual aids will assist your voters.

If you have any questions, please contact the Certification and Training Program at (360) 902-4180 or Patty Murphy at pmurphy@secstate.wa.gov (360) 902-4188.