

NEW SECTION. Sec. 13. There is added to chapter 29.21 RCW a new section to read as follows:

If after both the normal filing period and special three day filing period as provided by RCW 29.21.360 and 29.21.370, as now or hereafter amended, have passed and still no candidate has filed for any single city, town, or district position to be filled, the election for such position shall be deemed lapsed, the office deemed stricken from the ballot and no write-in votes counted. In such instance, the incumbent occupying such position shall remain in office and continue to serve until his successor is elected at the next election when such positions are voted upon as provided by RCW 29.21.410, as now or hereafter amended.

NEW SECTION. Sec. 14. There is added to chapter 29.01 RCW a new section to read as follows:

"Short term" means the brief period of time starting upon the completion of the certification of election returns and ending with the start of the full term on the second Tuesday of the next January immediately following the election and is applicable only when the office concerned is being held by an appointee to fill a vacancy which occurred after the last election, at which such office could have been voted upon for an unexpired term, prior to the election for such office for the subsequent full term.

NEW SECTION. Sec. 15. The following acts or parts of acts are hereby repealed:

- (1) Section 29.21.170, chapter 9, Laws of 1965 and RCW 29.21.170;
- (2) Section 29.21.230, chapter 9, Laws of 1965, section 3, chapter 131, Laws of 1969, section 9, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.230; and
- (3) Section 29.24.110, chapter 9, Laws of 1965 and RCW 29.24.110.

NEW SECTION. Sec. 16. If any provision of this 1976 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 17. This 1976 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 18, 1976.

Passed the Senate March 17, 1976.

Approved by the Governor March 25, 1976.

Filed in Office of Secretary of State March 25, 1976.

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## CHAPTER 121

[House Bill No. 1272]

### AUTO TRANSPORTATION COMPANIES DEFINED—EXCEPTION, HOME TO WORK COMMUTING

AN ACT Relating to transportation; and amending section 81.68.010, chapter 14, Laws of 1961 as amended by section 10, chapter 210, Laws of 1969 ex. sess. and RCW 81.68.010.

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

Section 1. Section 81.68.010, chapter 14, Laws of 1961 as amended by section 10, chapter 210, Laws of 1969 ex. sess. and RCW 81.68.010 are each amended to read as follows:

As used in this chapter:

(1) "Corporation" means a corporation, company, association or joint stock association.

(2) "Person" means an individual, firm or a copartnership.

(3) "Auto transportation company" means every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any motor propelled vehicle not usually operated on or over rails used in the business of transporting persons, and baggage, mail and express on the vehicles of auto transportation companies carrying passengers, for compensation over any public highway in this state between fixed termini or over a regular route, and not operating exclusively within the incorporated limits of any city or town: PROVIDED, That the term "auto transportation company" shall not include corporations or persons, their lessees, trustees, receivers or trustees appointed by any court whatsoever insofar as they own, control, operate or manage taxicabs, hotel buses, school buses, motor propelled vehicles operated exclusively in transporting agricultural, horticultural, or dairy or other farm products from the point of production to the market, or any other carrier which does not come within the term "auto transportation company" as herein defined.

No portion of this section shall apply to persons operating motor vehicles when operated wholly within the limits of incorporated cities or towns, and for a distance not exceeding three road miles beyond the corporate limits of the city or town in Washington in which the original starting point of such vehicle is located, and which operation either alone or in conjunction with another vehicle or vehicles is not a part of any journey beyond said three mile limit.

The term "auto transportation company" shall not include, nor shall the provisions of this chapter apply to, any operation whereby passengers are transported between their places of abode, or termini near such places, and their places of employment, in a motor vehicle with a seating capacity including the driver not exceeding fifteen persons, in a single, daily round trip where the driver himself is also on the way to or from his place of employment: PROVIDED, That said transportation or operation shall not compete with nor infringe upon service of an existing auto transportation company certificated under this chapter.

(4) "Public highway" means every street, road, or highway in this state.

(5) The words "between fixed termini or over a regular route" mean the termini or route between or over which any auto transportation company usually or ordinarily operates any motor propelled vehicle, even though there may be departure from said termini or route, whether such departures be periodic or irregular. Whether or not any motor propelled vehicle is operated by any auto transportation company "between fixed termini or over a regular route" within the meaning

of this section shall be a question of fact and the finding of the commission thereon shall be final and shall not be subject to review.

Passed the House March 17, 1976.

Passed the Senate March 16, 1976.

Approved by the Governor March 25, 1976.

Filed in Office of Secretary of State March 25, 1976.

## CHAPTER 122

[House Bill No. 1355]

### STATE EMPLOYEE SUGGESTION PROGRAM

AN ACT Relating to state government; implementing the law relating to employee suggestion program; amending section 2, chapter 142, Laws of 1965 ex. sess. as amended by section 4, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.020; amending section 4, chapter 142, Laws of 1965 ex. sess. as amended by section 5, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.040; amending section 5, chapter 142, Laws of 1965 ex. sess. as amended by section 6, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.050; amending section 8, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.070; amending section 7, chapter 142, Laws of 1965 ex. sess. and RCW 41.60.900; creating a new section; making an appropriation; and adding a new section to chapter 41.60 RCW.

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

Section 1. Section 2, chapter 142, Laws of 1965 ex. sess. as amended by section 4, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.020 are each amended to read as follows:

(1) There is established the employee suggestion awards board. The board shall consist of the director of personnel or his designee who shall serve as its chairman and ~~((two))~~ three state officers or state employees appointed by the governor, to serve at his pleasure. The governor shall appoint a state officer or state employee to serve as secretary of the employee suggestion program.

(2) The board shall formulate, establish and maintain an employee suggestion program to encourage and reward meritorious suggestions by state employees that will promote efficiency and economy in the performance of any function of state government: PROVIDED, That ~~((RCW 41.06.080, 41.06.350, 41.60.010, 41.60.020 and 41.60.040 through 41.60.070 shall not apply to the institutions of higher learning or to their employees))~~ the program shall include provisions for the processing of suggestions having multi-agency impact and post-implementation auditing of suggestions for fiscal accountability.

(3) The secretary, with the approval of the employee suggestion awards board, shall prepare rules and regulations necessary or appropriate for the proper administration and for the accomplishment of the purposes of this chapter.

Sec. 2. Section 4, chapter 142, Laws of 1965 ex. sess. as amended by section 5, chapter 152, Laws of 1969 ex. sess. and RCW 41.60.040 are each amended to read as follows:

Cash awards may be paid from the department of personnel service fund ~~((not to exceed a total of five thousand dollars during any fiscal year))~~ from sources provided in RCW 41.06.080, 41.06.350, 41.60.010, 41.60.020, and 41.60.040 through 41.60.070, together with such other funds as may be available from donations, grants, and other sources: PROVIDED, That no award ~~((or awards in~~