

drugs prescribed by a veterinarian, and those items in subsection 24 which exclude candy and confectionery from the definition of food products. Veto  
Message

With the exceptions noted above, I have approved the remainder of Engrossed Substitute Senate Bill No. 2102."

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CHAPTER 36

[Substitute Senate Bill No. 2377]

UNITED STATES CONGRESSIONAL ELECTIONS

AN ACT Relating to United States congressional elections; amending section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 4, Laws of 1973 and RCW 29.13.010; amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070; amending section 29.68.080, chapter 9, Laws of 1965 and RCW 29.68.080; amending section 29.68.090, chapter 9, Laws of 1965 and RCW 29.68.090; amending section 29.68.100, chapter 9, Laws of 1965 and RCW 29.68.100; amending section 29.68.110, chapter 9, Laws of 1965 and RCW 29.68.110; and amending section 29.68.120, chapter 9, Laws of 1965 and RCW 29.68.120.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 4, Laws of 1973 and RCW 29.13.010 are each amended to read as follows:

All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, district, and precinct officers, and for the submission to the voters of the state of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. A state-wide general election shall be held on the first Tuesday after the first Monday of November of each year: PROVIDED, That the state-wide general election held in odd-numbered years shall be limited to (1) city, town, and district general elections as provided for in RCW 29.13.020, or as otherwise provided by law; (2) the election of federal officers for the remainder of any unexpired terms in the membership of either branch of the congress of the United States; (3) the election of state and county officers for the remainder of any unexpired terms as provided for in Article II, section 15, Article III, section 10, and Article IV, sections 3 and 5 of the state Constitution and RCW 2.06.080; ((13)) (4) the election of county officers in any county governed by a charter containing provisions calling for general county elections at this time; and

~~((4))~~ (5) the approval or rejection of state measures, including proposed constitutional amendments, matters pertaining to any proposed constitutional convention, initiative measures and referendum measures proposed by the electorate, referendum bills, and any other matter provided by the legislature for submission to the electorate: PROVIDED FURTHER, That this section shall not be construed as fixing the time for holding primary elections, or elections for the recall of county, city, town, or district officers(~~nor special elections to fill vacancies in the membership of either branch of the congress of the United States~~): PROVIDED HOWEVER, That the board of county commissioners may, if they deem an emergency to exist, call a special county election at any time by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. Such county special election shall be noticed and conducted in the manner provided by law.

V- Sec. 2. Section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070 are each amended to read as follows:

When a vacancy happens in the representation of this state in the senate of the United States the governor shall make a temporary appointment until the people fill the vacancy by election at the next ensuing general state election. Such temporary appointment shall be from a list of three names submitted to the governor by the state central committee of the same political party as the senator holding office prior to the vacancy. A vacancy occurring after the first day for filing specified in RCW 29.18.030 and prior to the general state election shall be filled by election at the next ensuing general state election.

Sec. 3. Section 29.68.080, chapter 9, Laws of 1965 and RCW 29.68.080 are each amended to read as follows:

Whenever there is a vacancy existing by death, resignation, disability or failure to qualify or impending vacancy in the office of representative in the congress of the United States from this state or any congressional district in this state, the governor shall order a special election to fill the vacancy. Within ten days of such vacancy occurring he shall fix as the date for the special election a day not less than ((twenty-five)) ninety days after the issuance of the writ. He shall fix as the date for the primary for nominating candidates for the special election, a day not less than ((fifteen days after the issuance of the writ and not less than ten)) thirty days before the day fixed for holding the special election. If the vacancy occurs between or on a date six months prior to a general state election and the second Friday following the close of the filing period, the special primary and special general elections shall be held in concert with the regular primary and regular general

elections. If the vacancy occurs on or after the first day for filing specified in RCW 29.18.030 and on or before the second Friday following the close of the filing period, a special filing period of three normal business days shall be fixed by the secretary of state and notice thereof given by notifying all media including press, radio and television within the congressional district concerned to the end that, insofar as possible, all interested persons will be aware of such filing period: PROVIDED, HOWEVER, That the last day of such filing period shall be no later than the third Tuesday prior to the primary election concerned. Such declarations of candidacy validly filed within said three day period shall appear on the approaching primary ballot as if made during the earlier filing period. If the vacancy should occur later than the second Friday following the close of the filing period, a special primary and special general election to fill such vacancy shall be held after the regular annual general election but, in any event, no later than the ninetieth day following the said November election.

Sec. 4. Section 29.68.090, chapter 9, Laws of 1965 and RCW 29.68.090 are each amended to read as follows:

The order shall name the district and the term or part of the term for which the vacancy exists or is about to exist as well as the dates for holding the special primary and the special election to fill it, together with naming the filing period, and if the date fixed for the special primary is the day for holding the regular primary, or if the day fixed for the special election is the day for holding the regular election, the order shall provide that the names of the candidates to fill the vacancy may be placed upon the regular ballots to be used thereat. No name shall be printed on the primary ballots that shall not have been filed with the secretary of state ((at least ten days before the special primary)) during the applicable filing period as set forth in this section.

Sec. 5. Section 29.68.100, chapter 9, Laws of 1965 and RCW 29.68.100 are each amended to read as follows:

Upon calling a special primary and special election to fill a vacancy or impending vacancy in the office of representative in the congress of the United States, the governor shall immediately notify the secretary of state who shall, in turn, immediately notify each county auditor within the district in which the vacancy exists or is about to exist.

Each county auditor in the district shall publish notices of the special primary and of the special election at least once ((in the official county paper if there is one, otherwise)) in any legal newspaper published in the county, ((and he shall also post notices thereof in every precinct in his county)) as provided by RCW 29.27.030 and 29.27.080 respectively.

((If the date fixed in the order for the special primary is not more than fifteen days before the date fixed for the special election; the notices for the special election may be combined with the notices for the special primary.))

Sec. 6. Section 29.68.110, chapter 9, Laws of 1965 and RCW 29.68.110 are each amended to read as follows:

If either the special election for the election of a United States congressman or the special primary relating thereto is held at ((the same)) a time ((as)) other than the ((corresponding)) regular election or primary, the same election officers shall serve at both((; if held at a time other than the corresponding regular election or primary the election officers for the last corresponding election or primary shall be the election officers thereat)) such special primary and special election.

Sec. 7. Section 29.68.120, chapter 9, Laws of 1965 and RCW 29.68.120 are each amended to read as follows:

Canvass of the votes at a special primary held in relation to a special election for a United States congressman shall be made in each county within the district within ((five)) ten days after the primary and the returns sent immediately to the secretary of state who shall immediately convene the state canvassing board to certify said returns in the same manner as provided by RCW 29.62.110 and as soon as possible thereafter certify the names of the successful nominees to the county auditors of the counties within the district.

Passed the Senate September 15, 1973.

Passed the House September 14, 1973.

Approved by the Governor September 22, 1973 with the exception of Section 2 which is vetoed.

Filed in Office of Secretary of State September 27, 1973.

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

"I am returning herewith without my approval as to one section Substitute Senate Bill No. 2377 entitled:

Veto  
Message

"AN ACT Relating to United States congressional elections."

This bill makes various changes in the election laws relating to the holding of special elections to fill vacancies occurring in congressional offices in order to update and conform these laws to present election procedural requirements.

Under Section 2 of the bill, when a vacancy occurs in the office of United States Senator for this state, the

Governor shall make a temporary appointment to fill the vacancy from a list of three names submitted by the state central committee of the same political party as the Senator holding the office prior to the vacancy. This procedure represents a very substantial departure from the tradition existing in this state since the beginning of popular elections for United States Senators. No other state in the Nation has such a provision and our state would stand alone in the procedure by which the Governor fills the vacancy in the office of United States Senator.

Veto  
Message

I believe that in the election and appointment of federal and national offices there should be some consistency nationwide and it would be inappropriate for the State of Washington to differ in its practice from the other states.

For the foregoing reasons, I have determined to veto Section 2 of the bill. With the exception of that section, the remainder of the bill is approved."

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CHAPTER 37

[Engrossed Substitute Senate Bill No. 2603]

ECONOMIC IMPACT ACT

AN ACT Relating to state government; setting forth an economic impact act for the state of Washington; adding a new chapter to Title 43 RCW; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. When either for fiscal reasons, obsolescence or other extraordinary reasons, it becomes necessary to close a state facility, as defined by section 2 (2), the state has a responsibility to provide certain benefits to affected employees.

It is the purpose of this chapter to establish an economic impact act for the state of Washington to meet the emergency situation now in existence for state employees affected by the closure of state facilities, as defined in section 2 of this 1973 act.

NEW SECTION. Sec. 2. For purposes of this chapter:

(1) "Employees" includes those persons performing services for the state on a salaried or hourly basis including, but not limited to, persons in "classified service" as defined in RCW 41.06.020 (3) and those persons defined as exempt from the state civil service laws pursuant to RCW 41.06.070.