

study within existing resources, and will report to the legislature as outlined in this subsection.

Subsection 3 directs the Office of Financial Management and the Department of General Administration to review the food planning model developed by the Department of Corrections for possible expansion to a uniform state-wide system. I will direct these agencies to examine this topic and communicate their findings to the legislature.

Subsection 4 directs the printing and duplicating management center of the Department of General Administration (GA) to review the feasibility and desirability of establishing a class II correctional industry within one or more correctional institutions. The printing and duplicating management center of GA no longer exists. In addition, Correctional Industries already operates printing facilities pursuant to agreements with the State Printer. With regard to the development of a printer's apprentice program, the Department of Corrections has consistently worked to expand apprentice programs across the entire continuum of Correctional Industries programs.

Section 34 conflicts with the assumptions contained in Section 223 (Department of Corrections) of Engrossed Substitute House Bill 1410, the Omnibus Appropriations Act. Staff reductions and efficiencies will be implemented consistent with the assumptions in the Omnibus Appropriations Act.

Section 35 places into statute the staffing ratios for recreational leader positions 2, 3, and 4 as provided for in the omnibus appropriations act. This approach fails to account for the expansion to new facilities or the changing environment within the corrections system. In addition, the language is inconsistent with other sections of this act which direct Correctional Industries (CI) to study the possibility of a work program to provide opportunities for support staffing in recreation and fitness programs. All of these could result in changes in these staffing levels. The Omnibus Appropriations Act is the appropriate vehicle to deal with this issue, placing it under a biennial review.

Section 39 states that this bill shall be null and void if it is not referenced in the biennial budget. Section 40 declares an emergency and states that the bill shall take effect immediately. These two sections are inconsistent. If a bill is "necessary for the immediate preservation of the public peace, health, and safety" it cannot also be subject to the uncertainties of the appropriation process. There are some elements of this bill that will provide immediate benefits and are consistent with the immediate implementation provided by section 40. Therefore, I am vetoing section 39.

For these reasons, I am vetoing sections 22, 26, 34, 35 and 39 of Second Engrossed Second Substitute House Bill No. 2010.

With the exception of sections 22, 26, 34, 35 and 39, Second Engrossed Second Substitute House Bill No. 2010 is approved."

## CHAPTER 20

[Second Engrossed Senate Bill 5852]

### PRESIDENTIAL PRIMARY

AN ACT Relating to the presidential preference primary; amending RCW 29.19.020, 29.19.070, and 29.19.080; adding new sections to chapter 29.19 RCW; repealing RCW 29.19.040, 29.19.050, and 29.19.060; and declaring an emergency.

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

Sec. 1. RCW 29.19.020 and 1989 c 4 s 2 are each amended to read as follows:

(1) On the fourth Tuesday in May of each year (~~when~~) in which a president of the United States is to be nominated and elected, (~~or such other date as may be selected by the secretary of state to advance the concept of a regional primary;~~) a presidential (~~preference~~) primary shall be held at which

voters may ~~((express their preferences as to who should be))~~ vote for the nominee of a major political party for the office of president. The secretary of state may propose an alternative date for the primary no later than the first day of August of the year before the year in which a president is to be nominated and elected.

(2) No later than the first day of September of the year before the year in which a presidential nominee is selected, the state committee of any major political party that will use the primary results for candidates of that party may propose an alternative date for that primary.

(3) If an alternative date is proposed under subsection (1) or (2) of this section, a committee consisting of the chair and the vice-chair of the state committee of each major political party, the secretary of state, the majority leader and minority leader of the senate, and the speaker and the minority leader of the house of representatives shall meet and, if affirmed by a two-thirds vote of the members of the committee, the date of the primary shall be changed. The committee shall meet and decide on the proposed alternate date not later than the first day of October of the year before the year in which a presidential nominee is selected. The secretary of state shall convene and preside over the meeting of the committee. A committee member other than a legislator may appoint, in writing, a designee to serve on his or her behalf. A legislator who is a member of the committee may appoint, in writing, another legislator to serve on his or her behalf.

(4) If an alternate date is approved under this section, the secretary of state shall adopt rules under RCW 29.19.070 to adjust the deadlines in RCW 29.19.030 and related provisions of this chapter to correspond with the date that has been approved.

NEW SECTION. Sec. 2. A new section is added to chapter 29.19 RCW to read as follows:

(1) Except where necessary to accommodate the national or state rules of a major political party or where this chapter specifically provides otherwise, the presidential primary must be conducted in substantially the same manner as a state partisan primary under this title.

(2) Except as provided under this chapter or by rule of the secretary of state adopted under RCW 29.19.070, the arrangement and form of presidential primary ballots must be substantially as provided for a partisan primary under this title. Whenever requested by a major political party, a separate ballot containing only the candidates of that party who have qualified under RCW 29.19.030 must be provided for a voter who requests a ballot of that party. A primary ballot, containing the names of all the candidates who have qualified for a place on the ballot under RCW 29.19.030, must be provided for nonaffiliated voters.

(3) The ballot must list alphabetically the names of all candidates for the office of president. The ballot must indicate the political party of each candidate adjacent to the name of that candidate. Each ballot must include a blank space to allow the voter to write in the name of any other candidate.

(4) 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 type, must appear on the face of each presidential primary ballot or on or about each voting device.

NEW SECTION. **Sec. 3.** A new section is added to chapter 29.19 RCW to read as follows:

(1) A major political party may, under national or state party rules, base the allocation of delegates from this state to the national nominating convention of that party in whole or in part on the participation in precinct caucuses and conventions conducted under the rules of that party.

(2) If requested by a major political party, the secretary of state shall adopt rules under RCW 29.19.070 to provide for any declaration required by that party.

(3) Voters who subscribe to a specific political party declaration under this section must be given ballots that are readily distinguishable from those given to other voters. Votes cast by persons making these declarations must be tabulated and reported separately from other votes cast at the primary and may be used by a major political party in its allocation of delegates under the rules of that party.

(4) For a political party that requires a specific voter declaration under this section, the secretary of state shall prescribe rules for providing, to the state and county committees of that political party, a copy of the declarations or a list of the voters who participated in the presidential nominating process of that party.

**Sec. 4.** RCW 29.19.070 and 1989 c 4 s 7 are each amended to read as follows:

The secretary of state as chief election officer may make rules in accordance with chapter 34.05 RCW ~~((or its statutory successor))~~ to facilitate the operation, accomplishment, and purpose of this chapter. The secretary of state shall adopt rules consistent with this chapter to comply with national or state political party rules.

**Sec. 5.** RCW 29.19.080 and 1989 c 4 s 8 are each amended to read as follows:

Subject to available funds specifically appropriated for this purpose, whenever a presidential ((preference)) primary ((election)) is held as provided by this chapter, the state of Washington shall assume all costs of holding the ((election)) primary if it is held alone. If any other election or elections are held at the same time, the state is liable only for ((its)) a prorated share of the costs. The county auditor shall determine the ((election)) costs, including the state's prorated share, if applicable, in the same manner as provided under RCW 29.13.045 and shall file a certified claim ((therefore)) with the secretary of state. The secretary of state shall ((compile such claims for presentation to the next succeeding legislature in the same manner as other legislative relief claims)) include in his or her biennial budget requests sufficient funds to carry out this

section. Reimbursements for primary costs must be from appropriations specifically provided by law for that purpose.

NEW SECTION. Sec. 6. The following acts or parts of acts are each repealed:

- (1) RCW 29.19.040 and 1989 c 4 s 4;
- (2) RCW 29.19.050 and 1989 c 4 s 5; and
- (3) RCW 29.19.060 and 1989 c 4 s 6.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Passed the Senate May 23, 1995.

Passed the House May 23, 1995.

Approved by the Governor June 15, 1995.

Filed in Office of Secretary of State June 15, 1995.

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