

1006-S2

Sponsor(s): House Committee on Appropriations (originally sponsored by Representatives Ballasiotes, O'Brien, Benson, Radcliff, Quall, Mitchell, Dickerson, Cairnes, Hurst, Alexander and Lambert)

Brief Title: Revising sentencing options for drug and alcohol offenders.

**HB 1006-S2.E - DIGEST**

(DIGEST AS ENACTED)

Revises sentencing options for drug and alcohol offenders.  
Provides that portions of the act shall be null and void if appropriations are not approved.

VETO MESSAGE ON HB 1006-S2

May 7, 1999

To the Honorable Speaker and Members,

The House of Representatives of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to section 8, Engrossed Second Substitute House Bill No. 1006 entitled:

"AN ACT Relating to sentencing for crimes involving drugs or alcohol;"

Section 8 of E2SHB 1006 would authorize District and Superior Courts to establish drug court programs for "offenders that have been diverted by the courts from the normal course of prosecution for drug offenses." This section is not necessary to the operation of the bill, and violates the separation of powers doctrine. The courts, as a separate branch of government, already have authority to establish programs like these, and are in fact now operating them in several counties. Additionally, including District Courts in this section could imply that the state would fund drug court programs established by those courts. Funding of District Court programs has not been specifically discussed in the legislature. Finally, the reference in section 8 to "drug offenders" could imply that state funding cannot be provided to programs serving drug-addicted nonviolent property offenders, as some now do.

For these reasons, I have vetoed section 8 of Engrossed Second Substitute House Bill No. 1006.

With the exception of section 8, Engrossed Second Substitute House Bill No. 1006 is approved.

Respectfully submitted,  
Gary Locke  
Governor