

VETO MESSAGE ON SB 6084-S

April 2, 1994

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 2, page 2, lines 6 through 9; 2(2); 5, page 4, lines 8 through 10; 5(4); 6, page 4, line 37, and page 5, lines 1 and 2; 7, page 5, lines 18 and 19; 7(1); 7(2); 7(3); 25; 29(2); 34; and 45 of Engrossed Substitute Senate Bill No. 6084 entitled:

"AN ACT Relating to transportation appropriations;"

My reasons for vetoing these sections are as follows:

Sections 2, page 2, lines 6 through 9; 2(2); 7, page 5, lines 18 and 19; and 7(1), Abolishment of the Traffic Safety Commission and Transfer of Responsibility to the State Patrol

These sections of the supplemental transportation budget would abolish the Traffic Safety Commission as of July 1, 1994 and place the Commission's responsibilities in the State Patrol. I agree with the legislature that a decision should be made whether the effectiveness of state traffic safety activities would be improved by placing these functions in some other agency. I also believe this discussion should be complete and a decision made in the next session. I am vetoing these sections now to provide the opportunity for further consideration of this matter. Also, veto of section 7(1) is necessary to prevent the loss of over \$2.5 million in federal funds because Senate Bill No. 6523, referred to in the proviso, was not enacted.

It is my intention that the State Patrol make these Highway Safety Fund appropriations available to the Traffic Safety Commission to perform the Commission's authorized responsibilities in the fiscal year beginning July 1, 1994. This veto also prevents the transfer of a \$300,000 Transportation Fund appropriation from the Traffic Safety Commission to the State Patrol but reverses the planned \$12,000 reduction from that fund. As the \$12,000 was reduced, because it was identified as unnecessary, I am directing the Traffic Safety Commission to place this amount in reserve status.

I am also directing the Traffic Safety Commission and OFM to work with the legislature to identify the alternatives for placement of traffic safety activities and to address any substantive concerns regarding Traffic Safety Commission service delivery approaches and staffing levels. My recommendations on these matters will be presented to the next session of the legislature.

Section 5, page 4, lines 8 through 10, Reductions in Field Operations Bureau and the Elimination of the Safety Education Officer Program

This veto restores approximately \$2 million in State Patrol Highway Account funding that contains several budget actions including the elimination of the patrol's Safety Education Officer

program (SEO), commonly known as Trooper Bob. The SEO program staff provides training and education to the state's school age population regarding pedestrian, bicycle and highway safety, drug and alcohol prevention, and youth violence prevention. Last year Trooper Bobs contacted approximately 380,000 students. They are an important element in the state's effort to prevent the problems that plague our schools and our communities.

I concur with the other priorities assumed in this appropriation including savings identified by reducing the number of vehicle replacements, selected staffing reductions, and increasing expenditures for alcohol breath test equipment. These actions will be accomplished through the allotment process.

Section 5(4), Limitations on Vehicle Assignment

This section states that "Only commissioned officers and commercial vehicle enforcement officers involved directly and primarily in traffic enforcement activities will be assigned vehicles by the Washington State Patrol." This language limits the patrol's ability to provide vehicles required to effectively respond to emergency calls. These assigned vehicles contain specialized equipment such as sirens, radio equipment, emergency lights, and first aid equipment that are essential to reaching emergency scenes in an expeditious manner and to being fully equipped to provide assistance upon arrival.

While these problems illustrate the defects of the proviso as it was enacted, I share the legislature's concern over the assignment of state vehicles. I am directing the Washington State Patrol to complete a thorough review of its policy regarding vehicle assignment, and to present a plan to me and to the legislature by June 30, 1994 detailing how the number of individually assigned vehicles will be significantly decreased from the current level. I fully expect that only those employees who have a clear need connected to the safety of the public will be assigned a state vehicle.

Section 6, page 4, line 37, and page 5, line 1 through 2, Crime Lab Reduction and Fund Shift of Motor Vehicle Funds with State Patrol Highway Account Funds

This section reduces State Patrol Highway Account funding for the Investigative Services Bureau by \$749,000. This amount is a combination of a \$900,000 reduction in crime lab funding, a net increase of \$121,000 in ACCESS funding, and a \$30,000 increase in staffing for microanalysis work performed by the crime labs. The cut in the crime labs of \$900,000 represents a 23 percent reduction and would result in service cutbacks that would hinder law enforcement and the ability of prosecuting attorneys to investigate and prosecute criminal cases. The severity of this reduction was recognized by the Legislature when it provided a partial restoration through the addition of \$200,000 from the Transportation Fund in Section 402 of the operating budget. Even with the partial restoration, the crime lab would be reduced by 18 percent if not for this veto. This would result in approximately

3,750 fewer cases being analyzed with a corresponding impact on the effectiveness of prosecutions.

This veto has the effect of preserving essential crime lab activities.

Section 7(2), State Patrol Management Study

This section allows the Washington State Patrol to spend up to \$100,000 for a study of current management programs and staffing of management positions. I agree that a study of management staffing levels is appropriate, but the expenditure of \$100,000 for this effort is not necessary. Therefore, I am directing the Washington State Patrol to design a study as described in this section in cooperation with the Office of Financial Management. The results of this study will be presented to the legislature when the study is complete and incorporated into my budget recommendations for the next biennium.

Section 7(3), Forbidding Cadet Classes and Maintaining Field Force Levels through Management Reductions

This section requires the Washington State Patrol to maintain a field force level of 700 troopers and sergeants through reductions in management, and prohibits a cadet class for the remainder of this biennium. While I agree that it is important to maintain the field force level to protect the citizens of the state, this proviso does not accomplish the goal for two reasons. First, there will simply not be enough administrative staff that could reasonably be transferred to the field force sufficient to offset the projected level of field force retirements and attrition. Second, the prohibition of a cadet class eliminates the other avenue of acquiring replacement troopers.

The legislature acknowledges the first problem in Section 7(2) of this bill when it authorizes funds to "conduct a study of current management programs and levels of staffing for management positions within the Washington State Patrol". If it was clear that sufficient administrative staff transfers to the field were available without damaging the agency's operations, a study would be unnecessary.

I believe a more effective approach to maintaining an adequate field force level is to conduct an academy class for existing cadets and, wherever appropriate, to undertake the transfer of administrative staff to the field. I am directing the patrol to take both of these actions as soon as possible.

Section 25, Project Funding Priorities

This section directs the Transportation Commission to reduce or eliminate projects in a specified order should revenues fall below the level assumed in the supplemental transportation budget. This veto removes the language which specified the order of reduction--restoring the responsibility to make these choices to the Transportation Commission. The commission needs flexibility in exercising its responsibility to make project priority selections

and to balance highway construction program expenditures with available resources.

Section 29(2), Horse Racing Track Infrastructure

This section specifies that \$5 million in the Community Economic Revitalization Board (CERB) fund is dedicated solely for transportation infrastructure related to a new race track once it is approved by the Horse Racing Commission. This proviso sidesteps the CERB policy for selection of projects through competitive application. With this veto, the \$5 million appropriation remains for use on CERB approved projects. If and when a race track location is approved by the Horse Racing Commission, the horse racing track project can compete for transportation infrastructure funding along with other projects through the regular CERB process.

Section 34, Charges From Other Agencies

The Motor Vehicle Fund (MVF) appropriation for DOT revolving fund charges is reduced and the section is restructured as separate line items for each of the eight different revolving fund charges. This reduction in the total amount provided means the agency cannot pay the charges for basic custodial and utility services. This veto restores the flexibility of the single line item approach and prevents the reduction in the total amount available. Even though the original appropriation does not provide the full amount needed for all anticipated revolving fund charges, the flexibility provided by the single line item format allows DOT to meet minimum obligations for the Department of General Administration facilities and services costs and for the Office of Minority and Women Business Enterprises expenses.

Section 45, Treasury Loan

This section provides for a treasury loan to the Motor Vehicle Fund should a temporary cash deficiency be projected. This section is not necessary. Treasury loans automatically occur for short term cash deficits for all funds and accounts.

With the exceptions of sections 2, page 2, lines 6 through 9; 2(2); 5, page 4, lines 8 through 10; 5(4); 6, page 4, line 37, and page 5, lines 1 and 2; 7, page 5, lines 18 and 19; 7(1); 7(2); 7(3); 25; 29(2); 34; and 45, Engrossed Substitute Senate Bill No. 6084 is approved.

Respectfully submitted,
Mike Lowry
Governor