

VETO MESSAGE ON ESSB 6032

March 27, 2018

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 119(8), 129(21), 135(4), 146(10), 307 lines 14-15, 308(21), 502(1)(h), 504(2), 606(23)(b), 908(3), 103(9), 122(3), 127(56), 135(6), 140(7), 141(4), 146(7), 148(10), 205(1)(w), 206(30), and 501(51), Engrossed Substitute Senate Bill No. 6032 entitled:

"AN ACT Relating to fiscal matters."

Section 119(8), page 19, Secretary of State, Automatic Voter Registration Study

This section includes funding for the Secretary of State to conduct a study related to automatic voter registration. The requirement to do this study was removed from Engrossed Second Substitute House Bill 2595 (automatic voter registration), but the funding proviso remained in the budget. Because the agency will not be doing this study, the funding is not needed. For this reason, I have vetoed Section 119(8).

Section 129(21), page 56, Office of Financial Management, 2020 Census

Funds are provided to the agency for staffing and support to prepare for the 2020 census in two identical provisos: Section 129(19) and Section 129(21). This is clearly a drafting error because funding for the double proviso is not included in the total appropriation authority. For this reason, I have vetoed Section 129(21).

Section 135(4), pages 59-60, Department of Revenue, Tax Database

The budget provides \$150,000 to the department to create a publicly available online searchable database of all taxes and tax rates in the state for each taxing district. This is the same provision that was included in Senate Bill 6590 which had a fiscal note of \$1,219,800 for creation of the database. This project cannot be done for the \$150,000 provided in the budget. For this reason, I have vetoed Section 135(4).

Section 146(10), page 74, Department of Enterprise Services, Capitol Dome Access

This section directs the Department of Enterprise Services to allow individuals to access the top of the Capitol dome "under approved supervision and guidelines developed by the department." The Olympia Fire Department has assessed this space in the past, and, among other issues, reported that it could not use a fireman's rescue technique in this space nor could it assist an injured party by using a gurney. The Department of Labor and Industries classifies the area as a "confined space" which means that it has restricted entry/exit and is not primarily designed for human occupancy. Access should be authorized only for individuals needed to do work on the dome. While the view is beautiful from the dome, there are too many risks involved with granting access to the public. For this reason, I have vetoed Section 146(10).

Section 307, page 261, lines 14-15, Department of Fish and Wildlife, FY 2018 General Fund-State Appropriation

The final budget reduces the department's FY 2018 General Fund-State appropriation by \$1,739,000. Although the final budget provides an additional \$1.5 million for Orca whale recovery efforts, it does not fully cover the costs of important work needed to begin the recovery of this iconic species. To support Orca recovery efforts, I am vetoing this reduction in appropriation and directing the department to use \$650,000 of this amount to complete fish screen inventories, conduct public outreach and education, hire a recovery coordinator position, and support facilitation of the Southern Resident Killer Whale Task Force. I also am directing the agency to place the remaining amount in unallotted status. For this reason, I have vetoed Section 307, page 261, lines 14-15.

Section 308(21), page 274, Department of Natural Resources, SAFER Grant Match

One-time funding of \$873,000 General Fund-State is provided to Kittitas County Fire District 7 for matching funds for its Staffing for Adequate Fire and Emergency Response (SAFER) grant from the Federal Emergency Management Agency. Despite the merits of the federal grant funding to provide firefighting staff to the district, the state should not provide the local match for these grants. Operational funding for fire districts is a local decision. Not only would providing the match through the state general fund set a precedent, it would be unfair to the other 19 fire districts across the state that were awarded a similar federal grant and provided their own local match. For these reasons, I have vetoed Section 308(21).

Section 502(1)(h), page 303, Office of Superintendent of Public Instruction for General Apportionment, Net Revenue Hold Harmless

Engrossed Second Substitute Senate Bill 6362 contains a more prescriptive hold harmless calculation than the language in the operating budget. The operating budget will hold districts harmless to a baseline that assumes the levy cliff would go into effect--a decision that the Legislature chose last year not to implement. We must ensure that no school district receives less funding in the 2018-19 school year. For this reason, I have vetoed Section 502(1)(h).

Section 504(2), page 318, Office of Superintendent of Public Instruction for School Employee Compensation Adjustments, Delay Professional Learning Day

The operating budget delays the implementation of state-funded professional learning days by one year. Research shows that time for job embedded professional learning and collaboration is linked to student success. Limiting practices that improve student achievement goes against our goal for a world-class education system. For these reasons, I have vetoed Section 504(2).

Section 606(23)(b), page 372, The Evergreen State College, Funding Options for the Legislature

This proviso allows the Office of Financial Management, State Board for Community and Technical Colleges, and Council of Presidents to use information from a Washington State Institute for Public Policy (WSIPP) study to present funding options to the Legislature. The WSIPP study is related to higher education funding methods in other states. This item directs two separate agencies and the Council of Presidents to perform work that does not naturally fit together with the WSIPP study. For this reason, I have vetoed Section 606(23)(b).

Section 908(3), page 417, Law Enforcement Officers' and Firefighters' Retirement System (LEOFF) Distribution

This language expresses the Legislature's intent that future distributions to the Local Law Enforcement Officers' and Firefighters' Retirement System Benefits Improvement Account may include transfers from the LEOFF 2 pension fund. I have consistently vetoed similar provisions in the past, and I remain concerned about the wisdom of such transfers from a retirement fund. For this reason, I have vetoed Section 908(3).

I am vetoing the following sections related to bills that did not pass the Legislature resulting in the lapse of funding. My veto of these sections will serve to clean up these unnecessary sections of the bill.

Section 103(9), page 5, Joint Legislative Audit & Review Committee, SHB 1154, Fishing and Seafood Processing.

Section 122(3), page 22, State Treasurer's Office, E2SHB 2718, Civil Forfeiture Proceedings.

Section 127(56), page 43, Department of Commerce, ESSB 6081, Net Metering or SHB 2995, Energy.

Section 135(6), page 61, Department of Revenue, E2SHB 2718, Civil Forfeiture Proceedings.

Section 140(7), page 64, Liquor and Cannabis Board, ESSB 6346, Sale of Wine/Microbrewery.

Section 141(4), page 66, Utilities and Transportation Commission, ESSB 6081, Distributed Generation or SHB 2995, Energy.

Section 146(7), page 73, Department of Enterprise Services, ESSB 6081, Net Metering or SHB 2995, Energy.

Section 148(10), page 77, Consolidated Technology Services, E2SSB 5935, Broadband and Telecommunication Service.

Section 205(1)(w), page 116, Department of Social and Health Services - Developmental Disabilities, SHB 1792, Residential Services and Supports.

Section 206(30), page 134, Department of Social and Health Services - Aging and Adult Services, SHB 1792, Residential Services and Supports.

Section 501(51), page 297, Office of Superintendent of Public Instruction, SHB 2748, Learning Assistance Program.

For these reasons I have vetoed Sections 119(8), 129(21), 135(4), 146(10), 307 lines 14-15, 308(21), 502(1)(h), 504(2), 606(23)(b), 908(3), 103(9), 122(3), 127(56), 135(6), 140(7), 141(4), 146(7), 148(10), 205(1)(w), 206(30), and 501(51) of Engrossed Substitute Senate Bill No. 6032.

With the exception of Sections 119(8), 129(21), 135(4), 146(10), 307 lines 14-15, 308(21), 502(1)(h), 504(2), 606(23)(b), 908(3), 103(9), 122(3), 127(56), 135(6), 140(7), 141(4), 146(7), 148(10), 205(1)(w), 206(30), and 501(51), Engrossed Substitute Senate Bill No. 6032 is approved.

Respectfully submitted,
Jay Inslee
Governor