

VETO MESSAGE ON HB 1671-S2

May 15, 1991

To the Honorable, the House
of Representatives of the
State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 21 and 23, Second Substitute House Bill No. 1671 entitled:

"AN ACT Relating to growth strategies."

This bill establishes two innovative approaches to dealing with some of the problems associated with the rapid growth in this state: highway access control and transportation demand management (TDM).

Motor vehicles generate over 40% of the air pollution in our state. For this reason, I included TDM as one of the key strategies in addressing the major sources of pollution in the clean air bill I submitted to the 1991 Legislature. Reducing the number of vehicles on our roads, particularly single-occupant vehicles, through TDM measures is an effective way to reduce automobile-related air pollution, traffic congestion, and energy use.

Examples of TDM measures include carpools, vanpools, employer-subsidized transit passes, parking fees at market rates, work-at-home options and alternative work schedules. This bill allows public and private employers to choose the options that best suit their particular work situation while working toward reducing the number of their employees who drive alone to work.

TDM generated considerable interest and support among a broad range of interests, including local governments, business and environmental organizations. This bill has the imprint of all these groups.

During the legislative process, the TDM provisions were separated from the clean air bill and incorporated in Second Substitute House Bill No. 1671. Due to an oversight, the appropriate linkages were not made between the two bills to provide funding for the TDM program. I am vetoing sections 21 (codification) and 23 (null and void) to ensure that the revenue raised in Engrossed Substitute House Bill No. 1028, the clean air bill, may be used for the TDM activities prescribed in this bill as intended.

Section 21 codifies the TDM provisions of this bill in Title 81 (Transportation). Funds intended for air pollution control activities, such as TDM, are provided in Engrossed Substitute House Bill No. 1028, section 228. However, section 228 permits expenditures only for the clean air bill, of which TDM was originally a part, and RCW Chapters 70.94 and 70.120.

In vetoing section 21, I am requesting the Code Reviser to place the TDM sections of this bill into RCW Chapter 70.94,

Washington Clean Air Act. This would allow TDM activities to be funded from the revenues raised in Engrossed Substitute House Bill No. 1028 for air pollution control. This action is consistent with legislative intent and the purposes for which these revenues were originally intended.

I am vetoing section 23, the null and void clause, in order to protect the significant public policy established by this bill. While the 1991-93 biennium budget has not yet been adopted, funding for TDM activities has been included from the air pollution control account in previous versions of both the House and Senate budgets.

With the exception of sections 21 and 23, Second Substitute House Bill No. 1671 is approved.

Respectfully submitted,
Booth Gardner
Governor