

1137-S

Sponsor(s): House (originally sponsored by Representatives Haugen, Horn, Wang, Prince, Scott, Wilson, Zellinsky, Riley, Morris, Rayburn, Dorn, Wood, Paris, Orr, Ferguson, Winsley, Bray, Ludwig, Chandler, Inslee, Ogden, Ballard, Forner, Rasmussen, Roland, R. Johnson, Vance, Sheldon, Appelwick, Spanel, Leonard, Broback, D. Sommers, Hine, Kremen, Hargrove, Jones, May, Edmondson, Brough, Holland, Betrozoff, Wynne, Nealey, Miller, Bowman and Moyer; by request of Task Force on City/County Finances)

Brief Description: Clarifying "criminal justice purposes" for local government criminal justice assistance.

HB 1137-S - DIGEST

(DIGEST AS ENACTED)

Provides that criminal justice purposes are defined as activities that substantially assist the criminal justice system for funding purposes.

Declares that the changes are remedial, curative, and clarify ambiguities in prior existing law.

Applies the changes retroactively to July 1, 1990.

VETO MESSAGE ON HB 1137-S

May 20, 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 section 3, Substitute House Bill No. 1137 entitled:

"AN ACT Relating to local government."

Substitute House Bill No. 1137 is intended to clarify the definition of "criminal justice purposes" and to establish a base year against which to judge supplanting prohibitions of Chapter 1, laws of 1990, 2nd Extraordinary Session. That measure provided financial assistance to local governments to address the critical needs of their criminal justice programs.

Apart from the direction that the financial assistance provided be used for criminal justice purposes and that it not replace existing funds, local governments were left with the discretion to use these funds where most needed in their communities. This principle of local determination is an important element in the effective use of these resources.

Section 3 of Substitute House Bill No. 1137 violates this principle by requiring the city of Seattle to enter into an agreement with the office of the administrator for the courts to link to the district and municipal court information system in order to receive funds from the municipal criminal justice assistance account. Although the efficient use of criminal justice information is a laudable goal, I cannot support withholding critically needed funds to effect an administrative agreement

between a state agency and local government.

In addition, the Task Force on City and County Finances was given the mandate to examine "statutory or administrative changes that will promote efficiencies in local government, including multijurisdictional coordination of services". The extent to which criminal justice assistance funds should be used to promote specific activities at the local level is appropriately left to the task force to recommend.

By my veto of section 3, I do not intend to nullify the definitions provided for the appropriate uses of local government assistance authorized last year. However, the limitations of gubernatorial veto power to entire sections of legislation require that the whole of section 3 be vetoed. I urge the State Auditor to recognize the Legislature's intentions with respect to these definitions in reviewing the appropriate use of criminal justice funds by local governments.

With the exception of section 3, Substitute House Bill No. 1137 is approved.

Respectfully submitted,
Booth Gardner
Governor