

VETO MESSAGE ON HB 2222-S2

March 30, 1996

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 sections 16, 17, and 24, Engrossed Second Substitute House Bill No. 2222 entitled:

"AN ACT Relating to legislative oversight of state and local government programs;"

Engrossed Second Substitute House Bill No. 2222 changes the name of the Legislative Budget Committee to the Joint Legislative Audit and Review Committee. It also reorients the activities of that legislative oversight body to performance audits and state agency accountability issues, which I strongly support.

However, I do not believe that sections 16, 17, and 24 of the bill are either necessary or appropriate. Section 16 creates a revolving fund and gives the Legislative Auditor unilateral authority to assess an agency for the cost of performance audits without the assurance that the agency has funds set aside for this purpose. It is not clear whether the revolving fund is intended to cover some or all of the costs of operating the committee, and the potential cost to agencies is thus uncertain but potentially significant. The risk is much greater for smaller agencies that may lack the budgetary flexibility to cover costs of an unanticipated audit. It is preferable for the legislature to simply appropriate sufficient funds to the committee to conduct the audits that are planned.

Section 17 provides the Legislative Auditor access to any agency records or information that are related to performance audits and other responsibilities of the legislature. Existing law (RCW 44.28.110) already gives the Legislative Auditor authority to examine all files and records of agencies and provides subpoena power. The powers granted in section 17 are, therefore, redundant and unnecessary.

Section 24 requires performance audit findings to be given consideration in agency budget estimates which are part of the governor's budget proposal. I am not convinced that the governor's budget document is the appropriate vehicle for publishing legislative audit findings.

For these reasons, I have vetoed sections 16, 17, and 24 of Engrossed Second Substitute House Bill No. 2222.

With the exception of sections 16, 17, and 24, Engrossed Second Substitute House Bill No. 2222 is approved.

Respectfully submitted,
Mike Lowry
Governor