

VETO MESSAGE ON SB 5448-S2

May 16, 1995

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 5 and 16, Engrossed Second Substitute Senate Bill No. 5448 entitled: "AN ACT Relating to public water systems;"

I praise the hard work and commitment of the legislature in passing Engrossed Second Substitute Senate Bill No. 5448 as well as the Drinking Water 2000 Task Force for their recommendations to the legislature to assure that Washington residents continue to have access to safe drinking water.

This bill makes a number of statutory changes to improve operation and management of small drinking water systems, to clarify coordinated water system planning processes and responsibilities, and to enhance local government decision-making regarding water systems -- a critical component of local land use planning.

Section 5 of Engrossed Second Substitute Senate Bill No. 5448 attempts to exclude water systems of two, three, or four connections from all state or local regulations. However, the statute amended by this section does not affect the regulatory authority of state or local jurisdictions over these small systems and, therefore, provides incomplete and unclear policy direction.

Section 16 of Engrossed Second Substitute Senate Bill No. 5448 would double the number of connections that can be made to a 5,000 gallon per day exempt well from 6 to 12. The 6 connections now allowed are based on the Department of Health's (DOH) water system sizing criteria. DOH is in the process of reviewing sizing criteria to more accurately reflect the needs of specific water system designs. Arbitrarily increasing the number of connections from 6 to 12 circumvents the process already underway and may have unintended impacts on public water systems.

For these reasons, I am vetoing sections 5 and 16 of Engrossed Second Substitute Senate Bill No. 5448.

With the exception of sections 5 and 16, Engrossed Second Substitute Senate Bill No. 5448 is approved.

Respectfully submitted,
Mike Lowry
Governor