

VETO MESSAGE ON SB 5802-S2

March 30, 2000

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 section 203, Second Substitute Senate Bill No. 5802 entitled:

"AN ACT Relating to telecommunications contractors and installations;"

This bill requires that contractors and installers who work with fiber optic cables and other telecommunications cabling be licensed and bonded, and that their work be inspected.

Section 203 of the bill states that "[i]t is the further intent of the legislature that the delegation of authority to the director and the board under chapter , Laws of 2000 (this act) be strictly limited to the minimum delegation necessary to administer the clear and unambiguous directives under chapter , Laws of 2000 (this act) " . This language is vague and ambiguous, and the bill provides no definition of "minimum delegation necessary."

I strongly believe that regulations should not be burdensome, and should be as minimal and as streamlined as possible. However, I have grave concerns about this language. The Department of Labor and Industries, which is charged with implementing this law, will need maximum flexibility to apply the law effectively in a rapidly changing industry. How section 203 would limit the department's authority is very unclear, and it could have led to unnecessary legal challenges.

For these reasons, I have vetoed section 203 of Second Substitute Senate Bill No. 5802.

With the exception of section 203, Second Substitute Senate Bill No. 5802 is approved.

Respectfully submitted,
Gary Locke
Governor