

VETO MESSAGE ON SB 6274-S2

March 26, 2004

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 6, Engrossed Second Substitute Senate Bill No. 6274 entitled:

"AN ACT Relating to competency restoration;"

This bill defines "nonfatal injuries" and "serious offense" for purposes of competency restoration for criminal defendants found incompetent to stand trial, including involuntary administration of medication.

Section 6 would have directed the Department of Social and Health Services to study and identify, in its budget request to the Office of Financial Management, "the need, options, and plans to address the increasing need for capacity in the forensic units of the state hospitals." Though intended to address an important issue, this language would have intruded on the budget development process of the executive branch. Ultimately, the Legislature will determine what is funded, but it should not attempt to direct development of the proposed budget within the executive branch. Further, Section 6 does not specify the fiscal period to which it applies. Although the section is not codified, it could be interpreted to require such an analysis every year into the future.

For these reasons, I have vetoed section 6 of Engrossed Second Substitute Senate Bill No. 6274.

With the exception of section 6, Engrossed Second Substitute Senate Bill No. 6274 is approved.

Respectfully submitted,
Gary Locke
Governor