

VETO MESSAGE ON HB 1305

May 16, 1995

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 section 5, Engrossed House Bill No. 1305 entitled:

"AN ACT Relating to growth management;"

Many of the provisions of Engrossed House Bill No. 1305 are the product of long and difficult negotiations between affected parties. I am impressed with these efforts to resolve a range of problems that have developed since the implementation of the Growth Management Act (GMA).

The GMA is an important foundation for land use planning in the state. It is appropriate that the legislature fine-tune the GMA to solve practical problems that develop as local communities work to implement important guidelines.

Engrossed House Bill No. 1305 restates a key principle: local governments have broad discretion and a wide variety of choices to make in implementing growth management. However, local discretion is not unlimited. Local governments must also address statewide planning goals and provisions.

Section 5 of this bill presents difficult problems. This provision responds to the growing shortage of sand and gravel and to land use conflicts over surface mining. While I am mindful of the need for local governments to make hard choices up front when siting needed facilities, the language in this provision takes too much authority from local governments. Most importantly, section 5 stands to impair the ability of local governments to determine whether or not to permit mining facilities and to impair the authority of local governments to condition those permits.

This issue will continue to be a legislative and a court concern until local governments and the industry again work to negotiate their differences either on a statewide or regional basis. I strongly encourage local governments and industry representatives to resolve their differences in order to meet the need for additional facilities without encroaching on the land use authority of local governments.

For these reasons, I have vetoed section 5 of Engrossed House Bill No. 1305.

With the exception of section 5, Engrossed House Bill No. 1305 is approved.

Respectfully submitted,  
Mike Lowry  
Governor