

3089-S2

Sponsor(s): House Committee on Appropriations (originally sponsored by Representatives McDonald, Sheahan, Kessler, Bush, Robertson and Boldt)

Brief Title: Limiting eligibility for the deferred prosecution program to once in a lifetime.

HB 3089-S2 - DIGEST

(DIGEST AS ENACTED)

Limits eligibility for the deferred prosecution program to once in a lifetime.

Provides that a court may not dismiss a deferred charge until three years after proof of completion of the two-year treatment program.

Takes effect January 1, 1999.

Provides that the act shall be null and void if appropriations are not approved.

VETO MESSAGE ON HB 3089-S2

March 30, 1998

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 6, Second Substitute House Bill No. 3089 entitled:

"AN ACT Relating to drunk driving;"

2SHB 3089 allows a person to dispose of a DUI case by deferred prosecution only once in a lifetime, and reinstates the deferred charge if the person has a second DUI within five years. I strongly agree with this legislation; however, one section is problematic.

Section 6 of 2SHB 3089 would require that the Office of Financial Management verify claims from local governments for increased levels of services mandated by the act. This section would add an unnecessary additional bureaucratic layer to the existing statutory and procedural process for handling these claims. I will direct the Office of Financial Management and the Department of General Administration to work collaboratively with the appropriate legislative committees to ensure that timely and accurate information is provided to the Legislature.

For this reason, I have vetoed section 6 of Second Substitute House Bill No. 3089.

With the exception of section 6, Second Substitute House Bill No. 3089 is approved.

Respectfully submitted,
Gary Locke
Governor