

VETO MESSAGE ON 3ESSB 5327

June 26, 2001

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 106; 210 (lines 10-13); 233(1); and 501 of Third Engrossed Substitute Senate Bill No. 5327 entitled:

"AN ACT Relating to transportation funding and appropriations;"

My reasons for vetoing these sections are as follows:

Section 106, Pages 3-4, Washington State Patrol Communications Study (Joint Legislative Audit and Review Committee)

This section would have provided \$50,000 from the State Patrol Highway Account to the Joint Legislative Audit and Review Committee for a study of the planning process and analysis employed by the Washington State Patrol in developing its 2001-03 budget request for replacement of its emergency communication system. The study as described in the proviso would have examined the planning process rather than the needs of the Patrol as they relate to statewide emergency communications. The Patrol has utilized the expertise of its employees and private sector engineers to establish a ten-year capital improvement plan for its outdated emergency communications system. Additional review of the planning process would serve only to delay real improvements to the system and would divert resources from more critical functions in the budget and fiscal and information technology offices of the State Patrol.

Section 210, Page 11, line 10 beginning with "The Washington state patrol . . ." through line 13, Electronic Services Off-Duty Vehicle Assignment (Washington State Patrol-Support Services Bureau)

This proviso would have required the Washington State Patrol to allow electronic services field technicians to take home their assigned vehicle and equipment even though they may be off-duty. Currently, only on-call technicians are allowed to take home their vehicles and equipment. The agency has not experienced any adverse effect from the existing policy. The provision in this section would have required an additional \$200,000 each biennium for fuel, maintenance and vehicle replacement costs resulting from the increase in mileage due to off-duty personnel commuting to and from work. These increased costs cannot be carved out of the agency's existing budget, and no new funding was provided in the 2001-03 transportation budget.

Section 233(1), Page 24, East Lake Sammamish Trail Interim Improvement (Department of Transportation - Local Programs - Program Z - Capital)

This section would have directed the Washington State Department of Transportation to withhold federal transportation enhancement funds for the East Lake Sammamish Trail Interim Improvement Project until interlocal agreements are secured between King County and the cities of Sammamish, Redmond, and Issaquah. The transportation enhancement funds that were conditioned by this section are federal

pass-through dollars designated for local agency transportation projects and programs. While the state plays an important role in selecting these types of projects for federal funding, I believe it would be inappropriate for the state to condition the receipt of these funds beyond the Local Agency Guidelines prepared specifically for the administration of these projects.

Section 501, Pages 30-31, Performance Based Budgeting Provisions

Section 501 would have outlined performance-based budgeting requirements for state transportation agencies. While I support performance-based budgeting and commend the Transportation Committees' interest, some elements of the criteria established in this section were inconsistent with current statewide budget and accounting standards. The Office of Financial Management is designated in the Budget, Accounting and Reporting Act as the agency responsible for establishing budget instructions and developing and maintaining statewide financial systems. The criteria in this section would have established additional and duplicative reporting requirements for transportation agencies. The creation of two separate tracks for the analysis of financial data would have made it impossible to provide consistent and connected statewide financial information. It is my expectation that agencies will continue to work with the Office of Financial Management and the legislative fiscal committees to develop and implement uniform performance-based budgeting reporting standards that will be applicable to all state agencies.

For these reasons, I have vetoed sections 106; 210 (lines 10-13); 233(1); and 501 of Third Engrossed Substitute Senate Bill No. 5327.

With the exception of sections 106; 210 (lines 10-13); 233(1); and 501, Third Engrossed Substitute Senate Bill No. 5327 is approved.

Respectfully submitted,
Gary Locke
Governor