

VETO MESSAGE ON HB 3070-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 sections 6 and 11, Second Substitute House Bill No. 3070 entitled:

"AN ACT Relating to penalties for driving under the influence;"

2SHB 3070 will make certain that a driver's DUI history will be kept on file for a longer period of time for consideration by the courts in the event of subsequent offenses. I strongly agree with the purpose of this legislation; however, two sections are problematic.

Section 6 of 2SHB 3070 would require drunk drivers to appear in court promptly after arrest or the filing of a charge, and would be a desirable improvement in the way these cases are handled. However, because of a flaw in drafting, the court appearance would be required the day after arrest, even for defendants who had not yet been formally charged by citation, complaint, or information. This would be unworkable, and the District and Municipal Court Judges Association, which initially proposed section 6, has asked me to veto it. Fortunately, E2SSB 6293 includes a similar provision which is better drafted, and I have signed that bill today.

Section 11 of 2SHB 3070 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 these reasons, I have vetoed sections 6 and 11 of Second Substitute House Bill No. 3070.

With the exception of sections 6 and 11, Second Substitute House Bill No. 3070 is approved.

Respectfully submitted,  
Gary Locke  
Governor