

VETO MESSAGE ON HB 2091-S

June 7, 1999

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 903 and 1404, Engrossed Substitute House Bill No. 2091 entitled:
"AN ACT Relating to forest practices as they affect the recovery of salmon and other aquatic resources;"

Engrossed Substitute House Bill No. 2091 establishes legislative direction for the use of the Forest and Fish Report of February 1999, prepared by the Forest Practices Board, to protect salmon habitat and water quality.

Section 903 of the bill would direct the Department of Natural Resources to evaluate certain publicly held lands, report the reasons those lands may not provide sufficient shade to streams, and estimate the resources needed to reforest the lands. This activity would involve considerable staff time and expense (approximately \$250,000) and money for it was not included in the budget passed by the legislature. Given the funding strain already inherent in the requirements of this legislation, I prefer to veto this section.

Section 1404 of the bill would make this act null and void if harvest levels of certain salmon runs in Alaskan waters were not reduced by twenty-five percent by December 31, 2004. This section was added to the bill immediately prior to final passage and was not part of the negotiated package. It is vague and ambiguous. Further, it would provide an unnecessary linkage between two distinct elements of a comprehensive salmon protection strategy. It would jeopardize the goal of long-term certainty intended with this legislation, risk the loss of federal assurances against certain types of lawsuits due to the incidental take of salmon, and make unworkable long-term incentive programs such as the forestry riparian easement program.

For these reasons, I have vetoed sections 903 and 1404 of Engrossed Substitute House Bill No. 2091. With the exception of sections 903 and 1404, ESHB 2091 is approved.

Respectfully submitted,
Gary Locke
Governor