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BIAW Applauds Legislature for Bipartisan Suit Legislature Also Seeks Clarification of Governor's Veto Authority

Olympia, WA The Building Industry Association of Washington (BIAW) applauded actions by legislative leadership in both houses to authorize a legal challenge to certain vetoes in the transportation budget enacted last session.

"Much like the suit BIAW filed in July, the legislature is challenging vetoes which struck single sentences within larger subsections, related to public transportation grants," stated Jackson Maynard, BIAW General Counsel. "The Governor cannot pick and choose among sentences in legislative acts. Although the Governor has the authority to veto parts of bills passed by the legislature, he must veto an entire section rather than veto a single item or line."

The Washington State Constitution authorizes the governor to veto less than a whole bill, but only if he vetoes: (1) a full section of a bill and (2) an appropriation item. This is not the first time that the Washington State Legislature has filed suit against the executive branch. It sued Gov. Mike Lowry in 1997 and Gov. Gary Locke in 1999. In the case against Lowry, the justices included in their opinion, "We do not believe an 'appropriations item' may be a sentence, phrase, letter, digit, or anything less than a whole proviso."

"Several of the Governor's vetoes this year have been constitutionally questionable, leaving enforcement agencies with inaccurate perceptions of their rule-making authority. This needs to be cleared up as soon as possible, to give predictability and certainty to the process for our members," concluded Maynard. "We are glad the legislature sees this issue as we do. All we ask in our lawsuit is for the court to require the governor abide by his oaths and act in accordance with the state's found document."

A copy of BIAW's filing can be located here:

https://biaw.com/PDFs/news/190716_Compaint_for_Governor_Violated_State_Constitution.pdf

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The Building Industry Association of Washington is the voice of the housing industry as the state's largest trade association with nearly 8,200 member companies employing approximately 265,000 people. The association is dedicated to ensuring and enhancing the vitality of the building industry for the benefit of its members and the housing needs of the citizens. Learn more at www.biaw.com.