

(b) Methods to increase the effectiveness, participation, and communication among city, county, state, private nonprofit, and private for profit funding sources in defining and funding the service delivery system; and

(c) The identification and recommendation of state funding priorities for prevention and early intervention activities to meet the needs of children and families;

(4) A final report outlining the long-term children's services strategy and recommendations shall be submitted to the appropriate committees of the legislature by January 10, 1989.

NEW SECTION. Sec. 7. Sections 1 through 3 of this act are each added to chapter 43.121 RCW.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 8, 1988.

Passed the House March 6, 1988.

Approved by the Governor March 24, 1988.

Filed in Office of Secretary of State March 24, 1988.

CHAPTER 279

[Substitute Senate Bill No. 6238]

DEPARTMENT OF ECOLOGY AUTHORITY REGARDING THE FEDERAL SAFE DRINKING WATER ACT

AN ACT Relating to the authority to administer selected federal safe drinking water act programs; and amending RCW 43.21A.445.

Be it enacted by the Legislature of the State of Washington:

*Sec. 1. Section 4, chapter 270, Laws of 1983 and RCW 43.21A.445 are each amended to read as follows:

The department of ecology, the department of natural resources, the department of social and health services, and the oil and gas conservation committee are authorized to participate fully in and are empowered to administer all programs of Part C of the federal Safe Drinking Water Act (42 U.S.C. Sec. 300h et seq.), as it exists on ~~((July 24, 1983))~~ June 19, 1986, contemplated for state participation in administration under the act. ~~((The department of ecology is also authorized to participate in any future federal program established under the federal Safe Drinking Water Act which provides matching funding for planning and implementation of a sole source aquifer protection program.))~~

The department of ecology, in the implementation of powers provided herein shall enter into agreements of administration with the departments of

social and health services and natural resources and the oil and gas conservation committee to administer those portions of the state program, approved under the federal act, over which the said departments and committee have primary subject-matter authority under existing state law. The departments of social and health services and natural resources and the oil and gas conservation committee are empowered to enter into such agreements and perform the administration contained therein.

The state board of health shall adopt drinking water regulations applicable to public water supply systems which are not covered by the federal Safe Drinking Water Act only if necessary to protect public health.

Passed the Senate March 10, 1988.

Passed the House March 10, 1988.

Approved by the Governor March 24, 1988, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State March 24, 1988.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to the last paragraph of section 1, Substitute Senate Bill No. 6238, entitled:

"AN ACT Relating to the authority to administer selected federal safe drinking water act programs."

The first part of this Department of Ecology request bill authorizes the Departments of Ecology, Natural Resources, and Social and Health Services and the Gas Conservation Committee to carry out programs of the Federal Safe Drinking Water Act as amended in 1986.

The amendment added to the bill allows the State Board of Health to adopt drinking water regulations for systems not covered under federal law "if necessary" to protect the public health. Narrowly interpreted, this language could result in the state's inability to regulate certain drinking water supply practices. The difficulty in establishing a direct cause-and-effect relationship between each specific practice and larger public health concerns will make it difficult for the State Board of Health to prove that regulations are necessary to protect the public health. With over 5,000 small public water systems in our state not covered by the federal act, I am reluctant to significantly reduce the health regulatory authority and subject the department to legal challenges to prove the public health nexus for each system in court. I would hope motivation for this amendment could be resolved administratively or through legislative language which addresses the specific issue.

I believe the agency has the discretion to adopt appropriate regulations for systems not under federal jurisdiction and is not required to implement the federal regulations unless it independently determines the standards are appropriate for the small systems.

With the exception of the last paragraph of section 1, Substitute Senate Bill No. 6238 is approved."

CHAPTER 280

[Substitute House Bill No. 1673]

OFFICE OF MOBILE HOME AFFAIRS

AN ACT Relating to an office of mobile home affairs; amending RCW 46.70.023 and 59.22.020; adding new sections to chapter 59.22 RCW; and prescribing penalties.