

July 19, 2007

The Honorable Alfred Speer
Clerk of the House of Representatives
State Capitol
Baton Rouge, LA 70804

Re: House Bill No. 961 by Representative Damico
MORTGAGES: Provides relative to the cancellation of certain mortgages and vendor's
privileges

Dear Mr. Speer:

House Bill No. 961 provides for a method of cancelling a mortgage if a promissory note has been lost or destroyed. This legislation is similar to House Bill No. 739, now Act No. 337.

While House Bill Nos. 961 and 739 are acceptable as written, there are irreconcilable differences that will present challenges if both are allowed to become law. For instance, both allow a Clerk of Court to cancel a mortgage upon receipt of an affidavit but have different requirements as to what that affidavit should include. This difference, albeit technical in nature, could lead to needless confusion on the part of bankers, homeowners, and officials. Further, the Louisiana Association of Bankers, among others, indicated that they supported House Bill No. 739.

I have discussed this with the authors of House Bill No. 961 and they are in agreement that this is the best course of action. For these reasons, I have vetoed House Bill No. 961 and am returning it to the House of Representatives.

Sincerely,

Kathleen Babineaux Blanco
Governor

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