

July 7, 1999

Honorable Alfred W. Speer
Clerk of the House of Representatives
State Capitol
Baton Rouge, Louisiana 70804

Re: **House Bill No. 1** by Mr. LeBlanc

An Act making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Dear Mr. Speer:

As authorized by Article III, Section 18(B), and more particularly, Article IV, Section 5(G)(1) of the Constitution of Louisiana, I have exercised my right to veto 10 items or provisions of the General Appropriation Bill.

VETO MESSAGE NO. 1:

Page 58, lines 16 through 20

This item would provide \$133,902 to the Commissioner of Insurance for the addition of 5 Insurance Compliance Examination Specialists for the Market Conduct Unit of Financial Solvency in the Market Compliance Program. This item was not requested by the agency in its budget request. Adequate justification was not provided by the department for inclusion of these positions in the current year's budget, nor were any long range plans provided by the department to establish future need.

VETO MESSAGE NO. 2:

Page 58, lines 21 through 24

This item would provide \$24,401 to the Commissioner of Insurance for the addition of one new clerical position for the Administration Program. This item was not requested in the department's budget request, nor was adequate justification provided by the department to establish this position as essential and necessary at this time.

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VETO MESSAGE NO. 3:

Page 77, lines 1 through 4

This item allocates \$600,000 of funds appropriated in Schedule 07 for moving and extending taxiways and associated work at the Harry P. Williams Memorial Airport in St. Mary Parish in order to meet FAA certification requirements. Article VII Section 27 (B), of the Louisiana Constitution provides that the annual appropriation for airports shall be a sum equal to, but not greater than, the annual estimated revenue to be derived from the state taxes to be collected and received on aviation fuel. This item would exceed the amount projected to be collected from aviation fuel in Fiscal Year 1999-2000. In addition, this same project is appropriated in priority 2 of the Fiscal Year 1999-2000 capital outlay budget.

VETO MESSAGE NO. 4:

Page 101, lines 35 through 37

This item required the Commissioner of Administration to reduce State General Fund by \$1,200,000 and increase funding from the Riverboat Gaming Enforcement Fund by \$1,200,000. Although the \$1,200,000 in Riverboat Gaming Enforcement Fund is available from prior year collections, these funds are non-recurring and should not be used to fund recurring expenditures. For this reason, I feel it necessary to veto this item.

VETO MESSAGE NO. 5:

Page 125, lines 49 through 52

This item would provide \$500,000 in State General Fund to the Office of Mental Health to administer a statewide atypical medication pilot program. While the Office of Mental Health requested \$7.1 million for Fiscal Year 1999-2000 to fund this class of drugs for non-Medicaid eligible patients, only \$500,000 is provided by this amendment. With the state's commitments to implementation of the TEFRA program, the mental health parity bill and enhanced funding for community mental health, it is difficult to justify piloting this program at this time.

VETO MESSAGE NO. 6:

Page 142, lines 36 through 38

This item would direct the Office for Addictive Disorders to allocate \$118,000 of the State General Fund appropriated to the agency to the New Orleans Educational Talent Search. Funding for all preventative and educational programs within the Office for Addictive Disorders is allocated on a per capita basis

utilizing the 1990 census. This item would skew that distribution and limit the budgetary discretion of the Office for Addictive Disorders.

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VETO MESSAGE NO. 7:

Page 142, lines 43 through 45

This item would direct the Office for Addictive Disorders to allocate \$100,000 of the State General Fund appropriated to the agency to the St. Bernard Community Council Drug Prevention and Education Program. Funding for all preventative and educational programs within the Office for Addictive Disorders is allocated on a per capita basis utilizing the 1990 census. This item would skew that distribution and limit the budgetary discretion of the Office for Addictive Disorders.

VETO MESSAGE NO. 8:

Page 142, lines 46 through 47

This item would direct the Office for Addictive Disorders to allocate \$150,000 of the State General Fund appropriated to the agency to the Infinity Network Program. Funding for all preventative and educational programs within the Office for Addictive Disorders is allocated on a per capita basis utilizing the 1990 census. This item would skew that distribution and limit the budgetary discretion of the Office for Addictive Disorders.

VETO MESSAGE NO. 9:

Page 148, lines 1 through 5

This item required the Department of Social Services to report a plan to reduce the time frame for filing of terminations of parental rights from 60 days to 15 days to the House Committee on Civil Law and Procedure by September 1, 1999 and to implement the plan by January 1, 2000. This item would impose unreasonable time lines and appears to be an attempt to make substantive law in this appropriations bill. For these reasons, I find it necessary to veto this item.

VETO MESSAGE NO. 10:

Page 172, lines 47 through 49

This item provides out of the State General Fund contained within Schedule 14-474, Office of Workforce Development that \$150,000 shall be allocated to the Opportunities Industrialization Center in New Orleans. All State General Fund appropriated within this schedule is earmarked for specific services including funding for the operation of the Occupational Informational System Program and matching funds for the welfare to work grants. Therefore, this \$150,000 is not available for this purpose.

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VETO MESSAGE NO. 11:

Page 177, lines 41 through 53

This item appropriates \$500,000 in Conservation Fund revenue contingent upon House Bill No. 1569 of the 1999 Regular Session of the Legislature being enacted into law. House Bill No. 1569 repeals the Wildlife Refuge and Preserve Fund and transfers a balance of \$3.7 million into the Conservation Fund. These funds have already been factored into the budget for the Department of Wildlife and Fisheries to offset a projected shortfall in Conservation Fund revenue in Fiscal Year 1999-2000 and are, therefore, not available for appropriation in this manner.

VETO MESSAGE NO. 12:

Page 196, lines 23 through 28

This item, in the Louisiana State University Medical Center's budget, would provide a duplication of \$5,000,000 in Tobacco Settlement Revenues to be used for Cancer Research. Amendments which attempted to remove conditions to supplementary recommendations in the original appropriation bill, based on recognition of tobacco settlement revenues by the Revenue Estimating Conference, actually resulted in a doubling of this appropriation. This technical veto is necessary to resolve this duplication and the original supplementary recommendation will be considered funded and in effect for the purpose originally intended.

VETO MESSAGE NO. 13:

Page 246, lines 40 through 43

This item, in the Department of Education's budget, would provide \$250,000 for educational programs for at-risk students in Bienville, Bossier, Webster, and Claiborne parishes. It was clearly the intent of the legislature, through the passage of House Bills 1547 and 640 which dedicate a portion of the tobacco settlement proceeds to pre-kindergarten through 12th grade, to address instructional enhancement for all students through an equitable distribution to all school systems. Therefore, this item providing funding to this limited area may be considered an unnecessary duplication of funding.

VETO MESSAGE NO. 14:

Page 269, lines 38 through 40

This item would provide \$50,000 in State General Fund to the Greater Monroe Community Center for Senior Citizens. It duplicates funding provided in Schedule 05-252 - Office of Commerce and Industry - for this organization.

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VETO MESSAGE NO. 15:

Page 270, lines 6 through 7

This item would provide \$20,000 in State General Fund for the Family Life Enhancement of Ouachita. The item is local in nature and there is no explanation of what services will be provided or how the funds will be expended. The state provides significant aid to local governments on an equitable basis, with considerable flexibility on the use of those funds left to the local governments. This item should be considered for funding at the local level through the prioritization of merit.

VETO MESSAGE NO. 16:

Page 270, lines 10 through 12

This item would provide \$30,000 in State General Fund to the City of Richwood to upgrade its police department. The item is local in nature and the state should not subsidize the actual operations of local police departments. The state provides significant aid to local governments on an equitable basis, with considerable flexibility on the use of those funds left to the local governments. Additionally, the state provides supplemental pay to municipal police throughout the state, including the Richwood police officers. This item should be considered for funding at the local level through the prioritization of merit.

Sincerely,

M. J. "Mike" Foster, Jr.

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Attachments