

June 24, 2009

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

Mr. Glenn Koepp
Secretary of the Senate
State Capitol
Baton Rouge, Louisiana 70804

RE: House Bill No. 1 of the 2009 Regular Session of the Legislature
Provide for the ordinary operating expenses of state government for Fiscal Year 2009-2010

Dear Gentlemen:

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 563 items of the General Appropriation Bill. I respectfully request that you deliver on my behalf the following message to the members of the Legislature:

Even as Louisiana's economy continues to out-perform the national economy and the South, we know we are not immune to the current national economic downturn. These economic forces, combined with significant declines in the prices of oil and natural gas and the leveling off of the post-hurricane economic boom, contributed to significantly lower revenues to state government and required meaningful reductions in the FY 09-10 budget.

But just like any family or business living within its means, a tighter budget for state government represents not just a challenge to live within our means, but an opportunity to think strategically, prioritize what is essential, and plan ahead by pursuing reforms and innovations that will strengthen our state for years to come.

Many of the critical steps in tightening the belt of state government began months before the start of the 2009 Legislative session. Departments were asked to evaluate their spending and to analyze the performance of programs within their agency to isolate those low-performing programs that could be targeted for strategic reductions in funding. Agencies were then asked to submit strategic priority plans, and for the first time in the history of the budget, they were also asked to provide meaningful performance data on the activities being funded through their agencies. These priority planning and performance review efforts helped ensure that spending reductions were targeted and prioritized, instead of implementing blanket across-the-board cuts with no account of a program's importance or performance history. This review process also helped departments identify critical services they wanted to protect from severe funding reductions.

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Through this thorough evaluation of current spending, the FY 09-10 budget includes targeted cost savings across state government that streamline government and increase efficiencies of service. In many instances, these savings came as a result of reforming policy, by consolidating offices and functions, and by downsizing or eliminating some programs and halting the expansion or creation of new programs.

Even as we tighten our belt in state government, we will absolutely not waiver from our commitment to continue moving Louisiana forward. The FY 09-10 budget protects and continues our investment in ethics reform and transforming our workforce development system, while also maintaining the state's commitment to strategic investments in health care, education, economic development, public safety, and other critical areas.

Working closely with the Legislature, we also took steps to mitigate reductions to higher education and healthcare and to give us an opportunity to prepare for continuing budget challenges in the years ahead.

Prior to House concurrence with the Senate-passed House Bill No. 1, we informed House leaders that we would veto everything in the bill contingent upon funding from the Insure Louisiana Incentive Program Fund, from the Budget Stabilization fund, and from delaying planned tax relief. The House did not approve the latter, and we have been informed by Senate staff that funding tied to all three sources was interdependent and could not be separated. We told leaders of our intentions because we wanted to be clear about our actions while we also worked with the Legislature to add funds back into the budget to aid higher education and health care through other appropriations bills.

This letter is to communicate that I have in fact vetoed those contingent items and others in House Bill No. 1, as follows:

VETO MESSAGE NO. 1 (553 Items)

Page 10 Lines 19-31 and Page 11 Lines 1-16; Page 12 Lines 14-23, 24-37, 38-52 and Page 13 Lines 1-7; Page 20 Lines 11-29; Page 23 Lines 30-46; Page 26 Lines 48-54 and Page 27 Lines 1-10; page 29 Lines 19-36, 37-53; page 30, Lines 1-17, 18-34, 35-52; Page 31 Lines 1-17, 18-34, 35-51; Page 32 Lines 1-17, 18-34, 35-51; Page 33 Lines 1-17, 18-34, 35-51; Page 34, Lines 1-17, 18-34, 35-51; Page 35 Line 1-17, 18-36, 37-53; Page 36 Lines 1-17, 18-34, 35-51; Page 37 Lines 1-17, 18-34, 35-51; Page 38 Lines 1-18, 19-36, 37-53; Page 39 Lines 1-17, 18-34, 35-51; Page 40 Lines 1-17, 18-34, 35-51; Page 41 Lines 1-17, 18-34, 35-51; Page 42 Lines 9-24; Page 52 Lines 13-29, 39-47 and Page 53 Lines 1-7; Page 56 Lines 26-40; Page 57 Lines 8-24; Page 60 Lines 35-47 and Page 61 Lines 1-4; Page 73 Lines 30-44, 45-56 and Page 74 Lines 1-3; Page 74 Lines 4-18, 19-34; 54-56 and Page 75 Lines 1-13; Page 75 Lines 14-28, 29-43; 44-55 and Page 76 Lines 1-5; Page 76 Lines 6-18; Page 77 Lines 29-44, 45-49 and Page 78 Lines 1-10; Page 78 Lines 11-25; Page 79 Lines 25-40, 41-55 and Page 80 Line 1; Page 80 Lines 2-17, 18-32; Page 81 Lines 18-33, 34-49; Page 82 Lines 5-20, 21-37, 38-52; Page 83 Lines 29-51, 52-53 and Page 84 Lines 1-14; Page 84 Lines 24-39; Page 87 Lines 17-33, 34-50, 51 and Page 88 Lines 1-16; Page 88 Lines 17-33, 41-49; Page 90 Lines 1-9; Page 91 Lines 9-24; Page 92 Lines 42-55 and Page 93 Lines 1-2, 3-18, 19-34; Page 96 Lines 37-54, 55 and Page 97 Lines 1-17; Page 97 Lines 18-33, 34-49, 50-57 and Page 98 Lines 1-10; Page 98 Lines 11-27, 28-45, 46-57 and Page 99 Lines 1-4; Page 99 Lines 5-21, 22-38, 39-54, 55-57 and Page 100 Lines 1-13; Page 102 Lines 35-50; Page 107 Lines 41-52 and Page 108 Lines 1-4; Page 108 Lines 43-51

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These amendments provide for appropriations designated as “Supplementary Budget Recommendations” contingent on the abolishment of the Insure Louisiana Incentive Program Fund and an appropriation from the Budget Stabilization Fund, and upon the Delay of the Restoration of Excess Itemized Deductions and further contingent upon the recognition of additional revenue by the Revenue Estimating Conference. The Louisiana Constitution protects the security and integrity of the State Treasury by, among other means, requiring a balanced budget (“Appropriations by the legislature... shall not exceed the official forecast in effect at the time the appropriations are made.” La Const. Art. VII, §10E) and prohibiting appropriations based on contingencies

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("no appropriations shall be made under the heading of contingencies..." La Const. Art. III §16A) These amendments provide for appropriations in excess of the official forecast and are based on events, including the passage of legislation, which have not occurred. Therefore, I am vetoing these items.

VETO MESSAGE NO. 2

Page 4, Lines 12 through 20:

The language is duplicative of language currently in the Preamble. Therefore, I am vetoing this item.

VETO MESSAGE NO. 3

Page 5, Lines 10 through 15:

The Commission on Streamlining Government will make recommendations for streamlining state employees and agencies in the coming fiscal year and we want to include the input of this Commission, and the date included in this language precludes that. Additionally, the Commissioner will be making these recommendations to the Legislature as part of the Executive Budget submission process, and therefore, this language is duplicative and I am vetoing this item.

VETO MESSAGE NO. 4

Page 18, Lines 8 through 14:

This amendment provides funding from monies that are not state funds and by virtue of Article VII, Section 9C of the Constitution of the State of Louisiana are exempt from being deposited into the State Treasury. Therefore, I am vetoing this item.

VETO MESSAGE NO. 5

Page 74, Lines 50 through 53:

This language amendment does not provide additional funding, but instead, is an unfunded mandate. Therefore, I am vetoing this item.

VETO MESSAGE NO. 6

Page 166, Lines 50 through 51:

This amendment funds a Non-Governmental Organization (NGO), which did not meet the criteria established in my letter of April 27, 2009, and therefore, I am vetoing this item.

VETO MESSAGE NO. 7

Page 222, Lines 35 through 38:

I have vetoed this item to give the Legislature the opportunity to work with the higher education community to appropriate this funding through another appropriations bill to mitigate reductions and give higher education time to restructure and become more efficient.

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VETO MESSAGE NO. 8 (3 Items)

Page 224, Lines 27 through 35, Page 228, Lines 1 through 4; Page 228, Lines 5-7:

I have vetoed these items to give the Legislature the opportunity to work with the higher education community to appropriate this funding with more flexible authorizing language through another appropriations bill to mitigate reductions and give higher education time to restructure and become more efficient.

VETO MESSAGE NO. 9

Page 239, Lines 53-57:

This item should be funded through higher education formula funding. Therefore, I am vetoing this item.

Sincerely,

Bobby Jindal
Governor

jw

BOBBY JINDAL
Governor



JIMMY R. FAIRCLOTH, JR.
Executive Counsel

State of Louisiana
Office of the Governor

June 25, 2009

RECEIVED
JUN 25 2009

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

House of Representatives
Clerk's Office

3:35 pm
PSS

Mr. Glenn Koepf
Secretary of the Senate
State Capitol
Baton Rouge, Louisiana 70804

RE: Supplement to House Bill No. 1 of the 2009 Regular Session of the Legislature Veto Message

Dear Gentlemen:

The following items were vetoed from House Bill No. 1, but inadvertently omitted from "Veto Item No. 1" within the Governor's message: Page 68 Lines 41-47 and Page 69 Lines 1-3; Page 225 Lines 44-48 and Page 226 Lines 1-5; Page 270 Lines 1-5; Page 343 Lines 14-28; Page 362 Lines 32-47; Page 367 Lines 26-41; Page 381 Lines 39-53; Page 390 Lines 14-28; and Page 396 Lines 17-32 and 33-47.

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy R. Faircloth, Jr.", written over a horizontal line.

Jimmy R. Faircloth, Jr.

jw