

June 29, 2006

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. 1208 by Representative Alario  
Supplemental appropriations for Fiscal Year 2005-2006

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 authority to veto one item or provision of the Supplemental Appropriation Bill, House Bill No. 1208, signed the bill and forwarded it to the Secretary of State.

**VETO MESSAGE NO. 1:**

Page 12, Lines 21 through 22:

This Senate floor amendment would appropriate \$129,000 of State General Fund to the town of Ferriday. Testimony on the Senate floor indicated the funding is to pay legal fees and costs for Sammy Davis, Jr., former mayor of the town of Ferriday. Attorney General Opinions 94-276 and 94-384 provide that the state's payment of legal fees incurred by a former municipal officer would be subject to constitutional challenge as violative of the Louisiana Constitution Article VII, Section 14 (A). Even if this appropriation were not constitutionally prohibited it would set a poor precedent for the state to be appropriating funds for what is a local legal responsibility for which the state has no obligation.

Additionally, during the floor debate in the Senate, concern was expressed that adopting this amendment would put the Fiscal Year 2005-06 state budget out of balance. Louisiana Constitution Article VII requires the maintenance of a balanced state budget; and Section 10(E) of that Article,

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in particular, provides that appropriations shall not exceed the official forecast of the Louisiana Revenue Estimating Conference.

For these reasons, I am vetoing this appropriation.

Sincerely,

Kathleen Babineaux Blanco  
Governor

jw