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VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY

House Bill 380 of the 2006 Regular Session – Partial Veto #1

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 2, lines 10 through 12, in their entirety.

I am vetoing this part as it conflicts with applicable statutes affording the Governor's Scholars Program, Inc., flexibility in the hiring and compensation of its employees.

House Bill 380 of the 2006 Regular Session – Partial Veto #2

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 4, line 5, after "shall" delete ",".

Page 4, line 6, delete "within 15 days of the final award of grants,".

This part mandates that a report of all the recipients of homeland security grants be presented to the Legislative Research Commission within 15 days of the final award of the grants. I am vetoing this part because the timeframe is too restrictive. I have no objection to the issuance of a report in a more reasonable timeframe and have left the underlying reporting requirements intact.



House Bill 380 of the 2006 Regular Session – Partial Veto #3

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 9, line 1, after “2006-2007” delete “and \$500,000 in fiscal year 2007-2008”.

This part appropriates \$500,000 in fiscal year 2007-2008 as a grant supporting the operations of the Patton Museum. The Patton Museum is located on the grounds of Fort Knox and is a museum of the history of mechanized armor and General George S. Patton. The Patton Museum is incorporated as a 501(c) entity responsible for raising operating and support revenues through private donations as well as maintaining historic objects and pieces of equipment that remain U.S. Army property. I am vetoing the \$500,000 appropriation in fiscal year 2007-2008 because the grant for the Patton Museum should be a one-time, nonrecurring grant of funds from state tax dollars. As a result of this veto, the \$500,000 will lapse to the General Fund Surplus account at the end of fiscal year 2007-2008.

House Bill 380 of the 2006 Regular Session – Partial Veto #4

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following parts:

Page 12, line 27, in its entirety.

Page 13, lines 1 through 3, in their entirety.

Page 24, lines 26 through 27, in their entirety.

Page 25, line 1, in its entirety.

Page 33, line 10, after the word “above” delete “General Fund appropriation is \$1,630,000 in”.

Page 33, line 11, in its entirety.

Page 43, lines 11 through 13, in their entirety.

Page 44, lines 9 through 11, in their entirety.

Page 49, lines 23 through 27, in their entirety.

Page 50, lines 1 through 22, in their entirety.

Page 112, lines 8 through 11, in their entirety.

Page 122, lines 26 through 27, in their entirety.

Page 123, lines 1 through 9, in their entirety.

Page 153, lines 3 through 6, in their entirety.

Page 153, line 10, in its entirety.

Page 154, line 15, after the second character “;” delete “the Capital Renewal and Maintenance Bond”.

Page 154, line 18, after the second character “;” delete “the Postsecondary Education Institutions”.

Page 154, line 19, in its entirety.

Page 154, line 20, delete “Support/Lab Renovation and Equipment Pool;”.

Page 158, lines 26 through 27, in their entirety.

Page 159, lines 18 through 19, in their entirety.

Page 160, line 2, in its entirety.

Page 160, lines 23 through 27, in their entirety.

Page 161, lines 23 through 24, in their entirety.

Page 164, lines 10 through 13, in their entirety.

Page 173, lines 15 through 19, in their entirety.

Page 175, lines 7 through 18, in their entirety.

Page 175, lines 21 through 22, in their entirety.

Page 176, lines 15 through 18, in their entirety.

Page 176, lines 24 through 27, in their entirety.

Page 178, line 27, in its entirety.

Page 179, line 1, in its entirety.

Page 179, lines 6 through 7, in their entirety.

Page 181, lines 10 through 13, in their entirety.

Page 181, lines 16 through 17, in their entirety.

Page 183, lines 14 through 17, in their entirety.

Page 185, lines 21 through 24, in their entirety.

Page 187, lines 2 through 3, in their entirety.

Page 206, lines 13 through 16, in their entirety.

Page 210, lines 20 through 27, in their entirety.

Page 211, lines 18 through 21, in their entirety.

Page 211, lines 26 through 27, in their entirety.

Page 212, line 27, in its entirety.

Page 213, lines 1 through 3, in their entirety.

Page 213, lines 6 through 9, in their entirety.

Page 214, line 4, in its entirety.

Page 215, lines 24 through 25, in their entirety.

Page 216, lines 1 through 2, in their entirety.

Page 216, lines 9 through 12, in their entirety.

Page 403, lines 24 through 27, in their entirety.

Page 405, lines 5 through 8, in their entirety.

These parts represent capital projects authorized for bond financing. I am vetoing these projects because it is my belief that the Commonwealth cannot afford to sustain the debt that would have to be incurred to fund them without jeopardizing its credit rating and financial future. To fund these projects would limit the Commonwealth's ability to adequately fund its operating expenses in the short and long term. The overall level of debt of the Commonwealth has ballooned in recent years. Record levels of debt were approved in both the 2005 General Assembly and the 2006 General Assembly. In comparison to other states, the debt per capita for Kentucky has increased substantially while most states have held constant or reduced their relative debt levels. I do not take issue with the merit of any one of these projects, or their ability to have a positive impact on our Commonwealth. My concern is the overall level of debt that we will rely on our children and grandchildren to honor.

The credit rating services closely review the degree to which the Commonwealth can meet recurring expenditures with recurring revenues. I am concerned about the structural imbalance in the operating budget. However, due to the structure of the Appropriations Act, there is limited ability to impact the appropriation levels in the budget without jeopardizing entire programs. Many of the projects vetoed herein were only provided with a half year of debt service in the biennium, adding to the structural imbalance that will have to be addressed in the succeeding biennial budget. The debt service for these capital projects represents \$11,076,000 in General Fund appropriations in fiscal year 2007-2008. These appropriations will lapse to the General Fund Surplus account.

The part on page 50, lines 1 through 3, mandates the procurement of a specific bandwidth for local school districts with the funds appropriated for a data/telecommunications network. I am vetoing this part because specifying a particular bandwidth in an Appropriations Act unduly eliminates the necessary administrative discretion of the Executive. It also precludes the implementation of network bandwidth that most appropriately meets the needs of each school district, is cost-effective, is based on an analysis of empirical data, and can be afforded within the funds available.

House Bill 380 of the 2006 Regular Session – Partial Veto #5

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 18, line 11, after the character “.” delete the word “The”.

Page 18, lines 12 through 14, in their entirety.

This part mandates that the Cabinet for Economic Development engage in specific evaluations of and provide the necessary funding for multicounty regional industrial parks. I am vetoing this part because state funds have already been used to purchase and develop these industrial parks, and it is the responsibility of the local owners of these industrial parks to provide these functions and to maintain their viability.

House Bill 380 of the 2006 Regular Session – Partial Veto #6

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 35, lines 14 through 15, in their entirety.

This part suspends the state law that requires unexpended debt service to be credited to the General Fund, and instead credits unexpended debt service for the School Facilities Construction Commission to the Urgent Need School Trust Fund. I am vetoing this part because the fiscal year 2005-2006 General Fund ending balance enacted by the 2006

General Assembly is dependent upon \$19,616,000 in unexpended debt service to lapse to the credit of the General Fund. The lapsing of unexpended debt service appropriations is required by KRS 45.229, KRS 48.010(13)(b) and KRS 48.720. In addition, House Bill 380 directs the Executive Branch to reduce unspecified General Fund expenditures in the amount of \$38,500,000 in fiscal year 2006-2007 and \$39,500,000 in fiscal year 2007-2008 from the collective appropriations made to the Executive Branch. Finally, House Bill 380 mandates certain expenditures from the General Fund Surplus account in numerous instances without making an appropriation. One of the largest historical contributors to the Commonwealth's ability to accommodate these unbudgeted expenditures is the lapsing of unexpended debt service.

House Bill 380 of the 2006 Regular Session – Partial Veto #7

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 43, lines 17 through 19, in their entirety.

This part mandates that \$125,000 in Restricted Funds from the Department of Parks be used to construct boat slips at Buckhorn Lake State Park. I am vetoing this part because House Bill 380 did not provide any additional money for this project, and the budget for the Department is already constrained by the obligation to continue current levels of service within the amounts appropriated.

House Bill 380 of the 2006 Regular Session – Partial Veto #8

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following distinct part:

Page 51, line 6, after the word “program” delete “under the”.

Page 51, line 7, delete “direction of the Kentucky Economic Development Finance Authority”.

This part places funding received by the Department of Education for the Coal County Computing program under the direction of the Kentucky Economic Development Finance Authority. I am vetoing this part because the funds are appropriated to the Department of Education, and because providing school technology resources is the responsibility of the Department of Education.

House Bill 380 of the 2006 Regular Session – Partial Veto #9

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 77, lines 24 through 26, in their entirety

This part imposes a moratorium on the assessments paid by Kentucky thoroughbred and standardbred race tracks to the Horse Racing Authority for each live-day of racing for the 2006-2008 biennium. The receipts from these assessments represent approximately \$1 million of the Authority's Restricted Funds appropriations each year. I am vetoing this part because the funds generated from the assessments are required to support the appropriations enacted in House Bill 380, which finance all of the Authority's statutory activities in fiscal year 2007-2008. I am reserving the option of imposing or suspending the assessments for fiscal year 2006-2007 because House Bill 380 provided an alternative source of funding for that year.

House Bill 380 of the 2006 Regular Session – Partial Veto #10

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 85, lines 8 through 13, in their entirety.

This part requires a semiannual report to the Interim Joint Committee on Appropriations and Revenue of contracting information by the Commonwealth Office of Technology. I am vetoing this part because the reporting requirements are redundant of information already provided to the Government Contract Review Committee of the General Assembly.

House Bill 380 of the 2006 Regular Session – Partial Veto #11

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 106, lines 14 through 19, in their entirety.

This part suspends a statute for the stated purpose of allowing a reservation of a certificate of need for the same health care facility services in the same county in the event of a voluntary closure, revocation of a certificate of need, or the revocation of licensure. I am vetoing this part because existing law already permits the re-establishment of a licensed health care service or facility which was voluntarily discontinued; because this part nullifies existing legal authority of the Cabinet for Health and Family Services that is unrelated to the policy goal of this part; and because this part

could provide unintended statutory consequences to the regulation and licensure of health care facilities.

House Bill 380 of the 2006 Regular Session – Partial Veto #12

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 111, line 27, in its entirety.
Page 112, lines 1 through 2, in their entirety.

This part directs any unexpended General Funds appropriated for Foster Youth Transitional Assistance in fiscal year 2006-2007 to carry forward into fiscal year 2007-2008 rather than lapsing to the General Fund Surplus account. I am vetoing this part because KRS 45.229 directs that unexpended General Fund appropriations lapse at the end of each fiscal year. Exceptions are sometimes made for a legitimate business purpose, such as expenditures that span two fiscal years. In this case, these are recurring expenditures. Moreover, House Bill 380 directs the Executive Branch to reduce unspecified General Fund expenditures in the amount of \$38,500,000 in fiscal year 2006-2007 and \$39,500,000 in fiscal year 2007-2008 from the collective appropriations made to the Executive Branch. Finally, House Bill 380 mandates certain expenditures from the General Fund Surplus account in numerous instances without making an appropriation.

House Bill 380 of the 2006 Regular Session – Partial Veto #13

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following distinct part:

Page 124, lines 6 through 8, in their entirety

This part suspends existing law so that the Kentucky Science and Technology Corporation shall administer three science and technology programs for the Council on Postsecondary Education. I am vetoing this part because I oppose the suspension of a competitive procurement process for these services as required by KRS 164.6017(3) and by the Commonwealth's model procurement code. Furthermore, the language in this part suspends the incorrect statutory provision, leaving in place the existing statutory contracting requirements.

House Bill 380 of the 2006 Regular Session – Partial Veto #14

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 124, line 16, after the word “universities” delete “in equal amounts of \$800,000 per”.

Page 124, line 17, delete “institution”.

Page 124, line 25, after the character “.” delete “Once distributed, these funds will become recurring to the”.

Page 124, line 26, delete “institutions.”

This part mandates that the Council on Postsecondary Education distribute funding for the Regional Stewardship Funding Program in equal amounts of \$800,000 among the six public comprehensive universities. I am vetoing this part because the language eliminates any discretion that the Council on Postsecondary Education may have in awarding these funds. The language requires adherence to certain conditions and approval prior to the distribution of the funds. The mandatory language conflicts with the requirement of meeting certain conditions prior to the distribution of the funds. Also, the \$800,000 allocation per institution is inconsistent with the funding provided, which is \$1,200,000 in fiscal year 2006-2007, and \$3,600,000 in fiscal year 2007-2008.

House Bill 380 of the 2006 Regular Session – Partial Veto #15

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 126, lines 3 through 5, in their entirety.

This part requires the Kentucky Higher Education Assistance Authority to award grants from the Kentucky Tuition Grant program only to postsecondary students that are accepted by or enrolled as a full-time student at a Kentucky independent college or university which is accredited by the Southern Association of Colleges and Schools. I am vetoing this part because there are currently 313 Kentucky students who are receiving grants from the Kentucky Tuition Grant program in total amounts exceeding \$600,000 who attend currently eligible institutions that are not accredited by Southern Association of Colleges and Schools. To be eligible to participate in the Kentucky Tuition Grant program, these institutions must be accredited by a regional accrediting association recognized by the United States Department of Education. By vetoing this part, I ensure that these students and other students who attend these institutions remain eligible to receive grants from the program as intended by current law.

House Bill 380 of the 2006 Regular Session – Partial Veto #16

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 126, lines 25 through 27, in their entirety.

Page 127, lines 1 through 9, in their entirety.

This part requires authorization from the General Assembly before the Kentucky Higher Education Assistance Authority and the Kentucky Higher Education Student Loan Corporation may enter into any agreements which would result in the transfer of ownership or ultimate managerial decision-making authority regarding the control and investment performance of their property and assets. This part would impair the agencies' ability to enter into contracts; could prevent the ability to outsource the servicing of the Kentucky Higher Education Student Loan Commission's loan portfolio; and would jeopardize the ongoing origination and sale of loans to the Alabama Higher Education Loan Corporation.

House Bill 380 of the 2006 Regular Session – Partial Veto #17

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 128, line 10, after the character “.” delete “The board will make all”.

Page 128, lines 11 through 13, in their entirety.

Page 128, line 14, delete “community areas and the performing arts center.”

This part mandates that a Community Operations Board make all decisions regarding the use of the Business/Technology Building at Eastern Kentucky University. I am vetoing this part because it removes the responsibility for operations of Eastern Kentucky University facilities from the President and the Board of Regents where that responsibility properly resides. I am retaining the provision that establishes and sets membership of the Community Operations Board so that it may provide useful advice from the community to the University for the operations of this facility.

House Bill 380 of the 2006 Regular Session – Partial Veto #18

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 130, line 19, after the word “is”, delete “encouraged”.

This part encourages the University of Kentucky to provide funding to the Cooperative Extension Service to support the County Extension Enhancement Initiative. By this partial veto I direct funding to support the County Extension Enhancement Initiative.

House Bill 380 of the 2006 Regular Session – Partial Veto #19

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 134, lines 14 through 21, in their entirety.

This part suspends existing laws to allow the President of the Kentucky Community and Technical College System to convey title to state-owned land to the Gateway Community and Technical College Foundation for future consideration. I am vetoing this part because it eliminates existing legal processes under the authority of the Secretary of the Finance and Administration Cabinet.

House Bill 380 of the 2006 Regular Session – Partial Veto #20

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 138, line 1, after the word “prioritize” delete “and fund”.

Page 138, line 2, after the word “resources” delete “in the designated fiscal year”.

This part requires the Transportation Cabinet to fund aviation projects in the specific fiscal year as contained in the Aviation Six Year Plan. I am vetoing this part because the appropriations enacted in House Bill 380 are less than the identified costs associated with the project list, and because mandating the fiscal year for each project eliminates the flexibility of the Transportation Cabinet to adjust the timing of the projects.

House Bill 380 of the 2006 Regular Session – Partial Veto #21

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 138, lines 22 through line 24, in their entirety.

This part prohibits the use of appropriated funds for the studying, planning, or construction of additional runways for, or the expansion of, the Capital City Airport. I am vetoing this part because the language eliminates a potential investment by the Commonwealth or from an award of Federal Aviation Administration funds to the

Commonwealth for the next two fiscal years. While there are no future plans to construct an additional runway, a blanket prohibition is unnecessary.

House Bill 380 of the 2006 Regular Session – Partial Veto #22

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 146, line 16, after the character “:” delete “The Transportation Cabinet”.

Page 146, line 17, delete “shall”.

This part mandates the completion of the painting of the Kennedy Bridge in Louisville within the current biennium. I am vetoing this part because the introductory provision on page 145, section 25, states that the Transportation Cabinet may undertake the following miscellaneous road projects. This provision is one of twenty-two miscellaneous projects listed, but the language for this project is mandatory rather than permissive. I am retaining the part that allows the Transportation Cabinet to complete the bridge painting.

House Bill 380 of the 2006 Regular Session – Partial Veto #23

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 146, line 22, after the character “:” delete “A sound barrier shall be”.

Page 146, line 24, after the word “feet” delete “. The cost related to the installation of the sound barrier shall be”.

Page 146, line 25 in its entirety.

Page 146, line 26, delete “2006-2007”.

This part mandates that a sound barrier shall be installed on the north side of I-264/Watterson Expressway from the west side of the Newburg Interchange going west 1,500 feet, to be funded for \$650,000 from the Highway Construction Contingency Account in fiscal year 2006-2007. I am vetoing this part because the introductory provision on page 145, section 25, states that the Transportation Cabinet may undertake the following miscellaneous road projects. This provision is one of twenty-two miscellaneous projects listed, but the language for this project is mandatory rather than permissive. I am retaining the portion of the part that allows the Transportation Cabinet to install the sound barrier.

House Bill 380 of the 2006 Regular Session – Partial Veto #24

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following parts:

Page 218, lines 2 through 27, in their entirety.

Pages 219 through 308, in their entirety.

Page 309, lines 1 through 4, in their entirety.

These parts contain projects authorized for funding from coal severance tax receipts in single county accounts within the Local Government Economic Development Fund. I am vetoing these project designations, but not the funding that will be available to the respective counties listed therein. In accord with House Bill 380, the funds received by the respective counties from coal severance receipts may be used to support the nonrecurring investments in public health and safety, economic development, public infrastructure, information technology development and access, and public water and wastewater development, with the concurrence of both the respective fiscal court and the Governor's Office for Local Development or the Kentucky Infrastructure Authority, as appropriate. I am taking this action because I believe that local officials and communities should have more involvement in the decision-making process for the investment of these funds that are returned to their communities as a result of the severance of coal.

House Bill 380 of the 2006 Regular Session – Partial Veto #25

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 424, line 12, after "KRS 18A.355" delete "(1)".

KRS 18A.355(1) requires that state employees receive a 5 percent annual increment. By adoption of the salary policy authorized in House Bill 380, providing non-uniform annual increments, the General Assembly's clear and unmistakable intent is to suspend the entirety of the statute. As authorized and intended, lower-paid employees are provided a higher annual increment than higher-paid employees. I am vetoing this part so that the entirety of KRS 18A.355 is suspended for the fiscal year 2006–2008 biennium, as intended by the General Assembly.

House Bill 380 of the 2006 Regular Session – Partial Veto #26

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 431, lines 18 through 19, in their entirety.

This part requires that the Commonwealth Office of Technology transfer \$1,000,000 to the General Fund in fiscal year 2007-2008 from its internal service fund. I am vetoing this part because the nature of the internal service fund is to charge state agencies for the costs of the services delivered. This mechanism yields no excess funds, or profits. Due to the billing structure of the fund, transferring \$1,000,000 would result in the Commonwealth Office of Technology overbilling state agencies for the services rendered. Moreover, since a portion of the payments made by state agencies are from federal funds, this transfer will likely result in an audit finding to which the Commonwealth may have to repay approximately \$200,000 in funds that are unbudgeted.

House Bill 380 of the 2006 Regular Session – Partial Veto #27

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 435, line 13, delete “Federal”.

This part mandates the transfer of \$9,000,000 in Federal Highway funds to the General Fund in fiscal year 2006-2007. I am vetoing this part because the grant requirements for the federal funds prohibit the direct transfer to the General Fund. Federal funds must be expended by state or recipient agencies for legal and eligible purposes. I am retaining the value of the \$9,000,000 fund transfer in the anticipation that some portion of it may be executed in conformity with the federal grant.

House Bill 380 of the 2006 Regular Session – Partial Veto #28

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 556, lines 10 through 12, in their entirety.

This part mandates that any debt obligation issued by or on behalf of a unit of government to finance a court facility leased to the Administrative Office of the Courts be publicly bid by the owner of the court facility. I am vetoing this part because it temporarily overrides an existing statute, KRS 66.141, that requires bonds to be publicly bid, but allows notes to be sold by either competitive bid or at private negotiated sale. The existing statute adequately provides the flexibility of either procurement approach for issuing notes, and leaves that decision to the local unit of government.

House Bill 380 of the 2006 Regular Session – Partial Veto #29

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 599, line 18, after the word “principles” delete “, shall be paid for”.

Page 599, line 19, delete “by the trust fund,”.

Although this section appropriately requires an audit of the books and records of the public employee health insurance trust fund, it mandates payment with fund source specificity, for performance of the audit by the Auditor of Public Accounts, an office whose operations are funded otherwise with appropriations by House Bill 380. Considerations as to burden of payment and expenses for such an audit should be left to the discretion of the Personnel Cabinet.

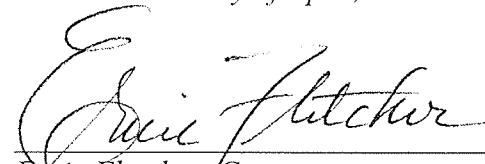
House Bill 380 of the 2006 Regular Session – Partial Veto #30

I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under Section 88 of the Kentucky Constitution, do hereby veto the following part:

Page 599, line 23, after “(d)” delete “*Within thirty (30) days of the end of each calendar quarter,*”.

This part mandates a quarterly report by the Secretary of the Personnel Cabinet on the status of the Public Employee Health Insurance Trust Fund within 30 days of the end of each calendar quarter. I am vetoing this part because the 30-day requirement precludes the ability to fully report the information contained in the remainder of this provision. I have retained all of the underlying requirements.

Done this 24th day of April, 2006.


Ernie Fletcher, Governor