

April 9, 2002

TO THE MISSISSIPPI STATE SENATE:

GOVERNOR'S TRANSMITTAL MESSAGE FOR SENATE BILL 3163

I am returning Senate Bill Number 3163: "AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS AND TO PAY THE EXPENSES OF COUNTIES FOR HOLDING STATE PRISONERS IN COUNTY JAILS, FOR FISCAL YEARS 2002 AND 2003" approved in part and not approved in part and assign the following reasons for the partial veto.

Pursuant to authority granted under Section 73 of the Mississippi Constitution of 1890, as amended, I hereby exercise a partial veto of Senate Bill No. 3163, in particular that separate, severable and discrete portion of Section 3, on page 4, of the bill that appropriates \$54,726,714 in General Funds under the heading of Private Prisons and, on page 6, restricts any transfers that reduces such funds allocated to Private Prisons.

Once again the special interests and the special friends of the Private Prison industry won the day, funding fully private prisons and at a higher level than our state and regional facilities.

This preferential funding by itself is sufficient reason to exercise a partial veto. Yet this full funding for the Private Prisons is integrated in Section 3 of the bill with a protective provision against any transfer of any of the funds. This restriction against transfer joined with full funding serves to insulate the Private Prison industry from the cold budgetary winds that affect all other operations of the Department of Corrections, and of State government in general.

This special restriction on transfer nullifies general law authorizing agency heads to transfer up to 15 % of their budget between categories as changes occur and needs demand. This limited flexibility enables directors to manage their agencies more responsibly and spend their resources more wisely. Complete funding of Private Prisons with no transfer authority puts the Commissioner of Corrections in an expensive straitjacket.

This full appropriation and unusual restriction locks away money for Private Prisons whether there are sufficient inmates to justify the allocation or not. This provision will restrict the ability of the Commissioner to transfer funds to Regional Prisons and County Jails as may be necessary.

Robert Johnson and I work for the taxpayers of Mississippi and not high paid executives of out of state prison corporations. Private Prison beds are the most expensive in our system and this appropriation and its related proviso work against our ability to be good stewards for hardworking Mississippians.

I urge the members of the Legislature to sustain this partial veto of Senate Bill No. 3163 and to reconsider the allocation of funds for Private Prisons.

Respectfully submitted,

RONNIE MUSGROVE
GOVERNOR