

March 16, 2005

TO THE MISSISSIPPI HOUSE OF REPRESENTATIVES:

GOVERNOR'S VETO MESSAGE FOR HOUSE BILL 1404

I am returning House Bill 1404: "AN ACT TO RENAME THE ROSS BARNETT LAKE IN MIZE, MISSISSIPPI, THE PRENTISS WALKER LAKE; TO AUTHORIZE TRANSFER OF THE CONTROL AND MANAGEMENT OF THE LAKE FROM THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO THE PAT HARRISON WATERWAY DISTRICT, ANOTHER STATE AGENCY, A COUNTY, A MUNICIPALITY OR OTHER POLITICAL SUBDIVISION THAT AGREES TO ACCEPT THE LAKE; AND FOR RELATED PURPOSES" without my approval, and assign the following reasons for my veto.

After full consideration, I am vetoing House Bill 1404. This legislation would transfer the control and management of Ross Barnett Lake in Smith County from the Department of Wildlife, Fisheries, and Parks "to the Pat Harrison Waterway District, another state agency, a county, municipality, or other political subdivision." After consulting with the leadership of the Department of Wildlife, Fisheries, and Parks, the Pat Harrison Waterway District, and local elected officials, I am concerned that such a transfer could threaten the future operation and management of this Lake.

The Executive Director of the Department of Wildlife, Fisheries, and Parks has dedicated state license revenues (special funds) and federal grant funds from the Federal Aid and Sport Fish Restoration Program for operating, managing, and enhancing Lake Ross Barnett. In accepting these federal grant funds, the Department agreed not to divert special funds away from the agency (in this case transferring this property). If this agreement is broken, the Department would risk forfeiture of future federal grant funds. In addition, in losing management and control of the lake, the Department would have to pay back a minimum of \$300,000 to the federal government from state revenues, with a possible greater state liability if the appraised value of the property is set at a value greater than \$300,000. For these reasons, the Department of Wildlife, Fisheries, and Parks opposes this legislation.

Although the Pat Harrison Waterway District has not taken a formal position on House Bill 1404, they have raised several issues which are cause for concern. I am especially worried that if the Pat Harrison Waterway District assumed control of the Lake, it would be unable to provide necessary funding for operation and maintenance. According to Section 51-15-123(2) of the Mississippi Code, Annotated, the District cannot use its operating funds (paid by county taxes) to operate public parks and recreation facilities which were not under its control prior to January 1, 1998. Furthermore, the District reports it has not had an opportunity to familiarize itself with the proposed acquisition, and has no information on the Lake's financial situation.

The Perry County Board of Supervisors, which is a member of the Pat Harrison Waterway District, has passed a resolution opposing the District's acquisition of the lake. No county has expressed to my office support for the transfer of the control and management of the Lake.

I cannot support the transfer of control and management of this Lake, given the uncertainty of the Lake's future if it occurred. Fishing, boating and other recreational endeavors are of high importance to many Mississippians, and I am concerned that this legislation would unnecessarily threaten access to these activities. Furthermore, economic activities such as nature tourism are a burgeoning industry in our state, so we should focus efforts on keeping assets such as Lake Ross Barnett available.

For these reasons, I urge the members to sustain the veto and reject House Bill 1404.

Sincerely,

Haley Barbour