

June 23, 2005

Ms. Glenda E. Hood
Secretary of State
Florida Department of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Committee Substitute for Committee Substitute for Senate Bill 1168, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to the Commission for the Transportation Disadvantaged ...

This bill modifies the membership of the Commission for the Transportation Disadvantaged and establishes stringent qualifications for the selection of its members. The bill also stipulates that the Legislative Budget Commission (LBC) must approve any modification of the formula that the Transportation Disadvantaged Commission uses to distribute funds for the delivery of non-emergency transportation for disadvantaged persons.

While I support the effort to streamline the size of the board, establish qualifications for membership and require background checks, I object to provisions of this bill that broaden the responsibilities of the Legislative Budget Commission to include powers that are tantamount to appropriating. The bill gives the LBC greater statutory authority than it currently has. I find this troubling because it heads in the direction of giving the LBC authority that the Constitution properly grants to the full Legislature, not a subset thereof. This bill jeopardizes the institutional authority and traditions of the Legislative and Executive Branches of government balanced through the separation of powers, which recognizes the full Legislature's prerogative to appropriate, the Governor's authority to veto, and the agencies' ability to implement the budget.

There is no doubt that the Legislature, the program's providers, and its users have concerns over the delivery of services for the transportation disadvantaged. I share those concerns, and while I veto this legislation, I commit to taking the following actions. First, working with the sponsors of this legislation and others interested in this issue, I will recommend legislation for consideration in the 2006 regular session to change the

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composition of the Commission along the lines of this bill. Second, I will direct the Commission to work with the Agency for Health Care Administration, the Department of Transportation, and my Office of Policy and Budget to examine its funding formula to ensure that all funds for the transportation disadvantaged program are distributed in a fair and equitable manner beginning in fiscal year 2005-06. And last, I will direct my agencies that sit on the Commission to be represented by the agency head or a senior level designee, to ensure the State's interests are considered and protected.

For the reasons stated above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 1168, and do hereby veto the same.

Sincerely,

Jeb Bush