

STATE OF WEST VIRGINIA  
OFFICE OF THE GOVERNOR  
Charleston, WV 25305

May 14, 2009

The Honorable Richard Thompson  
Speaker  
West Virginia House of Delegates  
State Capitol  
Charleston, WV 25305

Dear Speaker Thompson:

Pursuant to the provisions of Section Fourteen, Article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for House Bill No. 2535.

Unfortunately, I must object to this legislation because its proposed title is inconsistent with the body of the Bill. The title and enacting section of the Bill purport to amend the Code of West Virginia by adding a new article one-hundred thirty-two to chapter eleven of the Code. However, the Body of the Bill would, if approved, add article thirteen-z to chapter eleven of the Code. I find that the discrepancies between the Bill's proposed title and the body of the Bill render the legislation constitutionally deficient. Accordingly, I must veto Enrolled Committee Substitute for House Bill No. 2535.

Nevertheless, I would encourage the Legislature to promptly reconsider this measure. In so doing, however, I would urge the Legislature to consider additional technical amendments to the Bill that would clarify certain provisions in accordance with recommendations made by the State Tax Department.

Your very truly,

JOE MANCHIN, III  
*Governor.*