

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

May 4, 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. 3194.

Enrolled Committee Substitute for House Bill No. 3194 relates to the creation of a criminal penalty for knowingly filing materially false information regarding a limited liability company with the Secretary of State. While I fully support this legislation, I must veto this Bill because of a technical drafting error that would unduly limit its scope. The criminal penalties created by the Bill would attach to the filing of documents required to be filed by article one, chapter thirty-one-b of the West Virginia Code. To establish a comprehensive penalty that would apply to every document that must be filed with the Secretary of State pertaining to limited liability companies, the penalties should attach to any document required to be filed under chapter thirty-one-b, not just documents that are required to be filed under article one of chapter thirty-one-b.

For this reason, I must veto Enrolled Committee Substitute for House Bill No. 3194. Nevertheless, I would respectfully request the Legislature to reconsider this Bill and return it promptly for my approval.

Very truly yours,

JOE MANCHIN, III
Governor.