

STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
CHARLESTON

March 17, 2011

The Honorable Jeffrey V. Kessler
Acting President, West Virginia Senate
State Capitol
Charleston, West Virginia

Dear Acting President Kessler:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill No. 295.

I must object to this Bill because its object is not adequately expressed in the title. The Bill would authorize the Department of Health and Human Resources to promulgate a legislative rule relating to maternal risk screening; however, the title does not make reference to the rule authorized by the Bill. Accordingly, I find the title of the Bill inconsistent with the substance of the Bill, so as to render Enrolled Committee Substitute for Senate Bill No. 295 constitutionally defective.

For this reason, I must veto the legislation. However, I encourage the Legislature to reconsider this matter in the future and return it to my desk for approval.

Very truly yours,

Earl Ray Tomblin,

Governor.