



STATE OF WEST VIRGINIA
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EARL RAY TOMBLIN
GOVERNOR

April 1, 2015

VIA HAND DELIVERY

The Honorable Natalie E. Tennant
Secretary of State
State of West Virginia
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Re: Enrolled House Bill No. 2161

Dear Secretary Tennant:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled House Bill No. 2161.

The bill is technically flawed because its title is defective. *See State ex rel. Davis v. Oakley*, 156 W. Va. 154, 191 S.E.2d 610 (1972) (requiring bill title to provide notice of bill's contents). The bill's title does not provide notice that wiretaps are permitted in suspected cases of human trafficking; that business entities are now subject to criminal penalties; and that there is a statute of limitations for claims; among other things. As a result, the title fails to provide adequate notice of the bill's contents, including its criminal penalties. Moreover, this bill creates the Commission on the Prevention of Human Trafficking; however, the bill does not provide a method for paying the commission's expenses. I question why this bill does not have a fiscal note.

Human trafficking is a scourge in states and communities across the country. Legislation designed to raise consciousness about this epidemic and hold accountable those who exploit human trafficking victims in West Virginia is a step in the right direction. Therefore, I encourage the legislature to resolve the foregoing issues related to this bill and to present it for my signature during the 2016 Regular Session of the Legislature.

Sincerely,

A handwritten signature in black ink that reads "Earl Ray Tomblin".

Earl Ray Tomblin
Governor

cc: The Hon. William P. Cole, III
President of the Senate

The Hon. Tim Armstead
Speaker, West Virginia House of Delegates