



STATE OF WEST VIRGINIA
OFFICE OF THE GOVERNOR
1900 KANAWHA BOULEVARD, EAST
CHARLESTON, WV 25305
(304) 558-2000

EARL RAY TOMBLIN
GOVERNOR

March 13, 2015

VIA HAND DELIVERY

The Honorable William P. Cole
President, West Virginia Senate
Room 229M, Building 1
State Capitol
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for Senate Bill No. 435

Dear President Cole:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return the Enrolled Committee Substitute for Senate Bill No. 435.

If signed into law, this bill would provide the Secretary of the Department of Military Affairs and Public Safety and the West Virginia Sheriff's Bureau with appointment powers that are inconsistent with section eight, article VII of the Constitution of West Virginia. I also disapprove of this bill 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 authorizes the West Virginia Sheriffs' Bureau of Professional Standards to promulgate legislative rules in § 7-26-2; however, rulemaking authorization is absent from the title.

For the foregoing constitutional and technical reasons, I disapprove and return this bill. I urge the Legislature to correct these issues and to return the bill to my desk for signature.

Sincerely,

A handwritten signature in cursive script that reads "Earl Ray Tomblin".

Earl Ray Tomblin
Governor

cc: The Hon. Tim Armstead
Speaker of the House of Delegates

The Hon. Natalie E. Tennant
Secretary of State