

Jim Justice
Governor of West Virginia

March 15, 2018

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

RE: Enrolled Committee Substitute for Senate Bill No. 152

Dear President Warner:

Pursuant to the provisions of section fifty-one, article VI of the Constitution of West Virginia, I hereby return Enrolled Committee Substitute for Senate Bill No. 152, passed March 10, 2018, approved with the following objections:

My first objection to the Bill is contained in Item 58, page 46, lines 24-29, which state:

“From the above appropriation for Institutional Facilities Operations (fund 0525, appropriation 33500), together with available funds from the Division of Health – Hospital Services Revenue Account (fund 5156, appropriation 33500), on July 1, 2018, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.”

The Department of Agriculture has requested this mandate for our health institutions to purchase food through them be eliminated due to the burden it places on the department in sourcing appropriate food products for these institutions. Therefore, I am reducing the amount in the language on page 46, line 26, by \$160,000 to \$0.

My second objection to the Bill is contained in Item 68, pages 55 and 56, lines 44-48, which state:

“From the above appropriation to Unclassified (fund 0450, appropriation 09900), on July 1, 2018, the sum of \$300,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.”

Provisions in HB 4338 that reorganized the state correctional agencies into a Division of Corrections and Rehabilitation eliminated the requirement that correctional institutions buy food products from the Department of Agriculture. Therefore, I am reducing the amount in the language on page 55, line 45, by \$300,000 to \$0.

My third objection to the Bill is contained in Item 72, page 59, lines 21-24, which state:

“From the above appropriations, on July 1, 2018, the sum of \$50,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended.”

Provisions in HB 4338 that reorganized the state correctional agencies into a Division of Corrections and Rehabilitation eliminated the requirement that correctional institutions buy food products from the Department of Agriculture. Therefore, I am reducing the amount in the language on page 59, line 21, by \$50,000 to \$0.

My fourth objection to the Bill is contained in Item 202, pages 110 and 111, lines 16-21, which state:

“From the above appropriation to Institutional Facilities Operations, together with available funds from the Consolidated Medical Services Fund (fund 0525, appropriation 33500) on July 1, 2018, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance payment for the

purchase of food products; actual payments for such purchases shall not be required until such credits have been completely expended..”

The Department of Agriculture has requested this mandate for our health institutions to purchase food through them be eliminated due to the burden it places on the department in sourcing appropriate food products for these institutions. Therefore, I am reducing the amount in the language on page 110, line 18, by \$160,000 to \$0.

For the reasons stated herein, I have approved, subject to the above objections, Enrolled Committee Substitute for Senate Bill No. 152.

Sincerely,

Jim Justice

Governor

cc: The Hon. Mitch Carmichael

President, West Virginia Senate

The Hon. Tim Armstead

Speaker, West Virginia House of Delegates