

**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 House Bill 4376

Dear Secretary Warner:

Pursuant to the provisions of section fifty-one, article VI of the Constitution of West Virginia, I hereby return Enrolled Committee Substitute for House Bill 4376, passed March 8, 2018, approved with the following objections:

My first objection to the Bill is contained in the title of the bill, on page 1, lines 1-16, which state:

**“AN ACT expiring funds to the balance of the Department of Health and Human Resources, Division of Health — Medical Cannabis Program Fund, fund 5420, fiscal year 2018, organization 0506, in the amount of \$2,953,990 from the Department of Health and Human Resource, Division of Health – The Vital Statistics Account, fund 5144, fiscal year 2018, organization 0506, and making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining unappropriated for the fiscal year ending June 30, 2018, to the Department of Health and Human Resource, Division of Health – The Vital Statistics Account, fund 5144, fiscal year 2018, organization 0506, to the Department of Health and Human Resources, Division of Health - Laboratory Services Fund, fund 5163, fiscal year 2018, organization 0506, to the Department of Health and**

**Human Resource, Division of Health – Medical Cannabis Program Fund, fund 5420, fiscal year 2018, organization 0506, and to the Department of Health and Human Resources, Division of Human Services – Health Care Provider Tax, Medicaid State Share Fund, fund 5090, fiscal year 2018, organization 0511, by supplementing and amending chapter one, Acts of the Legislature, 1st extraordinary session, 2017, known as the budget bill..”**

Included in this supplemental bill is an expiration to the Medical Cannabis Program Fund to fund startup costs associated with the Medical Cannabis Program. Since the program’s inception, the State Treasurer has stated his objection to processing funds in the State Treasury related to cannabis due to federal banking regulations. To alleviate any of those concerns, I am going to veto this expiration to the Medical Cannabis Program Fund and search for a solution that will resolve this issue and allow the program to be implemented as mandated in the statute.

Therefore, on page 1, line 3, I am reducing the amount in the language by \$2,953,990 to \$0.

My second objection to the Bill is contained on page 2, lines 4-9, which state:

**“That the balance of funds available for expenditure in the fiscal year ending June 30, 2018, to the Department of Health and Human Resources, Division of Health – The Vital Statistics Account, fund 5144, fiscal year 2018, organization 0506, be decreased by expiring the amount of \$2,953,330 to the Department of Health and Human Resources, Division of Health – Medical Cannabis Program Fund, fund 5420, fiscal year 2018, organization 0506, to be available for expenditure during the fiscal year ending June 30, 2018.”**

Having deleted language in the title of the Bill in objection one above, I am reducing the amount in the language on page 2, line 7 by \$2,953,330 to \$0.

For the reasons stated herein, I have approved, subject to the above objections, Enrolled Committee Substitute for House Bill 2801.

Sincerely,

Jim Justice

Governor

cc: The Honorable Mitch Carmichael

President of the Senate

The Honorable Tim Armstead

Speaker of the House of Delegates