



STATE OF UTAH

OFFICE OF THE GOVERNOR
SALT LAKE CITY, UTAH
84114-2220

JON M. HUNTSMAN, JR.
GOVERNOR

GARY R. HERBERT
LIEUTENANT GOVERNOR

February 29, 2008

The Honorable Greg J. Curtis
Speaker of the House
and
The Honorable John L. Valentine
President of the Senate

Dear Speaker Curtis and President Valentine:

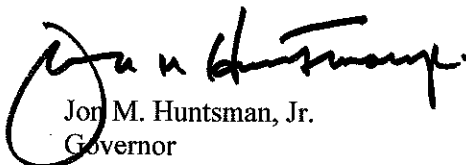
After careful consideration and study, I have decided to veto 2nd Sub. S.B. 144, PARAMETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE, and have transmitted it to the Lieutenant Governor for filing.

By reserving for the Legislature the final authority to approve or reject significant interstate agreements, 2nd Sub. S.B. 144 violates core principles of government established in the Utah Constitution. Article VII § 8 prohibits the legislative branch from having veto power over a bill it has presented to the Governor, but in fact this bill contains such veto authority. Article V §1 distributes power between the three branches of government and mandates that, unless specifically permitted by the Constitution, "no person charged with the exercise of powers properly belonging to one of the other departments, shall exercise any functions appertaining to either of the others."

In addition to the constitutional issues noted above, 2nd Sub. S.B. 144 would impede the Governor's current authority to form interstate agreements during times of emergency and will unnecessarily paralyze our State's response to any unforeseen catastrophe. The Governor would be restricted from entering such emergency agreements unless there has been an emergency declaration by the President of the United States or a prior proclamation of local emergency pursuant to U.C.A. Section 63-5a-5.

In order to facilitate greater cooperation in the future, except in emergency circumstances, I will brief the President, the Speaker, the Majority and Minority Leaders in the Senate and the House before signing a significant interstate agreement that within the year following the agreement would require a change in statute or an additional appropriation.

Sincerely,



Jon M. Huntsman, Jr.
Governor