



COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR

Andy Beshear
GOVERNOR



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**VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY
REGARDING HOUSE BILL 6 OF THE
2021 REGULAR SESSION**

I, Andy Beshear, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under section 88 of the Kentucky Constitution, do hereby veto the following:

House Bill 6 of the 2021 Regular Session of the General Assembly in its entirety.

I am vetoing House Bill 6 because it is unconstitutional, and it represents governmental overreach.

House Bill 6 violates the Kentucky Constitution by attempting to grant a Committee of the General Assembly power to issue subpoenas while the General Assembly is not in session, a violation of the separation of powers under Sections 27 and 28 of the Kentucky Constitution, as set forth in Legislative Research Comm'n, By and Through Joseph W. Prather v. Brown, 664 S.W.2d 907 (Ky. 1984).

House Bill 6 further violates the Kentucky Constitution by attempting to constrain the prerogative of the Kentucky Judicial Branch under Section 110 to exercise control of the Court of Justice by placing arbitrary limits on the time in which a court must rule on petitions related to subpoenas issued by the Committee.

Finally, House Bill 6 represents governmental overreach. The General Assembly, through House Bill 6, has granted itself sweeping investigatory power, with no discernable limit. This power will extend to all current and former employees, all bidders on government contracts, whether or not successful, and all of those in any kind of business relationship with any covered person. This would extend to new employers of former state employees as well as businesses in contractual relationships with government contractors but who themselves have no business relationship whatsoever with the Commonwealth. Though the Legislative Branch has a constitutional role to play in exercising oversight, it is not unfettered.

This the 8th day of March, 2021.

A handwritten signature in blue ink, consisting of the letters 'A' and 'B' followed by a horizontal line, positioned above a printed name and title.

Andy Beshear
Governor