

May 3, 2007

The Honorable Brad Johnson

Secretary of State

State Capitol

Helena, MT 59620

Dear Secretary Johnson:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill (HB) 536, entitled **AN ACT PROVIDING LICENSE REQUIREMENTS AND PROCEDURES FOR WHOLESALE DISTRIBUTORS OF PRESCRIPTION DRUGS; PROVIDING RESTRICTIONS ON TRANSACTIONS INVOLVING PRESCRIPTION DRUGS; PROVIDING FOR PEDIGREES FOR PRESCRIPTION DRUGS; PROVIDING ENFORCEMENT PROVISIONS; PROHIBITING CERTAIN ACTS; PROVIDING PENALTIES; AND AMENDING SECTIONS 37-7-601, 37-7-602, 37-7-603, 37-7-604, AND 37-7-610, MCA.**

House Bill 536 is unnecessary because the Montana Board of Pharmacy currently has the power to protect Montana consumers by regulating or prohibiting the sale of drugs, and because the Federal government already has the enforcement power that this bill attempts to expand to the state. However, this bill if passed may have the unintended consequence of preventing our consumers from purchasing prescription drugs at discounted rates. There is ambiguity in this bill as to whether this law might prevent or compromise Montana's ability to participate in programs that re-import safe but less costly drugs. I do not believe that we should adopt legislation that could in any way restrict such an opportunity for those who cannot currently afford medication.

Sincerely,

Brian Schweitzer

GOVERNOR