



State of South Carolina

Office of the Governor

NIKKI R. HALEY
GOVERNOR

1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201

February 27, 2012

The Honorable Robert W. Harrell, Jr.
Speaker of the House of Representatives
506 Blatt Building
Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House:

I am hereby vetoing and returning without my approval H. 4723, R-135, a local bill relating to the appointment of commissioners to the Berea Water and Sewer District wholly located in Greenville County.

Since the beginning of my Administration, I have been clear that I will veto local legislation that is clearly unconstitutional. Every member of the General Assembly is expected to vote on all legislation, including local bills. I believe members who fail to vote are supporting the violation of our constitution, which we have sworn to uphold. Therefore, I ask that you stop the practice of passing local legislation and help preserve and protect our State Constitution by sustaining this veto.

H. 4723 removes appointment authority from the Governor and legislative delegation and allows the voters in the Berea Water and Sewer District to elect the district commissioners. While I support this legislation's intent to devolve the delegation's appointment authority to the voters, this bill is unconstitutional because it violates the Home Rule provisions of our State Constitution, which prohibit the enactment of state laws affecting one county. H. 4723 affects only the residents of Berea which is wholly located in Greenville County.

For too long, the General Assembly has involved itself in entirely local issues like providing water and sewer services to county and municipal residents. The 1973 Home Rule provisions of our State Constitution rightly prohibit the General Assembly from engaging in purely local issues and require that local governments provide for local interests. Accordingly, I would ask the General Assembly to send me a bill devolving individual delegations' authority relating to single county special purpose districts to county governing bodies, as our State Constitution intended almost 40 years ago.

For these reasons, I am vetoing H. 4723, R-135.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nikki R. Haley".
Nikki R. Haley