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House Bill No. 955, Senate Bill No. 906, Act No. 788

Strom Thurmond

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MR. SPEAKER AND GENTLEMEN OF THE HOUSE OF REPRESENTATIVES:

I am returning to your Honorable Body House Bill No. 955, Senate Bill No. 906, and Act No. 788, the General Appropriation Act for the fiscal year 1948-49.

Making provision for the operation of the State government by way of appropriations is fundamentally a responsibility of the General Assembly, and it is with due recognition of this principle that I have considered the State Appropriation Act enacted in the current session.

I approve this Act with the exception of the following items, which I hereby veto:

1. SECTION 21: — Historical Commission

I herewith veto all of the provisos to this Section reading as follows:

"PROVIDED, That the annual meeting of the Historical Commission shall be held at the convenience of the members between the days June 20th and June 30th of each year.

"PROVIDED, FURTHER, That the title "Secretary of the Historical Commission" is hereby changed to "State Historian." All of the duties and powers heretofore devolved upon the Secretary of the Historical Commission are hereby devolved upon the State Historian, and the present Secretary of the Historical Commission shall assume the title "State Historian", and remain in office for the term herein provided for.

"PROVIDED, FURTHER, That the State Historian is hereby authorized to select his employees and his term of office is hereby fixed at
twelve (12) years from the date of his last election, June 24, 1939, and his successor shall be confirmed by the Senate.

"PROVIDED, FURTHER, That the State Historian is hereby authorized to supply free to the libraries of the University of South Carolina, The Citadel, Clemson, Winthrop, and the State Colored College, to each member of the Commission and the State Historian, and to each public library in the State that is supported by taxation, one copy of each publication issued by the Commission.

"PROVIDED, FURTHER, That the Historical Commission is hereby directed to investigate any historical spots in the State which should be marked, and report its recommendations to the General Assembly at the 1949 session."

By means of these provisos, the State Appropriation Act is sought to be used to make radical changes in sections 2231-2241 inclusive of the Code of Laws of 1942, which create the Historical Commission, and which provide for the care and custody of the State's historical archives, the encouragement of historical work and research in South Carolina history, and the publication of official records and historical material from time to time.

This work has been entrusted to the Historical Commission by law since 1905. The field is one of inestimable value to our people, and should be handled with full recognition of the importance of continuity of policy and responsibility, and by more than one man.

The provisos make the Historical Commission a mere figurehead, and virtually turn the whole endeavor over to the secretary of the commission, with the title of State Historian. His term of office is extended for two extra years, with the obvious purpose and effect of relieving him from the compulsory retirement required by the State Retirement Act.

In considering the matter, I am not unmindful of the signal service which he has rendered to his State, by his insistence on accuracy, his remarkable fund of detailed information of South Carolina history, and his assistance to a number of people who have written on that history. We are grateful for the distinctive contribution which he has made to our State.
After careful consideration of the effect of these provisions, I am convinced that it is against the public interest to strip the Historical Commission of practically all of its responsibility and functions. The Commission, composed of the respective heads of the chairs of history at the University, The Citadel, Clemson, and Winthrop, and members elected by the United Confederate Veterans, the South Carolina Historical Society, and the American Legion, has rendered faithful service throughout the years without compensation, and should be permitted to continue to exist and function in the future in the manner and with the power and authority given to it in the Code. The Appropriation Act should not be used to suspend its authority and impair its usefulness.

Moreover, circumvention of the State Retirement Act is inconsistent with the public policy established in that Act. To be effective, the Act must be applicable to everyone alike. It is unfair to compel retirement generally and then use the Appropriation Act to make exceptions in the manner proposed. This practice, if permitted, will tend to break down the Retirement system.

The following organizations have urged me to veto these provisions:

The American Legion, Department of South Carolina
The Historical Commission of South Carolina
The South Carolina Historical Association
The South Carolina Historical Society
The Social Studies Department of the South Carolina Education Association,
The History Teachers of the Columbia Senior High Schools
South Carolina Library Association

These organizations represent the considered judgment of a large number of our people who are interested in the history of our State, and their views are entitled to great weight.

Believing that the best interest of the State and of our people will be furthered by leaving in force the law as written in the Code, and also that the plain provisions of the State Retirement Act should be carried out, and not evaded, I am vetoing these provisions.
2. SECTION 39: - Board of Health

Item 1. Administration:

A. Personal Service:

A-1. Salaries:

Part Time Attorney, to be appointed by the Executive Committee and approved by the Attorney General.------------------ $2,650.00

My information is that this item was not requested either by the Executive Committee of the State Board of Health or by the State Health Officer. There has been no showing of the necessity of the appropriation. I am satisfied that the Attorney General's office can handle the legal services required by this department, and therefore I veto this item.

3. SECTION 60: - South Carolina Aeronautics Commission

I am vetoing the following items of the Appropriation Act relating to the South Carolina Aeronautics Commission:

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Assistant Director ------------------ $3,600.00
Office Manager--------------------- 3,000.00
Statistician------------------------ 2,720.00

Item 2. For Regulation:

A. Personal Service:

A-1. Salaries:

Assistant Flight Inspector--------- 2,400.00

Item 3. For Engineering:

A. Personal Service:

A-1. Salaries:

Draftsman------------------------ 2,600.00
Chief Survey Party--------------- 3,300.00
Instrument Man------------------- 2,600.00
Item h. For Airport Maintenance:

A. Personal Service:

A-1. Salaries:

Assistant Supervisor of Airports—$3,600.00
Airport Supervisors (5)---------- 8,000.00

Item 7. For Operation:

G. Equipment:

G-1. Motor Vehicle Equipment---------- 12,000.00

These items appear to be unnecessary, and make the total of the commission's appropriation much higher than is warranted by the service rendered by it to the public.

4. SECTION 77:

I veto the item in the last proviso to this Section reading: "but this provision shall not apply to employment by the General Assembly."

Under the proviso, a full time employee of any State department or institution is not permitted to receive any compensation or travel from any other department of the State government, except upon approval by the State Budget Commission.

If the principle established by the proviso is a good one, it should apply equally to all State employees, and not just to some.

Respectfully submitted,

J. Strom Thurmond,
Governor

March 27, 1946