Jim Justice

Governor of West Virginia

April 26, 2017

VIA HAND DELIVERY

The Honorable Mac Warner
Secretary of State
State of West Virginia
Building 1, Suite 157-K
State Capitol
Charleston, West Virginia 25305

Re: Enrolled Committee Substitute for Senate Bill 441

Dear Secretary Warner:

Pursuant to the provisions of section fourteen, article VII of the Constitution of West Virginia, I hereby disapprove and return Enrolled Committee Substitute for Senate Bill 441. This well-intentioned legislation establishes the Municipal Home Rule Pilot Program as a permanent program, provides all 234 West Virginia municipalities an opportunity to participate in the program, and resolves a pending legal issue before the Supreme Court of Appeals of West Virginia regarding the authority of municipalities to pass ordinances for the licensing and certification of certain public employees.

But Enrolled Committee Substitute for Senate Bill 441 expands the obligations of the Municipal Home Rule Board *without* addressing the costs or potential liabilities associated with these expanded obligations. The bill fails to address legal issues that have surfaced during the Pilot Program, including the Board's inability to retain legal counsel when necessary and the limits of a municipality's authority to adopt ordinances that supersede State statutes regarding the restrictions that can be placed on roadways under the jurisdiction of the Division of Highways. These shortcomings in the legislation require a veto of the bill.

Therefore, I disapprove and return Enrolled Committee Substitute for Senate Bill 441.

Sincerely,

Jim Justice
Governor

cc: The Hon. Tim Armstead
Speaker of the House of Delegates

The Hon. Mitch Carmichael
President of the Senate