



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

Post Office Box 12267
COLUMBIA 29211

June 10, 2005

The Honorable David Wilkins
Speaker of the House of Representatives
State House
Post Office Box 11867
Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

I am hereby vetoing and returning without my approval H. 3296, R-202, a bill that redirects certain state funding to the South Carolina Department of Transportation (SCDOT) for maintenance on non-federal highways. There are several reasons for my decision.

First, this legislation represents a problem in the budget going forward. The Board of Economic Advisors estimates this bill would ultimately shift revenues from the General Fund by about \$85 million a year to the SCDOT budget. Unfortunately, no plan was included as to how to address this decrease in other areas of the budget.

Second, the question is timing. Currently, the Legislative Audit Council is performing a review of the agency and will report its findings back to the General Assembly early next year. We believe this audit will provide valuable information to help the General Assembly and the administration with a clearer understanding of the strengths and weaknesses of the agency. We would encourage the General Assembly to hold off on considering additional funds until we have a better understanding of the agency as a whole.

An example is the Briggs-DeLaine-Pearson Bridge to be built between Lone Star and Rimini. This proposed project would be built over the Sparkleberry Swamp, one of the last pristine hardwood bottomland swamps. Meanwhile, there is a bridge six miles away in need of repair, but we do not have sufficient funds to provide the improvements. We have asked for a cost-benefit analysis of the proposed new bridge, because it will be state dollars that will ultimately be needed to maintain the structure.

Third, we have consistently advocated that any increase of funding should come with an increase in accountability. In 47 other states, the Department of Transportation is directly accountable to the Governor – either through appointment of the agency head or appointment of all of the Commission or Board. In the 1991 report entitled *Modernizing South Carolina State*

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Government for the Twenty-First Century by the South Carolina Commission on Government Restructuring, co-chaired by then-Lieutenant Governor Nick Theodore and now-Speaker David Wilkins, the Commission recommending making the Department of Transportation a cabinet agency. We believe any proposed increase in spending should come with reforms that increase accountability directly back to the voters of the state.

The agency's lack of accountability is not unique in our history. In 1935, Governor Olin D. Johnston actually declared the DOT to be in rebellion against the state and sent the South Carolina National Guard to occupy the agency. Little has changed about this island of government seventy years later and we believe the people should enjoy more accountability from an agency which represents 10 percent of the total state budget.

While we share concerns about the condition of roads, particularly secondary roads, in the state, we may very well be throwing good money into a flawed system. I would encourage the legislature to sustain this veto and come back next year after we understand better where we should focus our efforts on the agency. In addition, I will not sign any legislation providing more funding to the SCDOT without giving a far greater degree of accountability of the agency back to the taxpayers.

For these reasons, I am vetoing this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Sanford", with a long horizontal flourish extending to the right.

Mark Sanford