



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

POST OFFICE BOX 12267
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June 6, 2006

The Honorable André Bauer
President of the Senate
State House, 1st Floor, East Wing
Columbia, South Carolina 29202

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval S. 103, R-350.

S. 103 would establish a state process for licensing dietitians and make it unlawful for a person to call themselves a dietitian unless licensed. Licensure is predicated on either a bachelor's or a master's degree in a nutrition-related field and successfully completing a qualifying exam. The bill would also make it illegal for a person not licensed as a dietitian to hold himself or herself out as a dietitian, licensed dietitian, or use the letters "LD" behind their name.

There are many fine dietitians in South Carolina who do a great job of providing important information and counseling for people in our state and they are to be commended. This Administration shares their interest in helping people in South Carolina live healthier lives, as evidenced by our Family Fitness challenge and our Healthy South Carolina initiative.

Our Administration uses a two-part test in considering issues like this licensing bill. First, we believe there must be a compelling need for the government, rather than the private sector, to actually regulate the profession. That means that only through government intervention can consumers be protected. In many other areas, like college or high school accreditation, private organizations adequately separate the qualified from the unqualified.

Secondly, if there is indeed a compelling need for government to formally license members of a profession, we believe the standard used to determine who is qualified must be focused on outcome rather than process. Different people learn best in different ways: some learn best through schooling, others by apprenticeship or self-education. We believe licensing should focus on competency - not on *how* the applicant gained that competence.

A good example of this approach is with the securities profession. The government has determined that because incompetence on the part of securities brokers could cause clients to lose all wealth held in securities or liquid assets there ought to be a bar set for qualification. That

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bar involves passing a Series 7 or Series 63 exam to show qualification; it does not mandate any particular educational track.

Unfortunately, S. 103 is much more prescriptive, and I am, therefore, returning S. 103 to you without my signature.

Sincerely,

A handwritten signature in blue ink, appearing to be 'MS', is written above the name Mark Sanford.

Mark Sanford

cc: The Honorable R. Wesley Hayes, Jr.