



# State of South Carolina

## Office of the Governor

MARK SANFORD  
GOVERNOR

POST OFFICE BOX 12267  
COLUMBIA 29211

June 4, 2007

The Honorable Robert W. Harrell, Jr.  
Speaker of the House of Representatives  
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. 3490, R-72.

This bill mandates that circuit solicitors establish an alcohol education program in their respective circuits for persons ages 17-21 who commit certain alcohol-related offenses.

As we have stated many times, our bias rests in allowing those most directly accountable to the people – in this case, the circuit solicitor – to make decisions that affect the community. Without this legislation, solicitors already have the ability to implement an alcohol education program in the circuit they represent. There are solicitors who have already elected to do so and successfully run programs without Columbia intervention. Ultimately, I believe, the people who elect that solicitor should judge the merit of the program and how it is administered.

H. 3490 also gives repeat offenders a "second pass" without paying for the consequences of their actions. Existing law already allows first-time offenders to apply for Pre-Trial Intervention (PTI), which, in cases of alcohol use or drug use, can require an education class related to the offense. In essence, this legislation mandates a second loophole for offenders to use before there are any real consequences for their actions.

Finally, I ask the General Assembly to consider the message that this legislation sends to the people as a whole. It seems ironic that legislation weakening the penalties for alcohol-related offenses by minors sails through the General Assembly while legislation strengthening our weak DUI laws remains tied up in the legislative process. In fact, the DUI bill, H. 3496, was introduced only five days after the introduction of this bill. However, H. 3496 took a full two and half months longer to get voted out of the House than this legislation.

Today, roughly 40 percent of repeat DUI offenders plead guilty to a lesser offense. Not surprisingly, South Carolina currently ranks 9<sup>th</sup> in the nation in percentage of drunk drivers in fatal crashes. Meanwhile, H. 3496 languishes in a Senate committee. At some point, I ask that we put the victims and families of DUI crashes ahead of the needs of those who would, in this case, break the law.

For these reasons, I am vetoing H. 3490, R-72.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Sanford".

Mark Sanford

cc: The Honorable G.M. "Murrell" Smith  
The Honorable E.H. "Ted" Pitts