



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

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June 5, 2008

The Honorable Glenn McConnell
President *Pro Tempore*
South Carolina Senate
101 Gressette Building
Columbia, South Carolina 29202

Dear Senator McConnell:

I am writing to inform you that I have allowed S. 1329, R-316, to become law without my signature. This bill would create a special license plate that contains the words "I Believe" on it as well as a cross superimposed on a stained glass window.

Let me be clear up front that we are not concerned as some opponents are to the notion of a personalized license plate saying, "I Believe." While I do, in fact, "believe" - it is my personal view that the largest proclamation of one's faith ought to be in how one lives one's life. Galatians talks of the fruit of the spirit as peace, patience, kindness, gentleness and more - and, accordingly, if God is working in one's life, these things will say what no license plate will ever say. It is my view that the acrimony surrounding this debate would be well served with indeed a dose of patience, kindness and gentleness from both sides. From those who wish to express their faith, a little less strident nature in asserting it on others - and from those opposed, a little more patience in understanding the need of some with a strong faith to convey it in this manner.

It is also the administration's view that the Founding Fathers were very clear in their beliefs on allowing Americans full expressions of faith. Accordingly, if you want to spend your money this way, you can paint "I Believe" on the side of your house, on a billboard - or, in this case, on your license plate. We do, however, have two mechanical concerns with this legislation that will compel us to let it become law without my signature. First, it seems that the General Assembly has once again entered into the license plate creation business. Second, the General Assembly failed to designate an organization to be the recipient of any additional fees to be collected by the Department of Motor Vehicles (DMV).

Currently our DMV issues 352 different classifications of license plates. Recognizing the growing popularity of special license plates, and the need for each group to seek approval in the form of legislation, in 2006 the General Assembly passed legislation (S. 613) providing rules that certain nonprofit groups could utilize when seeking approval from the DMV for a new organization license plate. Our primary reason for supporting this legislation was to make it unnecessary to pass legislation every time a group of citizens desired a special license plate. This framework has proven very successful as 23 groups have utilized this process since 2006, with 12 new tags having been approved and 9 applications still pending.

In S. 613, the General Assembly also maintained the ability to create “special license plates.” The primary difference between the nonprofit plates and the special plates created by the General Assembly is that the plates nonprofit groups submit for approval may not include a phrase or motto; however, special license plates created by the General Assembly may contain a phrase. We assume this, rather than the political season, is why the General Assembly determined the framework set up for nonprofit groups – that has been very successful – would not be sufficient for this license plate. Our strong preference would have been for the “I Believe” tag to have used this process; however, we understand that there is currently a “motto” exception allowing legislative approval.

We believe that the successful framework that was established for nonprofit organizations should apply to all license plate applications. Last month I highlighted some of the “crazy” laws that have either received debate or been passed by the General Assembly. The point we tried to articulate then is the same point we are making now – while we understand that, in an election year, the temptation to pass politically popular legislation is tempting, ultimately we do not believe that these are the types of policies that the people of our state expect the General Assembly to be debating. The following is a sampling of special license plates created by the General Assembly: “In God We Trust,” “In Reason We Trust,” “Heritage Classic Golf,” “First in Golf,” “Surfrider Foundation,” “S.C. Elks Foundation,” “Lions International,” “NASCAR-Jeff Gordon,” “NASCAR-Rusty Wallace,” “No More Homeless Pets,” and “Gone Fishing.” My point with this list is not to diminish any group or their cause, but to make the point that we do not think the General Assembly needs to be spending its time approving license plates when the DMV can effectively administer this process. We believe the license tag creation process should be streamlined to charge the DMV with approving all license plates and allow the General Assembly to focus on the more pressing issues facing South Carolina. This is particularly the case when the state faces \$20 billion in unfunded political promises.

The second problem with this legislation is that no group is designated as the recipient of the additional fees the DMV collects for the issuance of the “I Believe” tag. Individual organizations seeking issuance of a new special license plate are allowed to request an additional fee that is used by the DMV to pay for the costs of producing and administering the plates, with any remaining portion of the additional fee distributed to the organization seeking issuance of the plate. In the past, the General Assembly has designated the organization that is to receive any remaining portion of the additional fees. For instance, in 2006 the General Assembly created a

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special "South Carolina Peach Council" license plate and designated the South Carolina Peach Council as the organization to receive the additional fees. The Legislature has also created a "Parrot Head" special tag and designated the South Carolina Parrot Head Club Council to receive the funds, but specified that the funds could only be used to support the Palmetto Chapter of the Alzheimer's Association and the Upstate South Carolina Chapter of the Alzheimer's Association. The General Assembly failed to designate a group to receive the additional fees collected for the "I Believe" tag.

Since the General Assembly failed to give direction on this point, we will propose the following structure and move accordingly at the DMV. Since many organizations are interested in seeking issuance of this special license plate – and since the DMV should not be forced to choose which group should be the organization to receive any additional funds – we believe it is appropriate to have no organization designated to receive any additional fees. The DMV will determine an amount that will cover the entire cost of producing and administering the new plates. Since there will be no remaining portion of the additional fees, there will be no need to have an organization designated. Upon receipt of 400 prepaid applications – as required by S.C. Code § 56-3-8100(A)(1) – the DMV will produce and distribute the "I Believe" license plates. We are fairly certain that the supporters of this special license plate are interested in simply placing the "I Believe" tag on their car – not in making money for a certain organization.

Again, our concerns are not with the substantive content of the "I Believe" license plate, but instead with an unnecessarily complicated process that involves the General Assembly passing legislation and the lack of a designated group to receive additional funds. For these reasons I am allowing S. 1329, R-316, to become law without my signature.

Sincerely,



Mark Sanford