



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

Post Office Box 12267
COLUMBIA 29211

February 15, 2005

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

Mr. Speaker and Members of the House:

I am hereby returning without my approval H. 3371, R-7, an Act:

TO AMEND ACT 587 OF 1994, AS AMENDED, RELATING TO THE CREATION OF THE CHESTERFIELD COUNTY BOARD OF ELECTIONS AND REGISTRATION, SO AS TO GIVE THE CHESTERFIELD COUNTY LEGISLATIVE DELEGATION THE SOLE APPOINTIVE POWERS FOR MEMBERS OF THE CHESTERFIELD COUNTY BOARD OF ELECTIONS AND REGISTRATION INSTEAD OF BEING APPOINTED BY THE GOVERNOR UPON RECOMMENDATION OF THE CHESTERFIELD COUNTY LEGISLATIVE DELEGATION.

This veto is based on my belief that this bill is unconstitutional. H. 3371, R-7 proposes to eliminate the requirement that the Governor appoint the members of the Chesterfield County Board of Elections upon the recommendation of the Chesterfield County Legislative Delegation and instead gives sole appointment powers to the delegation. As such, H. 3371, R-7, affects only Chesterfield County and is, therefore, clearly an act for a specific county. Such acts are in violation of Article VIII, Section 7 of the South Carolina Constitution, which provides that "[n]o laws for a specific county shall be enacted." Acts similar to H. 3371, R-7 have been struck down by the South Carolina Supreme Court as violative of Article VIII, Section 7.

For this reason, I am returning H. 3371, R-7 to you without my signature.

Sincerely,

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

Mark Sanford
Governor