



# State of South Carolina

## Office of the Governor

MARK SANFORD  
GOVERNOR

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February 15, 2005

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

Dear Mr. President and Members of the Senate:


I am hereby returning without my approval S. 254, R-3, an Act:

TO AMEND ACT 515 OF 1996, AS AMENDED, RELATING TO THE DEVOLUTION ON THE GOVERNING BODY OF GEORGETOWN COUNTY OF APPOINTMENT AND RECOMMENDATION FOR APPOINTMENT AUTHORITY OF VARIOUS GEORGETOWN COUNTY OFFICES FORMERLY HELD BY THE GEORGETOWN COUNTY LEGISLATIVE DELEGATION, SO AS TO PROVIDE THAT MEMBERS OF THE GEORGETOWN COUNTY BOARD OF ELECTIONS AND REGISTRATION MUST BE APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF THE GEORGETOWN COUNTY LEGISLATIVE DELEGATION.

This veto is based on my belief that this bill is contrary to the principles of home rule and it is also unconstitutional. S. 254, R-3 proposes to exempt the Board of Elections and Registration from the list of local offices that must be appointed by the local governing body of Georgetown County. This bill would undo a portion of Act 515 of 1996 which upheld the principles of home rule by devolving powers from the state level down to the local level. Furthermore, S. 254, R-3, affects only Georgetown County and is, therefore, clearly an act for a specific county. Such acts are in violation of Article VIII, Section 7 of the Constitution of the State of South Carolina, which provides that "[n]o laws for a specific county shall be enacted." Acts similar to S. 254, R-3 have been struck down by the South Carolina Supreme Court as violative of Article VIII, Section 7.

For this reason, I am returning S. 254, R-3 to you without my signature.

Sincerely,

  
Mark Sanford  
Governor