



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

Post Office Box 12267
COLUMBIA 29211

May 3, 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. 1352, R-282.

This bill is special legislation that would allow the security officers of the health service district in Lexington County to attend the state's Criminal Justice Academy, while not affording health service districts in other counties the same opportunity. The state constitution clearly prohibits the enactment of special legislation where a "general law can be made applicable." S.C. Const. Art. III, Section 34 (IX). Here a general statute could have been enacted that makes training at the academy available for all health service districts throughout the state.

The Lexington County Health Services District was formed by an ordinance of the Lexington County Council pursuant to S.C. Code § 44-7-2010. It is governed by a board of directors, the members of which are appointed by the county council. The District encompasses only Lexington County and it is, by statute, an agency of the county. Because there are similar county or regional health service districts in other parts of the state, this bill is 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. 1352, R-282, have been struck down by the South Carolina Supreme Court as unconstitutional special legislation.

For these reasons, I am vetoing and returning S. 1352 to you without my signature.

Sincerely,

A handwritten signature in black ink, appearing to be "MS" or similar initials.

Mark Sanford