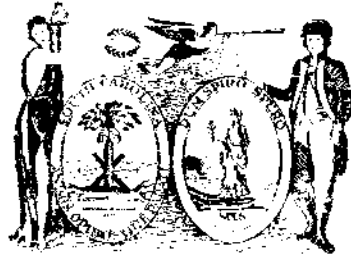


State of South Carolina
Executive Department

FILED

JAN 14 2005

Mark Hammond
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER No.

2005-02

WHEREAS, the City of Lake City Municipal Election Commission ("Commission") failed to set a run-off election for the District Five City Council of Lake City during the timeframe provided by Title 7 of the South Carolina Code of Laws due to protest hearings held following the November 2, 2004, election; and

WHEREAS, on January 13, 2005, I received a request from the Commission to set a run-off election for District Five; and

WHEREAS, the Commission has requested that the run-off election be held on January 18, 2005, and has stated that it has complied with the notice provisions in the South Carolina Code of Laws and the pre-clearance requirements of Section 5 of the Voting Rights Act of 1965; and

WHEREAS, Section 7-13-1170 of the South Carolina Code of Laws (1976), as amended, provides "when any election official of any political subdivision of this State charged with ordering, providing for, or holding an election has neglected, failed, or refused to order, provide for, or hold the election at the time appointed, or if for any reason the election is declared void by competent authority, and these facts are made to appear to the satisfaction of the Governor, he shall, should the law not otherwise provide for this contingency, order an election or a new election to be held at the time and place, and upon the notice being given which to him appears adequate to insure the will of the electorate being fairly expressed. To that end, he may designate the existing election official or other person as he may appoint to perform the necessary official duties pertaining to the election and to declare the result."


NOW, THEREFORE, pursuant to the authority vested in me by the Constitution and Statutes of the State of South Carolina, I hereby (a) order that a run-off election be held for the District Five City Council of Lake City on January 18, 2005, subject to pre-clearance approval by the United States Department of Justice, or at the earliest possible date and time after January 18, 2005, as is permitted by the United States Department of Justice; and (b) designate the City of Lake City Municipal Election Commission to perform the necessary official duties pertaining to the election to declare the result.



GIVEN UNDER MY HAND AND
THE GREAT SEAL OF THE
STATE OF SOUTH CAROLINA,
THIS 14th DAY OF JANUARY,
2005.



MARK SANFORD
Governor

ATTEST: 

MARK HAMMOND
SECRETARY OF STATE