

Executive Order 2002-36

(November 27, 2002)

WHEREAS, pursuant to resolutions of the Board of Education of the Jasper County School District dated September 18, 2002, and the Jasper County Election and Registration Commission dated October 3, 2002, a referendum for a sales tax and bond issue was scheduled to be held on December 7, 2002; and

WHEREAS, because of notice publication and absentee ballot preparation failures, the Jasper County Election and Registration Commission, the competent election authority, has declared that it is unable to conduct the referendum on December 7, 2002 as scheduled; and

WHEREAS, the Jasper County School District and the Jasper County Election and Registration Commission have requested a new referendum election date pursuant to Section 7-13-1170 of the South Carolina Code of Laws; 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 ensure 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 the sales tax and bond issue referendum election for the Jasper County School District originally scheduled to be held on December 7, 2002, be held instead on February 15, 2003, subject to preclearance by the United States Department of Justice; and
- B. Designate the Jasper County Election and Registration Commission perform the necessary official duties pertaining to the election, and to declare the result; and
- C. Direct the Jasper County Election and Registration Commission to take all necessary steps to ensure that the list of registered voters is as accurate as possible, that the electronic voting system is programmed appropriately, proper public notice procedures are followed, and that all necessary measures are taken to provide for absentee voting in connection with the referendum.

This Executive Order shall be effective immediately.