



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

Post Office Box 12267
COLUMBIA 29211

June 1, 2005

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:

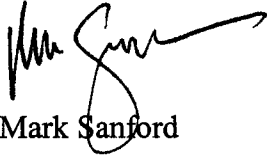
I am hereby returning without my approval S. 97, R-113.

This veto is based on my ultimate belief in the basic protection of property rights. This legislation significantly expands the purposes by which counties and municipalities can exercise eminent domain without the consent of the property owner. Though local governments have and continue to have the power to condemn abandoned or blighted property, this legislation empowers counties to include properties which may be blighted on several grounds not typically allowed under current practice. For instance, if agricultural land rental rates, depopulation of a county, or static per capita income serve as reasons that a county or municipal government may incorporate land into a redevelopment zone. These reasons have nothing to do with negligence by the owner, but rather the general economic conditions of the locale.

I believe extreme care must be taken to ensure that the awesome power of government to condemn private property is limited to instances where an overriding public purpose must be served. Property rights should be ended only in the most extreme circumstances, but typically only when the owner can no longer show a capacity to maintain the property or honor their fiduciary responsibilities. In addition, an overall public good, such as road construction, could serve as an acceptable means for condemnation. We should, however, avoid allowing for purposes well beyond the control of the owner or as a result of a greater public need.

For these reasons, I am returning S. 97 to you without my signature.

Sincerely,

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

Mark Sanford

Governor