

Executive Order 2001-04

(February 9, 2001)

WHEREAS, in the general election held on November 7, 2000, the voting machines in the St. Andrews Public Service District precincts failed to allow electors to vote for the candidate of their choice in each of the two district wide races; and

WHEREAS, the Charleston County Election Commission, competent authority, declared the election void; and

WHEREAS, the Charleston County Election Commission has requested a new election 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 provides ". . . 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"; and

WHEREAS, pursuant to Executive Order No. 2000-30 on November 17, 2000, I declared February 12, 2000 the date for the St. Andrews Public Service District election; and

WHEREAS, another date is necessary for the St. Andrews Public Service District election.

NOW THEREFORE, pursuant to the authority vested in me by the Constitution and Statutes of the State of South Carolina, I hereby:

- a. Declare that Executive Order No. 2000-30 is cancelled, rescinded and from this date declare null and void; and
- b. Order that an election for the St. Andrews Public Service District be held in Charleston County, for such offices as are due to be filled as provided by law, on April 3, 2001 as permitted by the United States Department of Justice; and
- c. Designate the Charleston County Election Commission to perform the necessary official duties pertaining to the election and to declare the result in carrying out the directives of this Executive Order.