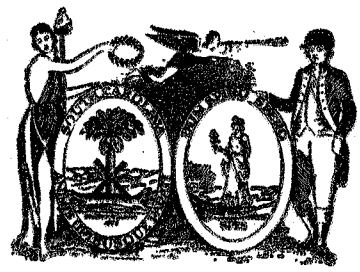
State of South Carolina
Executive Department



FILED

FEB 13 2003

Mark Hammond
SECRETARY OF STATE 8

Office of the Governor

EXECUTIVE ORDER NO.

2003-08

WHEREAS, following the November 5, 2002, election for Barnwell County Council District 4 sought by candidates E.T. Moore, Jr. and Jackie P. Ramsey, the Barnwell County Board of Canvassers found that irregularities had occurred in the election and thus, ordered a new election in Precinct 2; and

WHEREAS, on January 15, 2002, I received a letter from the State Election Commission (the "Commission") stating that, in its capacity as the State Board of Canvassers, the Commission voted unanimously to uphold the decision of the Barnwell County Board of Canvassers and request that a new election be held; 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

new election be held in Barnwell County, Precinct 2 for Barnwell County Council, District 4 referenced herein on April 22, 2003, or at the earliest possible date and time after April 22, 2003, as is permitted by the United States Department of Justice; and (b) designate the Barnwell County 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 18 DAY OF FEBRUARY, 2003.

MARK SANFORD
Governor

ATTEST:

MARK HAMMOND
SECRETARY OF STATE