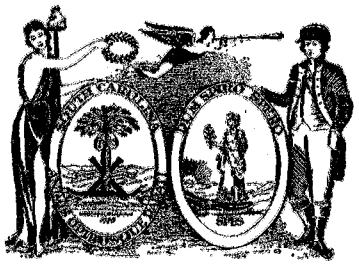
State of South Carolina

Executive Department

FILED

APR 2 2004

Mark Hammond
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER NO. **2004-10**

WHEREAS, the Florence County Voter Registration and Elections Commission (the "Commission") failed to meet notice requirements to hold elections for Florence County School District Three Board of Trustees due to legislation pending (S.832, R187) in the General Assembly that revises the method of elections for this school district and sets the elections for the second Tuesday in May of each year; and

WHEREAS, on February 18, 2004, S.832, R187 was enacted into law and was given preclearance approval under Section 5 of the Voting Rights Act of 1965 from the United States Department of Justice on March 29, 2004; and

WHEREAS, on March 15, 2004, I received a request from the Commission to set a new election for Florence County School District Three Board of Trustees on May 27, 2004, in order to comply with the notice provisions in the South Carolina Code of Laws and the preclearance 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 new elections be held for Florence County School District Three Board of Trustees on May 27, 2004, or at the earliest possible date and time after May 27, 2004, as is permitted by the United States Department of Justice; and (b) designate the Florence County Voter Registration and Elections Commission to perform the necessary official duties pertaining to the election and to declare the result.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 2nd DAY OF APRIL, 2004.

MARK SANFORD
Governor

ATTEST:

MARK HAMMOND
SECRETARY OF STATE