

STATEMENT BY J. STROM THURMOND, GOVERNOR OF  
SOUTH CAROLINA, WITH REGARD TO CONSTITUTIONAL  
AMENDMENTS. MARCH 23, 1949.

In response to many inquiries, I would like to make it clear that the Governor has no legal power to take any action whatsoever in the matter of ratification of amendments to the Constitution of the State of South Carolina.

A Constitutional Amendment automatically becomes law upon ratification by the General Assembly, and the Governor has no power of veto according to the office of the Attorney General, from whom I have received the following ruling:

"Section 1 of Article 6 of the Constitution provides for amendments. There are three separate and distinct steps necessary to an amendment. First, a resolution proposing an amendment to the Constitution must pass both Houses by two-thirds vote of each to submit the proposed amendment to the people in the next succeeding General Election. Second, the people must have an opportunity to vote on a proposed amendment. If the vote is favorable, the same should be reported to the next succeeding General Assembly. Third, at the next session of the General Assembly following a favorable election, the proposed amendment must be ratified by yeas and nays, and when so ratified, the same shall become a part of the Constitution.

"It should be remembered that the Constitution is a document adopted by a Constitutional Convention consisting of members elected by the people of the respective counties. The Governor as well as other constitutional officers are creatures of the Constitution, which fact alone would indicate that the office of Governor, itself, would not exist were it not provided for by the Constitution.

"The constitutional provision above referred to declares that when the amendment has been ratified by the Legislature in the manner prescribed, it shall become a part of the Constitution. Under this provision, it is my opinion the Governor could not veto an amendment duly ratified, and it is my opinion that, when ratified, it becomes a part of the Constitution without the necessity of the Governor's signature."