

STATE OF SOUTH CAROLINA

EXECUTIVE CHAMBER

COLUMBIA

MR. SPEAKER AND GENTLEMEN OF THE HOUSE OF REPRESENTATIVES:

I am returning to your Honorable Body House Bill No. 2107, and Act No. 841 entitled "TO CONSOLIDATE CERTAIN SCHOOL DISTRICTS IN CLARENDON COUNTY INTO A CONSOLIDATED HIGH SCHOOL DISTRICT; TO PROVIDE A BOARD OF TRUSTEES THEREFOR TO SUBMIT TO THE QUALIFIED ELECTORS OF SAID DISTRICT QUESTION OF ISSUING BONDS FOR SCHOOL PURPOSES AND TO PROVIDE FOR THE ISSUANCE OF BONDS UPON APPROVAL OF THE PEOPLE FOR SCHOOL PURPOSES AND TO PROVIDE FOR THE PAYMENT OF THE SAME."

This Act confirms and ratifies the creation of a consolidated high school district, and designates the Board of Trustees for said school district. The Chairmen of the respective Boards of Trustees of the component school districts compose the Board of Trustees for the consolidated high school district.

The Attorney General advises me that in his opinion, under the decision of the Supreme Court in the recent case of Ashmore et al. vs. Greater Greenville Sewer District et al., 211 S. C. 77, 44 S. E. (2d) 88, this Act is unconstitutional as to the newly created trustees.

They become Trustees of the consolidated high school district by virtue of their offices as Trustees of the component school districts, which is in violation of the Constitutional provision against dual-office holding.

I would suggest that another Act meeting the opinions of the Court and of the Attorney General be passed to effect the intent of this Act. A copy of the Attorney General's opinion is attached hereto.

In view of the above I hereby veto this Act.

Respectfully submitted,

J. Strom Thurmond  
Governor

March 6, 1950  
JST:mcj