

1978 WL 35005 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 28, 1978

*1 Honorable Archibald H. Buchan
Representative
District No. 59
Box 72
Mullins, SC 29574

Dear Representative Buchan:

You have requested an opinion concerning the validity of the Marion County Council voting procedure whereby the Chairman votes only in the case of a tie. You have inquired if this procedure does not violate the principle of 'one man, one vote.' It is the opinion of this Office that the voting procedure employed by the Marion County Council does not violate the principle of 'one man, one vote.' [Gray v. Sancers, 372 U.S. 368 \(1963\)](#); [Reynolds v. Sims, 377 U.S. 533 \(1964\)](#)

The principle of 'one man, one vote' is designed to preclude the dilution of any person's or group's vote and to assure that apportionment for State legislature is on the basis of population. In [Reynolds v. Sims](#), the Court stated that, '[f]ull and effective participation by all citizens in state government requires . . . that each citizen have an equally effective voice in the election of members of his state legislature.' This principle mandates that the apportionment of voting districts achieve reasonable mathematical equivalence so that the right of all votes are relatively equal. It does not apply to the voting procedure of the council once it is elected.

Very truly yours,

Treva G. Ashworth
Assistant Attorney General

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