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# The State of South Carolina



## Office of the Attorney General

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December 16, 1988

The Honorable Patrick B. Harris  
Member, House of Representatives  
Post Office Box 655  
Anderson, South Carolina 29621

Dear Representative Harris:

You have advised that the Anderson County Legislative Delegation had elected you to be temporary chairman at its last regular meeting. Further, it appears possible that the Delegation will not be able to reach a consensus on selection of its officers in the near future. You have asked whether you, as temporary chairman, may convene the Delegation and take up other items on the agenda, not related to selection of officers, prior to selection of more permanent Delegation officers, if consensus is not reached as to officers.

We are not aware of any provision of state law which requires a county legislative delegation to select officers prior to transaction of business coming before the delegation. Such selection appears to be a matter of policy and convenience. Robert's Rules of Order, Newly Revised at §46 states that the minimum essential officers for an organization to conduct business are a presiding officer and a secretary or clerk. Subsequent paragraphs in §§46 and 53 make it clear that a temporary chairman or presiding officer can conduct the business of the organization in the absence of a chairman. In the absence of any statutory prohibition or requirement relative to selecting a permanent slate of officers, it would appear proper to have the temporary chairman of a delegation preside over other business coming before the delegation, not related to selection of officers, until such time as the permanent chairman and remaining officers may be selected.

The Honorable Patrick B. Harris  
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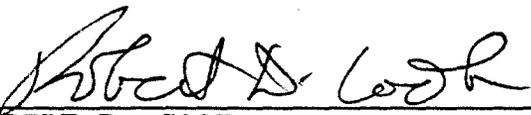
With kindest regards, I am

Sincerely,

*Patricia D. Petway*  
Patricia D. Petway  
Assistant Attorney General

PDP:sds

REVIEWED AND APPROVED BY:

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ROBERT D. COOK  
EXECUTIVE ASSISTANT FOR OPINIONS