

1977 S.C. Op. Atty. Gen. 33 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 7728, 1977 WL 24371

Office of the Attorney General

State of South Carolina

Opinion No. 77-28

January 21, 1977

*1 Representative Jarvis R. Klapman
125 Hendrix Street
West Columbia, South Carolina 29169

Dear Representative Klapman:

In response to your inquiry as to the appointive powers presently vested in the Lexington County Legislative Delegation (Delegation), Section 14–3714, CODE OF LAWS OF SOUTH CAROLINA, 1962, (Cum. Supp.) provides that as to all existing county boards and commissions, the county council shall have such appointive powers as may be authorized by the General Assembly. See, e.g., 59 STAT. 23 (1975); Act No. 734 of 1976. Otherwise, the appointive powers are to remain as they have heretofore been vested until January 1, 1980. At that time, the county council is to provide by ordinance for the appointment of the members of all county boards and commissions so that, after that date, the county council can vest the appointment powers theretofore held by the Delegation in itself. There is a limitation on this power, however, and that limitation is that the county council cannot alter the method of appointing the members of school district boards of trustees, of special purpose district commissions, of commissions of other political subdivisions or of boards or commissions whose method of appointment is provided for by the general law or by the Constitution [e.g., county boards of voter registration, county election commissions and county boards of social services.]

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

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