

1978 WL 35101 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 7, 1978

*1 Pamela A. Meyer
Legislative Aide
Senate Workmen's Compensation Study Committee
South Carolina State House
Columbia, South Carolina 29202

Dear Ms. Meyer:

Recently you requested an opinion from this Office concerning whether or not a State Highway Commissioner may also serve as a member of the Governor's Advisory Committee for the Improvement of Workmen's Compensation Law.

Previously I have discussed this matter with Bob Heilman of the South Carolina Code Commissioner's Office, and Mr. Heilman and I both agree that the Advisory Committee position does not constitute an office subject to constitutional restrictions on dual office holding. The reason for this is that the Committee acts in a purely advisory capacity, expends no public funds, and can take no binding action which would be construed as an exercise of the State's sovereign power.

Therefore, a State Highway Commissioner could also serve as a member of the Governor's Advisory Committee for the Improvement of Workmen's Compensation Law, in harmony with constitutional restrictions on dual office holding.

I hope this information will be helpful to you, and with kind regards, I am
Sincerely,

George C. Beighley
Assistant Attorney General

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