

1974 WL 27961 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
September 17, 1974

***1 Re: South Carolina Commission of Archives and History**

Col. Charles L. Anger
Department of History
The Citadel
Charleston, South Carolina 29409

Dear Colonel Anger:

You inquired recently as to whether or not an individual can serve as a member of the South Carolina Commission of Archives and History if he or she is more than seventy-two (72) years of age. It appears as if there is no such age limitation on appointees.

Section 61-103, South Carolina Code of Laws (1962), as amended, requires the mandatory retirement of state employees at age seventy (70), but provides further that it is inapplicable to appointive offices receiving per diem and/or travel allowances as total compensation. Members of the Commission who are not state employees fall within this latter category. Section 9-4(5), South Carolina Code of Laws (1962), as amended. Therefore, anyone who is otherwise qualified may be appointed to the Commission regardless of his or her age.

My wife and I enjoyed speaking with you and Mrs. Anger last Friday evening at the Citadel and I hope that we will have the opportunity of seeing you again in the near future. Let me know if I can be of any additional assistance to you.

Sincerely,

Dudley Saleeby, Jr.
Assistant Attorney General

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