

1974 WL 27471 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 4, 1974

*1 Honorable T. O. Bowen
Senator
District No. 12
P. O. Box 2093
Sumter, South Carolina 29150

Dear Senator Bowen:

Your letter of August 28, 1974, to Mr. McLeod has been referred to me for reply. I apologize for the delay in answering this letter; however, I have been out of the office for a period of time and only now have had the opportunity to respond to your letter. You have stated that you are unsure about the procedure for making appointments to various boards and commissions. The procedure to be followed, i.e., appointment directly by the Senate, majority of the delegation, appointment by the Governor, etc., is determined by the Code provisions dealing with each individual appointment. For instance, Section 23-51 of the Code of Laws states that the Board of Registration is made up of between three to five members appointed by the Governor with the advice and consent of the Senate. Therefore, the procedure for each appointment would have to be determined by the statutory or constitutional provisions concerning this appointment.

Additionally you have inquired what constitutes a majority of the Sumter Delegation which consists of four members of the House of Representatives and one resident Senator. South Carolina Code of Laws, 1962, as amended, Section 30-203.1 defines what constitutes a majority of a legislative delegation. Applying this statutory criteria to Sumter County, a majority would require two members of the House and at least one Senator.

Sincerely,

Treva Ashworth
Assistant Attorney General

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