

1983 WL 181847 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 15, 1983

\*1 The Honorable E. Harry Agnew, III  
House of Representative—Anderson County  
Box 1073  
Anderson, South Carolina 29622

Dear Representative Agnew:

You have asked this office for an opinion as to how the salary for the secretary of the Anderson County Legislative Delegation should be determined. You indicated that the delegation submitted to the county council an amount to be included in the annual county budget for the secretary's salary, but that the council refused to appropriate that amount and plans to appropriate a lesser sum.

The Home Rule Act provides expressly that the county councils shall provide office space and appropriations for the operation of the county legislative delegation office including compensation for staff personnel . . . The amount of such appropriations shall be determined by the legislative delegation and included in the annual county budget by the council. § 3, Act No. 283, South Carolina Acts and Joint Resolutions, 1975.

There is no provision of the Home Rule Act that would allow the county councils to refuse to appropriate the amount determined by the legislative delegation. For this reason, I would advise that the salary of the secretary of the legislative delegation is to be determined by the delegation and that the amount, so determined, must be included by the county council in the annual county budget.

Sincerely yours,

T. Travis Medlock  
Attorney General

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