

1983 WL 181981 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 29, 1983

*1 The Honorable T. Ed Garrison
Senator
District No. 1
Route 2
Anderson, South Carolina 29621

Dear Senator Garrison:

By your letter of August 8, 1983, you requested that the Office of the Attorney General review its opinion on the appointment of members of the Anderson County Fire Commission. The opinion dated July 29, 1980, stated that the Delegation retained the power to 'recommend and/or appoint 'the members of this Commission. In addition, the statute which created the Commission provided for the Commission members to be appointed by the Governor on the recommendation of the majority of the Anderson County Delegation, including the senator. See 52 STAT. 492 (1961), Section 1. [Section 4-9-170, Code of Laws of South Carolina \(1976\)](#) specifically exempts the appointment by County Council of members of the governing body of special purpose districts or other political subdivisions; the Anderson County Fire Commission would be such a special purpose district and thus County Council would not have the power to appoint members of the Commission.

As you requested during our telephone conversation, I am returning to you a copy of former Assistant Attorney General Karen Henderson's letter dated July 29, 1980.

Please do not hesitate to contact this office if questions should arise during the implementation of the provisions of this opinion.
With kind regards,

Patricia D. Petway
Staff Attorney

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