

The State of South Carolina



Office of the Attorney General

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March 2, 1993

The Honorable Michael L. Fair
Member House of Representatives
326-C Blatt Building
Columbia, South Carolina 29211

Dear Representative Fair:

You have requested the opinion of this office as to whether a school district may increase the size of its local advisory committee under the Comprehensive Health Education Act, S.C. Code Ann. § 59-32-5 et seq. (1990). Section 59-32-30 (B) provides, in part as follows:

To assist in the selection of components and curriculum materials, each local school board shall appoint a thirteen-member local advisory committee consisting of two parents, three clergy, two health professionals, two teachers, two students, one being the president of the student body of a high school, and two other persons not employed by the local school district. (emphasis added)

The following rule is applicable here:

The cardinal rule of statutory instruction is that words used therein must be given their plain and ordinary meaning without resort to subtle or forced construction to limit or expand [the statute's] operation. Hitachi Data Systems Corp. v. Leatherman, ___ S.C. ___, 420 S.E. 2d 843 (1992).

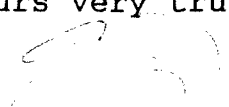
Paragraph B of Section 59-32-30 clearly states that the committee shall be a thirteen-member body and it enumerates the membership of that group. Therefore, the plain meaning of this provision is that only thirteen persons should be members of that committee. This conclusion is also consistent with the rule of construction that "...the enumeration of particular things excludes the idea

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of something else not mentioned." Pennsylvania National Mutual Casualty Insurance v. Parker, 282 S.C. 546, 320 S.E.2d 458, 463 (Ct. App. 1984). Here the enumeration of the members of this 13-member committee clearly excludes the idea of adding extra members not mentioned.


If you have any questions, please contact me.

Yours very truly,

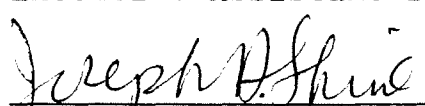

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