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The State of South Carolina



Office of the Attorney General

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January 9, 1990

The Honorable Michael T. Rose
Senator, State of South Carolina
Post Office Box 142
Suite 606, Gressette Senate Office Bldg.
Columbia, South Carolina 29202

Dear Senator Rose:

In a letter to this Office you questioned the practice of each member of a legislative delegation having an equal vote on matters coming before the delegation regardless of the population represented by such member. You also questioned whether such practice violates the "one man - one vote" concept.

I am enclosing copies of several prior opinions of this Office which are responsive to your inquiries. As stated in the opinion dated June 30, 1981:

a legislative delegation would constitute all Senators and those of Representative members who represent any part of a county... Each person elected to represent a portion of ...(a)...county would therefore be part of the ...County Legislative Delegation and would have votes equal to each other.

As to the "one man - one vote" concept question, the 1977 enclosed opinion stated that no authority was found which supported the applicability of such concept to a legislative delegation. The opinion stated that "...the authorities indicate that the one man one vote principle does not extend beyond the popular election of the particular legislative officers to include the appointment or other selection of non-legislative officials."

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If there is anything further, please advise.

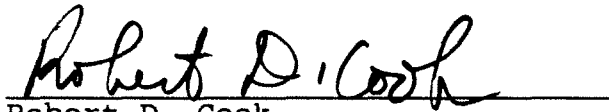
Sincerely,



Charles H. Richardson
Assistant Attorney General

CHR/nnw

REVIEWED AND APPROVED BY:



Robert D. Cook
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