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The State of South Carolina



Office of the Attorney General

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December 5, 1985

Lee M. Hawkins, Charleston County
Board of Registration Chairman
250 Belfast Road
Parkwood Heights
Charleston, South Carolina 29407

Dear Ms. Hawkins:

By your letter of November 7, 1985, you have asked the following question:

Does the Board of Registration have the power to hire or terminate administrative personnel of the Board?

The answer to your question is found in part in Section 7-5-20, Code of Laws of South Carolina (1984 Cum. Supp.), and in part in two prior opinions of this Office.

Section 7-5-20 of the Code provides for the appointment of deputy members of registration boards:

The board of registration of each county may appoint deputy members of the board, in numbers as may be necessary, whose terms shall be for a period of time as determined by the boards. The deputy members shall have the same powers and duties as regular members of the board. The clerk to each board may be made a deputy member of the board for the purpose of taking applications. [Emphasis added.]

Thus, boards of registration are authorized to appoint deputy registrars or clerks, as may be necessary.

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This conclusion is consistent with the opinions of this Office dated June 17, 1968 (Op. No. 2468) and September 25, 1964 (Op. No. 1732), copies of which are enclosed. In the latter opinion, it was stated that

the appointed members [of the Board of Registration for Darlington County], after organization, are empowered to employ such clerical help as is necessary to perform the duties [of voter registration], provided, of course, the funds therefor are available.

Thus, the boards of registration may employ or terminate clerical or administrative personnel who assist with voter registration. 1/

We trust that the foregoing has satisfactorily responded to your inquiry. If you need additional assistance, please advise this Office.


Sincerely,

Patricia D. Petway
Patricia D. Petway
Assistant Attorney General

PDP/an

Enclosures

REVIEWED AND APPROVED BY:



Robert D. Cook
Executive Assistant for Opinions

cc: The Honorable Glenn F. McConnell

1/ This opinion addresses only the authority to employ or terminate employees and does not comment on procedures to be followed in employment or termination of employment. Furthermore, whether administrative personnel may have acquired property rights in their employment is not addressed herein.