The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK ATTORNEY GENERAL REMBERT C. DENNIS BUILDING POST OFFICE BOX 11549 COLUMBIA, S.C. 29211 TELEPHONE 803-758-3970

February 21, 1985

Mr. B. F. Edmonds, Chairman McCormick County Historical Commission Post Office Box 578 McCormick, South Carolina 29835

Dear Mr. Edmonds:

By your letter to Attorney General Medlock dated February 12, 1985, you have asked what procedure should be used to appoint new members to the McCormick County Historical Commission.

The appointment procedure is specified by Section 1 of Act No. 201, 1975 Acts and Joint Resolutions, which provides:

> The commission shall be composed of six resident electors of the county to be appointed by the Governor upon the recommendation of the resident members of the McCormick County Legislative Delegation. The members shall serve for terms of two years and until their successors are appointed and qualify.

We do not find any indication that this act has been repealed by the General Assembly.

The only other consideration is whether the McCormick County Council may have adopted an ordinance pursuant to Section 4-9-170, Code of Laws of South Carolina (1976), to provide for the appointment of the members of the Historical Commission. This Office would have no way to know whether such an ordinance has been adopted but would suggest that the McCormick County Council or its clerk be contacted to determine whether such an ordinance may exist.

REQUEST LETTER

Continuation Sheet Number 2 To: Mr. B. F. Edmonds February 21, 1985

If you find that an ordinance has been adopted by McCormick County Council, pursuant to Section 4-9-170 of the state Code, that ordinance would be followed for appointment of new Commission members. If such an ordinance does not exist, then the provisions of Act No. 201 of 1975 would continue to be followed.

Sincerely,

Patricia D. Petway

Patricia D. Petway Assistant Attorney General

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REVIEWED AND APPROVED BY:

Robert D. Cook Executive Assistant for Opinions

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