

1983 WL 181795 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 15, 1983

*1 The Honorable Don S. Rushing
South Carolina Senate
506 Gressette Building
Columbia, South Carolina 29202

Dear Senator Rushing:

Pursuant to our telephone conversation of March 14, 1983, enclosed please find a prior published opinion of this Office concerning whether or not the one man, one vote principle would apply to a legislative delegation. 1977 Atty. Gen. Opn. 15 at 18. As I informed you on the phone this principle applies to the electorate having an equally weighted vote. Also, please see SOUTH CAROLINA CODE OF LAWS, 1976, Section 2-7-40 which defines what constitutes a legislative delegation in multi-county senatorial districts.

You also inquired if persons representing only a portion of a county shouldn't be given a smaller vote input in the legislative delegation of that county than a person who represents a larger portion of the county. I am enclosing several prior opinions of this Office in which we held that every member of the delegation would have an equal vote regardless of the amount of persons he actually represented in the county. (July 29, 1981, letter of Treva G. Ashworth to the Honorable Chris Pracht; June 30, 1981 letter of Treva G. Ashworth to the Honorable Chris Pracht; 1967 Attorney General's Opinion 25; November 18, 1966 letter of Daniel R. McLeod to the Honorable H. Odelle Harman.)

Sincerely,

Treva G. Ashworth
Senior Assistant Attorney General

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