

1983 WL 181855 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 20, 1983

\*1 The Honorable E. LeRoy Nettles, Jr.  
House of Representatives  
Florence County  
Box 699  
Lake City, South, Carolina 29560

Dear Representative Nettles:

This is in reply to the letter of March 31, 1983, signed by you and four other members of the Florence County Legislative Delegation, asking for my opinion as to whether the Legislative Delegation of Florence County of Florence County Council is responsible for appointing the five members of the Florence-Darlington County Commission for Technical Education from Florence County. I would advise you that the appointments should be made by the Delegation.

The Act creating the Commission provides that the appointment of members would be made by the Governor 'upon the recommendation of a majority of each legislative delegation, including the Senator from the respective county.' § 2, Act No. 67, South Carolina Acts and Joint Resolutions, 1963. Certain appointment powers and powers of recommendation for appointment for county boards and commissions were vested in the Florence County Council by Act No. 27, South Carolina Acts and Joint Resolutions, 1975. However, the Commission at issue here is not a county commission but is, rather, a multi-county commission. For that reason, Act No 27 of 1975 most probably would not apply. Therefore, the recommendation power for the Florence County members of the Florence-Darlington County Commission for Technical Education would remain with the Legislative Delegation. The provisions of [§ 2-7-40, Code of Laws of South Carolina](#), 1976 (as amended), would further apply.

Sincerely yours,

T. Travis Medlock  
Attorney General

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