

1979 WL 42781 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 29, 1979

\*1 William H. Seals, Esquire  
County Attorney  
Post Office Box 1041  
Marion, South Carolina 29571

Dear Mr. Seals:

In response to your request for an opinion as to the proper authority to recommend for appointment by the State Commission of Forestry the members of the Marion County Forestry Board (Board), my opinion is that the members of the Marion County Legislative Delegation (Delegation) are the proper recommending authority pursuant to [Section 48-33-50, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, which provides that the members of county forestry boards are to be appointed 'on the recommendation of a majority of the county legislative delegation in the House of Representatives and the Senator of such county.' Act No. 734 of 1976 [59 STAT. 2187 (1976)], which, as of July 1, 1976, devolves upon the Marion County Council certain appointive and recommendatory powers of the Delegation, does not affect the Board because the appointment of its members is provided for by 'the general law,' a method of appointment expressly excluded from the provisions of Act No. 734 of 1976.

With kind regards,

Karen LeCraft Henderson  
Senior Assistant Attorney General

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