

1982 WL 189439 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 24, 1982

\*1 James E. Gonzales, Esq.  
Attorney  
City of North Charleston  
Post Office Box 10453  
North Charleston, SC 29411

Dear Mr. Gonzales:

You have requested an opinion from this Office concerning the validity of the appointment by the Governor of three members, of the North Charleston Sewer Commission for terms of one year. You indicated that the appointments were made apparently inadvertently for a term of one year rather than for a term of two years as provided by statute. 58 STAT. 1092 (Act No. 600 of 1973). It is the opinion of this Office that the appointments as made are valid and that they are effective for the full legal term of two years.

As a matter of general law, an appointing authority cannot alter the term of office of an official which term is otherwise set by statute. [Newman v. Burrough of Fairlawn, 31 N.J. 279, 157 A.2d 314 \(1960\)](#). Therefore, the three individuals appointed for one year should be deemed lawfully appointed for a full term of two years.

Sincerely yours,

David C. Eckstrom  
Assistant Attorney General

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