

1980 WL 121018 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 29, 1980

*1 Mrs. Margaret H. Rush
Commissioner at Large
Post Office Box 544
Goose Creek, South Carolina 29445

Dear Mrs. Rush:

You have requested of this office an opinion as to whether the South Carolina Highway Commission can by regulation or custom prohibit a commissioner at-large from making recommendations as to including certain highway projects in the 'C' fund allocations of a particular county. You have stated that it is the custom of the Highway Commission to allow district commissioners to have the power to recommend and approve those projects which are going to be included for a particular county's 'C' fund program.

First of all, it should be pointed out that § 57-3-260 allows the commission to adopt its own rules and regulations but that I have found no written rule or regulation on this subject. The fact that you are an 'at-large commissioner' does not detract from any of the responsibilities of your office. Black's Law Dictionary defines 'at large' as not limited to any particular place, district, person, matter or question. Since you represent no real constituency, as do the Commissioners chosen from the various highway districts, you represent the interest of the State as a whole. In the opinion of this office you have the full powers of each and every commissioner and the right to make any recommendation you deem necessary before the full commission.

If I can be of any further assistance, please let me know.

Sincerely yours,

Richard D. Bybee
Assistant Attorney General

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