

1978 WL 35233 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

November 21, 1978

*1 Honorable Charlie G. Williams
State Superintendent of Education-elect

Honorable John T. Campbell
Secretary of State-elect

Honorable T. Eston Marchant
Adjutant General-elect

Honorable G. Bryan Patrick, Jr.
Commissioner of Agriculture

Honorable Grady L. Patterson, Jr.
State Treasurer

Honorable Earle E. Morris, Jr.
Comptroller General

Gentlemen:

Because I have received an inquiry from an insurance agency with respect to the bond coverage, I am setting forth the position which I have adopted as to the beginning and expiration of our terms of office.

The Constitution provides in Article VI, Section 7, that the Secretary of State, Attorney General, Treasurer, Superintendent of Education, Comptroller General and Adjutant General shall hold their offices for terms of four years, coterminous with that of the Governor. The term of the Governor is now fixed in the Constitution to begin at noon on the first Wednesday following the second Tuesday in January next after his election and ending four years thereafter. The statutes provide that the installation of the Governor shall take place on the third Tuesday in January following his election. Whether the statute will be made to conform to the Constitution is a matter which the General Assembly must adopt but there is no question as to the beginning of the terms, in my opinion, irrespective of the date of the installation.

I am today writing to Governor-elect Riley with respect to this matter.

With respect to the Commissioner of Agriculture, the statute provides that he hold office for a four-year term, beginning on the first day of January, 1963. I think it is clear that his beginning and ending date is therefore fixed at January 1 of quadrennial periods since 1963. As has been the accepted practice, he will be installed on the same date that we are installed even though his term may have already begun.

I will advise each of you as soon as the installation date for the Governor-elect is fixed.

With best wishes,
Cordially,

Daniel R. McLeod
Attorney General

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