

1975 S.C. Op. Atty. Gen. 11 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 3924, 1975 WL 22222

Office of the Attorney General

State of South Carolina

Opinion No. 3924

January 3, 1975

*1 Mr. Joseph F. Runey
Staff Counsel
Labor, Commerce and Industry Committee
House of Representatives
Columbia, South Carolina

Dear Mr. Runey:

In your letter dated December 17, 1974, you state that Representative T. W. Edwards, Chairman of the Ethics Committee of the House, has requested you to obtain from us an advisory opinion regarding whether we see any conflict of interest in Representative Kay Patterson, an employee of the South Carolina Education Association (SCEA), an eleemosynary corporation that has a registered lobbyist representing it, being appointed to serve on the House Education and Public Works Committee. We do not.

None of the House Rules cited by you, Rules 3.7 through 3.12 and Rule 4.16 [see letter Joseph F. Runey to Tolbert C. Goolsby (sic) December 17, 1974] can fairly be construed to prevent his appointment to that Committee or to any other.

On the other hand, before Representative Patterson takes action upon any measure in which he, as an employee of the SCEA, has a 'personal, private or professional interest' which would inure, even remotely, to his special gain whether financial or otherwise, or to the special gain of the SCEA, its members or employees, Rule 3.10, it seems to us, would require that he disclose the nature of his interest in a written memorandum and file it with the Ethics Committee, and should he have a direct pecuniary or personal interest in the measure, he should not vote thereupon.

Finally, Representative Patterson, it also seems to us, would be required by Rule 4.16(c)(ii) to file with the Ethics Committee appropriate statements setting forth the nature and sources of all 'fees, compensation and benefits of any nature' which he receives from the SCEA.

Kind regards,

C. Tolbert Goolsby, Jr.

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