

1975 WL 29023 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 22, 1975

*1 Harry J. Haynsworth, Esquire
Chairman of the Board
S. C. Commission for the Blind
Post Office Box 11638
Capitol Station
Columbia, SC 29211

Dear Mr. Haynsworth:

This is in reference to your letter inquiring as to whether or not a member of the Board of the S. C. Commission for the Blind would have to register as a lobbyist, specifically for activities relating to appropriations and other legislation in which the Board in question has an interest.

Section 30-155(c) of the 1962 South Carolina Code of Laws, as amended, provides:

The provisions of Section 30-152 [registration] are not intended and shall not be construed to apply to the following:

...

(c) Any duly elected or appointed official or employee of the State, the United States, a county, municipality, school district or public service district, when appearing only and solely in matters pertaining to his office and public duties.

You have noted that pursuant to the above-quoted statutory provision this Office has issued an opinion that the legislative liaison officer of the University of South Carolina would not have to register as a lobbyist. A similar opinion has also been issued, based upon the same authority, that the members and employees of the S. C. Municipal Association are likewise not required to register as lobbyist.

The S. C. Commission for the Blind was created pursuant to Section 71-291 of the 1962 South Carolina Code of Laws, as amended, which provides, *inter alia*, that members of the Commission shall be appointed by the governor with the advice and consent of the Senate. It is beyond question that the Commission is a statutory created State agency, and the members thereof are duly appointed officials of the State of South Carolina.

Therefore, it is the opinion of this Office that a member of the S. C. Commission for the Blind, being an official of the State of South Carolina, does not have to register as a lobbyist when appearing only and solely on matters pertaining to his office and public duties.

Very truly yours,

Donald V. Myers
Assistant Attorney General

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