

1973 WL 26922 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 11, 1973

*1 Mr. Robert E. Marvin
Robert E. Marvin and Associates
Walterboro, South Carolina 29488

Dear Mr. Marvin:

I regret that I have not previously answered your letter of September 19, wherein you asked if you may continue to serve as a member of the South Carolina Arts Commission and also as a member of the Governor's Beautification and Community Improvement Board. The records in the Secretary of State's Office show that your term on the last Board expired on June 1, 1973, that you have not been reappointed nor has a member been appointed to succeed you. You, therefore, sit on that Board as a 'hold-over' member.

In my opinion you are required to continue as a member of the Beautification and Community Improvement Board until your successor has been appointed. To remove any question of dual office holding, I would suggest that you not continue as a member of that Board should the Governor seek to reappoint you. It is my view that you are required to continue until your successor is appointed as a member of the Beautification and Community Improvement Board and that no question of dual office holding is involved in such continuance.

Therefore, you may continue to serve as a member of the Arts Commission but in my view you should decline reappointment to the Beautification and Community Improvement Board. It may be that dual office holding would not be involved in either event but the question can be completely removed from consideration by yielding your membership on the Beautification and Community Improvement Board to your successor whenever he is appointed.

Very truly yours,

Daniel R. McLeod
Attorney General

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