

From: Schimsa, Rebecca <RebeccaSchimsa@gov.sc.gov>
To: Pisarik, Holly <HollyPisarik@gov.sc.gov>
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Subject: CHE Chairman - Hofferth

Multiple AG Opinions have consistently taken the position that filling an unexpired term (or filling a vacancy; or serving a shortened term) does not constitute a "term" or a "full term".

- January 28, 1980
- August 13, 1981
- August 30, 1982
- April 11, 1984
- August 16, 1985
- September 1, 1988

Therefore, Hofferth may be (1) appointed to fill the vacancy in the position of Chairman on CHE until 7/1/2015; and then (2) appointed to serve as Chairman for a full four-year term until 7/1/2020. Hofferth may not serve as Chairman without being appointed as Chairman by the Governor with Senate confirmation, regardless of whether the appointment is to fill an unexpired term or is to serve a full term. *See 59-103-10(4): Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term; One at-large member may be appointed to serve as chairman for a term of four years and may be reappointed for one additional term but may only serve one term as chairman.*