

1983 WL 181710 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 17, 1983

*1 The Honorable Charlic G. Williams
State Superintendent of Education
State Department of Education
Rutledge Building
Columbia, South Carolina 29201

Dear Dr. Williams:

Thank you for your letter of January 10, 1983 in which you requested the opinion of this office as to whom the State Department of Education should earmark state funds for the salary of the Hampton County Superintendent of Education. See Act 466 § 28, Acts and Joint Resolutions of South Carolina, 1982. The department had been earmarking these funds for the Hampton County Board of Education and sending them to the Hampton County Treasurer; however, Act 549 of 1982 recently abolished the County Board of Education. See Ops. Atty. Gen. (November 23, 1982, by Emory Smith). You want to know how the changes in the Hampton school system affect your disbursement of the superintendent's salary.

Under Act 549, the duties of the county board devolve upon the boards of trustees of each of the two school districts in Hampton County. Because the county board formerly issued warrants for the payment of the superintendent's salary, the district boards should now do so. For simplicity, the approval of each board can be shown on the same warrant.

The funds for the superintendent's salary can be held in an account designated for that purpose. State funds sent by the Department of Education should be earmarked for that account, and any funds for the superintendent's salary which have already been sent can be transferred to that account. Checks can be written on the new account when the appropriate warrants are presented.

If you have further questions concerning this matter, please do not hesitate to contact me.

Yours very truly,

J. Emory Smith, Jr.
Assistant Attorney General

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