

1984 WL 250020 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 12, 1984

\*1 Dr. Bruce Rippeteau  
State Archeologist  
Institute of Archeology and Anthropology  
University of South Carolina  
Columbia, South Carolina 29208

Dear Dr. Rippeteau:

You have requested an opinion of this Office as to whether or not you as State Archeologist have the duty and responsibility to create a standardized site form for the utilization of everyone doing archaeological work in the State.

Yes. Section 22 of Act 512 of the 1984 Acts and Joint Resolutions provides in part that [a]s State Archeologist, the Director is responsible to the State for creating and maintaining the South Carolina Statewide Archaeological Site Inventory including site numbering system for the inventory and for creating the archaeological collections of the State. He shall act in an advisory capacity to the State Historic Preservation Officer for ensuring the adequacy of all archaeological research and the resulting reports of archaeological research carried on in the State by any individual, organization, or other entity whether private or public.

This language clearly places the responsibility upon the State Archeologist to create an archaeological site inventory. Further, the State Archeologist is required to 'ensure the adequacy of all archaeological research and the resulting reports . . .' (Emphasis added). These requirements make the State Archeologist ultimately responsible for the fulfillment of these functions regardless of whether the research and reports are performed by the State, individuals, organization or other entity, public or private. To ensure that the duties placed upon the State Archeologist are being properly fulfilled, at a minimum you may propound a uniform site form. This form would be for the purpose of fulfilling your statutory duty to create a Statewide Archaeological Site Inventory and to ensure the adequacy of the research and reports concerning archaeological research in the State.

Secondly, you have inquired if the State Archeologist should be the curator of archaeological artifacts. The portion of the statute quoted above provides that the State Archeologist has the responsibility ' . . . for curating the archaeological collections of the State.' This language would, therefore, require the State Archeologist to curate the State's archaeological artifacts.

Sincerely,

Treva G. Ashworth  
Senior Assistant Attorney General

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