

1977 S.C. Op. Atty. Gen. 173 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-228, 1977 WL 24570

Office of the Attorney General

State of South Carolina

Opinion No. 77-228

July 21, 1977

*1 Honorable John D. Long, III

Senator

Union County

Box 266

Union, South Carolina 29379

Dear Senator:

Your letter of July 1, 1977, inquires as to the authorization for the change in title of the former Fire Marshal, Jesse C. Johnson, to Fire and Safety Inspector.

The Fire Marshal's office is under the jurisdiction of the Budget and Control Board, and under that board is supervised by the Division of General Services. Section 23-9-10, Code of Laws, 1976. Until approximately May 1977, the classified position of Fire Marshal was held by Mr. Jesse C. Johnson. The Director of the Division of General Services has changed the title of State Fire Marshal to Director, Inspection Services, and State Fire Marshal. The position carries with it the duties and responsibilities of the State Fire Marshal as delineated in Sections 37-80, 81 and 82 of the Code of Laws, 1962, which is now carried forward in the 1976 Code as Sections 23-9-10, et seq. Mr. M. B. Robinson was appointed to this position.

Mr. Johnson has been given the title of Director, Fire and Life Safety, subordinate to the Director, Inspection Services, and State Fire Marshal. Mr. Charles O. Vaughan has been designated Fire and Life Safety Inspector and Deputy State Fire Marshal.

The statute places the duty of overseeing the work of the State Fire Marshal in the Budget and Control Board but directly under the Division of General Services.

In my opinion, the Director of General Services clearly has the authority to make such personnel changes as he, in his discretion, may determine will best serve the public interest.

I am informed that no salary changes have been effected by this modification of duties and responsibilities.

In my opinion, the action of the Director of General Services is within the scope of his statutory authority.

Very truly yours,

Daniel R. McLeod

Attorney General

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