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The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

CHARLES MOLONY CONDON
ATTORNEY GENERAL

March 7, 1997

E.W. Roberts, Chair
Piedmont Area Technical College Area Commission
Box 1467
Greenwood, SC 29648

Dear Mr. Roberts:

You have requested the advice of this Office as to what power or authority the above Commission has to "...encourage the count[ies] within the [Commission's service] district to pay its fair share." S.C. Code Ann. §50-53-1250 (1990) provides that "[t]he share of each participating county in the operating expenses of the district shall be determined by agreement between the district commission and the respective county governing bodies." (emphasis added). Giving this provision a plain reading indicates that the legislature left the matter of county funding of expenses to "agreement without further legislative guidance as to how agreement should be reached or funding determined."¹ Given the absence of other legislative direction, I suggest that you consider seeking legislative clarification as to the funding process. You may also want to confer with other multi-county area commissions or the State Board for Technical Education for suggestions.

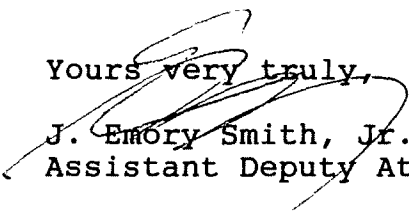
This letter is an informal opinion. It has been written by the designated Assistant Deputy Attorney General and represents the opinion of the undersigned attorney as to the specific questions asked. It has not, however, been personally reviewed by the Attorney General nor officially published in the manner of a formal opinion.

¹ The "...primary function in interpreting a statute is to ascertain the intention of the legislature...." Where the terms of a statute are clear and unambiguous, there is no room for interpretation, and we must apply them according to their literal meaning. South Carolina Department of Highways and Public Transportation v. Dickinson, 288 S.C. 134, 341 S.E. 2d 134 (1986).

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If you have further questions, please let me know.

Yours very truly,


J. Emory Smith, Jr.
Assistant Deputy Attorney General

JESjr