



The State of South Carolina  
OFFICE OF THE ATTORNEY GENERAL

CHARLES MOLONY CONDON  
ATTORNEY GENERAL

September 15, 1995

Mrs. Roxanne D. Wilson  
Member, South Carolina State Board of Dentistry  
Department of Labor, Licensing and Regulation  
3600 Forest Drive  
Columbia, South Carolina 29204

Re: Informal Opinion

Dear Mrs. Wilson:

Thank you for your recent inquiry as to whether the Director of the Department of Labor, Licensing, and Regulation (LLR) exceeded his statutory authority when he refused to authorize travel at state expense for a member of the S.C. State Board of Dentistry. South Carolina Attorney General Charles Condon has asked me to respond.

As you know, the South Carolina Government Restructuring Act of 1993 (Act No. 181 of 1993) incorporated the Board of Dentistry into the Department of LLR. (See § 1-30-65 (Supp. 1994).) Accordingly, one must examine § 1-30-10(D), which delineates the duties of the executive branch's governing authorities, to ascertain whether the Director's actions exceed the scope of his authority. In relevant part, § 1-30-10(D) provides, "[t]he governing authority of a department is vested with the duty of overseeing, managing, and controlling the operation, administration, and organization of the department." (Emphasis added.) In interpreting a statute, the primary objective of both the courts and this Office is to effectuate the legislature's intent if at all possible to do so. Bankers Trust of South Carolina v. Bruce, 275 S.C. 35, 267 S.E.2d 424 (1980). Moreover, this Office has long recognized that in the absence of ambiguity, words must be applied literally. State v. Goolsby, 278 S.C. 52, 292 S.E.2d 180 (1982).

The plain and unambiguous language of §§ 1-30-10 and 1-30-65 grant the Director plenary authority to oversee, manage, and control the operation, administration, and

Mrs. Wilson  
Page 2  
September 15, 1995

organization of the Department of LLR into which the Board of Dentistry has been transferred, and incorporated. Therefore, since these statutes neither expressly nor implicitly limit the Director's authority in regard to approving or disapproving state authorized travel, this Office cannot say that the Director's actions in this matter exceed the powers conferred by the Legislature.

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

Again, thank you for contacting the Office of the Attorney General. I trust the above information is responsive to your inquiry. If I can be of assistance to you in the future, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, reading "Zeb C. Williams, III".

Zeb C. Williams, III  
Deputy Attorney General

ZCW,III/an