

1980 WL 121108 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 20, 1980

*1 Honorable Richard W. Riley
Governor
State of South Carolina
State House
Columbia, South Carolina 29211

Dear Governor Riley:

In response to your request for an opinion from this Office regarding the constitutionality of an act of the General Assembly which increases the membership of the Clarendon Hospital District Board of Trustees and alters the method of selecting them, my opinion is that such legislation is most probably violative of the 'no laws for a specific county' language of [Article VIII, Section 7 of the South Carolina Constitution](#) as interpreted by the South Carolina Supreme Court in [Torgerson v. Craver, 230 S.E.2d 228 \(1976\)](#), and in [Cooper-River Park and Playground Commission v. The City of North Charleston, — S.C. — \(Opinion No. 21031 filed August 16, 1979\)](#). See also, e.g., [§ 6-11-410, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended; [§§ 6-11-810 et seq., CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended; 59 STAT. 331 (1975); 59 STAT. 1659 (1976).

With kind regards,

Daniel R. McLeod
Attorney General

ATTACHMENT

HOUSE AMENDMENTS AMENDED

February 27, 1980

Calendar No. S. 871

Introduced by SENATOR LAND

Printer's No. 286-11.

Read the first time February 19, 1980.

A BILL

To Amend Section 2 of Act 375 of 1947, as Amended, Relating to the Clarendon Hospital District Board of Trustees, so as to Increase its Membership and to Change the Manner of Appointing the Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 375 of 1947, as last amended by Act 309 of 1977, is further amended to read:

'Section 2. The Clarendon Hospital District shall be governed by a board of nine members to be known as the Clarendon Hospital District Board of Trustees. The members of the board shall be residents of the county, eight of whom shall be appointed

by the governing body of the county. One of the appointed members shall be a licensed physician. The chief of the medical staff of the Clarendon Memorial Hospital shall be a member, ex officio, without voting privileges. The terms of members shall be for five years and until their successors are appointed and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. The board shall elect a chairman, a vice-chairman, a secretary and such other officers it deems necessary. The board may appoint a treasurer who shall give bond in such amount as the board may require and he shall receive and pay out all monies as directed by the board. The board shall adopt an official seal and shall keep minutes of all meetings and records of all transactions.'

SECTION 2. This act shall take effect upon approval by the Governor.

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