

1977 WL 37216 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 7, 1977

*1 Herbert L. Novit, Esquire
Attorney at Law
P. O. Drawer 1027
Beaufort, South Carolina 29902

Dear Mr. Novit:

In response to your request for an opinion from this Office as to whether or not the Board of Regents of the Beaufort County Memorial Hospital can negotiate a contract for the construction of hospital improvements without the necessity of advertising publicly for bids, I agree with your conclusion that it can so negotiate. The provisions of Section 32-814, CODE OF LAWS OF SOUTH CAROLINA, 1962, which require bid advertisements depending on the law and custom vis a vis other county buildings, clearly appear to apply only to hospital facilities constructed pursuant to Article 3, Chapter 3 of Title 32.

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

ATTADHMENT

OPINION NO. 77-6

January 6, 1977
Attorney at Law

Spartanburg, South Carolina

Section 47-52 authorizes a municipal council to appoint a municipal judge and a municipal attorney rather than the Mayor appointing these positions.

BY: Karen LeCraft Henderson
Assistant Attorney General

ATTACHMENT

OPINION NO. 77-7

January 6, 1977
: Executive Director

South Carolina Department of PRT

The Department of Parks, Recreation and Tourism cannot by its own authority convey land.

BY: Kenneth P. Woodington

Assistant Attorney General

ATTACHMENT

OPINION NO. 77-8

January 7, 1977

There are no provisions of the Home Rule Act which require County Council members under any of the four council forms to post performance bonds.

Secretary of State

Columbia, South Carolina

In response to your request for an opinion from this Office as to whether or not the county council members under any of the four council forms established by the provisions of Act No. 283 of 1975, the 'home rule' legislation, are required to post a performance bond, the opinion of this Office is that there is no such requirement imposed by the provisions of that Act. Of course, a county would be free to impose such a requirement by ordinance if it should desire. Moreover, as to any county that is presently operating under the board of commissioners form until such time as it can effect the change to a constitutional form of county government, Section 14-3785.8, Code of Laws of South Carolina, 1962, as amended (Cum. Supp.), does require those commissioners to post such a bond in the amount of five thousand (\$5,000.00) dollars.

BY: Karen LeCraft Henderson

Assistant Attorney General

ATTACHMENT

OPINION NO. 77-9

January 10, 1977

Director

Sales and Use Tax Division

South Carolina Tax Commission

Eyeglasses that are sold by prescription of a person authorized by law to issue the same and that replace a missing part of the eye are exempt from the sales tax.

BY: Joe L. Allen, Jr.

Deputy Attorney General

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