

1979 WL 43169 (S.C.A.G.)  
Office of the Attorney General  
State of South Carolina  
November 14, 1979

**\*1 RE: Opinion Request Concerning Act 164 of 1979**

The Honorable William L. Shipley  
Master-In-Equity  
Berkeley County  
212 East Main Street  
Moncks Corner, South Carolina 29461

Dear Judge Shipley:

Thank you for your recent letter concerning the above. You have asked the opinion of this Office concerning 'whether the County Council of Berkeley County will have to take into consideration the yearly fees' of your office as Master-In-Equity in providing a salary for the remainder of your current term.

[Section 14-11-30, Code of Laws of South Carolina](#), 1976, as amended by Act 164 of 1979, provides in part:

A master-in-equity shall be compensated in such amounts as may be provided and appropriated by the governing body of the county in which such master-in-equity shall serve; . . .

A proviso within the above section prohibits counties from paying full-time masters less than they were receiving on June 15, 1979. However, since your position was and remains part-time, this proviso is not applicable to your situation.

Section 22 of PART 2 of Act 164 of 1979, provides:

Notwithstanding the provisions of this PART the salaries of masters-in-equity serving on the effective date of this act shall not be reduced during their current terms.

This provision apparently applies to a part-time master such as in Berkeley County. Since the fees of the office on and prior to the effective date of this Act and during your current term constituted a part of the salary for the position, they must be considered in determining your salary during the remainder of your current term.

With kind regards,  
Very truly yours,

Edwin E. Evans  
Assistant Attorney General

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