

1978 WL 35284 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 4, 1978

***1 Re: Legal Eligibility of the Office of the Governor, Division of Administration for Urban Mass Transportation Administration Funds**

Mr. Joe Wickel
Director
Office of Community Development
Division of Administration
Room 308, Edgar A. Brown Building
Columbia, SC 29201

Dear Mr. Wickel:

I have reviewed the executive orders of the Governor of South Carolina establishing the Division of Administration as well as the prior opinions and correspondence issued during the past ten years to officials thereof. It has been and continues to be the opinion of this Office that the Office of the Governor, Division of Administration, is an eligible applicant for, and recipient of, planning assistance funds. In this regard, I hereby certify that:

1. The Office of the Governor, Division of Administration, is a legal entity qualifying as a 'public agency'.
2. The Office of the Governor, Division of Administration, is legally authorized to provide the type of planning assistance and/or perform the type of planning work proposed in the application.
3. The Office of the Governor, Division of Administration, is empowered to receive and expend federal funds and to provide or obtain and expend other available funds.
4. The Office of the Governor, Division of Administration, is empowered to contract with the United States of America or governmental agencies thereof for the purpose of receiving and expending federal funds.

Yours very truly,

John P. Wilson
Senior Assistant Attorney General

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