

1975 WL 29018 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 18, 1975

\*1 The South Carolina ETV Network may purchase from the University of South Carolina required parking facilities, subject to the approval of the Educational Television Commission and the State Budget and Control Board.

Director  
Division of Special Services  
South Carolina ETV Network

QUESTION PRESENTED:

May the South Carolina ETV Network purchase one floor of the University of South Carolina's parking garage in order to provide parking under ETV's planned facility in the University's new Cultural Complex?

STATUTES INVOLVED:

Section 21-60.3 of the 1962 Code of Laws of South Carolina, as amended, states in pertinent part:

The Commission may purchase, lease or otherwise acquire and operate such educational television, radio, and related equipment and facilities as are required to develop, promote and extend educational programs to meet the needs of the State and its citizens.

DISCUSSION OF ISSUES:

Regarding the initial question of whether state agencies may contract among themselves for service and facilities, it is settled in this State that such arrangements may be made, provided the state agencies involved have been granted the power to contract and there otherwise exists no statutory or other prohibition against the specific action contemplated. The South Carolina ETV Network is granted such power to contract under Section 21-60.3, and our research has revealed no statutory prohibition against the arrangement you contemplate.

Regarding the specific purposes of the proposed purchase, Section 21-60.3 provides authority for ETV to purchase equipment and facilities which are required in order for it to meet its responsibilities as directed in the statute. It appears that parking spaces for employees might possibly be construed as being required within the purposes of this provision. However, any such construction and exercise of that authority by your agency, as you correctly note in your request, would be subject to final approval by the Educational Television Commission and the State Budget and Control Board following their respective determinations that such action is proper and within the stated statutory purposes.

CONCLUSION:

Therefore, it is the opinion of this Office that the South Carolina ETV Network may purchase from the University of South Carolina such parking facilities as are required to fulfill the purposes of Section 21-60.3, subject to the approval of the Educational Television Commission and the State Budget and Control Board.

Richard P. Wilson  
Assistant Attorney General

1975 WL 29018 (S.C.A.G.)

---

End of Document

© 2018 Thomson Reuters. No claim to original U.S. Government Works.