

1974 WL 27153 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 14, 1974

***1 RE: Use of cooperative funds from private industry by State agencies**

Mr. F. Earl Ellis
Deputy Director
State Development Board
Post Office Box 927
Columbia, SC 29202

Dear Mr. Ellis:

Your letter of September 6, 1974, has been referred to me for answer. You request an opinion as to whether or not a State agency may accept cooperative funds from private industry in a project designed to increase the mining of barite in the State of South Carolina. The private company, industrial Minerals, Inc. is willing to contribute \$2,000.00 toward the development of this program, even though they understand they will not be given the preferential treatment.

One of the purposes of the Department of Development and the State Development Board is 'to assist the development of existing State and interstate trade, commerce and markets for South Carolina goods and in the removal of barriers to the industrial, commercial and agricultural development of the State.' Section 9-303(7), Code of Laws of South Carolina (1962). Furthermore, pursuant to Section 9-309(11), the State Development Board has the authority to 'accept gifts, grants, funds, property or services for the purpose of accomplishing its objectives and to dispose of such property and services as it may no longer need, subject to the approval of the State Budget and Control Board.' In light of Section 9-303 and 9-309, this Office sees no reason why the Division of Geology may not enter into a cooperative funding situation with Industrial Minerals, Inc., as long as the Division has the approval of the State Budget and Control Board as provided in Section 9-309(11).

Yours very truly,

M. Elizabeth Crum
Assistant Attorney General

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