

The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

October 26, 1989

John C. Hankinson, Jr.
Deputy Director
South Carolina State Development Board
Post Office Box 927
Columbia, South Carolina 29202

Dear Mr. Hankinson:

You have inquired who the State Development Board may work with on a local county level in matters of economic development and under what authority the Board acts.

The powers, purposes and authority of the State Development Board are set out in South Carolina Code of Laws, 1976, Section 13-3-10 et seq., which is the Board's enabling Act. Section 13-3-20 states that

[t]he purpose of this chapter is to establish a State agency which will conduct an adequate State-wide planning program and a State-wide program for the stimulation of economic activity to develop the potentialities of the State.

This statute goes on to list the objectives of the agency which includes the following stated purposes at sub-sections 1, 2, 5, 6, 7, 8 and 9 respectively:

[t]o conserve, restore, and develop the natural and physical, the human and social and the economic and productive resources of the State;

[t]o promote coordination of the functions of the various agencies of the State and to act as official liaison between the State, Federal and local planning, research and development agencies;

John C. Hankinson, Jr.
October 26, 1989
Page Two

[t]o promote public interest in the development of the State through cooperation with public agencies, private enterprises and charitable and social institutions;

[t]o promote and encourage private business and commercial enterprise...;

[t]o assist development of 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;

[t]o assist in ensuring stability in employment, to increase the opportunities for employment of the citizens of the State and to devise ways and means to raise the living standards of the people of the State;

[t]o advance the general welfare of the people[.]

Further, the State Development Board is given the authority at Section 13-3-90, subsections 4, 6, 9 and 10 of the Code

[t]o conduct studies on its own initiative pertaining to any of its objectives and others at the request of...local agencies;

[t]o stimulate and encourage all local ...agencies with similar and related objectives...and to cooperate with local, regional and Federal planning and development programs;


[t]o provide information to and make contact with private business enterprise and local ...agencies by any form of communication for the purpose of acquainting such individuals and organizations with industrial, agricultural and commercial opportunities in the State and for the purpose of encouraging the establishment of new or the expansion of existing industries and enterprises;

John C. Hankinson, Jr.
October 26, 1989
Page Three

[t]o provide advice upon request by local ...agencies and by private citizens and business and commercial enterprises upon matters of economic development...upon which it has knowledge, sources of information and the findings of the Board qualify it to speak[.] 1/

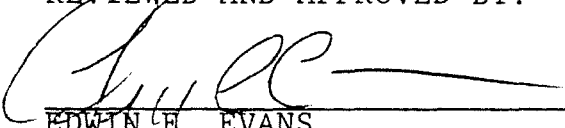
Therefore, by statute, the State Development Board is given the broad authority to accomplish its objectives by dealing with not only local agencies but with a broad spectrum of persons and groups including private citizens and private business enterprises.


Very truly yours,


Treva G. Ashworth
Senior Assistant Attorney General

TGA:bvc

REVIEWED AND APPROVED BY:


EDWIN E. EVANS
Chief Deputy Attorney General


ROBERT D. COOK
Executive Assistant for Opinions

1/ A "local agency" is defined by the Code as meaning a local political subdivision of the State, South Carolina Code of Laws, Section 13-3-30(2).