



ALAN WILSON
ATTORNEY GENERAL

October 27, 2015

The Honorable Wendy Nanney, Chairman
Greenville County Legislative Delegation
301 University Ridge, Suite 2400
Greenville, SC 29601

Dear Chairman Nanney:

You have asked for our opinion regarding the following issues:

- 1) “Whether the Greenville County Legislative Delegation has the authority to obtain legal counsel or to request appropriation of funds to obtain legal counsel to take action against the Greenville Health System.”
- 2) “Whether the Greenville County Legislative Delegation has authority to instruct the GHS Board, or any other entity, to take an action or not.”

LAW/ANALYSIS:

With respect to your first question, the answer is “yes.” Of course, the Delegation may employ legal counsel and this Office possesses no role in the approval of such counsel. See § 1-7-170 (Attorney General is not required to approve an attorney hired by the General Assembly).

With respect to your second question, the answer is “no.” This issue was addressed in our previous opinion to you, dated September 28, 2015, in which we stated:

With respect to any questions concerning the role of the Legislative Delegation in this matter, we note that Act No. 105 of 2013 requires that members of the GHS Board “must be appointed by the Greenville County Legislative Delegation. . . .” Thus, as we recently stated in another similar context, “[t]he Legislative Delegation in our view, possesses the appointment authority, but not the supervision . . . authority. . . .” See Op. S.C. Att’y Gen., 2012 WL 6061812 (November 26, 2012). See also Knotts v. S.C.

The Honorable Wendy Nanney

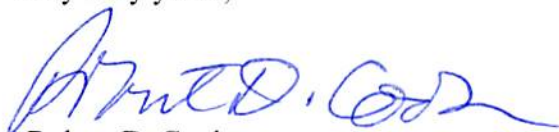
Page 2

October 27, 2015

Dept. of Natural Resources, 348 S.C. 1, 558 S.E.2d 511 (2002). In addition, of course, the Delegation would play a major role in any amendment or modification of the statutes relating to the GHS Board.

I trust this responds to your inquiry. With kind regards, I remain

Very truly yours,

A handwritten signature in blue ink, appearing to read "Robert D. Cook". The signature is fluid and cursive, with a large initial "R" and "C".

Robert D. Cook
Solicitor General