

1977 S.C. Op. Atty. Gen. 109 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-129, 1977 WL 24471

Office of the Attorney General

State of South Carolina

Opinion No. 77-129

April 29, 1977

*1 The Honorable C. Alexander Harvin, III
Member
House of Representatives
Clarendon County
Box 266
Summerton, South Carolina 29148

Dear Mr. Harvin:

Thank you for your letter of April 26, 1977, enclosing a Resolution of the Town Council of the Town of Manning, which requests the General Assembly to enact legislation to abolish the Town of Manning Water Commission and to vest its powers, functions and assets under the control of the municipal government of the Town of Manning.

You inquire whether Statewide legislation will be necessary to accomplish the objectives of the Town Council of Manning.

I advise that, in my opinion, a general law will be required in order to vest the powers of waterworks commissions in town councils. At the present time, commissioners of public works are provided for by Sections 59–171, *et seq.*, and exist in some towns of the State; in other municipalities they are subject to various powers of various governmental authorities. To accomplish the objectives of the petition would be to vest powers in the Town of Manning, which powers are possessed by some, but not other, towns and, in my opinion, special legislation toward this end would be in violation of Article VIII, Section 10 of the Constitution of the State, which provides that no laws for a specific municipality shall be enacted—.

I therefore advise that, in my opinion, Statewide or general legislation would be necessary to abolish the Town of Manning Water Commission and to vest its powers and authority in the Town of Manning.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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