

1979 WL 43029 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 28, 1979

***1 RE: Opinion Request/Sumter Area Technical College**

Mrs. Maxine R. Bowles
Commissioner
S.C. Commission for the Blind
1430 Confederate Avenue
Columbia, SC 29201

Dear Mrs. Bowles:

I am writing in response to your request for the opinion of this Office regarding negotiations between the Commission and Sumter Area Technical College concerning a Commission for the Blind vending facilities located on the Technical College premises. As I understand the correspondence which has been provided to me, Sumter Area Technical College seeks to renegotiate the present arrangements entered into with the Commission and has proposed two alternatives. You asked the opinion of this Office regarding the legality of each alternative.

The first suggestion made by the Technical College is that the College be released from the present agreement with the Commission with the understanding that the present blind operator of the facility will continue to operate the facility as a State employee of the College. Excess revenues from the present facility will go towards providing expanded facilities at the College. Act 565 of 1978 permits the South Carolina Commission for the Blind to release public property from present contractual arrangements.

The second alternative which is suggested by the College is that if the Commission determines that it does not wish to enter into the request in the first arrangement, that the Commission may decide to share the expense of constructing an expanded facility which would increase revenues for your agency. There appears to be nothing wrong with such a suggestion. Any such arrangement, would, of course, be subject to available funds. However, the Commission certainly possesses the power if it feels it is appropriate to expand existing facilities.

It is therefore the opinion of this Office that the suggestions made by Sumter Area Technical College do not run contrary to the law and that any decision to accept or reject these suggestions would be within the sound discretion of the South Carolina Commission for the Blind.

I hope this has been of some assistance to you. If you have any further questions, please do not hesitate to contact me.
Very truly yours,

Katherine W. Hill
Assistant Attorney General

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