

1979 WL 43437 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 29, 1979

*1 W. L. Bethea, Jr., Esquire
Harvey, Battey & Bethea, P.A.
Bankers Trust Office Park
Pope Avenue
Post Office Box 5010
Hilton Head Island, South Carolina 29928

Dear Mr. Bethea:

You have requested an opinion whether the Hilton Head Public Medical Clinic District (hereinafter District) is empowered to provide financial assistance to the Hilton Head Island Rescue Squad (hereinafter Rescue Squad). It is the opinion of this Office that the District may not provide financial assistance to the named Rescue Squad.

The powers of the District are set out at § 4, Act No. 1346, ACTS AND JOINT RESOLUTIONS, South Carolina, 1970. Those powers are limited to the operation of a medical clinic. The proposed assistance to the Rescue Squad would include purchasing ambulance equipment and providing physical facilities to house that equipment. These proposed actions by the District go beyond its enumerated powers.

It is a general rule that the powers of a public service district are construed strictly. § 30H.04, ANTIEAU, LOCAL GOVERNMENT LAW; see § 10.18a, McQUILLIN, MUNICIPAL CORPORATIONS. A strict construction of the powers enumerated for this District would not allow it to engage in the activities proposed in that the ambulance service is an activity separate from the operation of the medical clinic. Therefore, it is the opinion of this Office that the District may not provide financial assistance to named Rescue Squad.

Sincerely yours,

David C. Eckstrom
State Attorney

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