

1979 WL 43111 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 12, 1979

\*1 Wallace S. Murphy  
General Counsel  
Santee Cooper  
S.C. Public Service Authority  
223 N. Live Oak Drive  
Moncks Corner, South Carolina 29461

Dear Mr. Murphy:

You have requested an opinion as to whether the mandatory retirement provisions for State employees ([Code § 9-1-1530](#)) are applicable to members of the Board of Directors of Santee Cooper. In [Rice Hope Plantation v. South Carolina Public Service Authority](#), 216 S.C. 500, 59 S.E.2d 132 (1975), the Court held that Santee Cooper is a department or arm of the State government. The directors are paid a salary which is substantially more than per diem or travel allowances, thereby making the exception to [§ 9-1-1530](#) for certain directors and officers inapplicable.

The personnel supervising agency for the State in general matters is the Budget and Control Board. It therefore would appear that the Santee Cooper Board members would submit a request to the Budget and Control Board to have continuing service past age 70 approved.

Sincerely yours,

Kenneth P. Woodington  
Assistant Attorney General

1979 WL 43111 (S.C.A.G.)

---

End of Document

© 2017 Thomson Reuters. No claim to original U.S. Government Works.