

1979 WL 43521 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
August 14, 1979

***1 RE: Legislative Audit Council Review of the Board of Architectural Examiners, dated July 26, 1979**

Thomas E. Leath
Director of Agency Evaluation
State Reorganization Commission
228 Solomon Blatt Building
1105 Pendleton Street
Columbia, South Carolina 29201

Dear Mr. Leath:

Your letter of July 30, 1979, to the Attorney General has been referred to me for an appropriate response. I have reviewed the Report fully and am pleased that the Report concludes that the Architectural Board should not be terminated. I have only a few comments in regard to the report.

I agree with the Report's conclusion (pages 16-17) that the Board should acquire the capability to investigate complaints. This problem has arisen with other boards, and I feel confident that a solution can be achieved by such Board's pooling their resources.

Moreover, I would concur with the Report's conclusion (pages 18-20) that abolition of the Board's Rule 17 dealing with competitive bidding would be in the public's interest. Our opinion to the Board indicated that Rule 17 violated the Sherman Antitrust Act, and its continued existence in the Board's Rules can only confuse members of the profession as to the state of the law.

If I can be of further assistance to the Commission or should you have further questions, please do not hesitate to contact me.

Very truly yours,

Richard B. Kale, Jr.
Senior Assistant Attorney General

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