

1974 WL 27221 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 25, 1974

*1 Ms. Sylvia W. Orange
Clerk
House of Representatives
State House
Columbia, South Carolina

Dear Mrs. Orange:

Think you for your letter of September 4, 1974, in which you sought advice concerning the validity of the contract between the Pioneer Roll-Call Company and the State of South Carolina.

The fact that a new agreement has not been entered into by the present Speaker of the House, Rex L. Carter and Clerk of the House, Sylvia W. Orange, would not effect the validity of the contract which was signed by the former Speaker and Clerk. The terms of the contract call for termination by either party upon one year's written notice; there are no provisions which outline the duration of the contract, and therefore it would appear to be a contract for an unspecified period subject to termination by either party as outlined above. However, under the provisions of the addendum to the contract, the Pioneer Poll-Call Company was to provide the State with a 'modern and dependable' roll-call system. It is my understanding from your Office that the system which was installed is neither 'modern' nor 'dependable'.

Once a decision is made by the appropriate party as to the will of the House of Representatives concerning this system, and if that decision is to terminate the contract with Pioneer, it is the recommendation of this Office that a letter be drafted to Pioneer outlining the difficulties which the House of Representatives has experienced. Furthermore, the letter should request that the contract be terminated at the earliest reasonable time. If Pioneer refuses to comply with the request, please contact this Office, and we will take the necessary action to extricate the House of Representatives from the agreement.

Please do not hesitate to call if you have any further questions concerning this matter.

Very truly yours,

W. Davies Merry, III
Assistant Attorney General

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