

1973 WL 26570 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 4, 1973

***1 Re: Section 32-761 Code of South Carolina 1962 (as amended)**

C. B. Graham, Ph. D.
Bureau of Governmental Research and Service
University of South Carolina
Columbia, South Carolina 29208

Dear Blease:

You have requested this office to advise you as to the meaning of the term 'related facilities' as appears at Section 32-762(4) of the above-referenced code section. Specifically your question is does related facilities within the intention of the Act include movable facilities such as ambulances and the equipment affixed thereto or hauled therein.

Generally the precise meaning of words or clauses within statutes, is dependent upon the explanatory context with reference being made to the legislative intent or purpose. [Phillips v. South Carolina Tax Commission 195 S.C. 472 12 S.E. 2d 13](#). It must be assumed in construing a statute that words and phrases included therein are used in their technical meaning if they have acquired one and in their popular meaning if they have not. In the above-referenced statute, the term facilities has previously been used for such things as diagnostic or treatment centers, rehabilitation facilities, nursing homes, intermediate care facilities, state health laboratories, nurses training facilities, facilities for persons with developmental disabilities, and community mental health centers, including facilities for alcoholics and narcotic addicts. Excluded from the coverage are facilities furnishing solely domiciliary care. Based upon the wording of the statute, and the apparent meaning placed upon the term facilities and 'related facilities' it would appear that ambulances and equipment affixed thereto or hauled therein are not included within that specific term. In the construction of a statute, particularly in those instances in which the meaning of terms used therein are in issue, an affirmative opinion must be couched in the most cautious terms. While as stated it would appear that the term 'related facilities' would not encompass ambulances and other emergency medical transportation services, the interpretation of such words or terms is exclusively a matter involving the legislative intent and can only properly be determined by the judiciary, and any opinion rendered by this office cannot be free from doubt as to such judicial interpretation.

I trust that we have been of assistance to you in this matter. If you have any further questions, please do not hesitate to call or write.

Very truly yours,

Timothy G. Quinn
Assistant Attorney General

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