

1981 WL 158000 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 6, 1981

*1 William T. Putnam
Executive Director
South Carolina State Budget and Control Board
Box 12444
Columbia, South Carolina 29211

Dear Mr. Putham:

This will reply to your letter of September 23, 1981, requesting the opinion of this Office as to the effect of the Governor's veto of the item 'General Operations—Spartanburg and Conway' in Section 29, Part III, of the 1981-82 General Appropriations Bill, which veto was sustained by the General Assembly.

The second proviso to Section 29 states:

Provided, further, that the appropriation herein contained for 'General Operations—Spartanburg and Conway' is to be utilized for operating expenses of these facilities. The Educational Television Commission is hereby directed to have both stations operational by January of 1982.

Your specific question is whether the Governor's veto of the line item had the effect of nullifying the proviso referring to that line item. The opinion of this Office is that the veto, having been sustained by the General Assembly, effectively nullifies the proviso referring to that line item. The veto of the funds to accomplish the purpose by necessary implication vetoed the proviso attached to that line item. See Sutherland, Statutory Construction, Section 23.06.

Sincerely,

Frank K. Sloan
Deputy Attorney General

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