

1981 WL 158005 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 7, 1981

*1 Mr. Charles A. Shaw, Director
Dairy Commission
1026 Sumter Street
Columbia, South Carolina 29201

Dear Mr. Shaw:

You have inquired with respect to the manner of proceeding for the withdrawal of funds for expenses of the Dairy Commission, as authorized by the provisions of Section 39-33-40, as amended by Act No. 82 of 1981, approved 2 June 1981. The said section authorizes the Commission to collect from licensed distributors certain assessments and requires that they be paid by the Commission to the State Treasurer, to be placed by him in an account styled 'Dairy Commission Account.' From that account, an amount as may be necessary is appropriated for the payment of all expenses incurred by the Commission in administering and enforcing the provisions of the cited Act.

I advise that the receipt and expenditure of these funds would be subject to joint action by the Budget and Control Board and the Joint Legislative Appropriations Review Committee as established in 1979. By the amendment adopted in 1981 to the organic act creating the Committee, reference to actions required to be undertaken during sessions of the General Assembly and between such sessions is omitted, instead, joint action by these agencies is required on the receipt and expenditure of unappropriated funds. The funds referred to are unappropriated funds.

Therefore, securance of the approval of the Budget and Control Board and of the Joint Legislative Appropriations Review Committee is required for withdrawal of funds for the purposes stated in your inquiry.

Very truly yours,

Daniel R. McLeod
Attorney General

1981 WL 158005 (S.C.A.G.)

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.