

1979 WL 43043 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 4, 1979

*1 Honorable Norma C. Russell
Member
House of Representatives
State House Columbia, South Carolina

Dear Representative Russell:

You have requested an opinion from this Office as to whether or not House Resolution H. 1912, which proposes the creation of a House Committee to develop a policy concerning furnishings, memorabilia and trappings which may be placed in the House Chamber, conflicts with [Section 10-1-40, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, which requires the approval of the State House Committee before any alterations or renovations to the State House are undertaken. In my opinion, both the resolution and the Code Section can be harmonized, as they must be, if possible [*cf.*, [Adams v. Clarendon County School District No. 2](#), 241 S.E.2d 897 (1978)], as hereinbelow discussed.

[Section 10-1-40 of the Code](#) declares that the State House Committee's duty is 'to review all proposals for alterations and/or renovations to the State House.' To the extent that the proposed House Committee's policy concerning furnishings, memorabilia and trappings for the House Chamber would result in 'alterations or renovations' thereto, then the approval of the State House Committee would have to be secured before such policy could be implemented. To the extent that the proposed House Committee's policy would not result in 'alterations or renovations' to the House Chamber, then that policy could be implemented without the necessity of obtaining the approval of the State House Committee.

As to the proposed House Committee being created by resolution, this procedure is commonly used to create special committees, to establish house procedure and to determine intra-legislative matters . 1A SUTHERLAND STATUTORY CONSTRUCTION § 29.02 (4th ed. 1972).

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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