

1979 WL 43218 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 20, 1979

\*1 William A. McInnis  
Deputy Executive Director  
State Budget and Control Board  
P. O. Box 12444  
Columbia, South Carolina 29211

Dear Mr. McInnis:

You have requested an opinion as to whether an authorization to the Department of Parks, Recreation and Tourism to issue bonds in the amount of \$45,000.00 may be transferred by the Budget and Control Board to the Wildlife and Marine Resources Department to make the same purchase of real estate which was originally contemplated to have been made by PRT. Unfortunately no such authorization can be found in the statutes. I have searched the Capital Improvement Bond Acts for the years beginning with 1968 through the present and find no provision which authorizes the Budget and Control Board to transfer appropriations. This is in contrast to the authority given the Board to transfer appropriations made under the State General Appropriations Act; see § 140, Act No. 199 of 1979. The absence of such a provision in the Capital Improvement Bond Acts may be taken to indicate an intent not to grant such authority to the Budget and Control Board. It is therefore the opinion of this Office that transfer of bond appropriations from one agency to another by the Budget and Control Board has not been authorized by statute.

Sincerely yours,

Kenneth P. Woodington  
Assistant Attorney General

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