

1979 WL 43603 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 20, 1979

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

Dear Mr. McInnis:

You have requested an opinion as to whether the South Carolina Sea Grant Consortium is (a) a state agency, and (b) subject to state Budget and Control Board rules and regulations as to approval of salaries, classification and compensation, travel and per diem, etc.

The Consortium was created by Act No. 643 of 1978. Its purpose, according to that Act, is 'to provide a mechanism for the development and management of the Sea Grant Program for the State of South Carolina . . .'. The membership of the Consortium consists of seven state agencies and institutions, with the Consortium's board of directors consisting of the Chief Executive Officer or his designee of each of the participating institutions and agencies.

The Act also provides for an Executive Director and two Associate Executive Directors to be appointed. The salary for these positions comes from funds directly assigned to the Consortium by the General Assembly.

It therefore appears that the South Carolina Sea Grant Consortium is created by State statute, funded (at least in its executive functions) with State funds, and made up of State officials. For these reasons, it is the opinion of this Office that the Consortium is a state agency and subject to Budget and Control Board rules and regulations.

Sincerely yours,

Kenneth P. Woodington
Assistant Attorney General

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