

1975 S.C. Op. Atty. Gen. 18 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 3936, 1975 WL 22234

Office of the Attorney General

State of South Carolina

Opinion No. 3936

January 16, 1975

***1 RE: Operation of the 'Recreation Land Trust Fund'**

Mr. Fred P. Brinkman
Executive Director
South Carolina Department of Parks, Recreation and Tourism
Box 113
Edgar A. Brown Office Building
Columbia, SC 29201

Dear Mr. Brinkman:

You have requested an opinion of this Office as to the meaning of the phrase 'matching funds' as used in the General Appropriation Act of 1974, Act 1136, Part 1, § 63 at 2559.

By Act No. 946, Part I at 2070 (1974) the General Assembly created the 'Recreation Land Trust Fund' 'under the control of and administered by the State Parks, Recreation and Tourism Commission for the purpose of acquiring recreational lands, . . . ' Pursuant to Act No. 946, \$500,000.00 was deposited in the Trust Fund to be used for capital improvements as the Commission sees fit. Act No. 946 was amended by the General Appropriations Act, Act of 1136, Part I, § 63 at 2560: Provided, Further, That the one hundred thousand dollars appropriated in Item III for 'Purchase of Land' shall be added to the Recreation Land Trust Fund. One half of such trust fund shall be expended for purchasing land for recreational facilities when the county in which the land is located will provide matching funds on a fifty-fifty basis.

The problem you present is whether the county in which the proposed land acquisition is located has to provide money to match funds from the Trust or whether it can offer land located within the county as 'matching funds.'

I have been unable to find the phrase 'matching funds' defined as such. However, the term 'fund' or 'funds' is generic and all embracing as compared with the term 'money,' etc. which is a specific term. [Bivins v. State](#), 170 S.E. 513, 516, 47 Ga. App. 391 (1933). The word 'fund' in its broader meaning may include property of every kind. [In re Tatum](#), 70 N.Y.S. 634, 635, 61 App. Div. 513; [Goggans v. Simmons](#), 319 S. W. 2d 442, 445.

Furthermore, the federal government, in some of its grants, considers land as 'matching funds.' If you have any questions concerning this, please contact Mr. Rick Wilson of this Office, as I will be out of town until January 27, 1975.

Yours very truly,

M. Elizabeth Crum
Assistant Attorney General

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