

1973 WL 27686 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 17, 1973

*1 Richard S. Wallace
Vice President for Administration
Francis Marion College
Florence, South Carolina 29501

Dear Dr. Wallace:

In answer to your request for an opinion on the compensation payable to members of the State College Board of Trustees, I am of the opinion that Sections 91 and 93 of the State Appropriations Act for 1972-73 would not amend or repeal the provisions relating to expenses and compensation found in Section 22-613, Code of Laws of South Carolina as amended. Section 22-613 provides: 'Each member of the Board shall be reimbursed for his actual expenses in attending meetings of the Board but he shall receive no compensation otherwise for his services.' On the other hand, Section 91 of the Appropriations Act provides: 'Members of the State Boards, Commissions or Committees whose duties are not full-time, and who are paid on a per diem basis, shall be allowed reimbursement for actual expenses incurred at the general daily rates provided for in this Section while away from their places of residence on official business of the State.' (Emphasis my own.). Section 93 of the Appropriations Act provides for the per diem allowance for Boards and Commissions; however, according to Section 22-613 this State College Board of Trustees is not a Board 'who are paid on a per diem basis,' but are limited by statute to their actual expenses.

Please contact me if I can provide any further assistance.

Sincerely,

Hardwick Stuart, Jr.
Assistant Attorney General

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