

1973 S.C. Op. Atty. Gen. 240 (S.C.A.G.), 1973 S.C. Op. Atty. Gen. No. 3582, 1973 WL 21039

Office of the Attorney General

State of South Carolina

Opinion No. 3582

July 27, 1973

*1 The Honorable John C. West
Governor
Columbia, South Carolina

Dear Governor West:

The Honorable Grady Patterson has requested advice as to whether or not the State Budget and Control Board has authority to approve travel outside the United States for legislators and legislative employees. The Budget and Control Board has adopted regulations which provide:

Foreign travel—any travel outside the United States would require prior approval of the Budget and Control Board.

It is my opinion, that under the Constitutional provision of Article 1 Section 14 of the State Constitution, which relates to the separation of powers of three governmental branches, the Budget and Control Board does not have the authority to approve or disapprove foreign travel for members of the legislative branch.

Section 92 of the current Appropriations Act limits the amount payable to members of legislative committees and specifically regulates the amounts payable for such travel.

I express no opinion as to the applicability of this limitation to legislative members or employees of the legislative or judicial branches. But I am of the opinion that the Budget and Control Board has no authority to approve or disapprove foreign travel for members or employees of the legislative branch.

Very truly yours,

Daniel R. McLeod
Attorney General

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