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The State of South Carolina  
OFFICE OF THE ATTORNEY GENERAL

CHARLIE CONDON  
ATTORNEY GENERAL

December 4, 2000

G. Edward Welmaker, Esquire  
Pickens County Attorney  
Post Office Box 899  
Pickens, South Carolina 29671

Dear Mr. Welmaker:

By your letter of November 16, 2000, you have asked whether the Pickens County Veterans' Affairs Officer is entitled to his salary while he is deployed to Bosnia with his U.S. Army Reserve unit from January through August, 2001.

Enclosed for your review are two prior Attorney General's Opinions that address situations analogous the one described in your letter. As you can see, this Office has consistently opined that in accordance with S.C. Code Ann. § 8-7-90, officers and employees of the State or its political subdivisions serving either in the Guard or the Reserve Components are ordinarily entitled to an aggregate of fifteen days paid military leave per year. Should these personnel be called upon to serve during an emergency, they are eligible for up to thirty additional days of paid leave. I have also enclosed a memorandum from the State Director of Human Resources dated January 3, 1997, concluding that § 8-7-90 would apply to all South Carolina officers and employees who are called to active duty in Bosnia, thereby entitling them to thirty additional days of paid military leave, "up to a maximum of forty-five working days." Since the applicable statute in this instance, § 8-7-90, pertains only to absences that result from military service, this Office would defer to Pickens County how to compensate its Veterans' Affairs Officer during an extended absence due to illness or other reasons.

*Request Letter*

Mr. Welmaker  
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Thank you for contacting Attorney General Condon's Office. I trust this information is responsive to your inquiry and that you will not hesitate to contact me if I can be of further assistance.

Sincerely yours,



Zeb C. Williams, III  
Deputy Attorney General

ZCW,III/an  
Enclosures