



The State of South Carolina
OFFICE OF THE ATTORNEY GENERAL

HENRY McMASTER
ATTORNEY GENERAL

January 21, 2004

The Honorable Harry B. "Chip" Limehouse III, Chairman
The Honorable Gilda Cobb-Hunter
The Honorable James G. McGee, III
Ways and Means Criminal Justice Subcommittee
320-C Blatt Building
Columbia, South Carolina 29201

Dear Representatives:

The following fiscal year 2004-05 provisos for the Attorney General's Office are submitted for your consideration.

As you know, the criminal and civil legal requirements on the office continue to grow at a rapid pace, while the office's budget has been cut almost 30%. This has created the possibility that public safety may be jeopardized and the State placed in a precarious legal position.

To prevent that from happening, I have submitted three budget provisos for the subcommittees consideration.

- Reimbursement for Expenditures – New. The Attorney General's office may retain for general operating purposes any reimbursement of funds for expenses incurred in a prior fiscal year.
- Carry Forward – New. Any balance of unexpended funds, not including general fund appropriations, may be carried forward for the operation of the Attorney General's office.

This is similar to the carry forward proviso allowed the sixteen circuit solicitors.

- Litigation Expense – Amend 32.3 Notwithstanding any other provision of law, the Office of the Attorney General may obtain reimbursement for its costs in representing the State in criminal proceedings and in representing the State and its officers and agencies in civil and administrative proceedings. These costs may

include, but are not limited to, attorney fees or investigative costs or costs of litigation awarded by court order or settlement, travel expenditures, depositions, printing, transcripts, and personnel costs. Reimbursement of these costs may be obtained by the Office of the Attorney General from the budget of an agency or officer that it is representing or from funds generally appropriated for legal expenses with the approval of the Budget and Control Board.

These three provisos will give this office the flexibility and the resources to deal with the consequences, past and present of across the board budget cuts. I ask for your active support on these three provisos.

As members of the House Ways and Means Committee you have important decisions to make in a critical juncture in our state's history. I commend you for your commitment and efforts to implement sound fiscal policy.

If I may be of any service to you, please do not hesitate to call on me.

Yours very truly,



Henry McMaster

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