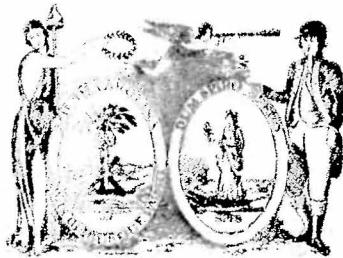


State of South Carolina  
Executive Department

FILED

MAR 20 2009

Mark Hammond<sup>8</sup>  
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER NO.

2009-03

**WHEREAS**, the Congress and President of the United States enacted the American Recovery and Reinvestment Act of 2009 ("the Act"), which provides for the expenditure of \$500 billion in federal funds for infrastructure investment, health care and welfare programs, and other public works; and

**WHEREAS**, the Act entitles the State of South Carolina to \$2.84 billion in federal funds for various public projects and programs; and

**WHEREAS**, the Act directs much of the stimulus funds programmatically to state and local governmental entities without requiring the approval or oversight of either the Governor or the General Assembly; and

**WHEREAS**, the expenditure of massive amounts of stimulus funds without oversight creates the possibility of government waste and fraud; and

**WHEREAS**, a coordinated effort to oversee and account for the expenditure of stimulus funds is fundamental to ensuring that taxpayer money is spent with efficiency and integrity; and

**WHEREAS**, pursuant to S.C. Code Ann. § 1-3-10, public officers have a duty to "immediately furnish to the Governor, in such form as he may require, any information desired by him in relation to their respective affairs or activities," a directive that is consistent with the constitutional authority found in Article IV, Section 17, of the South Carolina Constitution, which provides that "[a]ll state officers, agencies, and institutions within the Executive Branch shall, when required by the Governor, give him information in writing upon any subject relating to the duties and functions of their respective offices."

**NOW, THEREFORE**, I hereby establish the South Carolina Stimulus Oversight, Accountability, and Coordination Task Force ("Task Force"). The Task Force shall coordinate efforts among state and local governmental entities to maintain transparency, accountability, efficiency, and consistency with the Act in the spending of stimulus funds. In addition, the Task Force shall consult with the Senate Finance Committee and the House Ways and Means Committee to prevent annualizations and ensure that stimulus funds are not used to fund

existing obligations or programs that are currently funded in the Annual Appropriations Act. The Task Force shall be comprised of the following officials or their designee:

- (1) South Carolina Comptroller General, who shall serve as the Chair of the Task Force;
- (2) South Carolina State Auditor, who shall exercise all powers provided pursuant to Title 11, Chapter 7, of the South Carolina Code of Laws to ensure that the accounting of all stimulus funds complies with state and federal law and other applicable government accounting standards and who shall assist the Comptroller General in his role as Chair of the Task Force; provided, however, that the State Auditor shall not perform any task which would jeopardize his independence as required by S.C. Code Ann. § 11-7-45;
- (3) South Carolina Treasurer;
- (4) South Carolina Superintendent of Education;
- (5) Secretary of the South Carolina Department of Transportation;
- (6) Director of the South Carolina Department of Health and Human Services;
- (7) Director of the Department of Social Services;
- (8) Secretary of the South Carolina Department of Commerce;
- (9) Chief of the State Law Enforcement Division;
- (10) Director of the Department of Public Safety;
- (11) Director of the Department of Natural Resources;
- (12) Commissioner of the Department of Health and Environmental Control;
- (13) Director of the Office of Economic Opportunity;
- (14) Executive Director of the Budget and Control Board;
- (15) Director of the South Carolina Energy Office;
- (16) Executive Director of the South Carolina State Housing Finance and Development Authority;
- (17) Director of the Budget and Control Board's Office of State Budget; and
- (18) Other public officials receiving or applying for stimulus funds, as hereafter appointed by the Governor.

**FURTHER**, pursuant to Article IV, Section 17, of the South Carolina Constitution and S.C. Code Ann. § 1-3-10, I hereby order that all State and local governmental entities that apply for, receive, or otherwise administer programs receiving funds from the Act provide the Task Force with such documents as it deems necessary to ensure that stimulus funds are expended, awarded, or otherwise distributed prudently, ethically, efficiently, and consistent with state and federal law.

This Order shall take effect immediately.



GIVEN UNDER MY HAND AND THE  
THE GREAT SEAL OF THE STATE OF  
SOUTH CAROLINA, THIS 20<sup>th</sup> DAY  
OF MARCH, 2009

  
\_\_\_\_\_  
MARK SANFORD  
Governor

Attest:

  
\_\_\_\_\_  
MARK HAMMOND  
SECRETARY OF STATE