MINUTES OF

BUDGET AND CONTROL BOARD

MEETING

July 30, 1991

001009

STATE OF SOUTH CAROLINA

State Budget and Control Board

OFFICE OF THE EXECUTIVE DIRECTOR

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

July 30, 1991

MEMORANDUM

TO: Budget and Control Board Division Directors

FROM: Donna K. Williams, Assistant Executive Director

SUBJECT: Summary of Board Actions at July 30, 1991, Meeting

This listing of actions is an unofficial **summary** of the Board actions taken at the referenced meeting. The minutes of the meeting are presented in a separate, more detailed document which becomes official when approved by the Board at a subsequent meeting.

1. Adopted the agenda as proposed;

2. Approved the minutes of the July 17, 1991, meeting;

3. In accord with Code Sections 1-11-80, 1-11-90 and 1-11-100, approved the referenced easements, as recommended by the Division of General Services:

(a)	County Location:	Horry
	From:	Budget and Control Board
	To:	Horry Electric Cooperative
	Description/Purpose:	7200 volt aerial electrical distribution line crossing the Waccamaw River, Simpson Creek Township to provide service to residential area along the river
	Consideration:	$200
(b)	County Location:	Charleston
	From:	Budget and Control Board
	To:	Central Electric Power Cooperative
	Description/Purpose:	aerial transmission line across Abbapoola Creek on John's Island to extend service to new substation
	Consideration:	$200

FAX (803) 734-2117

(c) County Location: Kershaw
From: Budget and Control Board
To: City of Camden
Description/Purpose: drainage easement for Springdale Race Course to resolve drainage problem
Consideration: $5

(d) County Location: Georgetown
From: Budget and Control Board
To: Georgetown Water and Sewer
Description/Purpose: 25' wide permanent sewer force in a tributary of Sampit River near Pennyroyal Road for sewage force main outfall
Consideration: $1

(e) County Location: Kershaw
From: Budget and Control Board
To: SC Public Service Authority
Description/Purpose: overhead 69 KV transmission line over Wateree River between Camden and Lugoff
Consideration: $1

4. In accord with Code Section 10-1-130, concurred and acquiesced in the granting of the following easements, as recommended by the Division of General Services:

(a) County Location: Dillon
From: SC Forestry Commission
To: Highways & Public Transportation
Description/Purpose: 66' X 33' easement for state highway from US Routes 501 and 301 for .273 miles
Consideration: $1

(b) County Location: Berkeley
From: SC Forestry Commission
To: Highways & Public Transportation
Description/Purpose: 75' easement for a state highway from North Moncks Corner to St. Stephen on Route 52
Consideration: $1

(c) County Location: Dorchester
From: Mental Retardation
To: South Carolina Electric & Gas Company
Description/Purpose: 6' wide easement to install gas pipe lines at the Coastal Center for gas heat
Consideration: $1

5. Received as information a Division of Human Resource Management report on employment beyond age 70 and advancement of sick leave requests approved during the April-June, 1991, quarter in accord with the requirements of Section 8-11-40;

6. Received as information a report that reimbursements of interviewee travel expenses have been made by the following agencies: Clemson University (14); and Mental Health (2);

7. Received as information a report on agency requests for prior approval of foreign travel that were approved during the April 1 through June 30, 1991, period involving 13 agencies and an estimated total of $1,040,244;

8. Received as information the Comptroller General's Office fiscal year 1990-91 year-end report which indicated that the general fund needs $44.1 million more to close the year with an unreserved fund balance of zero;

9. To close 1990-91 with an unreserved fund balance of zero, adopted a resolution directing that, beginning with July 1991 and for each fiscal year after, sales taxes collected pursuant to Code Section 12-36-2570 which are collected in the month of June to be remitted to the State no later than July 20 shall be credited to the State's general fund in the fiscal year in which they accrue;

10. Accepted the revised 1991-92 general fund revenue estimate of $3,440 million as presented by the Board of Economic Advisors;

11. Authorized the final payment of $1,650,000 for FEMA Public Assistance Matching Funds from whatever funds are available within the Governor's Office; and authorized a request for reimbursement for the final payment of $1,250,000 for FEMA Public Assistance Matching Funds by the Governor's Office from the State Agency Hugo Related Capital Improvements account, contingent upon favorable review by the Joint Bond Review Committee;

12. In accord with Code Section 5-3-140, petitioned the City of Fort Mill to annex a block of Mental Retardation property consisting of approximately 4.0 acres, as recommended by General Services;

13. Adopted a resolution providing for the issuance and sale of $31,350,000 General Obligation Notes, Series 1991;

14. In accord with the provisions of Code Section 11-35-1210, granted a 90-day extension to the existing procurement certification of the Health and Human Services Finance Commission, as recommended by General Services;

15. Adopted a resolution approving the Abbeville County proposal to issue $3,000,000 Industrial Revenue Bonds on behalf of The Bibb Company project;

16. Agreed to meet at 10 a.m. on Tuesday, August 13, 1991, in the Governor's conference room in the State House;

17. Appointed the following to the State Suggestion Review Committee for fiscal year 1991-92: Donna Hodges, Corrections; Cy Wentworth, Social Services; Al Courie, Wildlife and Marine Resources; Rhonda Grant, Probation, Parole and Pardon Services; Jo McRant, Attorney General's Office; Don Addy, Budget and Control Board; Jane Jameson, USC; Charles White, ETV; Mary M. Law, Engineers and Land Surveyors Board

18. Reappointed the following persons to serve three-year terms (expiring August 10, 1991) on the Deferred Compensation Commission: Ms. Joan Johnakin; Mr. Horace Curtis; and Mr. Jasper Harmon;

19. Received as information a briefing on the status of the Belton v. State Housing Authority case;

20. Received as information a Water Resources Commission status report on the legal preparation of the ground water rights of South Carolina and Georgia;

21. Disencumbered $50,000 of the $125,000 Civil Contingent Fund encumbrance for the Catawba Indian Suit; encumbered $50,000 of the Civil Contingent Fund for the Attorney General's Office for surveying and mapping the Georgia-South Carolina boundary; and encumbered $75,000 of the Civil Contingent Fund for the Department of Youth Services to pay additional legal expenses due to the class action lawsuit filed against the agency;

22. Authorized the Division of Internal Operations to retain the firm of Ogletree, Deakins, Nash, Smoak & Stewart and Ronald H. Stanley, Esq., as counsels for employment and general personnel matters, at an hourly rate of $100;

23. Reviewed the State Auditor's Office report on Division of Local Government grants to Anderson County during the past three years and authorized the Division of Local Government to resolve $241,412.51 of audit exceptions questioned by the State Auditor;

24. Authorized General Services to release solicitation for the relocation of the Retirement System for both lease and lease-purchase proposals, subject to final review and approval by the Board prior to award;

25. Appointed the following to the State Employee Grievance Committee: Glenda Lucas, Department of Insurance; Carol Woodard, Probation, Parole and Pardon Services; Cora Jenkins, Mental Health; Ron Jenkins, Youth Services; Alan Pollack, Budget and Control Board; Earle Powell, Water Resources Commission; and Lemeul Stephens, Department of Education;

26. Granted an exemption to Code Section 8-11-165 to DHEC to allow a salary in excess of 95% of the midpoint of the salary range of the agency head for Mr. Laurence C. McCarty, as recommended by Human Resource Management;

27. Confirmed the process for performance appraisals of the Board division directors and Executive Director;

28. Authorized the Executive Director to enter into an interagency agreement with the Department of Education under the Government Employee Interchange Program for the services of A. Baron Holmes, IV, Ph.D.; and

29. Relating to the fiscal year 1991-92 budget, after determining that a deficit may occur in excess of funds available in the Capital Reserve Fund:

(a) Adopted a resolution that:
   (1) Rescinded the spending and hiring limitations;
   (2) Reduced the entire Capital Reserve Fund to avoid a year-end deficit;
   (3) Imposed a 3% restriction on the rate of expenditure until further notice;
   (4) Directed that a special account be established within each agency to escrow the 2% level of restricted funds until further notice;
   (5) Pursuant to Section 14.48 of the 1991-92 Appropriations Act, reduced by 1% appropriations for all state agencies, departments and institutions, except the Judicial Department, the Capital Reserve Fund, and Debt Service;

(b) In accord with Code Section 6-27-20, applied the same reductions to Aid to Subdivisions; and

(c) Agreed that budget hearings will not be required, and directed that agency heads submit to the Board by its next meeting plans for managing the 1% cut and 2% escrow.

DKW/nsf

MINUTES OF STATE BUDGET AND CONTROL BOARD MEETING
JULY 30, 1991 10:00 A. M.

The Budget and Control Board met at 10:00 a.m. on Tuesday, July 30, 1991, in the Governor's conference room in the State House, with the following members in attendance:

Governor Carroll A. Campbell, Jr., Chairman;
Mr. Grady L. Patterson, Jr., State Treasurer;
Mr. Earle E. Morris, Jr., Comptroller General;
Senator James M. Waddell, Jr., Chairman, Senate Finance Committee;
Representative William D. Boan, Chairman, Ways and Means Committee.

Also attending were Executive Director Jesse A. Coles, Jr.; Board Secretary Donna K. Williams; Chief Deputy Attorney General Joseph D. Shine; Governor's Senior Executive Assistants Q. Whitfield Ayres and Luther F. Carter; Senior Assistant State Treasurer C. C. "Chuck" Sanders, Jr.; Assistant Comptroller General George M. Lusk; Finance Committee Director of Research Robert C. Toomey; Ways and Means Committee Director of Research Frank Fusco; and other Board staff.

Adoption of Agenda

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board adopted the agenda as proposed.

Minutes of Previous Meeting

Board members previously had been furnished a draft version of the minutes of the July 17, 1991, Budget and Control Board meeting.

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board approved the referenced minutes as written.

Blue Agenda

Upon a motion by Mr. Patterson, seconded by Mr. Boan, the Board approved all items included on the blue agenda.

Blue agenda items are identified as such in these minutes.

General Services: Easements (Blue Agenda #1)

Upon a motion by Mr. Patterson, seconded by Mr. Boan, the Board, in accord with Code Sections 1-11-80, 1-11-90 and 1-11-100, approved the following easements, as recommended by the Division of General Services:

(a)	County Location:	Horry
	From:	Budget and Control Board
	To:	Horry Electric Cooperative
	Description/Purpose:	7200 volt aerial electrical distribution line crossing the Waccamaw River, Simpson Creek Township to provide service to residential area along the river
	Consideration:	$200
(b)	County Location:	Charleston
	From:	Budget and Control Board
	To:	Central Electric Power Cooperative
	Description/Purpose:	aerial transmission line across Abbapoola Creek on John's Island to extend service to new substation
	Consideration:	$200
(c)	County Location:	Kershaw
	From:	Budget and Control Board
	To:	City of Camden
	Description/Purpose:	drainage easement for Springdale Race Course
	Consideration:	$5
(d)	County Location:	Georgetown
	From:	Budget and Control Board
	To:	Georgetown Water and Sewer
	Description/Purpose:	25' wide permanent sewer force main outfall in a tributary of Sampit River near Pennyroyal Road
	Consideration:	$1
(e)	County Location:	Kershaw
	From:	Budget and Control Board
	To:	SC Public Service Authority
	Description/Purpose:	overhead 69 KV transmission line over Wateree River between Camden and Lugoff
	Consideration:	$1

Upon a motion by Mr. Patterson, seconded by Mr. Boan, the Board, in accord with Code Section 10-1-130, concurred and acquiesced in the granting of the following easements, as recommended by the Division of General Services:

(a)	County Location:	Dillon
	From:	SC Forestry Commission
	To:	Highways & Public Transportation
	Description/Purpose:	66' X 33' easement for state highway from US 501 and 301 for .273 miles
	Consideration:	$1
(b)	County Location:	Berkeley
	From:	SC Forestry Commission
	To:	Highways & Public Transportation
	Description/Purpose:	75' easement for a state highway from North Moncks Corner to St. Stephen on Route 52
	Consideration:	$1
(c)	County Location:	Dorchester
	From:	Mental Retardation
	To:	South Carolina Electric & Gas Co.
	Description/Purpose:	6' wide easement to install gas pipe lines at the Coastal Center for gas heat
	Consideration:	$1

Information relating to this matter has been retained in these files and is identified as Exhibit 1.

Human Res. Mgmt.: Employment Beyond Age 70/Advancement of Sick Leave (B2)

On June 10, 1986, the Board authorized the Division to approve employment beyond age 70 and advancement of sick leave requests and to report those approvals to the Board on a quarterly basis.

The Board received as information a Division of Human Resource Management report on employment beyond age 70 and advancement of sick leave requests approved during the April-June, 1991, quarter in accord with the requirements of Section 8-11-40.

Information relating to this matter has been retained in these files and is identified as Exhibit 2.

Executive Director: Interviewee Travel Expense Reimbursement (Blue #3)

The Board received as information a report that reimbursements of interviewee travel expenses have been made by the following agencies: Clemson University (14); and Mental Health (2).

Information relating to this matter has been retained in these files and is identified as Exhibit 3.

Executive Director: Foreign Travel, April-June 1991 (Blue Agenda #4)

The Board received as information a report on agency requests for prior approval of foreign travel that had been approved during the April 1 - June 30, 1991, period involving 13 agencies and an estimated total of $1,040,244.

Information relating to this matter has been retained in these files and is identified as Exhibit 4.

Comptroller General: Fiscal Year 1990-91 Year-end Report (Regular #1)
Budget and Control Board: Fiscal Year 1990-91 Closeout Options (Regular #2)
Board of Economic Advisors: Fiscal Year 1991-92 Revenue Estimate (Regular #3)
Budget and Control Board: Fiscal Year 1991-92 Budget Options (Regular #4)

Comptroller General Earle E. Morris, Jr., appeared before the Board to present the fiscal year 1990-91 year-end report.

Mr. Morris advised that his presentation is an abbreviated version of the fiscal state of the state report previously scheduled to be presented on August 9. He advised that the report date had been moved up since the Budget and Control Board today must make a decision on how to cover the shortfall as of June 30, 1991.

Mr. Morris said that the figures presented are those available as of July 26. He noted that there are 14,000 accounts and subfunds and that his office accounts for $9.2 billion a year. He indicated that, in about ten days, the normal distribution will be sent to the legislature, the public, and the news media.

Mr. Morris said that, of the past forty years, 1990-91 has been the worst economically. He noted, however, that the situation could have been a lot worse, and had been worse for 31 states that had ended the year in the red. He said that South Carolina is the only state that is required to have a balanced budget and is required not to have a deficit. He also noted that South Carolina has not had a deficit since 1932.

Mr. Morris said that it was estimated that the impact of Hurricane Hugo would be $100-200 million. He said that Hugo's first hit had been physical, and

the fiscal impact, which had come in 1990-91, had not been anticipated by the Budget and Control Board, the Board of Economic Advisors, or BEA staff economists. He said the General Assembly had appropriated only the amount that had been included in the official revenue estimate. Mr. Morris said that the first six months of 1990-91 had been right on target.

Mr. Morris said that, in November, the BEA had advised that the revenue estimate would be short, and the Board used the capital reserve fund plus other monies to cover that shortfall. Then, in February 1991, when it was estimated that there would a reduction in revenue of $50.3 million, the Board, in a matter of hours, had reduced spending by an additional $69.9 million.

Mr. Morris recalled that, at the beginning of 1990-91, the budget had been in balance according to the official BEA estimate. He said that we had ended 1990-91 and had begun a new fiscal year without a tax increase, without a furlough plan for state employees, and without a mandated reduction-in-force. He said that South Carolina's fiscal policies are still working, painful as they might be.

Mr. Morris advised that, in June 1991, when the BEA indicated that there likely would be another $90 million shortfall, the Board had imposed a budget freeze that had saved about $10 million.

Mr. Morris advised that the shortfall for 1990-91 is $44 million. He presented the following unreserved budgetary general fund balance estimated status at July 26, 1991:

Balance 6/30/90 before Department of Corrections Adjustment	$ -0-
1989-90 Department of Corrections Adjustment	(1,800,000)
Additions:	
Revenues	3,310,700,000
Appropriations Brought Forward from 1989-90	37,400,000
Transfer from General Reserve Fund	94,100,000
Deductions:	
Expenditures	(3,451,100,000)
Transfer to General Reserve	(6,100,000)
Appropriations Carried Forward to 1991-92	(27,300,000)
Adjustments: Shortfall (BCB will take action 7/30/91 to prevent a year-end deficit)	44,100,000
Balance 6/30/91	$ -0-

Mr. Morris reiterated that the State cannot end the year with a deficit, and the Board today will determine action to be taken. He said that various plans have been presented by staff and that the State Auditor and the Attorney General's Office had been consulted. He said the State Treasurer has talked with the bond rating firms, and all Board members are informed on one or two proposals.

A copy of the Comptroller General's news release was distributed to Board members.

Governor Campbell expressed his appreciation for the excellent report presented by Mr. Morris.

Governor Campbell advised that the Board needs to discuss where we are, what we're doing, where we're going, and how we get there. He then distributed the official statement from the Board of Economic Advisors. He pointed out that the BEA is operating on a range with a confidence level which indicates that next year's revenue will be $148 million less than has been appropriated. He said his understanding is that the BEA had reached that level based on the condition of the general economy and based on a lack of faith in the dollar amount of revenue enhancers included, particularly Medicaid and others.

Governor Campbell said the Board is faced with going into a fiscal year in the middle of a recession, having fought through a recessionary year in 1990-91 coming in with a $44 million shortfall. He noted that the year-end reserve fund had been used for the 1990-91 budget and the prospect is that there will be a shortfall in 1991-92.

In the spring, the Board had asked for the last revenue estimate that the General Assembly had used to cut the budget. Governor Campbell advised that the Board had followed up a request by Senator Waddell and Mr. Boan with its request in July to the BEA for an early reevaluation of the revenue estimate so that it would be able to deal with the situation on the front end instead of after-the-fact. He said the Board is faced with the lack of a year-end reserve fund, replacing $44 million, and dealing prospectively with the coming year. He said the Board will do it all at one time, in advance. He warned that it will not be the easiest thing for some people in state government to swallow, but it will be the best thing for the fiscal condition of the state and the taxpayers.

Governor Campbell said that the Board must address what to do with 1990-91 and how to move ahead to 1991-92, and how to deal with the total amount of the two. He noted that staff have looked at a number of ways to deal with the situation. He said that the first thing in 1991-92 to go would be the capital reserve fund of $67 million, leaving about $81 million to be addressed in cuts or escrowed funds.

Governor Campbell said the first item to be addressed is the 1990-91 shortfall of $44 million, and the state has the ability to deal with it as some 22 other states do. He said that South Carolina, by existing law, goes over until the 21st day of the following month to determine collections of sales taxes. By practice, South Carolina has counted a cut-off day at the end of the month of June on collecting sales taxes, which puts the state on an accrual basis of paying the bills in July and a cash method of ending collections at the end of June. He said that, if both are put on the same accounting method, there will not be a shortfall. He noted that 22 other states do this on sales taxes.

Governor Campbell said that the law recognizes that the taxes were collected in June but not counted until July. He said that putting sales taxes on an accrual basis will eliminate the $44 million shortfall in 1990-91 and reinstate some $22 - $24 million of the year-end reserve fund, thereby giving a reserve fund cushion going into the next year rather than a zero balance.

Governor Campbell said this is a fiscally prudent plan and that it would preclude having to borrow any money in 1991-92 to pay anything for 1990-91 since there would not be a year-end loss, and that it would provide for reinstating about one-third of the reserve fund, creating a safety cushion. He said the Board would then have to act to claim the reserve fund of $67 million for 1991-92 and act to cut or escrow the remainder of $81 million from the operating budgets of the agencies for 1991-92. He said that doing all of those things puts South Carolina on absolutely sound footing.

Mr. Morris said that the State will continue to accrue retail sales taxes until infinity. He said the sales taxes will be booked in the year in which they were collected rather than being brought forward as is the current practice. He said that 22 states currently do this. He said that, in the past, he had not favored this change and had so advised the General Assembly. He noted, however, that

these are difficult and different times. He further noted that the money is not to be spent on some new kind of program, but it is to be used to cover a shortfall and to replenish the capital reserve fund, preventing having to pay back $44 million in 1991-92, and for the Hugo note of about $33 million. He said he is convinced this is the way the Board should go.

Mr. Patterson said he had talked with those who do rate the state's bonds and had explained this proposed procedure. He said that he, too, had been opposed to the change in the method of accounting for the money in the month of July and noted that the General Assembly has rejected the idea on at least two occasions. He said that, because of the compelling, unusual circumstances, it is an appropriate way to deal with the $44 million shortfall. He said that the plan will be palatable to those with whom he deals on bonds. He said this proposal is the least painful method of dealing with the situation, and that it is a prudent approach in keeping with the sound financial management and fiscal responsibility South Carolina enjoys. He noted that South Carolina is one of the least adversely affected states with regard to the economic downturn. He expressed pride in what South Carolina has done over the years, and said that, under the circumstances, this is the best method of dealing with the shortfall.

Governor Campbell advised that the Board could have moved over to 1991-92 to borrow money for the shortfall, but then would have taken it out of the 1991-92 budget. He said money could not have been put back in the reserve fund that way and noted that this is the only method to reinstate funds to the year-end reserve fund to give a cushion against other contingencies. He said that, with other options available, money could not be put back into the reserve fund. He said it was extremely important to him and every member of the Board to keep a reserve fund on hand and that, with this proposed action, the reserve fund will be up to almost $30 million.

Mr. Patterson noted that there is a constitutional requirement that the year-end reserve fund be replenished and that the proposed actions will result in 1% being put back in immediately.

Mr. Morris said that this is not voodoo economics, nor smoke and mirrors, nor accounting manipulation, but rather it is using cash on hand the month in which it is collected. He said this is a bookkeeping transfer and will be so noted

on the annual financial report. He said that the proposal had been reviewed by the independent auditors who verify the financial reports of state agencies.

Mr. Patterson noted that the proposal had been reviewed by the State Auditor and auditors in the Comptroller General's Office and the State Treasurer's Office. He said it is in accord with GAAP reporting and accepted standard accounting procedures.

Governor Campbell pointed out that a result of the proposed action is $17 million more in the EIA that can be used in the building fund.

Mr. Morris noted that those who rate bonds look at how the state manages a deficit. He said we are managing as well as we can with Hugo's second hit and a recession combined.

Mr. Patterson said that the bond raters look at how the state deals with the circumstances in which it finds itself and the will and fortitude it has to deal with those circumstances, as well as whether the state develops a workable solution for getting beyond that point. He said raters also consider the history of the state in dealing with financial and fiscal matters and the reputation that South Carolina has throughout the country for dealing with those matters. He said a number of factors, such as the amount of outstanding debt, the economic circumstances, and the pattern and historic record of management, determine our rating.

Mr. Boan advised that, since hearing the proposal, he had sought advice from his staff, the Ways and Means Committee, and members of the legislature. He observed that this proposal had been offered in the past, but at that time the money to have been generated was to have been spent for recurring items, and, therefore, had been resisted. He said that the proposal affords an opportunity to look at 1991-92 without a loan repayment and with something in the reserve fund. He said that, of options available, it is the best one.

Senator Waddell echoed the sentiments expressed by Mr. Boan. He said that he is in favor of pay-as-you-go rather than incurring indebtedness to be met in next year's appropriations bill.

Dr. Coles advised that the Attorney General's Office has assisted staff in preparing the proposed resolutions. He noted that, in each case, staff had tried to be very specific. He distributed the following proposed resolution:

BE IT RESOLVED by the South Carolina State Budget and Control Board that, beginning with July 1991 and for each fiscal year hereafter, sales tax collected pursuant to Code Section 12-36-2570, Code of Laws of South Carolina, 1976, as amended, which are collected in the month of June to be remitted to the State no later than July 20 shall be credited to the State's general fund in the fiscal year in which they accrue.

The Board further resolves that, since the accrued June sales tax and the General Fund Reserve are sufficient to cover the projected shortfall, no interfund loan is necessary.

SO BE IT RESOLVED, this 30th day of July 1991.

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board adopted the referenced resolution.

Governor Campbell advised that the next item to be dealt with is the 1991-92 budget options based on the changing revenue estimate that the BEA has given the Board. He said the comfort level the BEA talks about is $148 million.

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board accepted the revised 1991-92 general fund revenue estimate of $3,440 million as presented by the Board of Economic Advisors.

Mr. Morris moved that the Board escrow or capture the capital reserve fund for part of the shortfall.

Governor Campbell said that there are several things included in the proposed resolution relating to the 1991-92 shortfall that should be discussed, such as the $67 million in the capital reserve fund and $81 million in a cut. He pointed out that there are certain items the Board cannot address in the proposed cut, such as the Judicial Department because it is protected in the constitution, debt service, and capital reserve fund.

Governor Campbell pointed out that a 2.5% reduction gains $150,787,552. Budget Division Director Charles Brooks noted that the 2.5% figure included the Judicial Department. Mr. Brooks then distributed a revised schedule showing the proposed reductions excluding the Judicial Department.

Governor Campbell noted that a 3% reduction will result in $166,954,000 after the Judicial Department has been excluded. He suggested that the Board

make a 1% cut and escrow 2% for a total of a 3% reduction. He said the reason for that proposal is that, in looking at all of the outside economic projects for South Carolina, there is a possibility that the economy will turn early enough. He said that, if the Board makes a 3% cut, there is no way to release the funds back to the agencies, but escrowed funds can be released if the economy improves.

Mr. Morris noted that every state dollar cut means the loss of three Medicaid dollars and asked that staff look at agencies that have that type of problem. Governor Campbell said that could be done, but noted that the proposal does give flexibility if the economy improves.

Mr. Patterson reiterated that the Board is looking at a 1% cut and a 2% escrow and, if revenues pick up during the fall or the first of the calendar year, the 2% could be released to agencies. Governor Campbell said this proposal gives ability to deal with emergencies that might arise.

Dr. Coles advised that there is some difficulty in preparing the resolution with the precise wording. He advised that the provisions of law give the Board the right to restrict the rate of expenditure. Governor Campbell said that the Board also has the right to cut across-the-board as well as the right to restrict the rate of expenditure.

Mr. Shine expressed a preference for discussing the matter in executive session.

Mr. Morris noted that a 3% reduction would give $166,954,517, excluding debt service and the Judicial Department. Dr. Coles advised that, first, the $67 million in the capital reserve fund would be captured. He said that, beyond that, the Board would cut 1% and escrow 2%, or set aside 3%, for $166 million additional.

Mr. Morris said that the total would be $233 million and questioned whether that would be over-cutting.

Governor Campbell cautioned that the Board will be addressing the issue of the Hugo note and other items and said that to take any chance on a shortfall would be dangerous. He said that escrowing the 2% would provide flexibility to return funds to agencies if the revenue growth is there.

In further discussion, Mr. Brooks advised that the reduction to agencies is only $100 million, and pointed out that the $67 million capital reserve fund is included in the total figure.

Governor Campbell also pointed out that the proposed resolution releases agencies from the freeze and restores management tools to them.

Mr. Boan advised that he had written to Governor Campbell regarding budget hearings for next year. He said that, given the circumstances, it would be a waste of time and would build false expectations. He proposed that, rather than holding budget hearings, the Board ask agencies to develop plans for the Board and the General Assembly to show how they will take the 1% cut and 2% set aside. He moved that the Board direct the Budget Division to get that information. He also expressed the hope that the Board would have an opportunity to review agency proposals.

Mr. Morris agreed that it would be fiscal folly to spend a week to hear justified requests with no money.

Senator Waddell said that agencies should submit plans as early as possible. He said that he doesn't want to see Sesame Street cut as one of the budget reductions. He said the Board should look at agency proposals, and noted that, in the past, Sesame Street had been cut, swimming pools had been closed, and the Museum had been closed. He backed up Mr. Boan's request that, at the proper time, the Board consider reviewing the plans, and that it be done as rapidly as feasible.

Senator Waddell said that it is wise for the Board to take action today to restrict expenditures as local school districts will have to adjust. He said it is imperative that the Board act today.

Mr. Morris noted that most of the school districts' monies are pass-through for contracts, and said a budget reduction presents a real problem for the districts. Mr. Boan expressed the view that the districts would like to have the worst case scenario as early in the fiscal year as possible.

Governor Campbell said the Board is trying to give the worst case scenario and to hold back the ability to reinstate funds if the situation improves.

Following a brief further discussion, the Board agreed to adjourn debate on the proposed resolution in order to receive legal advice in executive session. Governor Campbell advised that the Board would complete the regular session agenda, then take a brief break before going into executive session.

Information relating to this matter has been retained in these files and is identified as Exhibit 5.

Human Res. Mgmt.: Requests for Exemptions from Budget Freeze (Regular #5)

The Division of Human Resource Management recommended that the Board approve the following agency requests for exemptions from the budget freeze:

(a) Clemson University: fill the Director of the Livestock-Poultry Health Program position, effective August 1, 1991. Clemson advises that a board-certified veterinarian is needed to comply with a federal mandate that makes SC responsible for diagnosing infections and contagious animal diseases, including diseases transmittable to humans.

(b) Department of Education: fill 14 state-funded positions (12 Program Directors, grade 46; 1 Director of State Development and Training, grade 41; and 1 Public Information Director III, grade 44), effective immediately. The vacancies exist because of a recent agency reorganization. The Department advises that the positions must be filled now so that it may provide services to school districts beginning with the next school year.

(c) Wildlife and Marine Resources: fill the Director of Marine Resources Research Institute position at the Marine Resources Department, effective August 17, 1991. The Department advises that the continued absence of an Institute director jeopardizes its ability to secure valuable research funding.

Because the resolution proposed for adoption earlier in the meeting included a provision for rescinding the budget freeze, this item was not considered.

Information relating to this matter has been retained in these files and is identified as Exhibit 6.

Budget Division: FEMA Match Final Payment (Regular Session #6)

The Budget Division advised that the final payment of $1,650,000 for FEMA Public Assistance Matching Funds is due on August 1, 1991. No provision has been made in the 1991-92 Appropriations Act for this payment.

The 1990-91 Appropriations Act, Part III, authorized a promissory note of $31,350,000 for various purposes, one of which was $3,000,000 for "State Agency

Hugo Related Capital Improvements. The unencumbered balance in that account is $1,250,000.

The Division recommended that the Board authorize the final payment of $1,650,000 for FEMA Public Assistance Matching Funds from whatever funds are available within the Governor's Office. The Division also recommended that, with concurrence from the Joint Bond Review Committee, the Board request reimbursement for those funds from the State Agency Hugo Related Capital Improvements account.

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board authorized the final payment of $1,650,000 for FEMA Public Assistance Matching Funds from whatever funds are available within the Governor's Office.

In this same motion the Board, contingent upon concurrence by the Joint Bond Review Committee, requested reimbursement of $1,250,000, the unencumbered balance in the State Agency Hugo Related Capital Improvements account, for the final payment of $1,650,000 for FEMA Public Assistance Matching Funds by the Governor's Office.

Information relating to this matter has been retained in these files and is identified as Exhibit 7.

[Secretary's Note: The Board was advised in error that regular session item #7, relating to a proposal to issue general obligation bonds, had been removed from the agenda. The request was considered later in the meeting.]

General Services: Annexation of Mental Retardation Property (Regular #8)

Division Director Richard Kelly appeared before the Board on this matter.

This item had been carried over at the July 17 meeting.

The Division recommended approval of a petition to the City of Fort Mill requesting that the City annex a block of property which consists of 4.0 acres. The property was purchased by the Department of Mental Retardation as a site for a community residence.

After annexation, the City will provide police and fire protection to the site and the present water and sewer rates will be reduced.

The Board was advised that the proposed annexation has been approved by the Mental Retardation Commission.

The Division also advised that Senator Hayes and Representative Hayes have been informed of the annexation.

Upon a motion by Mr. Boan, seconded by Mr. Patterson, the Board, in accord with Code Section 5-3-140, petitioned the City of Fort Mill to annex a block of Mental Retardation property consisting of approximately 4.0 acres, as recommended by the Division of General Services.

Information relating to this matter has been retained in these files and is identified as Exhibit 8.

State Treasurer: General Obligation Notes, Series 1991 (Regular Session #7)

The Board was asked to adopt a resolution providing for the issuance and sale of $31,350,000 General Obligation Notes, Series 1991.

The proceeds will be used as follows:

- any accrued interest shall be applied, after payment of the expenses in connection with the issuance of the notes, to the payment of the interest to become due on the notes at maturity;

- the premium, if any, shall be applied to the payment of the principal of the notes; and

- the balance of $31,350,000 shall be applied to the payment of the Series 1990 notes on the maturity thereof.

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board adopted a resolution providing for the issuance and sale of $31,350,000 General Obligation Notes, Series 1991.

Information relating to this matter has been retained in these files and is identified as Exhibit 9.

General Services: Extension to HHSFC Procurement Certification (Regular #9)

Division Director Richard Kelly appeared before the Board on this matter.

The Division recommended that, in accord with the provisions of Code Section 11-35-1210, the Board grant a 90-day extension to the existing procurement certification of the Health and Human Services Finance Commission.

The Division is completing its standard follow-up review in accord with Code Section 11-35-1230 to determine if the Commission has completed its

corrective action. That follow-up review will not be complete by the time the existing procurement certification expires.

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board, in accord with the provisions of Code Section 11-35-1210, granted a 90-day extension to the existing procurement certification of the Health and Human Services Finance Commission, as recommended by the Division of General Services.

Information relating to this matter has been retained in these files and is identified as Exhibit 10.

Abbeville County: Industrial Revenue Bond (The Bibb Company Project) (R#10)

The Board was advised that the required reviews by the Attorney General's Office and the Division of General Services on the Abbeville County proposal to issue revenue bonds have been completed with satisfactory results.

The Board also was advised that the project requires approval under State law. An allocation of a portion of the Ceiling had been granted at the July 17 meeting.

Issuing Authority:	Abbeville County
Amount of Issue:	$3,000,000 Industrial Revenue Bonds
Allocation Amount:	$3,000,000 (granted 7/17/91)
Name of Project:	The Bibb Company
Employment Impact:	maintain existing employment of 150; additional employment of approximately 20
Project Description:	textile manufacturing facility (previously known as Abbeville Mills) that manufactures yarn primarily used in the manufacture of sheeting and toweling

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board adopted a resolution approving the Abbeville County proposal to issue $3,000,000 Industrial Revenue Bonds on behalf of The Bibb Company project.

Information relating to this matter has been retained in these files and is identified as Exhibit 11.

Future Meeting

The Board agreed to meet at 10 a.m. on Tuesday, August 13, 1991, in the Governor's conference room in the State House.

Budget and Control Board: Fiscal Year 1991-92 Budget Options (Regular #4)

Mr. Shine advised that he is trying to make sure the proposed resolution contains the exact language intended by the Board.

Dr. Coles asked that the Board adopt the resolution in principle and that it be considered in executive session for legal advice. He said that, in principle, the Board wants to (1) rescind the freeze; (2) impose a 1% cut; (3) impose a 2% restriction on the rate of expenditure which will be in an established account in each agency and therefore can be dealt with throughout the year; (4) set aside the capital reserve fund, in accord with the constitution, to avoid a year-end deficit; (5) exempt the Judicial Department or Debt Service from the cuts and restriction; and (6) charge agencies with the responsibility of managing within the restrictions.

Mr. Patterson moved that the Board adopt the proposed resolution in principle, subject to legal clarification by the Board's attorney.

Mr. Boan moved to amend the motion to ask agencies to present to the Board by its next meeting their proposals for dealing with the actions to be taken in the resolution to cut and restrict funds, and that the Board forgo budget hearings in September or October.

Mr. Patterson accepted the amendments to his motion. The motion as amended was seconded by Senator Waddell.

In the ensuing discussion, Mr. Morris asked if the Board will consider any proposals the agencies submit. Mr. Boan expressed the hope that agency proposals to be sent to the Board by the next meeting will be the agencies' maintenance budgets of where they are now. He said he is not opposed to any correspondence, but he sees no need to send any false signals to the people of South Carolina and to agencies that there will be a plan with a 5% increase in budgets. He said it just will not happen, and the Board needs to establish that now.

The motion as amended carried unanimously.

Modification to Executive Session Agenda

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board agreed to add to the executive session agenda the receipt of legal advice on the proposed resolution relating to the 1991-92 budget.

[Secretary's Note: The Board then recessed briefly before considering executive session items. During the recess, Board members addressed questions posed by members of the news media relating to the budget matters discussed earlier.]

Executive Session

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board agreed to consider the following items, which had been published previously, in executive session.

1	Human Resource Mgmt.	Discussion of Appointment (State Suggestion Review Committee)
2	Retirement Systems	Discussion of Appointment (Deferred Compensation Commission)
3	Attorney General	Receipt of Legal Advice (Belton v. State Housing Authority)
4	General Services	Receipt of Legal Advice (Water Resources Commission)
5	Executive Director	Discussion of Negotiations Incident to Proposed Contractual Arrangements (Civil Contingent Fund Allocations for Legal Services)
6	Internal Operations	Discussion of Negotiations Incident to Proposed Contractual Arrangements (Legal Services)
7	State Auditor's Office	Receipt of Legal Advice (Local Government Division Grants)
8	General Services	Discussion of Negotiations Incident to Proposed Contractual Arrangements (Retirement Systems)
9	Human Resource Mgmt.	Discussion of Appointment (State Employee Grievance Committee)

10	Human Resource Mgmt.	Discussion of Compensation (Exception to 95% Agency Head Salary Rule, DHEC)
11	Budget & Control Board	Discussion of a Personnel Matter (Division Director Performance Appraisals)
12	Executive Director	Discussion of a Personnel Matter

Report on Matters Discussed in Executive Session

Following the executive session, the meeting was opened, and the Board voted on the following items which had been discussed during executive session:

(a) Human Resource Management: Discussion of Appointment (State Suggestion Review Committee) (Executive Session #1)

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board appointed the following persons to the State Suggestion Review Committee for fiscal year 1991-92:

Donna Hodges, Department of Corrections
Cy Wentworth, Department of Social Services
Al Courie, Wildlife and Marine Resources
Rhonda Grant, Probation, Parole and Pardon Services
Jo McRant, Attorney General's Office
Don Addy, Budget and Control Board
Jane Jameson, University of South Carolina
Charles White, Educational Television Network
Mary M. Law, Engineers and Land Surveyors Board

(b) Retirement Systems: Discussion of Appointment (Deferred Compensation Commission) (Executive Session #2)

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board reappointed the following persons to serve three-year terms (expiring August 10, 1991) on the Deferred Compensation Commission: Ms. Joan Johnakin; Mr. Horace Curtis; and Mr. Jasper Harmon.

(c) Attorney General's Office: Receipt of Legal Advice (Belton v. State Housing Authority) (Executive Session #3)

The Board received as information a briefing on the status of the Belton v. State Housing Authority case.

(d) General Services: Receipt of Legal Advice (Water Resources Commission) (Executive Session #4)

The Board received as information a Water Resources Commission status report on the legal preparation of the ground water rights of South Carolina and Georgia.

(e) Executive Director: Discussion of Negotiations Incident to Proposed Contractual Arrangements (Civil Contingent Fund Allocations for Legal Services) (Executive Session #5)

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board disencumbered $50,000 of the $125,000 Civil Contingent Fund encumbrance for the Catawba Indian Suit; encumbered $50,000 of the Civil Contingent Fund for the Attorney General's Office for surveying and mapping the Georgia-South Carolina boundary; and encumbered $75,000 of the Civil Contingent Fund for the Department of Youth Services to pay additional legal expenses due to the class action lawsuit filed against the agency.

(f) Internal Operations: Discussion of Negotiations Incident to Proposed Contractual Arrangements (Legal Services) (Executive Session #6)

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board authorized the Division to retain the firm of Ogletree, Deakins, Nash, Smoak & Stewart and Ronald H. Stanley, Esq., as counsel for employment and general personnel matters, at an hourly rate of $100.

(g) State Auditor's Office: Receipt of Legal Advice (Local Government Division Grants) (Executive Session #7)

Upon a motion by Mr. Boan, seconded by Mr. Patterson, the Board, after having reviewed the State Auditor's Office report on Division of Local Government grants to Anderson County during the past three years, authorized the Division of Local Government to resolve $241,412.51 of audit exceptions questioned by the State Auditor.

(h) General Services: Discussion of Negotiations Incident to Proposed Contractual Arrangements (Retirement Systems) (Exec. Session #8)

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board authorized General Services to release solicitation for the relocation of the Retirement System for both lease and lease-purchase proposals, subject to final review and approval by the Board prior to award.

(i) Human Resource Management: Discussion of Appointment (State Employee Grievance Committee) (Executive Session #9)

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board appointed the following to the State Employee Grievance Committee:

Glenda Lucas, Department of Insurance;
Carol Woodard, Probation, Parole and Pardon Services;
Cora Jenkins, Department of Mental Health;
Ron Jenkins, Department of Youth Services;
Alan Pollack, Budget and Control Board;
Earle Powell, Water Resources Commission; and
Lemeul Stephens, Department of Education.

(j) Human Resource Management: Discussion of Compensation (Exception to 95% Agency Head Salary Rule, DHEC) (Exec. #10)

Upon a motion by Mr. Morris, seconded by Senator Waddell, the Board granted an exemption to Code Section 8-11-165 to the Department of Health and Environmental Control to allow a salary in excess of 95% of the midpoint of the salary range of the agency head for Mr. Laurence C. McCarty, as recommended by the Division of Human Resource Management.

(k) Budget & Control Board: Discussion of a Personnel Matter (Division Director Performance Appraisals) (Executive Session #11)

The Board confirmed the following process for performance appraisals of the Board division directors and Executive Director:

(1) The Executive Director evaluates directors of all divisions except the Retirement System and the State Auditor's Office and forwards those evaluations to Board members for their use in evaluating these persons;

(2) Board members make assessments of the Executive Director and all division directors and forward those evaluations to the Deputy Executive Director;

(3) The Deputy Executive Director compiles ratings and presents them to the Board; and

(4) After Board review, the Deputy Executive Director forwards the appraisals to the Agency Head Salary Commission.

(l) Executive Director: Discussion of a Personnel Matter (Exec. #12)

Upon a motion by Mr. Morris, seconded by Senator Waddell, the Board authorized the Executive Director to enter into an interagency agreement with the Department of Education under the Government Employee Interchange Program for the services of A. Baron Holmes, IV, Ph.D.

(m) Fiscal Year 1991-92 Budget Options

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board, after determining that a deficit may occur in the 1991-92 budget in excess of funds available in the capital reserve fund, the Board adopted a resolution that:

(1) Rescinded the spending and hiring limitations;

(2) Reduced the entire capital reserve fund to avoid a year-end deficit;

(3) Imposed a 3% restriction on the rate of expenditure until further notice;

(4) Directed that a special account be established within each agency to escrow the 2% level of restricted funds until further notice;

(5) Pursuant to Section 14.48 of the 1991-92 Appropriations Act, reduced by 1% appropriations for all state agencies, departments and institutions, except the Judicial Department, the capital reserve fund, and Debt Service;

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board, in accord with Code Section 6-27-20, applied the same reductions to Aid to Subdivisions.

Upon a motion by Mr. Boan, seconded by Mr. Patterson, the Board agreed that budget hearings will not be required, and directed that agency heads submit to the Board by its next meeting plans for managing the 1% cut and 2% escrow.

Information relating to this matter has been retained in these files and is identified as Exhibit 12.

Adjournment

The meeting was adjourned at 1:20 p.m.

[Secretary's Note: In compliance with Code §30-4-80, public notice of and the agenda for this meeting were posted on bulletin boards in the office of the Governor's Press Secretary and in the Press Room in the State House, near the Board Secretary's office in the Wade Hampton Building, and in the lobby of the Wade Hampton Office Building at 4:00 p.m. on Friday, July 26, 1991.]

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
MEETING OF July 30, 1991

BLUE AGENDA
ITEM NUMBER 1

AGENCY: General Services

SUBJECT: Easements

A. The Division of General Services recommends approval of the following easements in accord with Code Sections 1-11-80, 1-11-90 and 1-11-100:

1.	County Location:	Horry
	From:	Budget and Control Board
	To:	Horry Electric Cooperative
	Description/Purpose:	7200 volt aerial electrical distribution line crossing the Waccamaw River, Simpson Creek Township to provide service to residential area along the river
	Consideration:	$200
2.	County Location:	Charleston
	From:	Budget and Control Board
	To:	Central Electric Power Cooperative
	Description/Purpose:	aerial transmission line across Abbapoola Creek on John's Island to extend service to new substation
	Consideration:	$200
3.	County Location:	Kershaw
	From:	Budget and Control Board
	To:	City of Camden
	Description/Purpose:	drainage easement for Springdale Race Course to resolve drainage problem
	Consideration:	$5
4.	County Location:	Georgetown
	From:	Budget and Control Board
	To:	Georgetown Water and Sewer
	Description/Purpose:	25' wide permanent sewer force in a tributary of Sampit River near Pennyroyal Road for installation and maintenance of sewage force main outfall
	Consideration:	$1
5.	County Location:	Kershaw
	From:	Budget and Control Board
	To:	SC Public Service Authority
	Description/Purpose:	construction, maintenance and operation of overhead 69 KV transmission line over Wateree River between Camden and Lugoff
	Consideration:	$1

Agency: General Services

SUBJECT: Easements (continued)

B. The Division recommends that the Board concur and acquiesce in the granting of the following easements in accord with Code Section 10-1-130:

1.	County Location:	Dillon
	From:	SC Forestry Commission
	To:	Highways & Public Transportation
	Description/Purpose:	66' X 33' easement for the construction, improvement, operation and maintenance of public road as a State highway from US Route 501 and 301 Westerly and Southerly for .273 miles
	Consideration:	$1
2.	County Location:	Berkeley
	From:	SC Forestry Commission
	To:	Highways & Public Transportation
	Description/Purpose:	75' easement for the construction, improvement, operation and maintenance of a public road as a State highway from North Moncks Corner to St. Stephen on Route 52
	Consideration:	$1
3.	County Location:	Dorchester
	From:	Mental Retardation
	To:	South Carolina Electric & Gas Company
	Description/Purpose:	6 foot wide easement for the installation of gas pipe lines at the Coastal Center for a change over from coal and diesel heat to gas heat
	Consideration:	$1

BOARD ACTION REQUESTED:

A. Approve the referenced easements as recommended by the Division of General Services.

B. Concur and acquiesce in the referenced easements.

ATTACHMENTS:

Agenda item worksheets; referenced easements

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD
001039

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: **July 30, 1991** **Blue Agenda**

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1. **Submitted By**:
   (a) Agency: Division of General Services
   (b) Authorized Official Signature: Richard W. Kelly

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2. **Subject**: Easement from SC Budget and Control Board to Horry Electric Cooperative for a 7200 volt aerial electrical distribution line.

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3. **Summary Background Information**:

   Horry Electric Cooperative is seeking an easement for a 7200 volt aerial electrical distribution line crossing the Waccamaw River, Simpson Creek Township, Horry County, South Carolina. The purpose of this work is to provide service to the residential area along the river.

   The easement has been approved by the Attorney General's Office.

   A consideration of $200.00 has been paid by Horry Electrical Cooperative.

4. **What is Board asked to do?**

   Approve the easement as proposed

5. **What is recommendation of Board Division involved?**

   That the easement be approved

6. **Recommendation of other Division/agency (as required)?**

   (a) Authorized Signature:_____
   (b) Division/Agency Name:_____

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7. **List of Supporting Documents:**

   LIST THOSE ATTACHED:
   1. Easement Document with Drawing
   2. Statutory Authority, Code Section 1-11-80

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

001040

A.1.

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

EASEMENT

THIS EASEMENT, made and entered into this 8th day of July, 1991, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "State"), and HORRY ELECTRIC COOPERATIVE as Grantee (hereinafter "GRANTEE").

W I T N E S S E T H

WHEREAS, GRANTEE is a ELECTRIC COOPERATIVE, and GRANTEE's mailing address is P. O. Box 119, Oak Street, Conway, SC 29526; and

WHEREAS, GRANTEE proposes to construct a 7200 volt distribution line across the Waccamaw River, Conway, South Carolina. The distribution line and easement are more particularly shown and delineated on a plat entitled, Horry Electric Cooperative, Inc. showing a proposed wire crossing the Waccamaw River, Simpson Creek Township, Horry County, SC, which is attached hereto and incorporated herein.

WHEREAS, pursuant to 1-11-80 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of power lines, pipe lines, water and sewer lines over, on or under such vacant lands or marshlands as are owned by the STATE; and

WHEREAS, GRANTEE is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in HORRY County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of TWO HUNDRED DOLLARS ($200.00) DOLLAR(S) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto GRANTEE its successors and assigns, a right-of-way easement in, to, upon and over the below

described portion of riverbed and marshland; such riverbed and marshland situate in HORRY County and lying below the mean high water line.

This easement of right-of-way shall be used solely for the purposes incidental with the installation, operation and maintenance of a 7200 volt aerial electrical distribution line. The easement area is more particularly described as follows:

A right-of-way 185.6' in length and 30' wide across the Waccamaw River; the center line of the said 30' right-of-way being more particularly described as follows: Beginning at a point on the ordinary high water line on the north bank of the Waccamaw River, the point of beginning 3,119' South 48 Degrees, 13 Minutes, 20 Seconds East of the intersection of County Road 873 and State Highway 905, proceeding along center line of said right-of-way South 04 Degrees, 09 Minutes, 09 Seconds West for a distance of 185.6' to a point on the ordinary high water line of the south bank of the Waccamaw River.

The easement area is more particularly shown and delineated on a plat entitled Horry Electric Cooperative, Inc., showing a proposed wire crossing over the Waccamaw River, Simpson Creek Township, Horry County, SC, prepared by Terry M. Watson, R.L.S. No. 7168, dated April 17, 1991. attached hereto and incorporated herein.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

The vertical clearance of all electrical wire, conductors, cables and live parts of equipment across all navigable waters and/or waters of the State of South Carolina shall be constructed in accordance with National Safety Code (ANSI-C2-1981) Part 2, Section 23, as amended.

GRANTEE hereby agrees and covenants with the STATE that GRANTEE, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. GRANTEE shall use the easement area solely for the purpose incidental with the construction, operation, and maintenance of said aerial electrical distribution line and shall maintain such easement area and aerial electrical distribution line in good condition.

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GRANTEE further agrees and covenants that GRANTEE shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs of attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

GRANTEE will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if GRANTEE, its successors and assigns: (1) quits and abandons all use of such aerial electrical distribution line in which case this easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breech of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restriction and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.

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IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 30th day of July, 1991.

WITNESSES:

STATE OF SOUTH CAROLINA
BUDGET & CONTROL BOARD

BY: _____

Governor Carroll A. Campbell, Jr.
Chairman, Budget and Control Board

WITNESSES:

HORRY ELECTRIC COOPERATIVE, INC.

BY: _____

Manager
TITLE

Approved
OFFICE OF THE ATTORNEY GENERAL

BY: Kenneth P. Woodington
Kenneth P. Woodington

DATE: 7/1/91

001044

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PERSONALLY appeared before me MICHAEL L. THOMPSON and made oath that he/she saw the within named State of South Carolina, Budget and Control Board, by its Chairman, Governor Carroll A. Campbell, Jr., sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with SALLIE B. Spade, witnessed the execution thereof.

Michael L. Thompson

SWORN to before me this 2nd

day of August, 1991.

Faye A. Holley (L.S.)
Notary Public for South Carolina

My Commission expires: 3-21-95

****

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

PERSONALLY appeared before me M. W. Floyd and made oath that he/she saw the within named Horry Electric Cooperative, Inc., by Charlie Webster, its Manager, sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with Mildred H. Strickland, witnessed the execution thereof.

M W Floyd

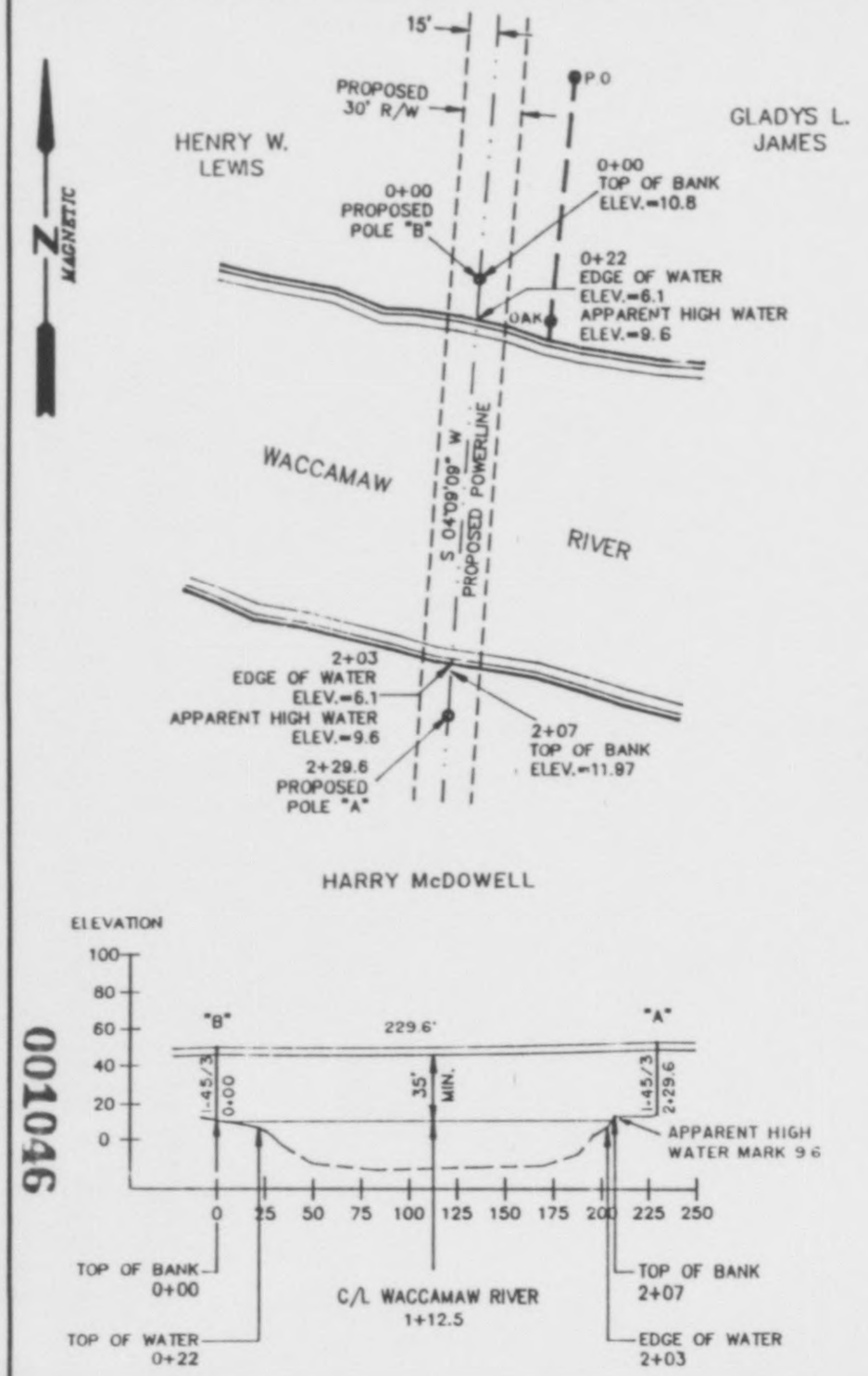
SWORN to before me this 8th

day of July, 1991.

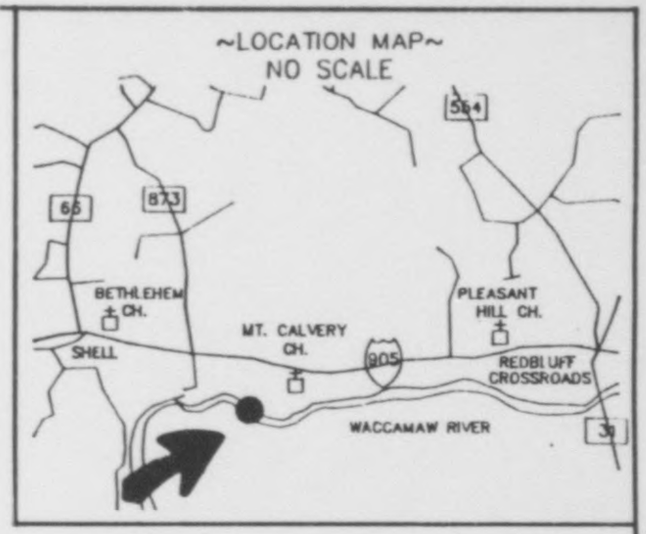
Alice P Edge (L.S.)
Notary Public for South Carolina

My Commission Expires: 3-22-93

001045



001046



~PLAT~

SHOWING A PROPOSED WIRE CROSSING OVER THE WACCAMAW RIVER, SIMPSON CREEK TOWNSHIP, HORRY COUNTY, S. C. SURVEYED FOR

HORRY ELECTRIC COOPERTIVE, INC.

APRIL 17, 1991

GRAPHIC SCALE

100 0 100 200

(IN FEET)
1 inch = 100 ft.

Terry M. Watson, R.L.S. NO. 7168
Land Surveying, Inc.

TMS NO. 113-00-02-

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: July 30, 1991 Blue Agenda

1. **Submitted By**:
   (a) Agency: Division of General Services
   (b) Authorized Official Signature: Richard W. Kelly

2. **Subject**: Easement from SC Budget and Control Board to Central Electric Power Cooperative for a aerial transmission line.

3. **Summary Background Information**:

   Central Electric Power Cooperative is seeking an easement for an aerial transmission line across Abbapoola Creek on John's Island, South Carolina. The purpose of the work is to extend electric service to the Berkeley Electric Cooperative's new substation and to provide an adequate supply of electricity to the Coop's members for present and future growth

   The easement has been approved by the Attorney General's Office.

   A consideration of $200.00 has been paid by Central Electric Power Cooperative.

4. **What is Board asked to do**?

   Approve the easement as proposed

5. **What is recommendation of Board Division involved**?

   That the easement be approved

6. **Recommendation of other Division/agency (as required)**?

   (a) Authorized Signature:_____
   (b) Division/Agency Name:_____

7. **List of Supporting Documents**:

   LIST THOSE ATTACHED:
   1. Easement Document with Drawing
   2. Statutory Authority, Code Section 1-11-80

EXHIBIT
JUN 30 1991 1
STATE BUDGET & CONTROL BOARD

001047 A.2.

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

EASEMENT

THIS EASEMENT, made and entered into this _____ day of _____, 1991, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "State"), and CENTRAL ELECTRIC POWER COOPERATIVE, INC. as Grantee (hereinafter "GRANTEE").

W I T N E S S E T H

WHEREAS, GRANTEE is a Generation and Transmission Cooperative, and GRANTEE's mailing address is P. O. Box 1455, 121 Greystone Boulevard, Columbia, SC 29202; and

WHEREAS, GRANTEE proposes to construct an aerial transmission line across Abbapoola Creek at a location approximately 1/2 mile upstream of State Road 967 on John's Island, South Carolina. The transmission line and easement are more particularly shown and delineated on a plat entitled, 115 KV power line easement crossing Abbapoola Creek, John's Island, SC, which is attached hereto and incorporated herein.

WHEREAS, pursuant to 1-11-80 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of power lines, pipe lines, water and sewer lines over, on or under such vacant lands or marshlands as are owned by the STATE; and

WHEREAS, GRANTEE is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in CHARLESTON County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of TWO HUNDRED DOLLARS ($200.00) DOLLAR(S) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto GRANTEE

its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in CHARLESTON County and lying below the mean high water line.

This easement of right-of-way shall be used solely for the purposes incidental with the installation, operation and maintenance of a 115 KV aerial transmission line across Abbapoola Creek, John's Island, South Carolina. The easement area is more particularly described as follows:

Beginning at a point on the ordinary high water line on the north bank of the Abbapoola Creek. Said point of beginning being 2,797 feet South 63 Degrees, 13 Minutes, 8 Seconds West of the centerline of Bryan's Bridge over Abbapoola Creek, thence proceeding 336 feet S 0 Degrees, 52 Minutes, 30 Seconds East to a point on the ordinary high water line on the south bank of the Abbapoola Creek.

The easement area is more particularly shown and delineated on a plat entitled 115KV Power Line Easement Crossing Abbapoola Creek, Charleston County, South Carolina, prepared by Charles F. Renew, dated June 4, 1991, attached hereto and incorporated herein.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

The vertical clearance of all electrical wire, conductors, cables and live parts of equipment across all navigable waters and/or waters of the State of South Carolina shall be constructed in accordance with National Safety Code (ANSI-C2-1981) Part 2, Section 23, as amended.

GRANTEE hereby agrees and covenants with the STATE that GRANTEE, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. GRANTEE shall use the easement area solely for the purpose incidental with the construction, operation, and maintenance of said transmission line and shall maintain such easement area and transmission line in good condition.

001049

GRANTEE further agrees and covenants that GRANTEE shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs of attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

GRANTEE will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if GRANTEE, its successors and assigns: (1) quits and abandons all use of such transmission line in which case this easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breech of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restriction and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.

001050

IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 30th day of July, 1991.

WITNESSES:

STATE OF SOUTH CAROLINA
BUDGET & CONTROL BOARD

BY: _____

Governor Carroll A. Campbell, Jr.
Chairman, Budget and Control Board

WITNESSES:
AND

CENTRAL ELECTRIC POWER
COOPERATIVE

BY: _____

Donna S. Kinard

Exec. V.P. & General Manager
TITLE

Approved
OFFICE OF THE ATTORNEY GENERAL

BY: _____
Kenneth P. Woodington

DATE: 6/24/91

001051

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PERSONALLY appeared before me Michael L. Thompson and made oath that he/she saw the within named State of South Carolina, Budget and Control Board, by its Chairman, Governor Carroll A. Campbell, Jr., sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with Sallie B. Spade, witnessed the execution thereof.

Michael L. Thompson

SWORN to before me this 2nd

day of August, 1991.

Faye A. Holley (L.S.)
Notary Public for South Carolina

My Commission expires: 3-21-95

****

STATE OF SOUTH CAROLINA)
)
COUNTY OF ~~CHARLESTON~~ Richland)

PERSONALLY appeared before me Donna Kinard and made oath that he/she saw the within named Central Electric Power Cooperative, by Patrick T. Allen, its Exec. V.P. & Gen Mgr., sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with Julie Gibson, witnessed the execution thereof.

Donna S. Kinard

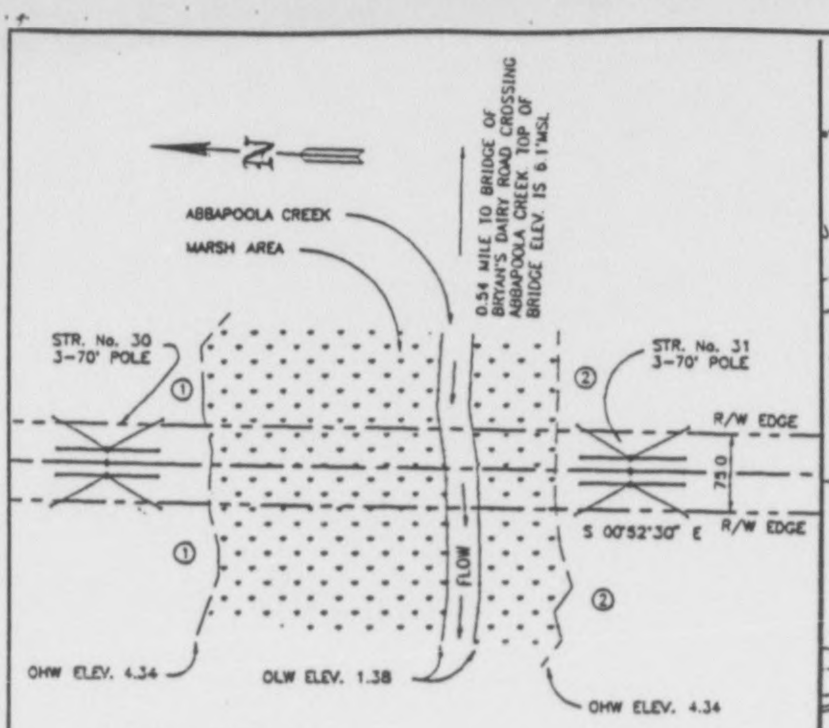
SWORN to before me this 3rd

day of July, 1991.

Georgia E. Livingston (L.S.)
Notary Public for South Carolina

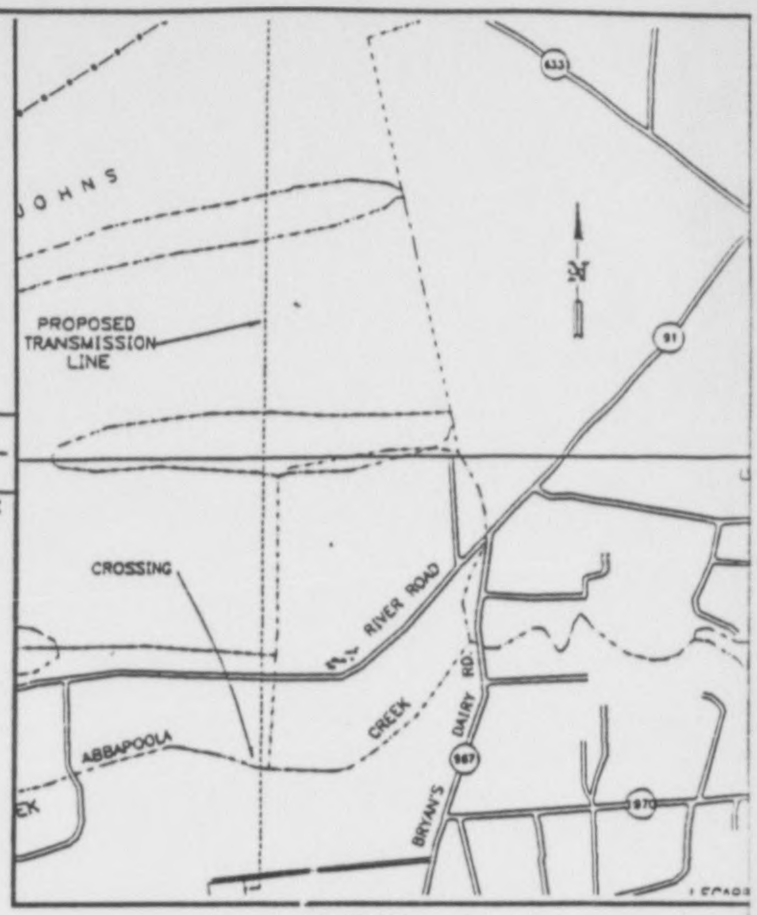
My Commission Expires: April 25, 1999

001052

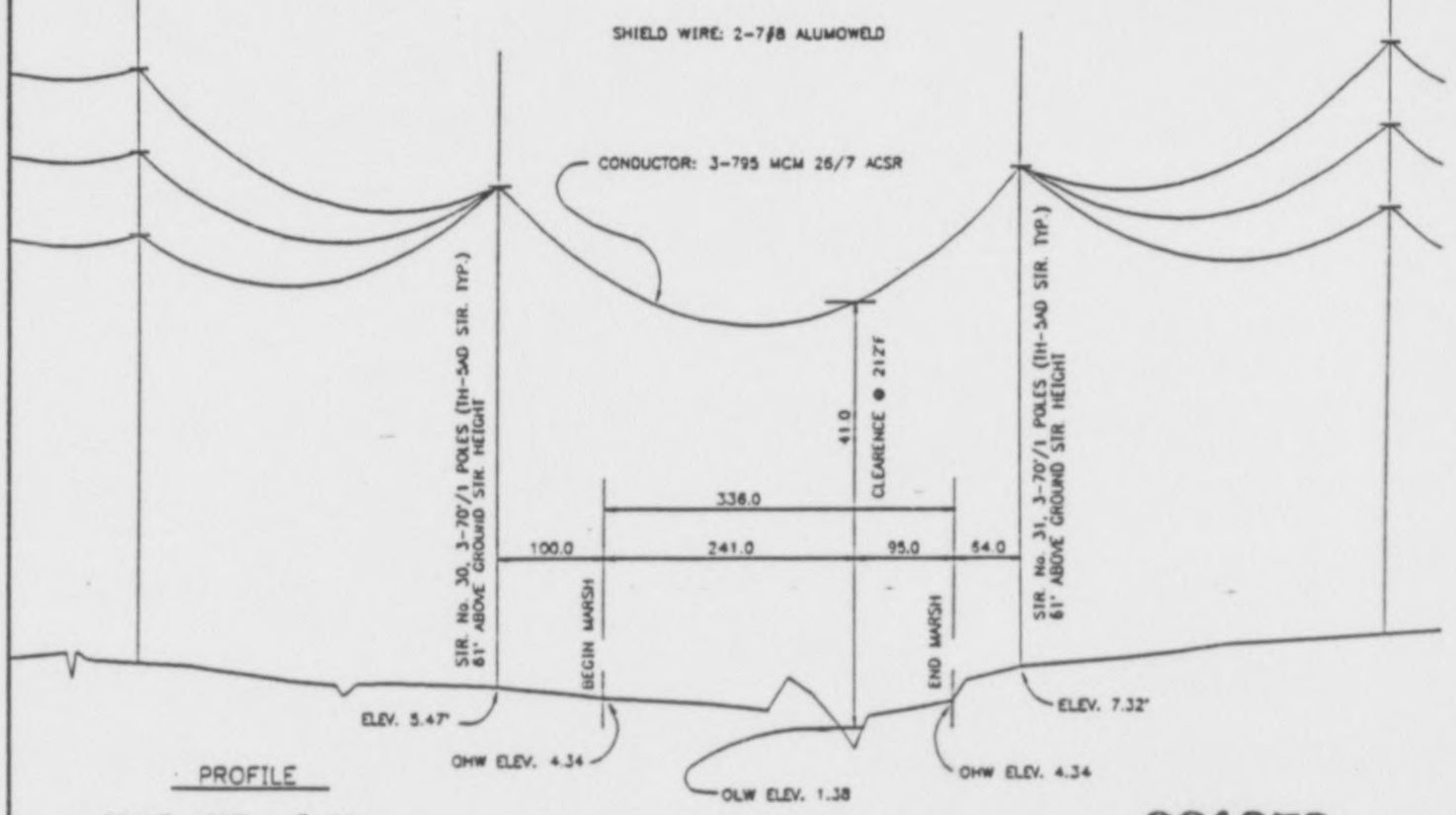


PLAN

SCALE: 1"=200'



VICINITY MAP
SOURCE: S.C. LEGAREVILLE QUADRANGLE
U.S. GEOLOGICAL SURVEY



PROFILE

SCALE: VERT. 1"=20'
HORIZ. 1"=200'

001053

Central Electric Power Cooperative, Inc.
P.O. BOX 1455/121 GREYSTONE BOULEVARD
COLUMBIA S.C. 29202
(803) 779-4975

S. C. SO SANTEE
LEGAREVILLE 115KV CROSSING
ABBAPOOLA CREEK
JOHNS ISLAND, CHARLESTON CO. S.C.

DRAWN TJ CHECKED REV. NO
DATE 4-22-91 SCALE
PLT DATE
DESIGN BY RK
SURVEYED BY

NO.	BY	DATE	APP	REVISION

SHEET 1 OF 1

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: July 30, 1991 Blue Agenda

1. **Submitted By:**
   (a) Agency: Division of General Services
   (b) Authorized Official Signature: Richard W. Kelly

2. **Subject:** Easement from SC Budget and Control Board to the City of Camden for a drainage easement.

3. **Summary Background Information:**

   The City of Camden is seeking a drainage easement for the Springdale Race Course in Camden, South Carolina. The purpose of the easement is to resolve a long-standing drainage problem. The City plans to construct and maintain an open drainage ditch on the areas described in the easement.

   The easement has been duly executed by the Mayor of the City of Camden.

   A consideration of $5.00 has been acknowledged.

4. **What is Board asked to do?**

   Approve the easement as proposed

5. **What is recommendation of Board Division involved?**

   That the easement be approved

6. **Recommendation of other Division/agency (as required)?**

   (a) Authorized Signature:_____
   (b) Division/Agency Name:_____

7. **List of Supporting Documents:**

   LIST THOSE ATTACHED:
   1. Easement Document with Drawing
   2. Statutory Authority, Code Section 1-11-90

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

001054

A.3.

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

EASEMENT

THIS EASEMENT, made and entered into this _____ day of _____, 1991, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "State"), and The City of Camden as Grantee (hereinafter "GRANTEE").

W I T N E S S E T H

WHEREAS, GRANTEE is a POLITICAL SUBDIVISION, and GRANTEE's mailing address is P. O. Drawer 39, Camden, SC 29020; and

WHEREAS, GRANTEE proposes to improve drainage of Springdale Race Course, in Camden, South Carolina. The easement being more particularly shown and delineated on a drawing entitled, Drainage Easement to be conveyed to the City of Camden, dated April 26, 1991, prepared by Daniel Riddick & Associates, Inc. which is attached hereto and incorporated herein.

WHEREAS, pursuant to 1-11-80 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain or easements through over, on or under such vacant lands as are owned by the STATE; and

WHEREAS, GRANTEE is desirous of obtaining the hereinafter described easement, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of Five Dollars ($5.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto GRANTEE its successors and assigns, a drainage easement in, to, upon and over a portion of Springdale Race Course, which drainage easement is more particularly described as follows:

An easement for drainage over that piece, parcel or strip of land of a uniform width of 20' feet as shown on a plat dated April 26, 1991 by Daniel D. Riddick, R.L.S., and recorded in the office of the Clerk of Court for Kershaw County in Plat Book _____, Page _____. This easement shall be used solely for drainage.

This easement is subject to all easements of record or which may be revealed by inspection of the property.

GRANTEE further agrees and covenants that GRANTEE shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs of attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if GRANTEE, its successors and assigns: (1) quits and abandons all use of such drainage easement in which case this easement shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breech of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restriction and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.

001056

IN WITNESS WHEREOF, this easement is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 30th day of July, 1991.

WITNESSES:

Michael R. Thompson

Sallie B. Spade

STATE OF SOUTH CAROLINA
BUDGET & CONTROL BOARD

BY: Carroll A. Campbell, Jr.

Governor Carroll A. Campbell, Jr.
Chairman, Budget and Control Board

WITNESSES:
AND

Julie W. Lee

Charles W. Chatman III

CITY OF CAMDEN

BY: James C. Caldwell

MAYOR
TITLE

DATE: July 9, 1991

001057

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PERSONALLY appeared before me Michael L. Thompson and made oath that he/she saw the within named State of South Carolina, Budget and Control Board, by its Chairman, Governor Carroll A. Campbell, Jr., sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with Sallie B. Spade, witnessed the execution thereof.

Michael L. Thompson

SWORN to before me this 2nd

day of August, 1991.

Faye A. Holley (L.S.)
Notary Public for South Carolina

My Commission expires: 3-21-95

****

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

PERSONALLY appeared before me JULIE W. LEE and made oath that he/she saw the within named JAMES L. ANDERSON, by MAYOR, CITY OF CAMDEN, its _____, sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with CHARLES V.B. COSHMAN III, witnessed the execution thereof.

Julie W. Lee

SWORN to before me this 9th

day of July, 1991.

Charles W. Coshman III (L.S.)
Notary Public for South Carolina

My Commission Expires: 12/11/2000

001058

"SPRINGLAKE RACE COURSE"

FLOYD

JUNE 1.

8-A

(KERSHAW COUNTY) DRAINAGE EASEMENT

226.7 L.F.

10'

10'

NOTE: OPEN DRAINAGE EASEMENT 50 L.F.

CREED

(KERSHAW COUNTY) DRAINAGE EASEMENT

224.5 L.F.

NOTE: OPEN DRAINAGE EASEMENT 50 L.F.

RAISE MH TO 2

NOTE: 36 L.F. - 24" EXISTING R.C.P.

NOTE: 52 L.F. - 18" EXISTING R.C.P.

C.B.-2B

C.B.-2A

HUNT CUP LN

12 + 52.35 P.T.

13 + 06.45 P.C.

10'

13'

INV. 206.60

INV. 208.33

001059

211.70'

7.45'

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: July 30, 1991 Blue Agenda

1. **Submitted By**:
   (a) Agency: Division of General Services
   (b) Authorized Official Signature: Richard W. Kelly

2. **Subject**: Easement from SC Budget and Control Board to Georgetown County Water and Sewer for a subaqueous wastewater outfall line.

3. **Summary Background Information**:

   Georgetown Water and Sewer is seeking a 25' wide permanent sewer force easement in a tributary of the Sampit River near Pennyroyal Road, Georgetown County. The easement is to be used for the installation and maintenance of a sewage force main outfall.

   The easement has been approved by the Attorney General's Office.

   A consideration of $1.00 has been acknowledged.

4. **What is Board asked to do**?

   Approve the easement as proposed

5. **What is recommendation of Board Division involved**?

   That the easement be approved

6. **Recommendation of other Division/agency (as required)**?

   (a) Authorized Signature:_____
   (b) Division/Agency Name:_____

7. **List of Supporting Documents**:

   LIST THOSE ATTACHED:
   1. Easement Document with Drawing
   2. Statutory Authority, Code Section 1-11-90

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

001060

A.4.

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

EASEMENT

THIS EASEMENT, made and entered into this _____ day of _____, 1991, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "State"), and GEORGETOWN COUNTY WATER & SEWER DISTRICT as Grantee (hereinafter "GEORGETOWN SEWER").

W I T N E S S E T H

WHEREAS, GEORGETOWN SEWER is a POLITICAL SUBDIVISION, and GEORGETOWN SEWER's mailing address is P. O. Box Drawer E, Highway 21 North, Georgetown, SC 29442; and

WHEREAS, GEORGETOWN SEWER proposes to construct a subaqueous wastewater outfall in an unnamed tidal tributary of the Sampit River adjacent to CSX Railroad and near Pennyroyal Road, Georgetown County, South Carolina. The wastewater outfall and easement are more particularly shown and delineated on a drawing entitled, A 25' Permanent Force Main Easement into a tidal creek of the Sampit River prepared for Georgetown County Water and Sewer District, which is attached hereto and incorporated herein.

WHEREAS, pursuant to 1-11-90 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of power lines, pipe lines, water and sewer lines over, on or under such vacant lands or marshlands as are owned by the STATE; and

WHEREAS, GEORGETOWN SEWER is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in GEORGETOWN County, and the STATE considers the granting of such an easement to be in the public interest.

001061

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of ONE DOLLAR ($1.00) DOLLAR(S) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto GEORGETOWN SEWER its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in GEORGETOWN County and lying below the mean high water line.

This easement of right-of-way shall be used solely for the purposes incidental with the installation, operation and maintenance of SUBAQUEOUS WASTEWATER OUTFALL in an unnamed tidal tributary of the Sampit River adjacent to CSX Railroad and near Pennyroyal Road in Georgetown County, South Carolina. The easement area is more particularly described as follows:

Traverse 3943 linear feet at a bearing North 30 Degrees, 25 Minutes, 40 Seconds West along the center line of (SCPSA) power line easement from the intersection of the centerline of the (SCPSA) powerline easement and the centerline of Pennyroyal Road. (S-22-42). Then turn right on centerline of (SCPSA) easement and traverse 414.25 linear feet at a bearing North 26 Degrees, 15 Minutes, 23 Seconds West. Then turn right on center line of (SCPSA) and traverse 414.45 linear feet at a bearing North 15 Degrees, 49 Minutes, 56 Seconds West. Turn right along centerline of (SCPSA) power easement and traverse 421 linear feet at a bearing North 13 Degrees, 41 Minutes, 23 Seconds West. Then turn right and traverse 45.0 linear feet at a bearing North 76 Degrees, 18 Minutes, 37 Seconds East from the centerline of (SCPSA) powerline easement to the mean high water level of a tidal creek of the Sampit River. Then a 25' wide permanent sewer easement running from the mean high water line of the south bank 70 linear feet along bearing North 13 Degrees, 41 Minutes, 23 Seconds West into the channel of a tidal creek of the Sampit River in Georgetown County, South Carolina.

The easement area is more particularly shown and delineated on a drawing entitled A 25' permanent force main easement into a tidal creek of the Sampit River, prepared for Georgetown County Water and Sewer District by Hayes, Seay, Mattern & Mattern, Inc., Guy E. Slagle P.E. & R.L.S. SC No. 6143, Dated December 4, 1990; attached hereto and incorporated herein.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

GEORGETOWN SEWER hereby agrees and covenants with the STATE that

GEORGETOWN SEWER, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. GEORGETOWN SEWER shall use the easement area solely for the purpose incidental with the construction, operation, and maintenance of said Wastewater Outfall and shall maintain such easement area and Wastewater Outfall in good condition.

GEORGETOWN SEWER further agrees and covenants that GEORGETOWN SEWER shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs of attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

GEORGETOWN SEWER will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if GEORGETOWN SEWER, its successors and assigns: (1) quits and abandons all use of such Wastewater Outfall in which case this easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breech of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restriction and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.

IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 30th day of July, 1991.

WITNESSES:

STATE OF SOUTH CAROLINA
BUDGET & CONTROL BOARD

BY: _____

Governor Carroll A. Campbell, Jr.
Chairman, Budget and Control Board

WITNESSES:

GEORGETOWN COUNTY WATER AND SEWER DISTRICT

BY: _____

Executive Director
TITLE

Approved
OFFICE OF THE ATTORNEY GENERAL

BY: _____
Kenneth P. Woodington

DATE: 5/27/91

001064

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PERSONALLY appeared before me Michael L. Thompson and made oath that he/she saw the within named State of South Carolina, Budget and Control Board, by its Chairman, Governor Carroll A. Campbell, Jr., sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with Sallie B. Spade, witnessed the execution thereof.

Michael L. Thompson

SWORN to before me this 2nd

day of August, 1991.

Faye A. Holley (L.S.)
Notary Public for South Carolina

My Commission expires: 3-21-95

****

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

PERSONALLY appeared before me Edward A. Bodiford and made oath that he/she saw the within named Georgetown County Water & Sewer Dist. by Robert E. Barker, its Executive Director, sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with Joanne C. Mulkeen, witnessed the execution thereof.

SWORN to before me this 9th

day of July, 1991.

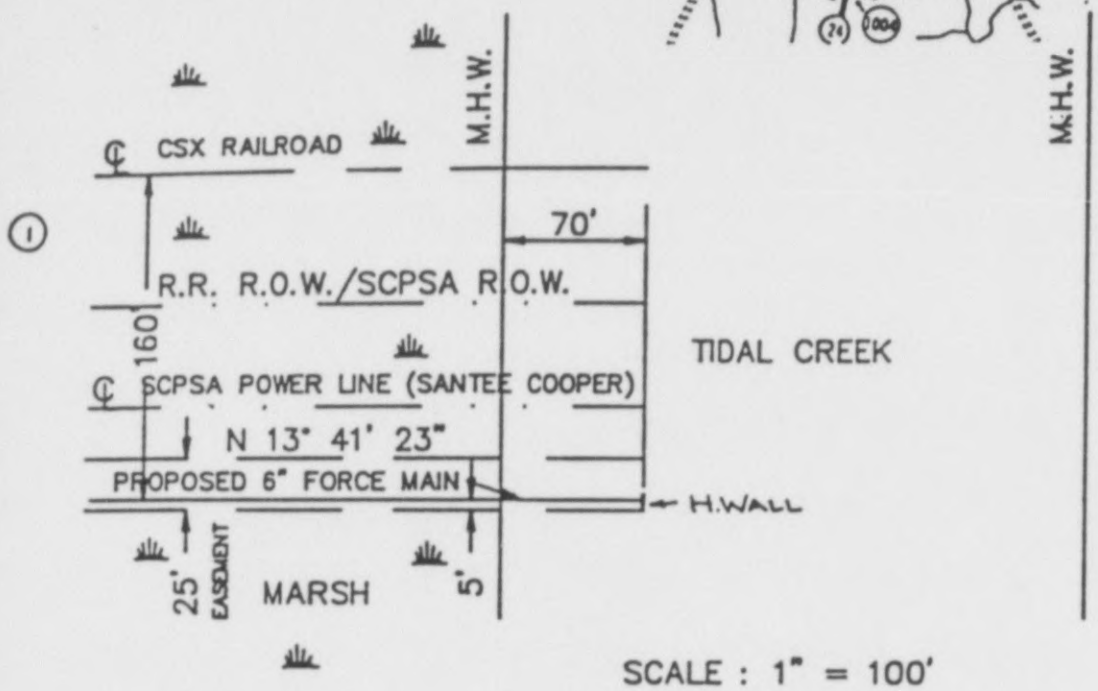
Joanne C. Mulkeen (L.S.)
Notary Public for South Carolina

My Commission Expires: June 16, 1993

001065

VICINITY MAP

① BELL FORD LAND CO.
② ROY C. JACOBS



SCALE : 1" = 100'

DATUM : NGVD MSL 0.00

A 25' WIDE PERMANENT SEWER FORCE MAIN EASEMENT RUNNING FROM THE MEAN HIGH WATER LINE ON THE SOUTH BANK APPROXIMATELY 70 L.F. INTO THE CHANNEL OF A TIDAL CREEK OF THE SAMPIT RIVER

REFERENCES:

1. MAP OF WINYAH–JEFFERIES, 230 KV LINE, SCPSA DWG. NO. A–2365, SHEET 3 REV. A DATED 7/3/80.
2. MEAN HIGHWATER LINE DETERMINED FROM OBSERVATION OF HIGHWATER MARK IN FIELD . BENCHMARK SCGS MON. 022–217.

MAP

SHOWING A 25' PERMANENT FORCE MAIN EASEMENT INTO A TIDAL CREEK OF THE SAMPIT RIVER

PREPARED FOR

001066

GEORGETOWN COUNTY WATER AND SEWER DISTRICT

BY

HAYES, SEAY, MATTERN & MATTERN, INC.
GUY E. SLAGLE P.E. & R.L.S.

S.C. NO. 6143
DATE : DEC. 4, 1990

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: July 30, 1991 Blue Agenda

1. **Submitted By**:
   (a) Agency: Division of General Services
   (b) Authorized Official Signature: Richard W. Kelly

2. **Subject**: Easement from SC Budget and Control Board to SC Public Service Authority for a 69 kV transmission line in Kershaw County.

3. **Summary Background Information**:

   The SC Public Service Authority is seeking an easement for the construction, maintenance, and operation of an overhead 69 kV transmission line over the Wateree River 125 feet northwest of Seaboard Coastline Railroad and southeast of U. S. Highway 1 and 601 between Camden and Lugoff in Kershaw County.

   The easement has been approved by the Attorney General's Office.

   A consideration of $1.00 has been acknowledged.

4. **What is Board asked to do**?

   Approve the easement as proposed

5. **What is recommendation of Board Division involved**?

   That the easement be approved

6. **Recommendation of other Division/agency (as required)**?

   (a) Authorized Signature:_____
   (b) Division/Agency Name:_____

7. **List of Supporting Documents**:

   LIST THOSE ATTACHED:
   1. Easement Document
   2. Statutory Authority, Code Section 1-11-90

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

001067 A.5.

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

EASEMENT

THIS EASEMENT, made and entered into this 12th day of July, 1991, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "State"), and SC PUBLIC SERVICE AUTHORITY as Grantee (hereinafter "GRANTEE").

W I T N E S S E T H

WHEREAS, GRANTEE is a POLITICAL SUBDIVISION, and GRANTEE's mailing address is One Riverwood Drive, P. O. Box 2946101, Moncks Corner, SC 29461-2901; and

WHEREAS, GRANTEE proposes to construct and maintain a 69 kV transmission line in Kershaw County, South Carolina. The transmission line and easement are more particularly shown and delineated on a drawing entitled, SC Public Service Authority, showing location of Lugoff - Allied Signal 69 kV Transmission Line, which is attached hereto and incorporated herein.

WHEREAS, pursuant to 1-11-90 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of power lines, pipe lines, water and sewer lines over, on or under such vacant lands or marshlands as are owned by the STATE; and

WHEREAS, GRANTEE is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in KERSHAW County, and the STATE considers the granting of such an easement to be in the public interest. 001068

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of ONE DOLLAR ($1.00) DOLLAR(S) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto GRANTEE its successors

and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in KERSHAW County and lying below the mean high water line.

This easement of right-of-way shall be used solely for the purposes incidental with the installation, operation and maintenance of a 69 kV Transmission Line crossing Wateree River, Kershaw County, South Carolina. The easement area is more particularly described as follows:

Beginning at a point on the northerlymost corner of the transmission line right-of-way as shown on Drawing No. 5639-B02-5010; thence along a line running North 45 Degrees, 8 Minutes, 29 Seconds East a distance of 1651.69 feet to a point; thence along a line running North 56 Degrees, 51 Minutes, 25 Seconds East a distance of 2016.58 feet to a point; thence along a line running North 49 Degrees, 17 Minutes, 44 Seconds East a distance of 195.66 feet to the principal point of beginning; thence along a line running North 49 Degrees, 17 Minutes, 44 Seconds East of distance of 20.90 feet to a point of the apparent high water mark as shown on Drawing No. 5639-B02-5013; thence along a line running North 49 Degrees, 17 Minutes, 44 Seconds East a distance of 513 feet to a point on the apparent high water mark; thence along a line running North 67 Degrees, 05 Minutes, 11 Seconds East a distance of 55.82 feet as shown on Drawing No. 5639-B02-5011 to a point of the apparent high water mark; thence along a line running South 49 Degrees, 17 Minutes, 44 Seconds West a distance of 513 feet to a point on the apparent high water mark as shown on Drawing No. 5639-B02-5013; thence along a line running South 49 Degrees, 17 Minutes, 44 Seconds West a distance of 20.90 feet to a point on the top of the bank of the Wateree River as shown on Drawing No. 5639-B02-5010; thence along a line running North 63 Degrees, 53 Minutes, 15 Seconds West a distance of 76.14 feet to the principal point of beginning.

The easement area is more particularly shown and delineated on a drawing entitled SC Public Service Authority, showing location of Lugoff-Allied Signal 69 kV Transmission Line, prepared by Kenneth C. Sigler, R.L.S. No. 9763, dated October 18, 1990. attached hereto and incorporated herein.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

The vertical clearance of all electrical wire, conductors, cables and live parts of equipment across all navigable waters and/or waters of the State of South Carolina shall be constructed in accordance with National Safety Code (ANSI-C2-1981) Part 2, Section

23, as amended.

GRANTEE hereby agrees and covenants with the STATE that GRANTEE, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. GRANTEE shall use the easement area solely for the purpose incidental with the construction, operation, and maintenance of said transmission line and shall maintain such easement area and transmission line in good condition.

GRANTEE further agrees and covenants that GRANTEE shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs of attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

GRANTEE will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if GRANTEE, its successors and assigns: (1) quits and abandons all use of such transmission line in which case this easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breech of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restriction and covenants of

001070

record, or of plats of record, or which may be revealed upon inspection of the property.

IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 30th day of July, 1991.

WITNESSES:

STATE OF SOUTH CAROLINA
BUDGET & CONTROL BOARD

BY: _____

Governor Carroll A. Campbell, Jr.
Chairman, Budget and Control Board

WITNESSES:
AND

SC PUBLIC SERVICE AUTHORITY

BY: _____

President
TITLE

Approved
OFFICE OF THE ATTORNEY GENERAL

BY: _____
Kenneth P. Woodington

DATE: 7/2/91

001072

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PERSONALLY appeared before me Michael L. Thompson and made oath that he/she saw the within named State of South Carolina, Budget and Control Board, by its Chairman, Governor Carroll A. Campbell, Jr., sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with Sallie B. Spade, witnessed the execution thereof.

Michael L. Thompson

SWORN to before me this 2nd

day of August, 1991.

Faye A. Holley (L.S.)
Notary Public for South Carolina

My Commission expires: 3-21-95

****

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

PERSONALLY appeared before me FREDERICK E. SANFORD and made oath that he/she saw the within named SC PUBLIC SERVICE AUTHORITY, by KENNETH R. FORD, its PRESIDENT, sign, seal, and as its act and deed deliver the within written Easement, and that he/she, along with MARK R. PILGRIM, witnessed the execution thereof.

Frederick E. Sanford

SWORN to before me this 10 TH

day of JULY, 1991.

Mark R. Pilgrim (L.S.)
Notary Public for South Carolina

My Commission Expires: OCTOBER 20, 1992

001073

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: **July 30, 1991** **Blue Agenda**

1. **Submitted By**:
   (a) Agency: Division of General Services
   (b) Authorized Official Signature: Richard W. Kelly

2. **Subject**: Easement from the SC Forestry Commission to the Department of Highways and Public Transportation in Dillon, SC.

3. **Summary Background Information**:

   The Department of Highways and Public Transportation is seeking an easement for the construction, improvement, operation and maintenance of a public road as a State Highway from US Route 501 and US Route 301 Westerly and Southerly for .273 miles. The easement shall have a width of 66 feet that is 33 feet on each side of the centerline of the highway.

   The easement has been approved by the SC Forestry Commission.

   A consideration of $1.00 has been acknowledged.

4. **What is Board asked to do?**

   Approve the easement as proposed

5. **What is recommendation of Board Division involved?**

   That the easement be approved

6. **Recommendation of other Division/agency (as required)?**

   (a) Authorized Signature:_____
   (b) Division/Agency Name:_____

7. **List of Supporting Documents:**

   LIST THOSE ATTACHED:
   1. Easement Document with Drawing
   2. Statutory Authority, Code Section 10-1-130

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

001074 B.I.

EXHIBIT

JUN 30 1991

STATE BUDGET & CONTROL BOARD

Form 801 (Rev. 4-27-88)

THE STATE OF SOUTH CAROLINA

RIGHT OF WAY EASEMENT

COUNTY OF Dillon

APPROXIMATE SURVEY STATION

Road/Route No. S-904 — 0+37.5 TO 8+74 Rt.

File No. 17. Item No. 29728 — 0+37.5 TO 7+00 Lt.

Project No. C- — TO

KNOW ALL MEN BY THESE PRESENTS, That I (or we) South Carolina Forestry Commission-

in consideration of the sum of One Dollar, to me (or us) in hand paid, and other valuable consideration at and before the sealing and delivering thereof, by the South Carolina Department of Highways and Public Transportation, receipt of which is hereby acknowledged, have granted, bargained, sold and released and by these presents do grant, give, bargain, sell, release and quitclaim, unto the said South Carolina Department of Highways and Public Transportation, its successors and assigns, an easement or right of way for the construction, improvement, operation and maintenance of a public road as a State Highway from US Route 501 and Us Roue 301 to Westerly and Southerly for 0.273 miles on Road S-904, State and County aforesaid, as shown by plans prepared by the South Carolina Department of Highways and Public Transportation, upon and across the land which I (or we) may own, in whole or in part, between the survey stations referenced above and as depicted and described on the above referenced plans together with, all and singular, the rights, members, hereditaments, and appurtenances thereunto belonging, or in any way incident or appertaining.

Said right of way to have a width of 66 feet, that is 33 feet on each side of the center line of the highway. The grantor expressly recognizes the possibility that the property described herein may be used in the future by a public utility or others granted the statutory right to use the right of way.

** SPECIAL PROVISIONS: It is understood and agreed that the existing drive entrance right of approximate survey station 0+35 will be eliminated and a new drive entrance will be constructed right of approximate survey station 1+40 during this construction. Also it is understood and agreed that abandoned well located right of approximate survey station 1+95 will be capped in accordance with the regulations of the Department of Health and Environmental Control. All the above work to be done by the South Carolina Department of Highways and Public Transportation, at no expense to the grantor herein. Also it is understood and agreed that the woodrail fence right of and between approximate survey stations 0+40 and 1+50

TO HAVE AND TO HOLD, all and singular, the said easement or right of way and the rights hereinbefore granted, (OVE unto the said South Carolina Department of Highways and Public Transportation, its successors and assigns forever for a public road, highway, other public transportation purposes or other public uses as are permitted within and in conjunction with highway rights of way and the grantors hereby dedicate their respective interest in said strip of land to public use for such purposes.

It is agreed that buildings, fences, signs or other obstructions will not be erected by me (or us), my (or our) heirs, assigns or administrators within the limits of the right of way herein conveyed and that such buildings and fences as are now within the limits of the right of way herein conveyed will be moved from the right of way and restored in as good condition as before moving at the expense of the South Carolina Department of Highways and Public Transportation.

IN WITNESS WHEREOF, I (or we) have hereunto set my (or our) hand and seal this 20th day of June, in the year of our Lord, One Thousand Nine Hundred and ninety-one.

Signed, sealed and delivered in the presence of:

Lynette H. Bobb
1st Witness

Bonnie Hubbs (L.S.)

1st H Ryan
2nd Witness

(L.S.)

NOTE: All right of way agreements must be in writing and are subject to rejection by the South Carolina Department of Highways and Public Transportation.

THE STATE OF SOUTH CAROLINA

COUNTY OF Richland

Personally appeared before me the undersigned witness and made oath that s/he saw the within named grantor sign, seal and as the grantor's act and deed, deliver the within written easement; and that s/he with the other witness whose signature appears above witnessed the execution thereof.

Sworn to before me this 20th day of June, A.D., 19 91

Judy J. Watson (L.S.)

My Commission Expires: March 16, 1999

Lynette H. Bobb
1st Witness sign here

001075

Recorded _____ By: _____ File _____

Project _____ Tract _____

SPECIAL PROVISIONS CONTINUED: will be re-set along the right of way line during this construction, at no expense to the grantor.

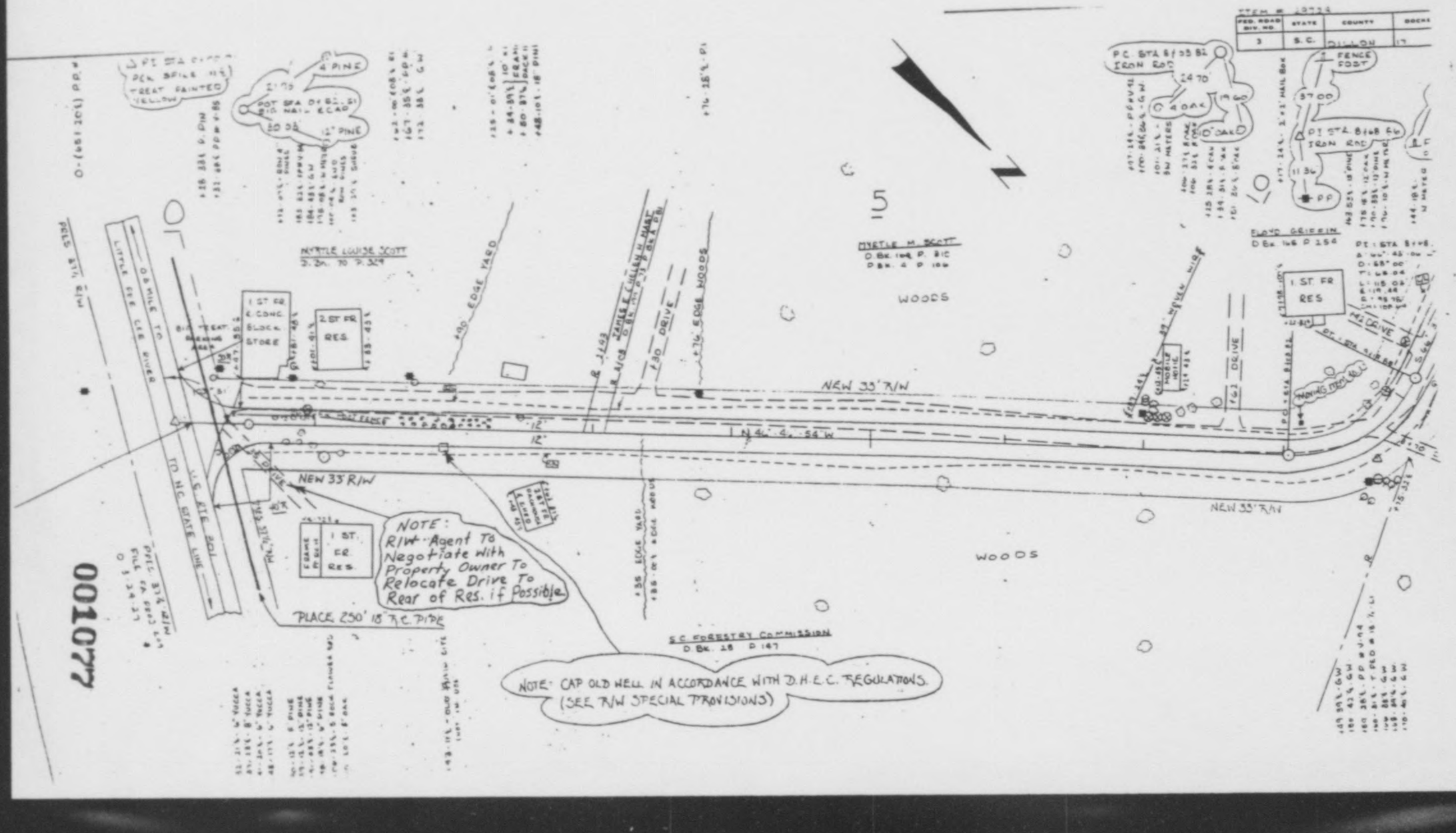
(L.S.)

**SPECIAL PROVISIONS: It is also understood that a second drive entrance will be provided in the vicinity of survey station 1+95. Actual location to be determined by owner. All work and materials for this drive are to be done by South Carolina Highway Department and at no expense to the Grantor.

In accordance with provisions of §§1-11-65 and 10-1-130, Code of Laws of SC, as amended, at its meeting held on July 30, 1991, 1991, approval is given to the easement granted herein.

S/ Dorna R. Williams, Secretary to the State Budget and Control Board

DILLON TOWER SITE EASEMENT



00107?

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: **July 30, 1991** **Blue Agenda**

1. **Submitted By**:
   (a) Agency: Division of General Services
   (b) Authorized Official Signature: Richard W. Kelly

2. **Subject**: Easement from the SC Forestry Commission to the Department of Highways and Public Transportation in Berkeley County.

3. **Summary Background Information**:

   The Department of Highways and Public Transportation is seeking an easement for the construction, improvement, operation and maintenance of a public road as a State Highway from the town of North Moncks Corner to the town of St. Stephen, South Carolina on Route 52 in Berkeley County, South Carolina. The easement is 75 feet on the right side of the centerline of the highway.

   The easement has been approved by the SC Forestry Commission.

   A consideration of $1.00 has been acknowledged.

4. **What is Board asked to do**?

   Approve the easement as proposed

5. **What is recommendation of Board Division involved**?

   That the easement be approved

6. **Recommendation of other Division/agency (as required)**?

   (a) Authorized Signature:_____
   (b) Division/Agency Name:_____

7. **List of Supporting Documents**:

   LIST THOSE ATTACHED:
   1. Easement Document with Drawing
   2. Statutory Authority, Code Section 10-1-130

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

001078 B.2.

EXHIBIT 1

JUL 30 1991

STATE BUDGET & CONTROL BOARD

Form 801 (Rev. 4-27-88)

THE STATE OF SOUTH CAROLINA

RIGHT OF WAY EASEMENT

COUNTY OF Berkeley

APPROXIMATE SURVEY STATION

Road/Route No. 52 — 1338+75 TO 1349+22 Right

File No. 8.677 — TO

Project No. F-103(96) — TO

KNOW ALL MEN BY THESE PRESENTS, That I (or we) South Carolina Forestry Commission, 5500 Broad River Road, P. O. Box 21707, Columbia, SC 29221

in consideration of the sum of One Dollar, to me (or us) in hand paid, and other valuable consideration at and before the sealing and delivering thereof, by the South Carolina Department of Highways and Public Transportation, receipt of which is hereby acknowledged, have granted, bargained, sold and released and by these presents do grant, give, bargain, sell, release and quitclaim, unto the said South Carolina Department of Highways and Public Transportation, its successors and assigns, an easement or right of way for the construction, improvement, operation and maintenance of a public road as a State Highway from the town of N. Moncks Corner to the town of St. Stephen on ~~the~~ Route 52, State and County aforesaid, as shown by plans prepared by the South Carolina Department of Highways and Public Transportation, upon and across the land which I (or we) may own, in whole or in part, between the survey stations referenced above and as depicted and described on the above referenced plans together with, all and singular, the rights, members, hereditaments, and appurtenances thereunto belonging, or in any way incident or appertaining.

Said right of way to have a width of _____ feet, that is 75 feet on Right side of the centerline of the highway. The grantor expressly recognizes the possibility that the property described herein may be used in the future by a public utility or others granted the statutory right to use the right of way.

SPECIAL PROVISIONS: It is clearly understood that the driveway to the house will be re-constructed during the project. It is also clearly understood that all timber within the new 75' Right of Way will be retained by the Grantor. Area of acquired land within the new 75' R/W equals 39,188 square feet or 0.9 of an acre.

**See Back

TO HAVE AND TO HOLD, all and singular, the said easement or right of way and the rights hereinbefore granted, unto the said South Carolina Department of Highways and Public Transportation, its successors and assigns forever for a public road, highway, other public transportation purposes or other public uses as are permitted within and in conjunction with highway rights of way and the grantors hereby dedicate their respective interest in said strip of land to public use for such purposes.

It is agreed that buildings, fences, signs or other obstructions will not be erected by me (or us), my (or our) heirs, assigns or administrators within the limits of the right of way herein conveyed and that such buildings and fences as are now within the limits of the right of way herein conveyed will be moved from the right of way and restored in as good condition as before moving at the expense of the South Carolina Department of Highways and Public Transportation.

IN WITNESS WHEREOF, I (or we) have hereunto set my (or our) hand and seal this 20th day of June, in the year of our Lord, One Thousand Nine Hundred and ninety-one.

Signed, sealed and delivered in the presence of:

Lynette B. Babb — 1st Witness

Bon Hucks (L.S.)

2nd Witness

(L.S.)

NOTE: All right of way agreements must be in writing and are subject to rejection by the South Carolina Department of Highways and Public Transportation.

THE STATE OF SOUTH CAROLINA

COUNTY OF Richland

Personally appeared before me the undersigned witness and made oath that s/he saw the within named grantor sign, seal and as the grantor's act and deed, deliver the within written easement; and that s/he with the other witness whose signature appears above witnessed the execution thereof.

Sworn to before me this 20th day of June, A.D., 1991

Judy J. Weston (L.S.)

My Commission expires: March 16, 1999

Lynette B. Babb

1st Witness sign here

001079

Recorded _____ By: _____ File _____

Project _____ Tract 56

** SPECIAL PROVISIONS: It is also understood that the fire tower will be moved to a location on the property as designated by the Grantor. This move will be done during a period of low fire occurance and will be completed within thirty (30) days from start to finish. The total cost of this work will be the responsibility of the S. C. Department of Highways and Public Transportation.

In accordance with provisions of §§1-11-65 and 10-1-130, Code of Laws of SC, as amended, at its meeting held on July 30, 1991, approval is given to the easement granted herein.

S/ Joana K. Williams, Secretary to the State Budget and Control Board

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: **July 30, 1991** **Blue Agenda**

1. **Submitted By**:
   (a) Agency: Division of General Services
   (b) Authorized Official Signature: Richard W. Kelly

2. **Subject**: Easement from SC Department of Mental Retardation to SCE&G for a gas pipe line.

3. **Summary Background Information**:

   SCE&G is seeking a 6 foot wide easement for the installation of gas pipe lines at the Department of Mental Retardation's Coastal Center, in Ladson, South Carolina. The change over from coal and diesel heat to gas heat will be a savings to Coastal Center.

   The easement has been approved by the Department of Mental Retardation.

   A consideration of $1.00 has been acknowledged.

4. **What is Board asked to do**?

   Approve the easement as proposed

5. **What is recommendation of Board Division involved**?

   That the easement be approved

6. **Recommendation of other Division/agency (as required)**?

   (a) Authorized Signature:_____
   (b) Division/Agency Name:_____

7. **List of Supporting Documents**:

   LIST THOSE ATTACHED:
   1. Easement Document with Drawing
   2. Statutory Authority, Code Section 10-1-130

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

001081 B.3.

INDENTURE, made this _____ day of _____, 19____

by and between South Carolina Retarded Childrens Habilitation Center which is now known as the Coastal Center [S.C. Code Ann. Sec. 44-21-190] (Law. Co-op. 1976), a subdivision

of the S.C. Department of Mental Retardation, County of Dorchester and State of South Carolina (hereinafter called Grantors), and the SOUTH CAROLINA ELECTRIC & GAS COMPANY, a South Carolina corporation, having its principal office in Columbia, South Carolina (hereinafter called Grantee).

WITNESSETH:

That, in consideration of the sum of One Dollar ($1.00) received from Grantee, Grantors hereby grant and convey to Grantee, its successors and assigns, a right of way of the width of six (6) feet for the purpose of laying, constructing, maintaining, operating, repairing, altering, replacing and removing pipe lines, together with valves, tieovers and appurtenant facilities, for the transportation of gas, oil petroleum products or any other liquids, gases or substances which can be transported through a pipe line, the Grantee to have the right to select the route, under, upon, over, through and across the lands of Grantors situate in the County of Dorchester, State of South Carolina described as follows. A tract or lot of land containing 449 acres, more or less, and being the same lands conveyed to grantor by deed or will of Susan Ladson Miles, dated July 15, 1964, and recorded in the R. M. C. Probate Judge's Office for Dorchester County in Deed Book 136 at page 184

The Right of Way is more fully shown on South Carolina Electric & Gas Company drawing #D-34, 856, and revisions thereof, and is by reference only made a part hereof.

The grant of this easement is made pursuant to S.C. Code Ann. Sec. 44-20-330, (Law. Co-op 1976, as amended). The South Carolina Mental Retardation Commission authorized this grant on 1991 and authorized the undersigned Commissioner to execute this indenture.

EXHIBIT

JUL 30 1991 1

STATE BUDGET & CONTROL BOARD

Together with the right from time to time to redesign, rebuild or alter said pipe lines and to install such additional pipe lines, apparatus and equipment as Grantee may at any time deem necessary or desirable and the right to remove any pipe line or any part thereof, all within the above described right of way.

Together also with the right from time to time to remove or clear and keep clear such trees, underbrush, structures and other obstructions, upon said right of way, and the right of entry upon Grantors' said lands for all of the purposes aforesaid.

Provided, however, any damage to the property of Grantors (other than to property cleared or removed as hereinbefore provided) caused by Grantee in the course of constructing, rebuilding or repairing said pipe lines shall be borne by Grantee.

Reserving, however, to Grantors the right to use the ground within the limits of said right of way, provided that such use shall not interfere with or obstruct the rights herein granted, and provided further that no building, pavement or other structure shall be erected by the Grantors within the width of said right of way.

Grantee's rights shall be subject to the lien of the mortgage indenture dated January 1, 1945 and supplements thereto, entered into between Grantee and Central Hanover Bank and Trust Company (now Manufacturers Hanover Trust Company) which mortgage indenture is recorded in the office of the R. M. C. or Clerk of Court in the County of State aforesaid.

The words "Grantors" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case may be.

IN WITNESS WHEREOF, Grantors have duly executed this indenture the day and year first above written:

WITNESS:

_____

_____

South Carolina Retarded Childrens Habilitation Center (Coastal Center) (SEAL)

By: _____ (SEAL)

Commissioner 001082 (SEAL)

South Carolina Department of Mental Retardation (SEAL)

Approved by BUDGET AND CONTROL BOARD
at its meeting on July 30, 1991

Jesse A. Coles, Jr., Ph.D., Executive Director

RW-10-G — SC (Rev. 11-85)

STATE OF SOUTH CAROLINA,
County of RICHLAND } ss

Personally appeared before me Lonnie A. Bowman, Jr.
and made oath that he saw the within named Philip S. Massey, Commissioner, South Carolina Department of Mental Retardation sign, seal and as his act and deed deliver the within easement for the uses and purposes therein mentioned, and that he with James R.Hill, Jr. in the presence of each other, witnessed the due execution thereof.

Sworn to before me this _____ day of _____ A. D., 19____ }

_____
Notary Public for S. C.

STATE OF SOUTH CAROLINA,
County of _____ } ss

Personally appeared before me _____
and made oath that he saw the within named _____ sign, seal and as his act and deed deliver the within easement for the uses and purposes therein mentioned, and that he with _____ in the presence of each other, witnessed the due execution thereof.

Sworn to before me this _____ day of _____ A. D., 19____ }

_____
Notary Public for S. C.

STATE OF SOUTH CAROLINA,
_____ County. }

Personally appeared before me _____
and made oath that _____ saw the within named _____
by the hand of _____ sign, affix the corporate seal, and as the act and deed of said corporation deliver the within written instrument for the uses and purposes therein mentioned, and that _____ with _____ witnessed the execution thereof and subscribed _____ names as witnesses thereto.

Sworn to and subscribed before me this _____ day of _____ A. D., 19____ }

_____ (L. S.)

_____
Notary Public for S. C.

Line _____

County _____

RIGHT OF WAY GRANT

R/W File No. _____ Block No. ____/____

TO

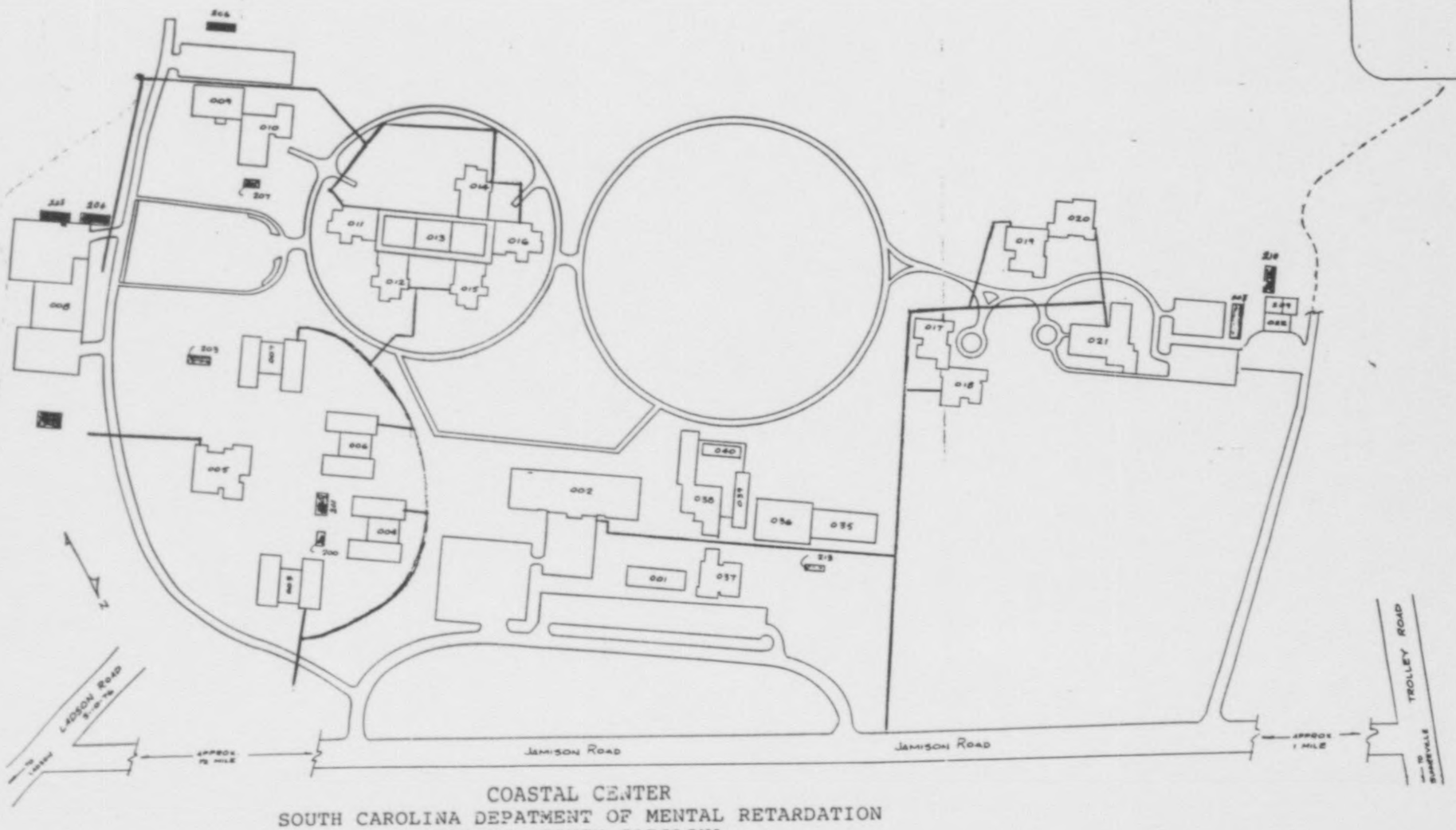
South Carolina Electric & Gas Company

Dated _____, 19____

Received in the Clerk's Office of the County of _____, South Carolina, on the _____ day of _____, A. D. 19____, at _____ o'clock in the _____ noon and recorded in Book _____ of Deeds for said County on Page _____.

001083

001084



COASTAL CENTER
SOUTH CAROLINA DEPATMENT OF MENTAL RETARDATION
LADSON, SOUTH CAROLINA

SCE&G GAS LINE EASEMENT JULY,19, 1991

EXHIBIT

JUL 30 1991 2

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
BLUE AGENDA

MEETING OF July 30, 1991
ITEM NUMBER 2

AGENCY: Human Resource Management

SUBJECT: Employment Beyond Age 70; Advancement of Sick Leave

On June 10, 1986, the Board authorized the Division to approve employment beyond age 70 and advancement of sick leave requests and to report those approvals to the Board on a quarterly basis.

Attached are requests approved by the Division during the April-June, 1991, quarter. These requests were approved in accord with the requirements of Section 8-11-40.

BOARD ACTION REQUESTED:

Receive as information a Division of Human Resource Management report on employment beyond age 70 and advancement of sick leave requests approved during the April-June, 1991, quarter in accord with the requirements of Section 8-11-40.

ATTACHMENTS:

Agenda item worksheet; attachments

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (Revised 8/84)

For meeting scheduled for:

July 30, 1991

X *Blue Agenda*
___ *Regular Session Agenda*
___ *Executive Session Agenda*

1. *Submitted By:*
   (a) Agency: Division of Human Resource Management
   (b) Authorized Official Signature: Phyllis M. Mayes

2. *Subject:* Employment Beyond Age 70 and Advancement of Sick Leave

3. *Summary Background Information:*

At the June 10, 1986 meeting, the Budget and Control Board granted the authority to the Division of Human Resource Management to approve age extension and advancement of sick leave requests and to report to the Board on a quarterly basis. Attached are the quarterly reports for age extensions and advancement of sick leave for your information. These requests were approved in accordance with the requirements of Sections 9-1-1530 and 8-11-40, Code of Laws of South Carolina. The Division of Human Resource Management continues to review age extension requests for law enforcement, faculty, and firefighters because these categories of employees are exempted from the federal law eliminating mandatory retirement age.

4. *What is Board asked to do?*

No action required.

5. *What is recommendation of the Board Division involved?*
No action required.

6. *Recommendation of other office (as required)?*

(a) Office Name _____ *(b) Authorized Signature* _____

7. *Supporting Documents:*

List Those Attached	*List Those Not Attached But Available from Submitter*
Facts Sheet. Age Extension Quarterly Report. Advancement of Sick Leave Quarterly Report.	

001086

FACTS SHEET

Employment Beyond Age 70 and Advancement of Sick Leave

1. Quarterly Reports are submitted for informational purposes. No action is required by the Budget and Control Board.

2. Approval for the requests has been granted in accordance with Sections 8-11-40 and 9-1-1530, Codes of Laws of South Carolina.

3. Advancement of Sick Leave

   The following agencies have requested and have been granted approval for the advancement of sick leave to allow the named employees to return to work before being placed on leave without pay:

Education	Dr. Cortez Moore
DHEC	Ms. Rhonda Windham
Clemson	Ms. Lillian S. Nimmons

4. Age Extension

   The University of South Carolina requested and was granted approval for Professor John Sproat to be allowed to continue employment through the academic year 1991-92. Mr. Sproat reached the age of seventy on April 1, 1991.

5. The Division of Human Resource Management continues to review age extensions for law enforcement, faculty, and firefigheters because these categorises of employees are exempted from the federal law eliminating a mandatory retirement age.

Prepared by the Division of Human Resource Management

001087

AGE EXTENSIONS FOR FY 1990-91

April - June 1991 Quarterly Report

Agency	Employee	Date of Birth	Approved/ Disapproved
USC	Mr. John Sproats	April 1921	Approved

ADVANCEMENT OF SICK LEAVE

April - June 1991 Quarterly Report

Agency	Employee	Number of Days	Approved/ Disappoved
Education	Dr. Cortez Moore	9	Approved
DHEC	Ms. Rhonda Windham	10	Approved
Clemson	Ms. Lillian S. Nimmons	10	Approved
TEC	Mr. Robert Brent Russell	10	Disapproved

Prepared by the Division of Human Resource Management.

EXHIBIT

JUL 30 1991 2

STATE BUDGET & CONTROL BOARD

001088

EXHIBIT

JUL 30 1991 3

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
MEETING OF July 30, 1991

BLUE AGENDA
ITEM NUMBER 3

AGENCY: Executive Director

SUBJECT: Interviewee Travel Expense Reimbursement

The following agencies have reported reimbursements of interviewee travel expenses:

	Agency	Number	Estimated Cost
(a)	Clemson University	14	$ 4,473.03
(b)	Mental Health	2	1,632.14
	Total	16	$ 6,105.17

BOARD ACTION REQUESTED:

Receive as information a report that reimbursements of interviewee travel expenses have been made by the following agencies: Clemson University (14); and Mental Health (2).

ATTACHMENTS:

Referenced report

001089

INTERVIEWEE TRAVEL EXPENSE REIMBURSEMENT PAYMENTS
Reported to Budget and Control Board
Meeting of July 30, 1991

	Agency	Time Period	Total #	Total Cost	Number of Payments $100/ Less	$101/ $300	$301/ $500	$501 Over
(a)	Clemson University	March-June	14	4,473	4	5	0	5
(b)	Mental Health	June	2	1,632	0	0	0	2
Total			16	6,105	4	5	0	7

EXHIBIT
JUL 30 1991 3
STATE BUDGET & CONTROL BOARD

001090

JUL 1 2 1991

CLEMSON
UNIVERSITY

BUSINESS AFFAIRS

July 8, 1991

Ms. Donna Williams
Secretary to the Board
State Budget and Control Board
Wade Hampton Office Building
P. O. Box 12444
Columbia, SC 29211

Dear Ms. Williams:

Enclosed are Travel Disbursement forms for those individuals who were brought to Clemson University for employee interviews.

Sincerely,

Jonee Daniels
Director of Business Affairs

JD/lsr

Enclosures

001091

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 18 June 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Dr. Eric G. Bolen

CANDIDATE'S ADDRESS : University of North Carolina at Wilmington
Wilmington, NC 28403-3297

POSITION TO BE FILLED: Dean of the Graduate School

AMOUNT REIMBURSED : $106.99
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head

Betty L. Harvey
Dean or Director

APPROVED BY : W David Maxwell
Vice President

DISTRIBUTION :

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Approved Copies: Attached to all related Direct Purchase Vouchers submitted to Financial Management

State Budget and Control Board

001092

This form is to be completed when preparing an order which will cost $450.00 or less, exclusive of freight charges and S. C. Tax. It is not permissible to place more than one order via this form to the

CLEMSON
UNIVERSITY
CENTENNIAL
1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE April 24, 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Hossam El-Bibany $188.00

CANDIDATE'S ADDRESS : Department of Civil Engineering, Stanford, CA 94305-40

POSITION TO BE FILLED: Professor 5-54-900 0911/U018

AMOUNT REIMBURSED : _____
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : R H Brown
Department Head

Dean or Director

APPROVED BY : T. David Harrell
Vice President

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001C93

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE May 1, 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Paulette Ellis

CANDIDATE'S ADDRESS : Williamsburg, Virginia

POSITION TO BE FILLED: To be determined.

AMOUNT REIMBURSED : $140.66
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head, Frank Mauldin

_____
Dean or Director

APPROVED BY : Hugh J Clausen
Vice President for Administration, Gen. Hugh J. Clausen

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State Budget and Control Board

001094

CLEMSON UNIVERSITY CENTENNIAL 1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE May ,1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Margaret J. Emery

CANDIDATE'S ADDRESS : University of Missouri - Columbia

POSITION TO BE FILLED: Asst./ Assoc. Professor of Special Ed

AMOUNT REIMBURSED : $65.15
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : R. Blackburn
Department Head

Gordon Gray
Dean or Director

APPROVED BY : W. David Rockwell
Vice President

EXHIBIT
JUN 30 1991 3
STATE BUDGET & CONTROL BOARD

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INSTRUCTIONS

CLEMSON UNIVERSITY CENTENNIAL 1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE June 6, 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Dr. Ronald W. Falta, Jr. $ 696.08

CANDIDATE'S ADDRESS : Earth Sciences Division, Building 50E
Lawrence Berkeley Laboratory, Berkeley, CA 94720

POSITION TO BE FILLED: Assistant or Associate Professor

AMOUNT REIMBURSED : _____
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : 6/7/91 _____
Department Head Villard S. Griffin, Jr.

6-10-91 _____
Dean or Director

APPROVED BY : 6/12/91 _____
Vice President

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CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE May 5, '91

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Dr. Kapat, (Jay)

CANDIDATE'S ADDRESS : MIT - Cambridge, MA.

POSITION TO BE FILLED: Visiting Ass't Prof.

AMOUNT REIMBURSED : 190.00
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head

_____
Dean or Director

APPROVED BY : W. David Maxwell
Vice President

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State Budget and Control Board

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CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE April 9, 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Dr. Stephen J. Klaine

CANDIDATE'S ADDRESS : 187 South Holmes

POSITION TO BE FILLED: Memphis, TN 38111 aquatic toxicology

AMOUNT REIMBURSED : $872.74

(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : Ronald J. Kendall
Department Head

Dean or Director

APPROVED BY : M. A. Vise
Vice President

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APR 09 1991

SCAFR

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CLEMSON
UNIVERSITY
CENTENNIAL
1889·1989

Total $578.90

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 18 June 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Dr. John J. Koran, Jr.

CANDIDATE'S ADDRESS : Graduate School, University of Florida
280 Grinter Hall, Gainesville, Florida--32611-2037

POSITION TO BE FILLED: Dean of the Graduate School

AMOUNT REIMBURSED : $478.00
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head

Bobby L. Gibson
Dean or Director

APPROVED BY : W. David Mofwell
Vice President

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001099

CLEMSON UNIVERSITY CENTENNIAL 1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 18 June 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Dr. John J. Koran, Jr.

CANDIDATE'S ADDRESS : Graduate School, University of Florida
280 Grinter Hall, Gainesville, Florida 32611-2037

POSITION TO BE FILLED: Dean of the Graduate School

AMOUNT REIMBURSED : $ 92.90
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head

Bobby L. Gibson
Dean or Director

APPROVED BY : W. David Maxwell
Vice President

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CLEMSON UNIVERSITY CENTENNIAL 1889-1989

Total $1636.04

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 18 June 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Dr. John D. Robinson

CANDIDATE'S ADDRESS : 6735 13th Place, NW, Washington, DC 20012-2311

POSITION TO BE FILLED: Dean of the Graduate School

AMOUNT REIMBURSED : $554.00
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head

Betty H. Watson
Dean or Director

EXHIBIT

APPROVED BY : W. David Maxwell
Vice President

JUL 30 1991 3
STATE BUDGET & CONTROL BOARD

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CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 18 June 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Dr. John D. Robinson

CANDIDATE'S ADDRESS : 6735 13th Place, NW, Washington, DC 20012-2311

POSITION TO BE FILLED: Dean of the Graduate School

AMOUNT REIMBURSED : $782.06
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head

Betty H. Watson
Dean or Director

APPROVED BY : W. David Maxwell
Vice President

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CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE May 14, 1991

#8255.63

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Nell Sprague

CANDIDATE'S ADDRESS : 725 23rd Avenue East, Tuscaloosa, AL 35404

POSITION TO BE FILLED: Visiting Assistant Professor/Printmaking

AMOUNT REIMBURSED : $ 74.09
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.
2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.
3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : John Adams
Department Head

Robert H Brow
Dean or Director

APPROVED BY : W David Maxwell
Vice President

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CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE May 14, 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Nell Sprague

CANDIDATE'S ADDRESS : 725 23rd Avenue East, Tuscaloosa, AL 35404

POSITION TO BE FILLED: Visiting Assistant Professor/Printmaking

AMOUNT REIMBURSED : $181.54
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : John Adam
Department Head

Brian H Bowe
Dean or Director

APPROVED BY : W. David Maxwell
Vice President

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001104

CLEMSON UNIVERSITY CENTENNIAL 1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE April 12, 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Frank Chi-Hsien Sun

CANDIDATE'S ADDRESS : 6406 Homewood Avenue, Los Angeles, CA 90028

POSITION TO BE FILLED: Full-time, tenure-track teaching position (Architectural Studies)

AMOUNT REIMBURSED : #110.72
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head

_____
Dean or Director

APPROVED BY : W. David Maxwell
Vice President

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CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE April 30, 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Louis A. Thomas

CANDIDATE'S ADDRESS : 19 Central St. Apt. #5 Somerville, MA 02143

POSITION TO BE FILLED: Assistant Professor

AMOUNT REIMBURSED : $238.33
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : A.T. Maloney 4/30/91
Department Head

Tom R. Oakley 4/30/91
Dean or Director

APPROVED BY : W. David Maxwell 5/3/91
Vice President

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CLEMSON
UNIVERSITY
CENTENNIAL
1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE March 28, 1991

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Robert J. Tombes $582.76

CANDIDATE'S ADDRESS : Laboratory of Molecular Biology
University of Wisconsin, 1424 Linden Dr., Madison, WI 53706

POSITION TO BE FILLED: Eukaryotic Cellular Physiologist

AMOUNT REIMBURSED : _____
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : _____
Department Head

Bobby A. Watson
Dean or Director

APPROVED BY : W. Dan Bradwell
Vice President

DISTRIBUTION :

Original : Originating Department

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001107

CLEMSON UNIVERSITY CENTENNIAL 1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE May 17, 1991

RECRUITTING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : John S. Trach

CANDIDATE'S ADDRESS : Monticello, Ill - Univ. of Illinois

POSITION TO BE FILLED: Asst/Associate Professor of Special Ed

AMOUNT REIMBURSED : $ 19.01
(to be entered by Financial Management)

The following determinations have been made regarding recruitment for the position listed above:

1. The significance of the position to be filled warrants incurring such costs.

2. The costs involved in bringing the candidate to Clemson are less than sending representatives to the candidate's home town to conduct the interview.

3. Qualified applicants residing in South Carolina were considered before applicants from other states were considered.

RECOMMENDED BY : Kathy S. Neal
Department Head

Gordon Gray
Dean or Director

APPROVED BY : W. David Watkins
Vice President

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Original : Originating Department

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State Budget and Control Board

001108

SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH
INVOICE VOUCHER

G. Werber Bryan Psychiatric Hospital

Organizational Component Orginating Voucher

Payee (25 Space Limit)	Social Security No.	Vendor No.
The Pickering Group		08966
11433 N. Port Washington Rd. (20 Space Limit)		Fiscal Month No.
Mequon, WI. 53092 (20 Space Limit)		

DATE	DESCRIPTION OF/REASON FOR EXPENDITURE		AMOUNT
5/23/91	Reimbursement of travel expenses for Dr. Roberto Lluch for		$ 1,084.81
	employment interview.		
	Air Fare	582.00	
	Hotel	151.27	
	Car Rental	161.54	
	Airport Trans.	130.00	
	Meals	60.00	
		1,084.81	
		TOTAL	$ 1,084.81

EXHIBIT 3

JUL 30 1991

STATE BUDGET & CONTROL BOARD

ACTIVITY CODE	FUND CODE	CLASS CODE	AMOUNT
46F11	A000	50232	$ 1,084.81
		TOTAL	$ 1,084.81

Kathryn T. Pickering 6/20/91
Preparer's Signature Date

Sidney H. Weston M.D. 6/20/91
Approval Signature Date

It is hereby certified that the items represented in this voucher were authorized and this amount is approved for payment.

(For Finance's Use Only)

DATE PROCESSED _____

INVOICE NO. _____

VOUCHER NO. _____

CHECK NO. 001109

If Use Tax Applies 'X' here ☐

SCDMH FORM REV OCT 82 F-11A

DMH South Carolina Department of Mental Health

G. Werber Bryan
Psychiatric Hospital
220 Faison Drive
Columbia, S.C. 29203
Information: (803) 737-7140
Telephone: (803) 737-7146

Sidney G. Alston, M.D.
Director

June 20, 1991

Ms. Donna Williams
Assistant Executive Director
S.C. Budget and Control Board
P.O. Box 1244
Columbia, South Carolina 29211

Dear Ms. Williams:

Attached is a copy of the Invoice Voucher to reimburse The Pickering Group for travel expenses incurred by Roberta Lluch, M.D., during his employment interview at G. Werber Bryan Psychiatric Hospital.

If I can provide further information, please don't hesitate to call me.

Sincerely,

Sidney G. Alston, M.D.

Sidney G. Alston, M.D.
Director
Bryan Psychiatric Hospital

SGA/km

001110

RECEIVED
JUN 25 1991
MEDICAL ADMINISTRATION
THE G. WERBER BRYAN
PSYCHIATRIC HOSPITAL

MENTAL HEALTH COMMISSION:

Richard K. Harding, M.D., *Chairman, Columbia*
C. Alex Harvin, Jr., *Vice-Chairman, Summerton*
Elaine T. Freeman, *Spartanburg*
E.A. Hall, Jr., *Columbia*
Ernest E. Harrill, *Greenville*
Louise R. Hassenplug, *Rock Hill*
John P. Linder, Esq., *Charleston*
Dr. Joseph S. Whitebread, M.D., *State Commissioner*

State of South Carolina

State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

Box 12444
Columbia
29211

November 4, 1982

MEMORANDUM

TO: Agency Heads

FROM: W. T. Putnam

SUBJECT: Revision of Board's Interviewee Travel Expense Payment Policy

At its meeting on November 3, 1982, the Budget and Control Board amended its policy on the payment of interviewee travel expenses so as to require that a determination be made in each case that qualified candidates residing within South Carolina were considered before candidates from other states were sought.

As revised, the Board's interviewee travel expense payment policy is as follows:

> Travel expenses, within the limitations applicable to State employees, may be paid to any individual being considered for employment by any State government agency if the head of the interviewing agency makes a specific, formal determination in each case: (1) that the significance of the position to be filled is such that it warrants incurring such costs; (2) that such costs would not exceed the expense of conducting the interview at the interviewee's home area or elsewhere; and (3) that qualified candidates residing within South Carolina were considered before candidates from other states were sought.
>
> In any situation where the position to be filled is that of an agency head, the referenced determinations shall be made by the chairman of the board or commission of the interviewing agency.
>
> Not more than thirty days after a determination to pay the travel expenses of an interviewee has been made, a copy of that determination shall be forwarded to the Executive Director of the Budget and Control Board.

dv
cc: Finance Officers

001111

RECEIVED

JUN 10 1991

State Commissioner of
Mental Health
S. C. Dept. of Mental Health

SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH
HUMAN RESOURCE SERVICES
Columbia, South Carolina

M E M O R A N D U M

TO: Joseph J. Bevilacqua, Ph.D., State Commissioner

FROM: William R. Noyes WRN
Director, Human Resource Services

DATE: June 10, 1991

SUBJECT: Travel Expense for Employment Interview --
Dr. Roberto S. Lluch
Bryan Psychiatric Hospital
(Pickering Group)

Qualifying information furnished by Sidney G. Alston, M.D., Director, Bryan Psychiatric Hospital, is attached to support request for reimbursement of expenses related to travel of the above-referenced individual for a job interview.

If approval is granted, an itemized statement of expenses will be submitted to the Budget and Control Board by BPH at such time as the exact amounts are determined.

I hereby recommend approval of this request. If you concur, please note your approval on the bottom of this memo and return to me.

S. C. STATE DEPARTMENT OF MENTAL HEALTH
APPROVED
JUN 11 1991
By
COMMISSIONER

WRN:bk

Attachment

001112

JUL 2 4 1991

SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH
INVOICE VOUCHER

Greenville Mental Health Center
Organizational Component Orginating Voucher

Payee (25 Space Limit)	Social Security No.	Vendor No.
The Pickering Group, Inc.		08966
(20 Space Limit) 11433 N. Port Washington Rd.		Fiscal Month No.
(20 Space Limit) Mequon, WI 53092		01

DATE	DESCRIPTION OF/REASON FOR EXPENDITURE	AMOUNT
7/19/91	Reimbursement of Travel Expense/Employment Interview	$ 547.33
	Dr. Vinutha Reddy	
	TOTAL	$ 547.33

EXHIBIT

JUL 30 1991

3

STATE BUDGET & CONTROL BOARD

ACTIVITY CODE	FUND CODE	CLASS CODE	AMOUNT
3AB00	C901	50232	$ 547.33
		TOTAL	$ 547.33

Lynn Barton 7-19-91
Preparer's Signature Date

Neil Caldwell 7-19-91
Approval Signature Date

It is hereby certified that the items represented in this voucher were authorized and this amount is approved for payment.

(For Finance's Use Only)

DATE PROCESSED _____

INVOICE NO. _____

VOUCHER NO. _____

CHECK NO. 001113

If Use Tax Applies 'X' here ☐

SCDMH FORM REV OCT 82 F-11A

SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH
HUMAN RESOURCE SERVICES
Columbia, South Carolina

M E M O R A N D U M

TO: ✓ Norman A. Desrosiers, M.D., Medical Director
Greenville Mental Health Center

FROM: William R. Noyes WRN
Director, Human Resource Services

DATE: July 15, 1991

SUBJECT: Travel Expense for Employment Interview
Job Applicant -
Dr. Vinutha Reddy
Greenville Mental Health Center
(The Pickering Group, Inc.)

Attached is approval of the Commissioner's Office authorizing reimbursement of travel expense for employment interview of the above-referenced individual.

Attached is original invoice of The Pickering Group, Inc. with original receipts attached showing Dr. Reddy's interview expenses in the amount of $547.33. Please process your F-11A (attach the original approval) as soon as possible, requesting payment to The Pickering Group, Inc. (Vendor Number Pickering Group, Inc. is 08966.)

An itemized list of expenses and a copy of the Commissioner's approval, for informational purposes only, should be submitted to:

Ms. Donna Williams
Assistant Executive Director
S.C. Budget and Control Board
P.O. Box 1244
Sixth Floor Wade Hampton Office Building
Columbia, South Carolina 29211

Please let me have a copy of your F-11A when available.

WRN:bk

Attachments

001114

RECEIVED

JUL 12 1991

State Commissioner of
Mental Health
S. C. Dept. of Mental Health

SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH
HUMAN RESOURCE SERVICES
Columbia, South Carolina

M E M O R A N D U M

TO: ✓ Joseph J. Bevilacqua, Ph.D., State Commissioner

FROM: William R. Noyes WRN
Director, Human Resource Services

DATE: July 12, 1991

SUBJECT: Travel Expense for Employment Interview --
Dr. Vinutha Reddy
Greenville Mental Health Center
(Pickering Group)

Qualifying information furnished by Norman A. Desrosiers, M.D., Director, Greenville Mental Health Center, is attached to support request for reimbursement of expenses related to travel of the above-referenced individual for a job interview.

If approval is granted, an itemized statement of expenses will be submitted to the Budget and Control Board by Greenville Mental Health Center at such time as the exact amounts are determined.

I hereby recommend approval of this request. If you concur, please note your approval on the bottom of this memo and return to me.

WRN:bk

Attachment

S. C. STATE DEPARTMENT OF MENTAL HEALTH
APPROVED
JUL 15 1991
COMMISSIONER

001115

Greenville Mental Health Center
A Facility of the South Carolina Department of Mental Health

715 Grove Road / Greenville, South Carolina 29605 / (803) 241-1040

July 11, 1991

Mr. William R. Noyes, Director
Human Resources Services
S.C. Dept. of Mental Health
Columbia, S.C. 29202

Re: Travel Expense Request for Dr. Vinutha Reddy

Dear Mr. Noyes:

This is to request that travel expenses be re-imbursed to The Pickering Group, Inc. for the above-named physician who has already come for interview to this Center on May 24, 1991.

This was an oversight on my part, as I was under the impression that if a candidate was not offered a position, or refused an offer (we did not offer her a position), that the Pickering Group paid the till. Obviously, I was wrong on this account. On the next one, I will be sure to request prior approval.

Yours truly,

N A Desrosiers, M.D.

Norman A. Desrosiers, M.D.
Medical Director

RECEIVED
SCDMH
Div. of Human Resource Services

THE PICKERING GROUP, INC.

INVOICE #M-5308

July 1, 1991

South Carolina Department of Mental Health
2414 Bull Street
Columbia, South Carolina 29202

Attention: Mr. William R. Noyes
Director, Human Resource Services

Consulting Fees and Expenses

For the period from June 16, 1991 through June 30, 1991 on the assignment to recruit psychiatrists for South Carolina Department of Mental Health in Columbia, South Carolina.

A. Expenses

Candidate Travel	
- Dr. John Dziuba - Airline Tickets	$402.00
- Dr. Vinutha C. Reddy - Interview Expenses	547.33

TOTAL INVOICE **$949.33**

REMIT TO: The Pickering Group, Inc.
11433 N. Port Washington Road
Mequon, WI 53092

PAYMENT DUE: Upon Receipt of Invoice

001117

EXPENSE REPORT

Travel from Middletown, CT to Greenville, SC and back.

Total mileage (844 miles one way) 1709 miles @ $0.25/mile --- $427.25

Hotel Accomodations (see receipts) ---------- $93.38

Tolls (see receipts) ---------- $26.70

Food* ---------- $72.00

TOTAL $619.33

*The charge for food is an approximation of expenses at fast food establishments along the way and a regular restaurant in Greenville, SC.

Vinutha C. Reddy, M.D.

ROOM NO.	LAST NAME	FIRST	INITIAL	FOLIO NUMBER
108	Reddy	Cherkupal		044964
NO. GUESTS 2	CITY	STATE		RATE 40.50

PBX OUT
PBX IN
TOTAL

NO. IN PARTY: ADULTS 2 | CHILD.

DATE OF ARRIVAL 5/22

DATE OF DEPARTURE 5/23

PAID BY:
- ☐ CASH
- ☐ CHECK
- ☒ CREDIT CARD
- ☐ DIRECT BILLING
- ☐ TRAVEL VOUCHER

SAFETY DEPOSIT BOX NO. _____

REF. NO.	DATE	CODE	AMOUNT	CODE
ROOM 108-1 0000 0				
	MAY22	TRANS RM	40.50	
	MAY22	TAX	2.63	
317568		ROOM 108-1		43.13
	MAY23	VICTORYS	6.15	
117637		ROOM 108-1		49.28

Holiday Inn

OF
FREDERICKSBURG-NORTH
564 Warrenton Road
FALMOUTH, VIRGINIA 22405

TELEPHONE 371-5550
AREA CODE 703

From Folio _____ To _____

BALANCE FORWARD

X DIRECT BILL SIGNATURE

FREE ADVANCE RESERVATIONS VIA HOLIDEX® COMPUTER SYSTEM

FORM 3-20
LITHO U.S.A.

001119

GUEST REGISTRATION

27834

DAYS INN ABERDEEN

783 WEST BELAIR AVENUE — ABERDEEN, MD. 21001

301—272-8500

ROOM NO. 101

NAME C. S. REDDY

STREET 33 HOLMES DR.

CITY MIDDLETOWN STATE CT

CAR LICENSE 413 FFT STATE CT MAKE OF CAR ACURA

REPRESENTING —— CREDIT CARD ~~MC~~ VISA

DATE IN 5/26/91 A.M. P.M. EXPECTED DEPARTURE 5/27/91 CLERK GMT

NO. IN PARTY 2 RATE 42.00 TRANSFER TO FOLIO # TRANSFER FROM FOLIO #

NOTICE TO GUESTS This property is privately owned and the management reserves the right to refuse service to anyone, and will not be responsible for accidents or injury to guests or for loss of money, jewelry or valuables of any kind.

SIGNATURE CSReddy

	DATE ▶	5/24	5/27					
	FORWARD		44.10					
	ROOM	42.00						
	TAX	2.10						
PHONE	LOCAL							
PHONE	LONG DIST.							
PHONE								
PHONE								
PHONE								
	REST.							
	LAUNDRY and VALET							
	TOTAL	44.10						
	CASH							
	ALLOWANCE							
	CREDIT							
	TOTAL	44.10						

001120

DELAWARE
TURNPIKE

L 07 C 111
05-27-91 10:24
CL 2
TOLL PAID 1.00

PA163
12/90

BK89794

TOLL RECEIPT
NOT REDEEMABLE

THE PORT AUTHORITY OF NY & NJ

3.00	• Valid only if stamped on reverse side	16.00
4.00	• Amount punched denotes sum paid for passage of vehicle(s) on date stamped on back.	20.00
6.00		24.00
8.00	• When "Special" is punched the vehicle exceeds facility limitations, is classified "Special" and pays an additional toll.	
12.00		SPECIAL

Buckle Up
Drive Safely
Happy Motoring

BALT HARBOR TUNNEL

ID: 3029 TIME: 00:58 MAY 27, 1991

LANE: 3 CLASS: 2 TOLL: $ 1.00

YONKERS

TOLL PLAZA

MAY 27 1991

25 CENTS

TOLL PAID

NEW YORK
IS TOUGH
ON SPEEDERS

* * *

$ .50 1991 MAY 2[illegible]

CASH TOLL PAID
RICHMOND-PETERSBURG
TURNPIKE

$ .50 1991 MAY 26

CASH TOLL PAID
RICHMOND-PETERSBURG
TURNPIKE

$ .50 MAY 26

[illegible] PAID
[illegible]-PETERSBURG
[illegible]URNPIKE

MARYLAND TRANSPORTATION AUTHORITY

JOHN F. KENNEDY MEM. HIGHWAY

ID: 6048 TIME: 10:06 MAY 27, 1991

LANE: 12N CLASS: 2 TOLL: $ 1.00

1- $ .75 DELAWARE MEMORIAL BRIDGE

MAY 27 19[illegible]

001121

$ .50 1991 MAY 23

CASH TOLL PAID
ICHMOND-PETERSBURG
TURNPIKE

HENRY HUDSON BRIDGE

COL PT DATE TIME OPER. ID AMOUNT
12. 05/22/91 19:58 01725 $01.25

1 - $ .75 DELAWARE MEMORIAL BRIDGE

MARYLAND TRANSPORTATION AUTHORITY

JOHN F. KENNEDY MEM. HIGHWAY

ID: 6044 TIME: 22:51 MAY 22, 1991

LANE: 4S CLASS: 2 TOLL: $ 1.00

$ .50 1991 MAY 23

CASH TOLL PAID
MOND-PETERSBURG
TURNPIKE

MAY 22 22: 05

DELAWARE
TURNPIKE

L 09 C 166
05-22-91 22:16
CL 2
TOLL PAID 1.00

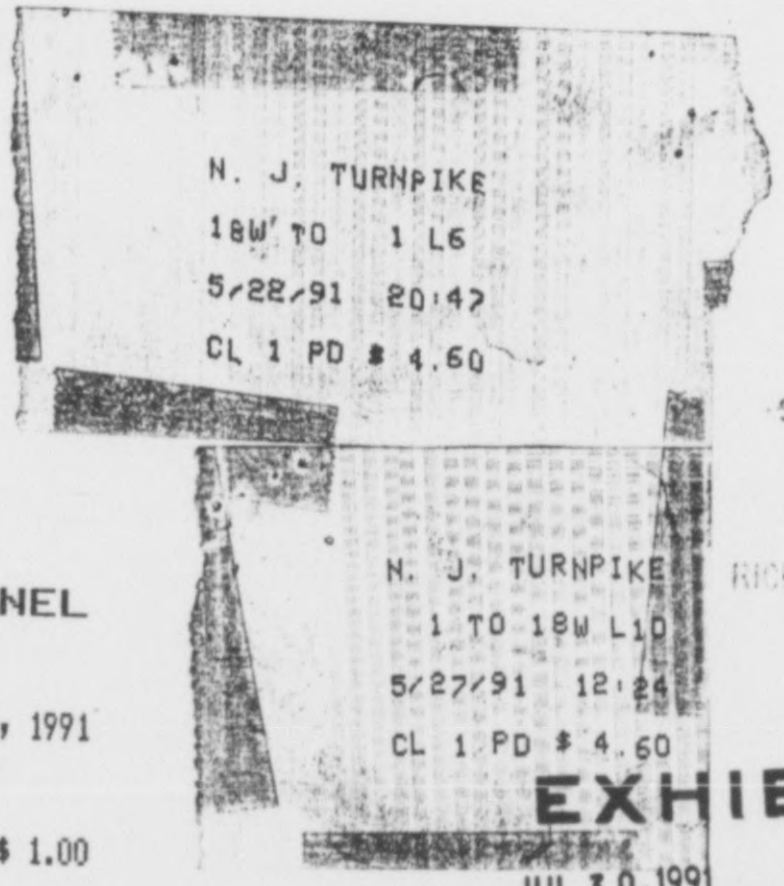
* NYS DOT
YONKERS
* TOLL PLAZA

MAY 22 1991

* 25 CENTS
TOLL PAID

NEW YORK
IS TOUGH
ON SPEEDERS

* * *



$ .50 1991 MAY 2

CASH TOLL PAID
RICHMOND-PETERSBURG
TURNPIKE

BALT HARBOR TUNNEL

ID: 3034 TIME: 23:45 MAY 22, 1991

LANE:11 CLASS: 2 TOLL: $ 1.00

EXHIBIT

JUL 30 1991 3

STATE BUDGET & CONTROL BOARD

001122

EXHIBIT

JUL 30 1991 4

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
BLUE AGENDA

MEETING OF July 30, 1991
ITEM NUMBER 4

AGENCY: Executive Director

SUBJECT: Foreign Travel, Quarter Ending June 30, 1991

On April 9, 1990, the Board delegated to staff authority to approve all requests for prior approval of foreign travel and to report those approvals to the Board quarterly.

Attached is a listing, by agency, of requests for prior approval of foreign travel that were approved by staff during the April 1 through June 30, 1991, period. It includes requests from 13 agencies and involves an estimated total of $1,040,244 of which $ 194,812.00 is estimated to be paid from State funds.

BOARD ACTION REQUESTED:

Receive as information a report on agency requests for prior approval of foreign travel that were approved during the April 1 through June 30, 1991, period involving 13 agencies and an estimated total of $1,040,244.

ATTACHMENTS:

Referenced report

001123

EXHIBIT 4

JUL 30 1991

STATE BUDGET & CONTROL BOARD

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

Agency	Number of Requests		Estimated Cost of Travel	
	Total	w/State Funds	Total	State
Agriculture Department	1	0	$ 3,075.00	$ .00
The Citadel	18	3	53,207.00	4,020.00
Clemson University	96	46	244,748.00	83,227.00
College of Charleston	8	8	43,214.00	39,469.00
Development Board	3	3	20,000.00	20,000.00
Educational Television Commission	4	0	23,600.00	.00
Lander College	3	3	2,920.00	829.00
Medical University	42	0	110,704.00	.00
Parks, Recreation & Tourism	2	2	7,750.00	7,750.00
South Carolina State College	1	0	2,561.00	.00
University of South Carolina	160	38	448,844.00	33,017.00
Vocational Rehabilitation	1	0	3,750.00	.00
Winthrop College	5	3	75,871.00	6,500.00
TOTAL, ALL AGENCIES	**344**	**106**	**$ 1,040,244.00**	**$ 194,812.00**

001124

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

==========

SOUTH CAROLNA DEPARTMENT OF AGRICULTURE

Date Approved	Traveler	Itinerary	Purpose	Total	State
04/15/91	Betsy Sheehan	Europe; 4/26-5/16/91	develop comprehensive market information for aquaculture products	3,075.00	.00
Total, Department of Agriculture (1 request; 0 involved some State Funds)				3,075.00	.00

EXHIBIT
JUN 30 1991 4
STATE BUDGET & CONTROL BOARD

001125

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

==========

THE CITADEL

Date Approved	Traveler	Itinerary	Purpose	Total	State
04/15/91	LTC Saul J. Adelman	Argentina; 7/22-8/1/91	chairman of 21st General Assembly of Int'l Astronomical Union	2,107.00	.00
04/15/91	Major Peter Rembiesa	Poland; 6/4-6/14/91	lecture at XXXI Cracow School of Theoretical Physics	1,578.00	.00
04/15/91	LTC Ronald M. Zigli	Belgium; 6/13-7/5/91	co-chairman of 1st European Decision Sciences Institute conference	1,734.00	1,734.00
04/15/91	LTC Ronald M. Zigli	Malaysia; 5/31-6/9/91	research & present papers at 8th Annual Pan-Pacific conference	2,286.00	2,286.00
05/02/91	O. Robert Emory	France; 5/25-6/26/91	to study at Centre de' Etudes Linguistiques d' Avignon	3,210.00	.00
05/06/91	Dorothy P. Moore	France; 6/7-6/18/91	attend Eastern Academy of Management Biennial Conference	1,896.00	.00
05/06/91	Christopher B. Spivey	Europe; 6/21-7/5/91	attend conference of Int'l Council of Small Business; discussion of Fulbright fellowship; present paper at Int'l Conference of World Assc. of Case Research	3,480.00	.00

001126

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

05/07/91	George S. Vozikis	Austria; 6/22-6/29/91	present paper at Int'l Council for Small Business annual conference	1,206.00	.00
05/07/91	Grant B. Staley	Spain; 5/23-6/23/91	accompany cadets on Summer Program Abroad	3,500.00	.00
05/07/91	Christopher B. Spivey	Europe; sometime between 7/1/91 and 6/30/92	conduct research	3,921.00	.00
05/07/91	Ralph Douglas Porch	Europe; 5/18-8/19/91	historical research in archives and libraries	6,500.00	.00
05/07/91	Peter Greim	Europe; 5/15-6/27/91	present lectures and joint research with professors	2,094.00	.00
05/14/91	Albert E. Gurganus	Germany; 5/23-6/22/91	Dir Citadel Summer Study; conduct research Institut fur Marxismus Leninismus	4,189.00	.00
05/16/91	John W. Gordon	Europe; 5/17-5/30/91	conduct CDF research	3,910.00	.00
05/21/91	William L. Harris	Venezuela; 5/26-6/19/91	research	5,193.00	.00
05/30/91	Stephen D. Comer	Poland; 10/5-10/19/91	lectures at Stefan Banach Int'l Mathematical Center	1,448.00	.00
05/30/91	Krishna S. Shir	Malaysia; 5/31-6/9/91	present papers at Pan-Pacific Conference VIII	2,960.00	.00
06/20/91	Thomas I. Kindel	Thailand and Singapore; 7/26-8/8/91	attend Academy of Int'l Business; Int'l Conference of Assc. for Global Business	1,995.00	.00
Total, The Citadel (18 requests, 3 involved some State funds)				**53,207.00**	**4,020.00**

001127

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

==========

CLEMSON UNIVERSITY

Date Approved	Traveler	Itinerary	Purpose	Total	State
04/01/91	Janis Lynn Miller	France; 6/3-6/28/91	ESA summer program	600.00	.00
04/01/91	Dr. George M. Haselton	Ireland; 5/6-5/29/91	Int'l Quatemary Association meetings	1,600.00	350.00
04/02/91	Dr. Sara M. Saz	Spain; 5/15-8/8/91	directing students during summer study program	4,636.00	1,136.00
04/02/91	Charles W. Dunn	Mexico; 4/15-4/17/91	speaker at Mexican-American Fulbright Commission meeting	1,000.00	.00
04/02/91	Daniel J. Calvez	France; 6/15-7/28/91	directing study abroad program in Versailles	3,500.00	900.00
04/02/91	Richard M. Golden	Europe; 5/6-5/20/91	historical research	2,371.00	750.00
04/03/91	George P. Cobb	England; 4/6-4/10/91	attend SETA conference	2,400.00	.00
04/03/91	Verne W. House	Portugal; 5/3-5/19/91	presentation & consultation at University of Coimbra and Lisbon	3,459.00	1,500.00
04/05/91	Dan D. Edie	S. Korea; 4/20-4/27/91	present paper at Cabron Conference	2,200.00	.00
04/09/91	Anolyn K. Watkins	Costa Rica; 4/13-4/20/91	current & new research development	1,100.00	.00
04/10/91	James W. Rushing	Chile; 6/15-7/6/91	conduct research on melon packaging	2,140.00	.00
04/10/91	Edwin P. Arnold	Germany; 5/16-6/4/91	internship development for L & IT	1,955.00	1,955.00

001128

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

==========

Clemson University, Page 2

04/10/91	Peter R. Sparks	Japan; 5/11-5/25/91	present paper at 23td US-Japan Joint Panel Meeting	3,000.00	865.00
04/11/91	Stephen S. Melsheimer	FRG; 6/6-6/27/91	present paper at 2nd World Congress of Chemical Engr and visit universities to promote research	2,000.00	2,000.00
04/15/91	Dr. V. Sridharan	Germany; 5/9-5/20/91	attend computer intergrated manufacturing logistics conference	1,024.00	.00
04/17/91	Jimmy D. Sheriff	USSR; 5/9-5/21/91	Soviet-American Business Connections seminar	2,500.00	.00
04/17/91	Elizabeth D. Carney	Australia; 7/20-8/19/91	Humanities Visiting Research Professor for 1991 at University of Queensland & research	3,000.00	605.00
04/17/91	Clarence D. Rogers	Taiwan; 5/10-6/8/91	visit Taiwan Cotton Spinners to discuss fiber management systems	unknown	unknown
04/18/91	Steven G. Marks	USSR; 5/15-6/15/91	consultant on establishing executive seminars for Soviet businessmen	2,500.00	.00
04/18/91	Dr. John C. Bednar	France; 5/15-7/1/91	teaching award grant; supervision of students; soliciting internships for L&IT Program	4,000.00	2,000.00

001129

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

==========

Clemson University, Page 3

04/18/91	Otis Nelson	Costa Rica; 5/21-5/29/91	estalbish cooperative exchange program (EARTH)	1,500.00	.00
04/18/91	Donald L. Ham	Germany; 5/22-5/29/91	visit & speak at Int'l Society of Arboriculture	1,000.00	.00
04/18/91	Robert S. Pomeroy	Europe; 4/27-5/19/91	conduct research on new markets for aquaculture	3,000.00	.00
04/18/91	Xin Ge	England; 7/28-7/31/91	presentation at Bacillus Thuringiensis meeting	2,000.00	2,000.00
04/23/91	Russell Shannon	Europe; 5/26-6/8/91	People to People program; conferences; providing material for teaching Comparative Economic System	5,000.00	5,000.00
04/23/91	Ronald R. Williams	Scotland; 8/13-8/23/91	presentation at Near Infrared '91 Conference on Moisture Content of Cottons	1,300.00	1,300.00
04/29/91	John S. Davis	England; 6/16-6/23/91	visit research centers and universities	1,800.00	.00
04/29/91	Tony Ambrose	Switzerland; 5/7-6/8/91	meeting and present paper at Int'l conference	1,600.00	.00

001130

EXHIBIT

JUL 30 1991 4

STATE BUDGET & CONTROL BOARD

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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Clemson University, Page 4

04/29/91	Larry L. Bauer	Europe; 6/12-6/25/91	visit Universities of Aberdeen & College-Dublin to discuss exchange programs	3,200.00	2,700.00
04/29/91	Hassan M. Behery	Egypt/Germany; 5/10-6/9/91	Peace Fellowship Program meeting/United Nations Program dicsussions	4,000.00	.00
04/29/91	Jose I. Suarez	Costa Rica; 5/21-5/29/91	develop linkage with university and CU for exchange & internships	1,200.00	600.00
05/01/91	Charles K. Watt	Hong Kong; 5/20-5/25/91	development of joint research program with industry and Hong Kong University of Science & Technology	3,500.00	3,500.00
05/01/91	G. Jay Gogue	Hong Kong; 5/20-5/25/91	development of joint research program with industry and Hong Kong University of Science & Technology	3,000.00	3,000.00
05/01/91	Dale Hutton	Italy; 5/14-5/23/91	serving as lecturer	300.00	300.00
05/01/91	Dixie R. McAfee	Italy; 5/14-5/23/91	host for alumni group	300.00	300.00
05/02/91	Cynthia Scully Pfender	Switzerland; 7/17-7/31/91	attend American String Teachers Association Int'l Workshop	3,168.00	.00

001131

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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Clemson University, Page 5

05/02/91	Jonathan Black	Europe; 6/4-6/12/91	consultation at Queen Mary College & review UHMW-PE reseach	3,750.00	.00
05/02/91	William Vance Baird	Europe; 9/17-9/30/91	attend memoire/defence forexchange with collaborators	1,850.00	1,400.00
05/06/91	Harry Durham	Dominica; 5/27-6/4/91	produce audio tapes for educational materials about the Center's activities	800.00	800.00
05/06/91	Gloria S. McCutcheon	Trinidad; 6/8-6/15/91	research & establish relations with members of Int'l Institute of Biological Control	1,860.00	1,860.00
05/06/91	Ralph Dean	Italy; 5/29-6/30/91	visit & work in lab of Dr. Felice Gervone on collaborative research project	1,999.00	1,999.00
05/06/91	Bobby G. Wixson	Japan/Hong Kong; 6/18-6/30/91	visit US Branch campuses in Japan and develop collaborative programs at Hong Kong University of Science & Technology	3,500.00	1,000.00
05/06/91	Donald G. Manley	Europe; 8/10-9/6/91	attend quadrennial meeting of Int'l Society of Hymenopterists and study type specimens in European museums	5,000.00	.00

001132

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

==========

Clemson University, Page 6

05/07/91	Joseph A. Burton	France; 6/6-6/27/91	preparation of program for Undergraduate Foreign Studies College of Architecture	3,100.00	1,600.00
05/08/91	John J. Komo	Hungary; 6/22-6/30/91	present paper at IEEE Int'l Symposium on Information Theory	3,000.00	.00
05/08/91	G. Richard Thompson	Costa Rica; 5/21-5/29/91	discuss exchange program and existing agreements with three universities	1,092.00	1,092.00
05/09/91	Gary J. Wells	Europe; 6/2-6/19/91	oversee Agric 301 & 401 class; marketing channel research; meet with USDA, ARS staff; visit port and US Ag attache	2,564.00	300.00
05/09/91	Beryl Bernstein	Israel; 9/9-10/23/91	tour Volcani Institute & Weizman Institute; present seminars on SC agriculture	3,000.00	.00
05/14/91	J. Charles Jennett	France; 7/14-7/28/91	attend 2nd Int'l Symposium at UNESCO	5,000.00	2,500.00
05/14/91	J. Charles Jennett	Hong Kong; 6/19-6/30/91	visit University of Science and Technology to establish key program contacts	4,500.00	2,500.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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Clemson University, Page 7

05/15/91	Frances F. Chamberlain	Europe; 6/5-6/27/91	research French Gardens, research Undergrad Design/Eng Program possibilities, research medieval gardens	4,418.00	918.00
05/15/91	Ryan C. Amacher	Hong Kong; 6/22-7/6/91	meet with University of Science & Technology regarding faculty & student exchange	2,500.00	2,500.00
05/21/91	Leroy H. Doar	Honduras; 6/1-7/3/91	conduct seminars on Packaging Science per USAID	6,000.00	.00
05/21/91	John Spragins	Europe; 5/29-6/18/91	discussions of possible cooperative research	.00	.00
05/21/91	William A. Ward	Manila/Japan; 5/28-6/21/91	present economic workshop for Asian Development Bank; meet with AID officials & Japanese institutions	5,000.00	.00
05/22/91	Charles W. Dunn	Denmark/Norway; 7/1-7/5/91	lecture at 40th Anniversary of Danish-American Fulbright Program	2,500.00	.00
05/22/91	Gary L. Powell	W. Germany; 7/1-8/9/91	collaborative research, Max-Planck Institute for Biophysical Chemistry	950.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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Clemson University, Page 8

05/22/91	Jonathan Black	England; 9/3-9/16/91	2nd Biomaterials Consensus Def. Conference; Europe Society for Biomaterials Conference; 4th Bioceramics Conference	2,500.00	.00
05/23/91	Toshiko Kishimoto	Japan; 6/17-7/17/91	research Methodology of Teaching Business Japanese	5,125.00	4,300.00
05/23/91	Toshiko Kishimoto	England; 8/12-8/24/91	attend seminar of Teaching Business Japanese	2,100.00	2,000.00
05/24/91	Bob Winch	Norway; 5/28-6/1/91	recruiting for soccer	2,000.00	.00
05/28/91	B. J. Skelton	Hong Kong; 6/21-6/29/91	visit University of Science and Technology to develop collaborative student programs for Clemson	3,000.00	1,500.00
05/29/91	Joseph A. Burton	France; 6/6-6/27/91	preparation of program for College of Architecture undergraduate foreign studies	3,100.00	1,600.00
05/29/91	M. F. Larsen	France; 6/22-6/29/91	25th Int'l Conference on Radar Meteorology	2,500.00	2,500.00
05/29/91	H. Garth Spencer	England; 5/31-6/6/91	cooperative research effort with PCI, Ltd.	2,600.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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(For the Quarter Ending June 30, 1991)

Clemson University, Page 9

05/30/91	Tah-teh Yang	Taiwan; 6/20-6/27/91	joint academic/research projects between Chaiao-Tung and Clemson	3,232.00	.00
05/30/91	Peter A. Skewes	Jamaica; 7/16-7/19/91	poultry management educational seminar	1,500.00	.00
05/30/91	Michael Hammig	Indonesia; 7/6-7/19/91	design program for research on Integrated Pest Management	3,500.00	.00
05/30/91	Billy B. Rhodes	China; 8/1-8/31/91	establish cooperative research efforts with Urumqi	4,000.00	.00
05/30/91	Frank H. Tainter	Colombia; 6/22-7/3/91	present seminars at Symposium on Mgmt of Small Watersheds	1,400.00	.00
05/30/91	John J. Porter	Rio de Janeiro; 7/11-7/29/91	attend textile conference as invited speaker	.00	.00
05/30/91	Gloria S. McCutcheon	Barbados; 6/8-6/15/91	completion of research through Ministry of Agriculture	1,860.00	1,860.00
06/03/91	B. E. Gilliland	England; 7/5-7/19/91	marketing of Clemson Intellectual Property - "Clemson Camshaft"	3,000.00	3,000.00
06/03/91	Thomas Oberdan	Austria; 8/8-8/20/91	study unpublished papers of Kurt Godel; consult with specialists	1,030.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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Clemson University, Page 10

06/04/91	Philip B. Burt	Europe; 7/15-8/13/91	research presentation at various institutions and conferences	3,500.00	1,000.00
06/04/91	Jimmy D. Sheriff	Germany; 9/22-10/3/91	attend Int'l Textile Machinery Show '91	2,755.00	.00
06/04/91	B. Merle Shepard	Indonesia; 7/6-7/19/91	set up USAID IPM program in vegetables	3,560.00	.00
06/04/91	Gerald R. Carner	Indonesia; 7/6-7/19/91	design research program for IPM (FAO Consultancy)	3,560.00	.00
06/05/91	Michael T. Maloney	Belgium; 7/1-7/3/91	present paper at AFFI conference	2,000.00	2,000.00
06/07/91	Donald M. McKale	England; 7/20-8/17/91	research in Public Record Office on Anglo-German Rivalry in Middle East in World War I	3,662.00	3,662.00
06/07/91	Robert S. Pomeroy	Argentina; 7/8-7/22/91	conduct research program on aquaculture economics at Institute of Economical Research	2,500.00	.00
06/12/91	Paul F. Joseph	USSR; 7/10-8/10/91	cooperative research program at Mechanical Engineering Research Institute of USSR Academy of Sciences	2,928.00	800.00

EXHIBIT

JUL 30 1991

STATE BUDGET & CONTROL BOARD

0041327

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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(For the Quarter Ending June 30, 1991)

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Clemson University, Page 11

06/13/91	David J. Dumin	Malasia; 11/9-11/16/91	present paper at IEEE Int'l Symposium on Physical & Failure Analysis of Integrated Circuits	2,000.00	2,000.00
06/24/91	Edward A. Vaughn	Germany; 9/16-9/28/91	attend ITMA 91 Machinery Show	2,000.00	.00
06/24/91	Douglas V. Rippy	Germany; 9/16-9/28/91	attend ITMA 91 Machinery Show	2,000.00	.00
06/24/91	Hassan M. Behery	Germany; 9/23-9/30/91	attend ITMA 91 Machinery Show	2,000.00	.00
06/24/91	O. Frank Hunter	Germany; 9/23-9/30/91	attend ITMA 91 Machinery Show	2,000.00	.00
06/24/91	James R. Andreas	Japan; 8/7-8/17/91	deliver paper & participate in "Shakespeare in the Heterogeneous Classroom"	2,500.00	1,500.00
06/24/91	Clarence D. Rogers	Germany; 9/23-9/30/91	attend ITMA 91 Machinery Show	2,000.00	.00
06/24/91	Guebre X. Tessema	France/Japan; 7/1-8/15/91	conduct research U.S. Cooperative Research Program; attend Int'l conference on Super-conductivity	4,500.00	2,000.00
06/24/91	Bhuvenesh C. Goswami	Germany; 9/23-9/30/91	attend ITMA 91 Machinery Show	2,000.00	.00

0041138

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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(For the Quarter Ending June 30, 1991)

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Clemson University, Page 12

06/24/91	Bonnie S. Martin	Australia; 7/5-7/28/91	present paper at World Leisure & Recreation Conference	2,000.00	725.00
06/24/91	Robert D. Palmer	England; 7/15-8/15/91	5th MST Workshop on Technical & Scientific Aspects of MST Radar	2,500.00	.00
06/24/91	M. F. Larsen	England; 7/15-8/15/91	5th MST Workshop on Technical & Scientific Aspects of MST Radar	2,500.00	.00
06/24/91	Ralph E. Elliott	Australia; 7/1-7/12/91	present program on "Effective Seminar/Conference Marketing" to Educators	1,950.00	.00
06/24/91	Hallman B. Bryant	England; 7/1-7/15/91	research at British Museums London & Manchester	2,500.00	.00
Total, Clemson University (97 requests; 46 involved some State funds)				**244,748.00**	**83,227.00**

001139

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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COLLEGE OF CHARLESTON

Date Approved	Traveler	Itinerary	Purpose	Total	State
04/10/91	Rosemary Brana-Shute	England; 5/5-5/12/91	present results of research at Institute of Commonwealth Studies conference in London	1,104.00	445.00
04/29/91	Jorge Marban	Italy; 6/23-7/30/91	read paper at Int'l Congress on Semiotics of Mystical Text	1,995.00	1,995.00
04/29/91	John Rashford	Japan; 6/8-8/23/91	present paper at Annual Meeting of Society for Economic Botany; research	3,811.00	725.00
04/29/91	William C. Cottrell and 18 students	England; 5/15-5/27/91	summer studies abroad for a choral tour	30,000.00	30,000.00
05/06/91	Norbet Sclippa	France; 7/10-8/15/91	conduct research at Bibliotheque Municipale & complete study of drama in XVIIIth century France	1,995.00	1,995.00
05/07/91	Klaus de Albuquerque	West Indies; 5/7-5/13/91	research in OECS Economic Affairs Secretariat Library	725.00	725.00
06/19/91	Paul T. Nelson	Europe; 9/91-3/92	sabbatical to study impact of "Europe 1992" on physical flow of intermodal transportation between EC and US	1,984.00	1,984.00
06/20/91	Robert L. Anderson	Singapore; 6/24-8/1/91	attend Int'l Entrepreneurship meeting	1,600.00	1,600.00
Total, College of Charleston (8 requests; 8 requests involved some State funds)				**43,214.00**	**39,469.00**

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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SOUTH CAROLINA STATE DEVELOPMENT BOARD

Date Approved	Traveler	Itinerary	Purpose	Total	State
05/06/91	W. Hartley Powell	Hong Kong/Taiwan; 5/19-5/28/91	attend investment show and meet with int'l companies regarding interest in locating in SC	5,000.00	5,000.00
05/23/91	William Lacey	Russia; 6/8-6/15/91	meet with government officials & industry leaders to develop trade opportunities	7,500.00	7,500.00
05/23/91	Wayne L. Sterling	Russia; 6/8-6/15/91	meet with government officials & industry leaders to develop trade opportunities	7,500.00	7,500.00
Total, State Development Board (3 requests; 3 involved some State funds)				**20,000.00**	**20,000.00**

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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(For the Quarter Ending June 30, 1991)

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EDUCATIONAL TELEVISION COMMISSION

Date Approved	Traveler	Itinerary	Purpose	Total	State
05/06/91	Sandie Pedlow	Ireland; 6/13-6/23/91	attend Int'l Public Television Screening Conference	3,750.00	.00
05/06/91	Henry J. Cauthen	Ireland; 6/13-6/23/91	attend Int'l Public Television Screening Conference	3,750.00	.00
06/07/91	Arthur A. Joseph, Joseph E. Sauvion and Richard F. Panter	Colombia, Guatemala & Bolivia; 7/6-7/28/91	production of program to be aired on SC ETV	14,000.00	.00
06/25/91	Marcia P. Warnock	Italy; 7/4-7/17/91	to cover Spoleto Festival USA for ETV Radio	2,100.00	.00
Total, Educational Television Commission (4 requests; 0 involved some State funds)				**23,600.00**	**0.00**

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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(For the Quarter Ending June 30, 1991)

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LANDER COLLEGE

Date Approved	Traveler	Itinerary	Purpose	Total	State
05/02/91	Ann Herlong	Czechoslovakia; 5/10-5/30/91	teaching English for Ministry of Education	869.00	189.00
05/21/91	Robert Cumming	Europe; 6/6-7/22/91	study in England and France; travel related to teaching	996.00	320.00
05/21/91	Deborah Cumming	Europe; 6/6-7/22/91	study in England and France; travel related to teaching	1,055.00	320.00
Total, Lander College (3 requests; 3 involved some State funds)				**2,920.00**	**829.00**

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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MEDICAL UNIVERSITY OF SOUTH CAROLINA

Date Approved	Traveler	Itinerary	Purpose	Total	State
04/05/91	Ivan Vujic	Norway; 5/9-5/28/91	American Society of Vascular/Int'l Society joint meeting	2,000.00	.00
04/05/91	Philippe Arnaud	Europe; 4/11-4/22/91	UNESCO consultation; speaker at Congress of Medicine	3,000.00	.00
04/10/91	John Griffiths	Europe; 5/31-6/9/91	speaker at University Dundee & Helsinki and symposium at Int'l Isoeerzyne meeting	5,000.00	.00
04/15/91	Eberhard O. Voit	Europe; 7/25-8/14/91	workshop on Biochemical Systems Analysis & seminar speaker	1,600.00	.00
04/15/91	Franklin A. Young	Mexico; 4/17-4/22/91	attend IADR meeting	1,500.00	.00
04/15/91	Luis Leite	Mexico; 4/16-4/22/91	present paper at Int'l Association of Dental Research General Session	1,500.00	.00
04/17/91	Grady H. Hendrix **(CONFIRMATION OF 4/11/91)**	W. Indies; 4/13-4/27/91	teach 2 week cardiology course at St. George's Medical School	?	?
04/22/91	Anna Ludwicka	Poland; 6/22-6/29/91	attend Int'l Conference on Scleroderma & Like Diseases	2,500.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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Medical University, Page 2

04/22/91	Maria Trojanowska	Poland; 6/22-6/29/91	attend Int'l Conference on Scleroderma & Like Diseases	2,500.00	.00
04/22/91	Richard M. Silver	Poland; 6/22-6/29/91	attend Int'l Conference on Scleroderma & Like Diseases	2,500.00	.00
04/23/91	Philip J. Privitera	Germany; 9/8-9/15/91	present research data at Int'l Kinin Congress	2,923.00	.00
04/23/91	Harry S. Margolius	Germany; 9/7-9/15/91	attend and give closing remarks at Int'l Kinin Congress	1,500.00	.00
04/23/91	Marlene Bunni	England; 6/27-7/15/91	attend Purine and Pyrimidine Metabolism in Man meeting	1,340.00	.00
04/29/91	Donald H. Miller	Germany; 9/8-9/15/91	attend and present results at Int'l Kinin Conference	2,926.00	.00
04/29/91	Jeffrey B. Riley	Netherlands; 6/8-6/15/91	attend 4th European Congress on Extra Corporeal Circulation Technology	5,500.00	.00
04/29/91	James C. Ballenger	Denmark; 5/5-5/7/91	guest lecturer at the Ole J. Fafaelsen Lecture	2,500.00	.00
04/29/91	David G. Priest	Australia; 11/16-11/22/91	5th Int'l Conference on Pteridines participant	3,565.00	.00

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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Medical University, Page 3

05/13/91	Naren L. Banik	Australia; 7/9-7/25/91	attend & present research at 13th Int'l Society of Neurochemistry meeting	3,000.00	.00
05/13/91	Edward L. Hogan	Australia; 7/9-7/25/91	attend & present research at 13th Int'l Society of Neurochemistry meeting	3,000.00	.00
05/15/91	Daniel R. Knapp	Hungary; 6/10-6/21/91	meeting of Int'l Council for Coordinating Cancer Research	3,000.00	.00
05/21/91	Derek A. Fyfe	Austria; 5/24-6/2/91	faculty member of 4th Int'l Symposium on Echocardiography	1,600.00	.00
05/21/91	Peter J. Fischinger	Hungary; 6/6-6/15/91	7th Int'l Symposium on Cancer & AIDS research Convergences	5,000.00	.00
05/21/91	Julian E. Keil	England; 6/12-6/21/91	meet with Hillingdon Hospital Heart Study doctor	1,500.00	.00
05/21/91	Susan E. Sutherland	England; 6/12-6/21/91	meet with Hillingdon Hospital Heart Study doctor	1,500.00	.00
05/22/91	E. Carwile LeRoy	Italy; 6/4-6/17/91	attend and lecture at Int'l Meeting on Rheumatic Diseases in Pediatric Age	6,000.00	.00

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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Medical University, Page 4

05/22/91	Rebecca G. Knapp	Hungary; 6/10-6/20/91	attend Int'l Coordinating Council for Cancer Research	1,500.00	.00
05/29/91	John B. McGinty	Hungary; 6/15-6/20/91	attend VIth European Congress of Sports Medicine	2,000.00	.00
06/05/91	Kelly Mayo	W. Indies; 7/22-8/9/91	initiate research study of lifestyle practices and morbidity and mortality among Dominicans	1,500.00	.00
06/05/91	Barbara K. Haight	Italy; 8/17-8/26/91	attend 5th Congress of Int'l Psychogeriatric Assc.	3,700.00	.00
06/10/91	Maralynne D. Mitchum	S. Australia; 8/5-9/15/91	2 day workshop at Australian Occupational Therapy Conference; teach graduate course; and consult Julia Farr Foundation	3,000.00	.00
06/12/91	H. Biemann Othersen	Sweden; 8/24-9/6/91	attend 34th World Congress of Surgery	3,000.00	.00
06/12/91	Lawrence V. Friedrich	Germany; 6/20-6/30/91	presentation at 17th ICC meeting	3,000.00	.00
06/12/91	Roger L. White	Germany; 6/20-6/30/91	presentation at 17th ICC meeting	3,000.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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Medical University, Page 5

06/14/91	Phanor L. Perot, Jr.	Europe; 6/19-7/5/91	attend 9th European Congress of Neurosurgery	2,000.00	.00
06/19/91	David B. Adams	Sweden; 8/24-8/31/91	speak at Int'l Surgical Week Conference	1,550.00	.00
06/19/91	Richard M. Silver	Poland; 6/23-7/1/91	attend rheumatologic diseases meeting; lecture	5,000.00	.00
06/24/91	J. Robert Cantey	Switzerland; 8/16-8/25/91	attend Molecular Cross-Talk conference	3,000.00	.00
06/24/91	Ayad A. Jaffa	Germany; 9/7-9/15/91	attend Int'l Kinin conference	2,500.00	.00
06/24/91	Timothy J. Lyons	Ireland; 9/1-9/21/91	speaker at Satellite symposium on Atherosclerosis in Diabetes	2,000.00	.00
06/24/91	Ronald K. Mayfield	Germany; 9/7-9/15/91	attend Int'l Kinin conference	1,500.00	.00
06/24/91	M. Michael Swindle	Netherlands; 8/24-8/31/91	oral presentation at 4th Int'l Congress of Veterinary Anaesthesia	3,000.00	.00
06/27/91	Miguel R. Abboud	Italy; 7/18-7/27/91	present abstract at ISEH meeting	2,500.00	.00
Total, Medical University (42 requests; 0 involved some State funds)				**110,704.00**	**0.00**

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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DEPARTMENT OF PARKS, RECREATION AND TOURISM

Date Approved	Traveler	Itinerary	Purpose	Total	State
04/02/91	Robert G. Liming, Amy D. Duffy, and Caroline Sherman	Germany; 5/17-5/28/91	represent SC at inaugural ceremonies for Delta Air Lines Services	4,000.00	4,000.00
05/08/91	Robert G. Liming and Amy D. Duffy	France; 9/8-9/15/91	represent SC's tourism and travel industry at the POW WOW - Europe trade show	3,750.00	3,750.00
Total, Parks, Recreation & Tourism (2 requests; 2 requests involved some State funds)				**7,750.00**	**7,750.00**

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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SOUTH CAROLINA STATE COLLEGE

Date Approved	Traveler	Itinerary	Purpose	Total	State
04/29/91	Doris B. Matthews	England; 7/20-8/11/91	present paper at 5th Int'l Conference on 1st year experience at Cambridge	2,561.00	.00
Total, S.C. State College (1 request; 0 involved some State Funds)				**2,561.00**	**.00**

ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
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UNIVERSITY OF SOUTH CAROLINA

Date Approved	Traveler	Itinerary	Purpose	Total	State
04/01/91	Alvin Fox	Sweden; 6/3-6/20/91	collaborative research and 2nd Int'l meeting	2,775.00	.00
04/01/91	Frank T. Avignone	Spain; 4/7-4/14/91	meeting Int'l Germanium Experiment NSF project	1,986.00	.00
04/02/91	John T. Addison	United Kingdom; 5/10-7/9/91	present paper & researching data	1,150.00	900.00
04/05/91	Jeffrey Arpan	Hungary, Austria, Yugoslavia; 4/19-5/12/91	lecture and promoting CBA activities in C. Europe	5,000.00	100.00
04/05/91	Dr. Lars Bjork	S. Africa; 4/27-5/30/91	research and development	4,908.00	.00
04/05/91	Dr. Tom Thompson	S. Africa; 4/27-5/30/91	research and development	4,908.00	.00
04/05/91	Dr. Aretha Pigford	S. Africa; 4/27-5/30/91	research and development	4,908.00	.00
04/05/91	Dr. Rick Ginsberg	S. Africa; 4/27-5/30/91	research and development	4,908.00	.00
04/05/91	Christopher Kendall	Europe; 7/91-7/92	sabbatical leave	.00	.00
04/05/91	Christopher Kendall	Bahamas; 7/1-7/9/91	conduct research with graduate students	500.00	.00
04/05/91	Christoper Kendall	Bahamas; 4/14-4/22/91	lead field trip of Italian graduate students/faculty	500.00	.00
04/05/91	Angel T.M. Wang	Japan; 4/26-9/30/91	AMY Experiment at KEK	2,100.00	.00
04/05/91	Ronald A. Devore	USSR; 5/18-6/5/91	attend & lecture at conference	2,400.00	.00
04/05/91	Yun Jin Chao	Germany; 4/14-10/15/91	conducting research	14,500.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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University of South Carolina, Page 2

04/09/91	Bjorn Kjerfve	Jamaica; 5/8-5/31/91	teaching MSCI 585 course, Coastal Tropical Oceanography	400.00	.00
04/09/91	Richard G. Zingmark	Jamaica; 5/9-5/30/91	teaching MSCI 577 course, Oral Reef Ecology	350.00	.00
04/09/91	Horacio Farach	Colombia; 5/2-5/31/91	research & consulting	3,700.00	.00
04/09/91	Chaden Djalali	France; 5/21-7/16/91	nuclear physics experiment	2,800.00	.00
04/09/91	William R. Stanley	Africa; 4/11-8/31/91	guest lecturer at conference	7,300.00	900.00
04/10/91	Richard Dame	Jamaica; 5/9-5/30/91	teaching MSCI 577 course	350.00	.00
04/10/91	Ronald A. DeVore	England; 7/10-7/21/91	attend and participate in workshop	1,200.00	.00
04/11/91	Churchill Curtis	Ecuador; 5/18-6/20/91	teaching USC class in BAIS program	2,000.00	.00
04/11/91	Charles Joyner	Australia; 7/17-7/21/91	present paper at Centennial Conference	2,160.00	.00
04/11/91	William F. Edmiston	England; 7/18-7/29/91	read presentation at Int'l Congress	649.00	649.00
04/11/91	George A. Rekers	USSR; 4/19-4/28/91	present papers, World Laboratory/Soviet Academy of Sciences	1,356.00	500.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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University of South Carolina, Page 3

04/11/91	Fred Myhrer	Europe; 4/26-5/26/91	research on anti-nucleon-nucleon reactions	3,200.00	.00
04/11/91	Michael C. Scardaville	Mexico; 7/2-8/11/91	USC Cuernavaca Program participant	1,564.00	464.00
04/11/91	Elaine C. Lacy	Mexico; 7/2-8/11/91	teaching in USC Cuernavaca Program	1,564.00	1,564.00
04/11/91	Richard C. Mims	Ecuador; 5/18-6/20/91	teaching USC class in BAIS program	2,000.00	.00
04/15/91	William Phillips	China; 5/12-6/2/91	complete course development for ITC China project 006	4,600.00	.00
04/15/91	Christopher Korth	China; 5/7-5/31/91	complete ITC China project 006	4,600.00	.00
04/15/91	Garriett W. Smith	Bahamas; 5/12-5/16/91	presenting a paper	301.00	.00
04/15/91	Mark M. Newell	England; 9/25-10/15/91	lecture at Edinburgh and conduct research at Canal Historical Society	1,237.00	.00
04/16/91	John H. Dawson	USSR/England; 7/24-8/18/91	attending conferences	2,900.00	1,050.00
04/16/91	Dr. Manfred Stoll	Netherlands; 8/5-8/26/91	attending Int'l Conference and presenting paper	1,600.00	475.00
04/16/91	James A. Kuhlman	Vienna, Budapest, Prague; 7/6-7/28/91	attending CIBER FDIB Program in Central Europe	3,000.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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University of South Carolina, Page 4

04/18/91	Constance B. Schulz	England; 5/9-5/27/91	teach and administer LIBR 797K	2,124.00	.00
04/18/91	Lois N. Upham	England; 5/9-5/27/91	teach and administer LIBR 797K	2,030.00	.00
04/18/91	Kendall Roth	Japan; 5/4-5/18/91	conducting research	3,700.00	.00
04/18/91	Bjorn Jawerth **(CONFIRMATION)**	Sweden; 4/15-5/15/91	participating in special year program	1,500.00	.00
04/18/91	Dr. Thomas J. Owens	China/Hong Kong; 5/2-5/17/91	planning site locations	2,000.00	.00
04/18/91	Douglas Nigh	Japan; 5/4-5/18/91	conducting research	3,700.00	.00
04/18/91	Robert E. Powers	Sweden; 4/22-4/26/91	presenting invited seminar	2,500.00	.00
04/22/91	Wolfgang Elfe	Germany; 5/24-6/17/91	developing business German teaching materials per CIBER grant	3,870.00	.00
04/22/91	Gunther Holst	Germany; 5/24-6/20/91	developing business German teaching materials per CIBER grant	4,380.00	.00
04/22/91	Robert E. Markland	Belgium; 6/21-6/28/91	meeting/deliver keynote speech as President	2,405.00	1,990.00
04/22/91	Jeeva Anandan	England; 5/10-6/15/91	visiting universities	1,900.00	.00
04/22/91	Ronald Atkinson	S. Africa; 4/27-6/13/91	research/development activities	4,950.00	.00
04/23/91	Timothy S. Little	Brazil; 4/25-5/17/91	collaborative research	2,010.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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University of South Carolina, Page 5

04/29/91	Maurice Nachtigal	France; 5/21-5/30/91	discuss research projects with Center of Molecular Biophysics	1,228.00	.00
04/29/91	Phillip Greenspan	France; 5/21-5/30/91	visiting Cunow Labs	2,410.00	.00
04/29/91	Winona B. Vernberg	Brazil; 6/13-7/3/91	develop research projects under cooperative agreement	4,550.00	.00
04/29/91	Sharon Y. Cherry	Mexico; 5/4-5/8/91	taking students to Mexico	676.00	676.00
04/29/91	John N. Gardner	England; 7/19-7/23/91	University 101 sponsored conference & workshop	2,150.00	.00
04/29/91	Ronald P. Wilder	Korea; 5/14-5/22/91	economics conference at Pusan National University	750.00	750.00
04/29/91	Alexandra Rowe Henry	USSR; 5/13-6/13/91	teacher training for English faculty	4,711.00	.00
04/30/91	Vytautas Al Pakalnis	Lithuania; 5/17-6/1/91	attend 7th Lithuanian Symposium on Arts and Sciences	1,650.00	.00
04/30/91	Freeman G. Henry	USSR; 5/13-6/13/91	present lectures at USSR Academy of Sciences	3,771.00	1,257.00
04/30/91	Frank W. Medley, Jr.	West Indies & Venezuela; 7/5-7/21/91	read paper & establish academic year study abroad program	1,716.00	923.00
04/30/91	Robert Wirsing	London, New Delhi, Islamabad; 5/12-6/26/91	conduct research	5,454.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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University of South Carolina, Page 6

04/30/91	Frank W. Medley, Jr.	West Indies & Venezuela; 7/5-7/21/91	read paper & establish academic year study abroad program	1,716.00	923.00
04/30/91	Robert Wirsing	London, New Delhi, Islamabad; 5/12-6/26/91	conduct research	5,454.00	.00
05/01/91	John Mark Dean	Italy/ 5/3-5/16/91	present invited lecture	2,300.00	.00
05/01/91	James R. Durig	Brazil; 5/2-5/9/91	collaborative research	1,400.00	170.00
05/06/91	Eui Hang Shin	Korea; 5/10-5/24/91	chairing session and attend Int'l Conference	1,800.00	.00
05/06/91	Joseph C. Rotter	Europe; 5/7-5/26/91	workshop for Seoul Foreign School	4,000.00	.00
05/06/91	Terry F. Bidleman	USSR; 6/2-7/3/91	research at Lake Baikal	3,200.00	.00
05/06/91	John M. Herr	Italy; 6/6-6/28/91	make presentation at Symposium	1,500.00	1,000.00
05/06/91	Lucile C. Charlebois	West Indies; 7/8-7/19/91	read paper at Caribbean Language Conference	1,184.00	723.00
05/06/91	Ann Kingsolver	Mexico; 7/13-8/11/91	teaching in USC Cuernavaca Program	1,564.00	1,564.00
05/06/91	Steven P. Wilson	Europe; 8/12-8/24/91	visit collaborator and attend Symposium	3,000.00	.00
05/06/91	Thomas L. Leatherman	Mexico; 6/20-8/10/91	conduct & oversee student research and participate in summer program	1,264.00	1,264.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

University of South Carolina, Page 7

05/06/91	Colin W. Howden	England; 6/14-6/21/91	attend int'l workshop	2,000.00	.00
05/06/91	Nieves A. McNulty	Germany; 6/15-6/24/91	attend int'l conference on Supercomputing	1,700.00	.00
05/07/91	Frances S. O'Tuel	Europe; 5/20-6/13/91	visiting American and Overseas Dependent Schools and collecting curriculum data	3,189.00	.00
05/07/91	Regis H. Robe	France; 7/1-7/29/91	directing summer studies abroad program	2,740.00	.00
05/10/91	Ed Thomas	Europe; 5/25-6/9/91	present paper at symposium	1,600.00	.00
05/10/91	Glenda Bunce	Europe; 5/25-6/9/91	attend symposium in Sofia	1,100.00	.00
05/10/91	J. David Gangemi	Europe; 6/1-7/1/91	present research matter and speak at Int'l Chemotherapy Congress	2,660.00	.00
05/10/91	Yakir Aharonov	Europe; 5/25-6/8/91	attend conference on Foundation of Quantum Theory	3,000.00	.00
05/10/91	Stephen Dilworth	Israel/England; 6/8-7/8/91	attend workshop & give paper	2,166.00	650.00
05/10/91	Arthur D. Mosher	Germany; 6/21-8/7/91	research on German Project Component	8,000.00	.00
05/10/91	Donald T. Siebert	England; 7/17-7/31/91	give paper at 8th Int'l Congress of Enlightenment	1,500.00	1,500.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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University of South Carolina, Page 8

05/10/91	David McQuillan	Russia; 8/7-8/25/91	attend Int'l Federation of Library Associations	2,410.00	.00
05/10/91	Phil Rollinson	Denmark; 8/11-8/18/91	give paper and chair session at Int'l Assc. of Neo-Latin Studies meeting	1,500.00	1,500.00
05/10/91	Garriet W. Smith	Bahamas; 6/5-6/12/91	present paper at 4th Symposium on National Science	804.00	.00
05/14/91	Alan Bauerschmidt	Europe; 5/29-7/25/91	Ciber research project	4,300.00	.00
05/14/91	Benjamin M. Gimarc	W. Germany; 8/13-8/27/01	present invited lectures at Symposium	700.00	.00
05/15/91	Paula Feldman	England; 5/20-6/30/91	research trip on English Romantic Women Writers	5,610.00	.00
05/15/91	D. Bruce Marshall	Europe; 5/28-6/25/91	present paper and attend seminar	2,500.00	362.00
05/15/91	David R. Chesnutt	Ireland; 5/18-5/27/91	attend annual meetinf of Manuscript Society	2,025.00	.00
05/15/91	Pankaj Kukkal	Japan; 5/30-7/29/91	visiting and conducting research	1,560.00	.00
05/15/91	Steve Nagle	Austria/Poland; 5/30-8/21/91	present paper at Modern English Conference and Int'l Conference on Language Contact and Linguistic Change	1,870.00	490.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

University of South Carolina, Page 9

05/21/91	Mac H. Brown	USSR; 8/4-8/26/91	make presentation in USSR	2,000.00	1,200.00
05/21/91	William K. Michener	Netherlands; 9/13-9/22/91	present paper at 26th Marine Biology Symposium	1,969.00	.00
05/21/91	William T. Salisbury	Europe; 5/23/91-5/1/92	conduct research while on sabbatical leave	15,000.00	.00
05/21/91	Stanislaw Szymaniec	Europe; 6/6-7/1/91	collaborative research and attending meetings	3,277.00	.00
05/21/91	Marios I. Katsioloudes	Cyprus; 7/14-8/18/91	research on non-profit organization	1,000.00	.00
05/22/91	Frederick L. Greene	Sweden; 8/25-8/31/91	present paper	2,748.00	.00
05/22/91	George A. Rekers	USSR; 6/8-6/16/91	delivering papers	1,825.00	.00
05/22/91	Richard D. Mandell	Guatemala; 6/11-7/2/91	research trip to highlands	914.00	.00
05/22/91	Charles W. Kegley	Argentina; 7/19-7/26/91	present paper/lecture	1,800.00	999.00
05/22/91	Charles Joyner	W. Africa; 7/26-8/4/91	present paper at conference	1,500.00	.00
05/22/91	C. K. Au	Hong Kong/China/Taiwan; 6/11-8/19/91	guest lectures and attend conference	10,000.00	400.00
05/22/91	Carl H. Almond	China; 6/5-7/6/91	visiting Professor to Shanxi Medical College	3,074.00	.00
05/22/91	Winona B. Vernberg	Netherlands; 9/15-9/27/91	present paper at International Symposium	2,644.00	.00
05/22/91	F. John Vernberg	Brazil; 6/13-7/3/91	develop research projects	4,500.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

University of South Carolina, Page 10

05/23/91	Joseph M. Ryan	Japan; 5/24-6/20/91	visiting family & educators	3,500.00	.00
05/28/91	Leara Rhodes	Dominica; 6/13-7/14/91	research on Haitians	1,500.00	.00
05/28/91	Larry Winecoff	Venezuela/Trinidad; 7/23-8/3/91	attend Community Education Leadership Institute	2,204.00	704.00
05/29/91	Jack Lyday	Venezuela/Trinidad; 7/23-8/3/91	attend Community Education Leadership Institute	2,204.00	704.00
05/28/91	Donald J. Puchala	Germany; 5/28-6/3/91	attend conference and present paper	528.00	528.00
05/29/91	David Schweiger	Europe; 6/21-7/2/91	conduct 3M interviews	3,250.00	.00
05/29/91	Frank T. Avignone	USSR; 6/12-7/5/91	install GC detector in Baksan Observatory; present paper at 5th Int'l Symposium on Radiation Physics	3,000.00	.00
05/29/91	George McNulty	Germany; 6/11-7/8/91	attend 2 conferences and present paper	800.00	.00
05/29/91	Jeeva Anandan	India; 5/30-6/18/91	give seminar & scientific collaboration	2,230.00	.00
05/29/91	Mario Salvador	China; 6/20-8/16/91	1991 Tibetan Plateau Seismic Experiment Deployment	2,200.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

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(For the Quarter Ending June 30, 1991)

University of South Carolina, Page 11

05/29/91	John Skvoretz	France; 6/18-7/5/91	present paper & chair session at 2nd Int'l European Conference on Social Networks	1,300.00	500.00
05/29/91	Thomas J. Owens	China; 6/20-8/12/91	1991 Tibetan Plateau Seismic Experiment Deployment	2,200.00	.00
05/29/91	Sally A.H. Owens	China; 7/24-8/12/91	1991 Tibetan Plateau Seismic Experiment Deployment	2,200.00	.00
05/29/91	Ed Donovan	USSR; 7/27-8/8/91	present environmental workshop at Soviet/American Science Convention	3,041.00	1,500.00
05/29/91	George Randall	China; 8/10-10/20/91	1991 Tibetan Plateau Seismic Experiment Deployment	2,200.00	.00
05/30/91	Daniel Gonzalez	Costa Rica, Venezuela, Mexico; 6/2-7/24/91	on site research for CIBER cross-cultural communication project	2,110.00	.00
05/31/91	Bjorn Kjerfve	Brazil; 6/14-8/26/91	scientific field research of Tidal Bores in Porronoroco	2,500.00	.00
05/31/91	David A. Ricks	Europe; 7/3-8/1/91	leading USC program	3,000.00	.00
05/31/91	Kent Sidel	Barbados; 9/1-11/30/91	conduct book research on Carribean Communication Law	2,250.00	.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

University of South Carolina, Page 12

06/04/91	Catherine Castner	Denmark; 8/10-8/18/91	give conference paper	1,262.00	1,262.00
06/04/91	Steve Whisnant	France; 7/8-7/20/91	develop models for physics	4,025.00	.00
06/04/91	Barry M. Preedom	France & Switzerland; 7/8-7/20/91	develop models for physics	3,614.00	.00
06/04/91	Emily Wheeler	Europe; 6/7-6/23/91	tour conductor Educational Travel Program	1,349.00	.00
06/05/91	Robert Rolfe	China; 6/23-7/22/91	complete China project	4,700.00	.00
06/05/91	Saeed Samiee	Japan; 7/27-8/24/91	collect data for CIBER Research Fellow project	3,000.00	.00
06/06/91	T. H. Howard-Hill	England; 6/28-7/29/91	research on British patents on book production on SPAR grant	4,062.00	.00
06/06/91	James N. Kellogg	Colombia; 6/9-8/31/91	consult with national oil company and Colombian Geological/Geographic Survey re NSF GPS project	11,023.00	.00
06/10/91	Robert E. Powers	England; 6/13-6/21/91	attend int'l conference	6,500.00	.00
06/10/91	Stephen Holt	England; 6/14-6/19/91	attend int'l workshop	5,500.00	.00
06/12/91	Barbara Hastings	Europe; 12/1-12/10/91	developing internship opportunitites	4,265.00	.00
06/12/91	Daniel I. Berman	England; 7/19-727/91	facilitating a preconference workshop	1,875.00	.00
06/12/91	David Hill	Mexico; 7/13-8/11/91	direct program and teach Spanish	1,562.00	447.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

University of South Carolina, Page 13

06/12/91	Richard Zingmark	Micronesia; 6/13-7/20/91	working on research project	2,434.00	.00
06/12/91	Fred Myhrer	Europe; 7/12-8/26/91	performing research	4,080.00	.00
06/14/91	Thomas Tengdin	USSR; 6/18-6/28/91	installing computer network for NEFRA	1,615.00	.00
06/14/91	Douglas F. William	USSR; 6/18-6/28/91	participate in discussions about Baikal research	1,655.00	.00
06/18/91	Donald J. Puchala	Mexico; 6/19-6/24/91	delivering a paper	834.00	434.00
06/19/91	Robert Rolfe	Hong Kong/Korea; 7/15-8/24/91	research as CIBER research fellow	6,500.00	.00
06/19/91	Norimitsu Watabe	Japan; 8/23-9/1/91	attend 3rd Int'l Congress in Tokyo, joint research; lectures	5,500.00	.00
06/19/91	Amos Ron	England; 7/10-7/22/91	attend workshop and present paper	2,114.00	.00
06/19/91	Richard Conant	Europe; 6/22-7/8/91	concert tour and recording	560.00	.00
06/19/91	Charles Micchelli	England; 6/25-8/2/91	conduct joint research on Wavelets and present paper	4,600.00	.00
06/20/91	Jessica Kross	England; 6/22-8/3/91	research on book	3,619.00	820.00
06/24/91	John W. Adams	Italy; 7/3-8/1/91	attend conference and research	1,758.00	1,049.00
06/24/91	Alice Bee Kasakoff	Italy; 7/3-8/1/91	attend conference and research	1,758.00	1,049.00

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

University of South Carolina, Page 14

06/26/91	Patricia Mason	Mexico; 7/7-8/10/91	archival research	2,205.00	.00
06/27/91	Kendall Roth	Japan; 6/28-7/9/91	conducting research for CIBER	4,000.00	.00
06/27/91	Douglas Nigh	Japan; 6/28-7/9/91	conducting research for CIBER	4,000.00	.00
06/28/91	Marco Valtorta	Italy; 7/22-8/8/91	visiting and researching at CISE laboratory	1,266.00	.00
06/28/91	Greg Wagner	China; 9/1-10/15/91	deployment of Tibetan Plateau Seismic Expedition	2,850.00	.00
06/28/91	Kenneth Kaufman	England; 9/12-9/30/91	present paper at XIV Int'l Complement Workshop	1,720.00	.00
06/28/91	Gregory Michelotti	England; 9/12-9/30/91	present paper at XIV Int'l Complement Workshop	1,720.00	.00
Total, University of South Carolina (160 requests, 38 involved some State funds)				**448,844.00**	**33,017.00**

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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S.C. VOCATIONAL REHABILITATION DEPARTMENT

Date Approved	Traveler	Itinerary	Purpose	Total	State
06/10/91	Joe S. Dusenbury	USSR; 9/10-9/27/91	introduce and teach rehabilitation to the Soviet Union at conference	3,750.00	.00
Total, Vocational Rehabilitation (1 request; 0 involved some State Funds)				**3,750.00**	**0.00**

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ANALYSIS OF STATE FUNDS APPROVED FOR SUPPORT OF FOREIGN TRAVEL

FISCAL YEAR 1990-91
(For the Quarter Ending June 30, 1991)

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WINTHROP COLLEGE

Date Approved	Traveler	Itinerary	Purpose	Total	State
04/15/91	Dr. Melford Wilson	China; 5/1-5/10/91	preplan & finalize group trip under Fulbright-Hays Training grant	1,616.00	00
05/15/91	Robert H. Braswell, Carol S. Ivory, David E. Letourneau, Claire A. Letourneau, Jennifer C. Solomon, Kathy L. Walters, Melford Wilson	China; 7/30/91	participate in Fulbright-Hays Training Grant study abroad program	65,000.00	6,000.00
05/24/91	Andrew Koch	Germany; 6/9-7/10/91	scholarly research	2,190.00	400.00
05/24/91	Stephen Smith	Cuba; 5/27-6/2/91	attend professional conference	595.00	100.00
06/28/91	B. Stewart Haas	Africa; 7/21-8/7/91	possible establishment of cooperative programs with University of Zimbabwe	6,470.00	.00
Total, Winthrop College (5 requests; 3 involved some State Funds)				**75,871.00**	**6,500.00**

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EXHIBIT 4

JUL 30 1991

STATE BUDGET & CONTROL BOARD

EXHIBIT

JUL 3 0 1991 5

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF July 30, 1991
ITEM NUMBER 1

AGENCY: Comptroller General's Office

SUBJECT: Fiscal Year 1990-91 Year-end Report

To be presented at the meeting.

BOARD ACTION REQUESTED:

Receive as information the Comptroller General's Office fiscal year 1990-91 year-end report.

ATTACHMENTS:

001167

Earle E. Morris, Jr.
Comptroller General
of
South Carolina

News Release

WADE HAMPTON STATE OFFICE BUILDING, COLUMBIA 29201

July 30, 1991

FOR RELEASE: IMMEDIATELY

STATUS OF BUDGETARY GENERAL FUND AS OF JULY 26, 1991

The economic recession has made the State of South Carolina's 1990-91 fiscal year one of the most difficult in recent memory. The good news, however, is that tax rates have not increased, the State has continued to deliver all essential services to its citizens, State workers have not been furloughed, and our General Assembly has passed a 1991-92 Appropriation Act. Many other states, including others in the southeast, have not been so fortunate. Georgia has recently ordered one-day-per-month furloughs for its state workers, while North Carolina is struggling to manage a revenue shortfall in excess of $1 billion. Eleven states began the 1991-92 fiscal year without budgets. Serious interruptions of government services have resulted in those states.

The State's Budgetary General Fund ended the 1989-90 fiscal year with a surplus of $13.2 million. The surge of rebuilding, insurance settlements, Federal Emergency Management Agency grants, etc., following Hurricane Hugo masked the effects

EXHIBIT
JUL 30 1991
STATE BUDGET & CONTROL BOARD

COMPTROLLER GENERAL'S OFFICE / (803) 734-2121
FAX / (803) 734-2064

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of the economic recession in South Carolina until the 1990-91 fiscal year.

The 1990-91 budget for the Budgetary General Fund adopted in June 1990 included estimated revenue of $3.593 billion. As the recession deepened during the year, the State Board of Economic Advisors (BEA) reduced this original estimate. Specifically:

- o On November 9, 1990, the BEA advised that it expected revenues to be $82.3 million below the original estimate in the Appropriation Act.
- o On February 15, 1990, the BEA advised that it expected revenues to be $132.6 million below the original estimate.

In response to these anticipated revenue shortfalls the Budget and Control Board took action to correspondingly reduce State spending and to increase resources available to the Budgetary General Fund. Specifically:

- o On November 21, 1990, the Board eliminated the $62.7 million appropriation for the Capital Reserve and tightened criteria for approving appropriation transfers.

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- o On February 26, 1991, the Board further reduced appropriations by $64.9 million and mandated that the Health and Human Services Finance Commission contribute resources totaling $5 million.
- o On May 14, 1991, and May 21, 1991, the Board froze certain State agency personnel and operating expenditure activities at their current levels. This effectively prohibited the filling of most vacant personnel positions and the initiation of most new purchase orders and contracts. A decision on continuation of the freeze in 1991-92 will be made today.
- o On June 28, 1991, the Board authorized the Budgetary General Fund to borrow from other funds, if necessary, to fund a possible 1990-91 year-end operating deficit.
- o On July 17, 1991, the Board identified approximately $1 million of additional resources and $3 million of appropriation reductions that could be applied to 1990-91.

On June 4, 1991, the BEA informed the State Budget and Control Board that revenues would be $90 million less than the

001170

February estimates. It was too late in the fiscal year, however, for the Budget and Control Board to implement corresponding spending reductions.

During the year it also became apparent that expenditures of the Department of Social Services and the Department of Corrections would exceed authorized appropriations. The General Assembly enacted legislation allowing the transfer, within limits, of appropriations lapsing in other agencies' accounts to cover these over-expenditures. It currently appears that other agency lapses will be sufficient to cover the over-expenditures.

Despite the stringent measures taken by the State Budget and Control Board, spending for the year outstripped available resources. The $94.1 million in the General Reserve, the State's "rainy day" account, is insufficient to make up the difference. In addition to the $94.1 million, the Budgetary General Fund needs $44.1 million more to close the year with an unreserved fund balance of zero. Accordingly, the Board today will formulate a plan for closing the 1990-91 books so that it can move on to address related issues affecting 1991-92.

- 30 -

001171

STATE OF SOUTH CAROLINA

FISCAL YEAR 1990-91 BUDGETARY GENERAL FUND STATUS

AS OF JULY 26, 1991

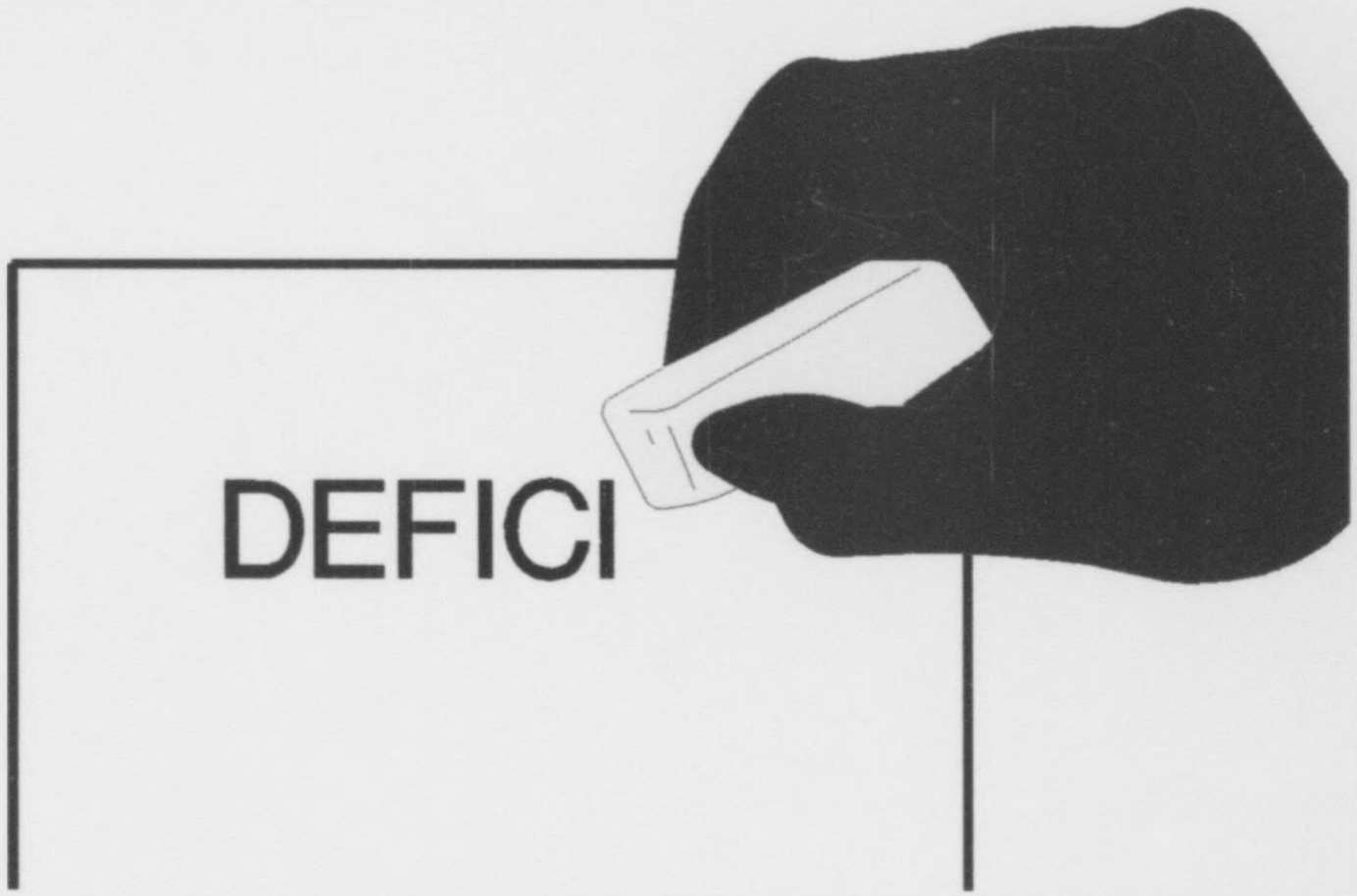
001172

EXHIBIT

JUL 30 1991 5

STATE BUDGET & CONTROL BOARD

BUDGET AND CONTROL BOARD'S FINANCIAL MANAGEMENT ACTIONS TO PREVENT A



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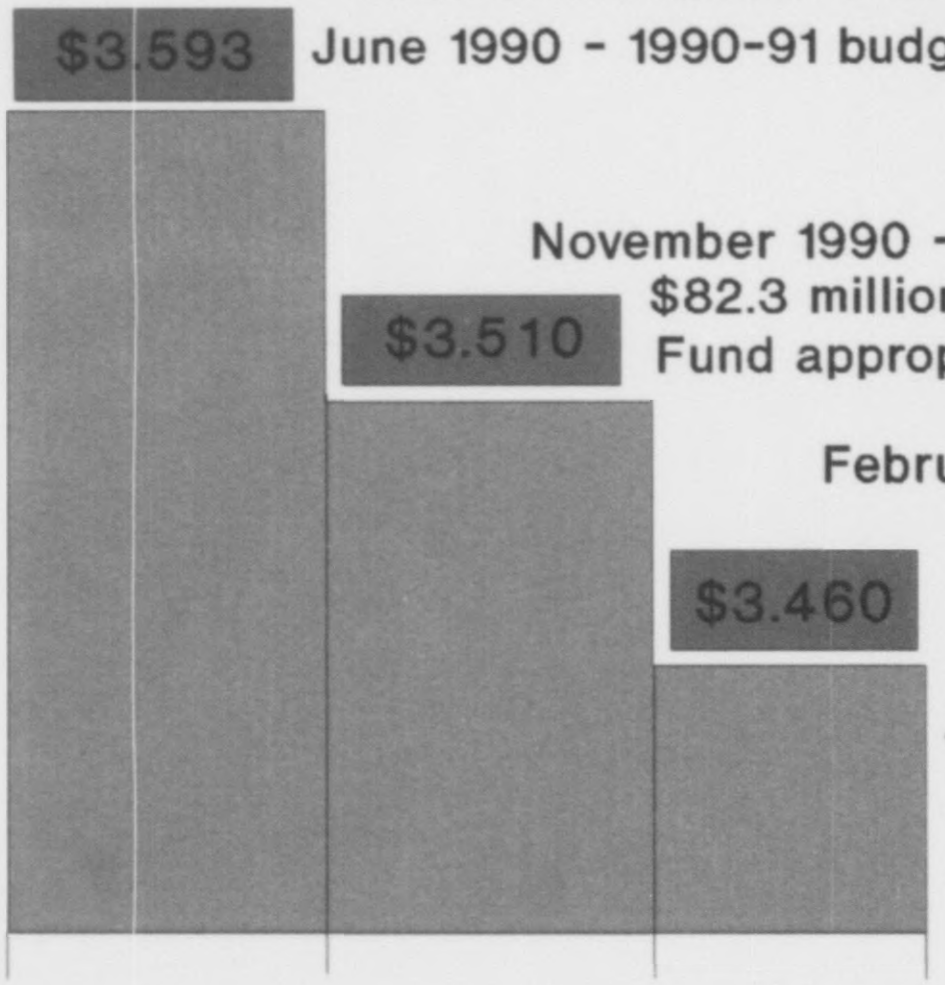
001473

ESTIMATED GENERAL FUND REVENUES
REDUCTIONS DURING 1990-91



June 1990 - 1990-91 budget passed.

November 1990 - Estimated Revenue reduced $82.3 million. $62.7 million Capital Reserve Fund appropriation eliminated.

February 1991 - Estimated Revenue reduced an additional $50.3 million. Spending reductions of $69.9 million ordered.

June 1991 - Budget and Control Board is advised that revenues are expected to be $90 million less than the February estimate. Too late in the year for the Board to cut spending.

001174

UNRESERVED BUDGETARY GENERAL FUND BALANCE
Estimated Status at July 26, 1991
(Rounded to Nearest $100,000)

Balance 6/30/90 Before Department of Corrections Adjustment	$ -0-
1989-90 Department of Corrections Adjustment	(1,800,000)
Additions:	
Revenues	3,310,700,000
Appropriations Brought Forward from 1989-90	37,400,000
Transfer from General Reserve Fund	94,100,000
Deductions:	
Expenditures	(3,451,100,000)
Transfer to General Reserve	(6,100,000)
Appropriations Carried Forward to 1991-92	(27,300,000)
Adjustments:	
Shortfall	44,100,000*
Balance 6/30/91	$ -0-

* B & C Board will take action on July 30, to prevent a year-end deficit.

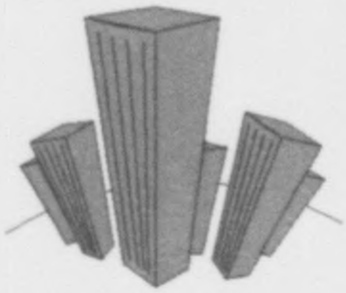
EXHIBIT 5

JUL 30 1991

STATE BUDGET & CONTROL BOARD

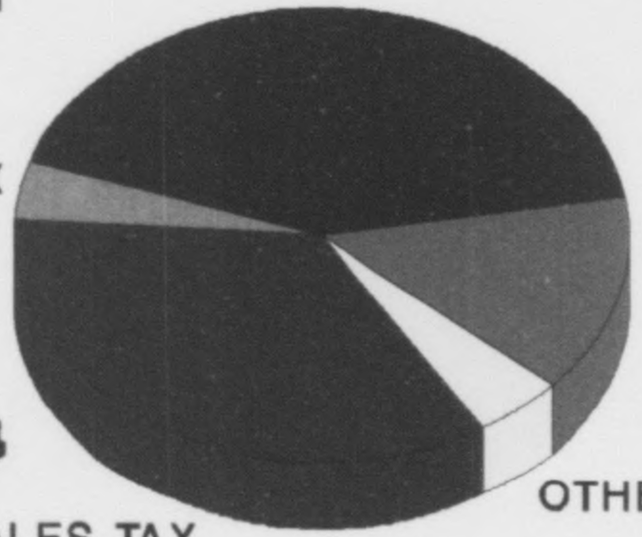
001175

STATE'S GENERAL FUND
WHERE THE MONEY CAME FROM?



CORPORATE INCOME TAX
4.3%

INDIVIDUAL INCOME TAX
41.9%



RETAIL SALES TAX
34.8%

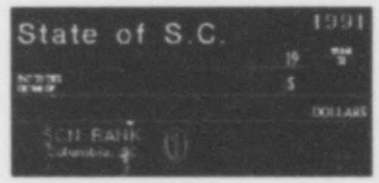
OTHER TAXES
14.2%

OTHER REVENUES
4.8%

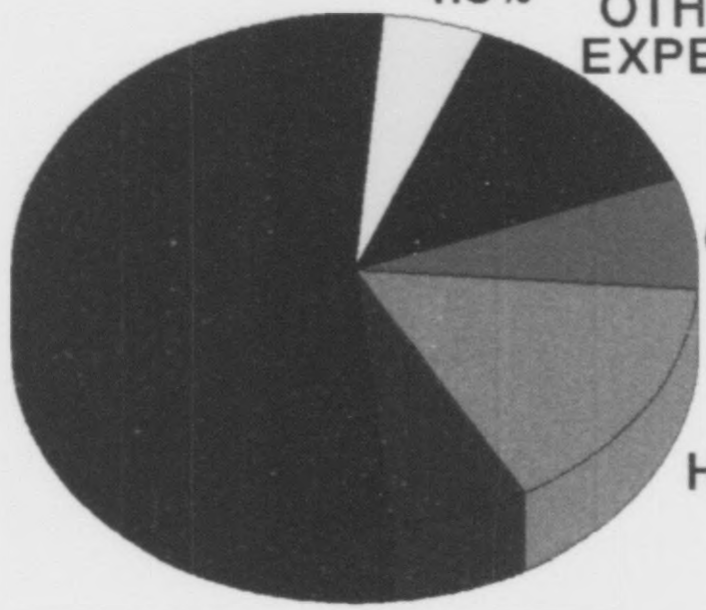
001176

STATE'S GENERAL FUND
WHERE THE MONEY WENT?

GENERAL GOVERNMENT
4.8%



OTHER EXPENDITURES
13.0%



CORRECTIONAL
7.0%

EDUCATIONAL
53.1%

HEALTH
15.6%

AID TO SUBDIVISIONS
6.5%

EXHIBIT
JUL 30 1991 5
STATE BUDGET & CONTROL BOARD
001177

EXHIBIT

JUL 30 1991 5

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF July 30, 1991
ITEM NUMBER 2

AGENCY: Budget and Control Board

SUBJECT: Fiscal Year 1990-91 Closeout Options

To be presented at the meeting.

BOARD ACTION REQUESTED:

Consider options.

ATTACHMENTS:

001178

EXHIBIT

OTHER FUNDS ANALYSIS SUMMARY

JUL 30 1991

STATE BUDGET & CONTROL BOARD

AGENCY NO.	AGENCY	ACCOUNT NO.	ACCOUNT NAME	AMOUNT
A25	Legislative Information Systems	3035	Operating Revenue	15,000
A82	EIA Select Committee	3035	Operating Revenue	0
B04	Judicial Department	3035	Operating Revenue	5,922
D10	Governor's Office-SLED	3035	Operating Revenue	625,860
D17	Governor's Office-OEPP	3035	Operating Revenue	0
E16	State Treasurer's Office	3035	Operating Revenue	4,800
E21	Prosecution Coordination Commission	3035	Operating Revenue	34,797
E24	Adjutant General's Office	3035	Operating Revenue	22,842
F02	BCB-Executive Director	3035	Operating Revenue	41,853
F04	BCB-Internal Operations	3035	Operating Revenue	93,200
F05	BCB-Financial Data Systems	3035	Operating Revenue	762,356
F10	BCB-Information Resource Mgmt.	3035	Operating Revenue	1,792,525
F12	BCB-General Services	3035	Operating Revenue	17,783
F14	BCB-Fire Marshal	3035	Operating Revenue	74,042
F20	BCB-Insurance Services	3035	Operating Revenue	0
F24	BCB-Human Resource Mgmt.	3035	Operating Revenue	31,032
H03	Commission on Higher Education	3035	Operating Revenue	225
H09	The Citadel	3035	Operating Revenue	589,690
H12	Clemson University	3035	Operating Revenue	0
		3417	Special Operating	14,346
H15	College of Charleston	3035	Operating Revenue	284,156
H18	Francis Marion College	3035	Operating Revenue	0
		3417	Special Operating	0
H21	Lander College	3035	Operating Revenue	110,000
H24	S.C. State College	3035	Operating Revenue	0

OTHER FUNDS ANALYSIS SUMMARY

AGENCY NO.	AGENCY	ACCOUNT NO.	ACCOUNT NAME	AMOUNT
H27	USC-Columbia	3035	Operating Revenue	1,737,293
		3417	Special Operating	80,136
		3514	Other Operating Revenues	0
H28	USC-Medical School	3035	Operating Revenue	0
		3417	Special Operating	50,196
		3514	Other Operating Revenues	0
H29	USC-Aiken	3035	Operating Revenue	0
		3417	Special Operating	99,776
		3514	Other Operating Revenues	0
H32	USC-Coastal	3035	Operating Revenue	0
		3417	Special Operating	5,000
		3514	Other Operating Revenues	0
H34	USC-Spartanburg	3035	Operating Revenue	0
		3417	Special Operating	0
		3514	Other Operating Revenues	0
H36	USC-Beaufort	3035	Operating Revenue	0
		3417	Special Operating	8,750
		3514	Other Operating Revenues	0
H37	USC-Lancaster	3035	Operating Revenue	15,767
		3417	Special Operating	0
		3514	Other Operating Revenues	0
H38	USC-Salkehatchie	3035	Operating Revenue	353,018
		3417	Special Operating	4,365
		3514	Other Operating Revenues	0
H39	USC-Sumter	3035	Operating Revenue	0
		3417	Special Operating	0
		3514	Other Operating Revenues	0
H40	USC-Union	3035	Operating Revenue	101,025
		3417	Special Operating	3,000
		3514	Other Operating Revenues	0
H47	Winthrop College	3035	Operating Revenue	0
H51	Medical University of South Carolina	3035	Operating Revenue	0
H52	MUSC-Hospital	4914	HFRB Current Fund D S	1,500,000
H53	MUSC-AHEC	3035	Operating Revenue	0
H54	Charleston Higher Education Consortium	3035	Operating Revenue	0

OTHER FUNDS ANALYSIS SUMMARY

AGENCY NO.	AGENCY	ACCOUNT NO.	ACCOUNT NAME	AMOUNT
H59	State Board for Tech. & Comp. Education	3035	Operating Revenue	0
H63	Department of Education	3035	Operating Revenue	1,633,702
H67	Educational Television Commission	3035	Operating Revenue	191,605
H75	School for the Deaf & Blind	3035	Operating Revenue	21,292
H79	Dept. of Archives & History	3035	Operating Revenue	724,963
H95	Museum Commission	3035	Operating Revenue	84,870
J04	Dept. of Health & Env. Control	3472	Special Funds	2,070,281
J12	Dept. of Mental Health	3757	Operating Revenue	778,447
J16	Dept. of Mental Retardation	3757	Operating Revenue	636,008
J20	Alcohol & Drug Abuse Commission	3757	Operating Revenue	7,301
L12	John de la Howe School	3035	Operating Revenue	233
L16	Foster Care Review Board	3035	Operating Revenue	1,020
L28	Commission on Aging	3035	Operating Revenue	14
L44	Commission on Women	3035	Operating Revenue	0
N04	Department of Corrections	3035	Operating Revenue	0
N08	Probation, Parole & Pardon Services	3035	Operating Revenue	37,394
N12	Dept. of Youth Services	3035	Operating Revenue	0
P04	Water Resources Commission	3035	Operating Revenue	8,894
P08	Land Resources Commission	3035	Operating Revenue	0
P12	Forestry Commission	3035	Operating Revenue	361,909
P20	Clemson-PSA	3035	Operating Revenue	70,696
		3417	Special Operating	0
P22	Migratory Waterfowl Commission	3035	Operating Revenue	24,185
P24	Dept. of Wildlife & Marine Resources	3035	Operating Revenue	3,589,212
P28	Dept. of Parks, Recreation & Tourism	3035	Operating Revenue	896,704

OTHER FUNDS ANALYSIS SUMMARY

AGENCY NO.	AGENCY	ACCOUNT NO.	ACCOUNT NAME	AMOUNT
P32	Development Board	3035	Operating Revenue	65,402
P33	Economic Dev. Coord. Council	3035	Operating Revenue	0
P34	Jobs-Economic Development Authority	3035	Operating Revenue	0
P48	Old Exchange Building	3035	Operating Revenue	0
R08	Workers Compensation Commission	3035	Operating Revenue	0
R12	Workers Compensation Fund	3035	Operating Revenue	3,241
R20	Dept. of Insurance	3035	Operating Revenue	53,825
R28	Dept. of Consumer Affairs	3035	Operating Revenue	131
R36	Dept. of Labor	3035	Operating Revenue	0
R44	Tax Commission	3035	Operating Revenue	19,314
R60	Employment Security Commission	3035	Operating Revenue	131,821
U04	Aeronautics Commission	3035	Operating Revenue	67,973
	TOTAL			19,959,191

PGM=OFAS
State Budget Division
July 23, 1991
10:20 AM

001182

RESOLUTION
of the
SOUTH CAROLINA STATE BUDGET AND CONTROL BOARD

BE IT RESOLVED by the South Carolina State Budget and Control Board that, beginning with July 1991 and for each fiscal year hereafter, sales tax collected pursuant to Code Section 12-36-2570, Code of Laws of South Carolina, 1976, as amended, which are collected in the month of June to be remitted to the State no later than July 20 shall be credited to the State's general fund in the fiscal year in which they accrue.

The Board further resolves that, since the accrued June sales tax and the General Fund Reserve are sufficient to cover the projected shortfall, no interfund loan is necessary.

SO BE IT RESOLVED, this 30th day of July, 1991.

Jesse A. Coles, Jr., Ph.D.
Executive Director

Donna K. Williams, Secretary

001183

24-Jul-91 State Budget Division

BUDGETARY GENERAL FUND (in $millions)	Without Carry Forward into FY 1991-92	With Carry Forward into FY 1991-92
Additions		
FY 1990-91 Operating Revenue (estimate)	3309.8	3309.8
Appropriations Brought Forward	27.6	27.6
Deductions		
FY 1990-91 Operating Expenditures (estimate)	3440.4	3440.4
Carry Forwards	0.0	27.5
Surplus or Deficit	-103	-130.5
General Reserve Fund Balance June 30, 1991	94.1	94.1
Revised Deficit (Potential Borrowing to Balance FY 1990-91)	-8.9	-36.4

001184

ANTICIPATED CARRY FORWARDS
1991-92 APPROPRIATIONS ACT

		GENERAL FUND
PART I LEGISLATIVE		
3.29.	Sections 3A, B, C, D, E, H, I, J29 Includes $110,000 transferred from Dpt. Education for Base Student Cost Study	4,608,570
B04 - JUDICIAL DEPARTMENT		
4.10	Carry forward of any unexpended funds	227,323
D50 - GOVERNOR'S OFFICE		
5.1.	Match for Flood, Law Enforcement, Other Fed Programs	3,164,846
5.2.	Mining Council (OEPP) - Nominal Impact	2,000
5.7.	CCRS Evaluations & Placement (OEPP) - Nominal Impact	87,919
E16 - STATE TREASURER		
130.1	HUGO Note Proceeds - Capital Projects other State Agencies	1,947,862
E20 - ATTORNEY GENERAL		
10.10.	Litigation Which May Be Ongoing With Settlement in Subsequent Fiscal Year - Nominal Impact Actual $25,466; Committment $20,000	5,000
F99 - BUDGET AND CONTROL BOARD		
14.23.	Renovation/Permanent Improvements To State House, State Owned Buildings, Lace House, Boyleston House & Mansion (General Services)	299,083
14.47.	Departmental Printing (Research & Statistics) * (Proviso is necessary in case there are annual reports which are submitted late which require printing.)	22,494
14.65.	B&C Board Grant Program Funds & EPA Grant Match Funds (Local Government) Actual $18.6 million; $8.6 committed * (Local Government funds will be committed to local projects.)	15,414,983
14.68	Geographic Information Systems Supplemental (Research & Statistics)	63,767
H03 - COMMISSION ON HIGHER EDUCATION		
15.17.	Access & Equity Program (Moved From Part II, Sec 74)	34,043
H59 - ST BOARD FOR TECH & COMP EDUCATION		
27.4.	Training Of New & Expanding Industry - Restrict Expenditures	500,000
H63 - DEPARTMENT OF EDUCATION		
28.13.	Base Student Cost Study- Transferred to Senate Education Com	0
28.84.	Revenue & General Fund - Governor's School For Science & Mathematics - Nominal Impact	113,106
28.119.	CCRS Placement Of Handicapped Children - Nominal Impact	193,078

ANTICIPATED CARRY FORWARDS
1991-92 APPROPRIATIONS ACT

PART I		GENERAL FUND
H95 - MUSEUM COMMISSION		
37.7	Charles B. Townes Center (Part III, 86-87)	67,068
37.9	Phase II Upfitting	1,621
J04 - Dept of Health & Environmental Control		
39.9	Public Health Districts	208,376
39.35	Trident Center Lead Poisoning Project	14,147
J12 - DEPT OF MENTAL HEALTH		
40.9A.	Campbell Nursing Home- Agency close some beds, absorb costs	177,153
L12 - JOHN DE LA HOWE SCHOOL		
44.1.	Free Enterprise Program (Part III, 88-89) - Delay opening of facility	57,605
L28 - COMM ON AGING		
47.2	Match Funds Under Distribution to Subdivisions	8,030
N12 - DEPARTMENT OF YOUTH SERVICES		
54.9	Personal Service Shortfall	1,321
R28 - DEPARTMENT OF CONSUMER AFFAIRS		
80.4	Consumer Advocacy Expert Witness/Assistance Program Unexpended Encumbered Appropriations	47,804
R48 - ALCOHOLIC BEVERAGE CONTROL COMMISSION		
83.1.	Agent Operations Account (Proviso necessary to close the books when field agents have drug buy money on their person at the end of the fiscal year.) Nominal impact	1,000
S36 - REAL ESTATE COMMISSION		
112.4.	Excess Appropriation Up to $45,000 For Appraisal Board	45,000
X40 - AERONAUTICS COMMISSION		
123.8.	Airport Planning And Development Studies - Delay of studies	120,441
123.11.	Engine Overhaul - Less use of aircraft so as not to reach hours to replace parts or engine	36,982
	Total Estimated Carry Forwards	27,470,622

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7/24/91
4:10 PM

001186

Legislative Information Systems
State of South Carolina
112 Blatt Building, 1105 Pendleton Street
Columbia, South Carolina 29201

Charles T. McKinney
Director

Telephone
(803) 734-2923

July 22, 1991

Mr. Charles A. Brooks, Jr.
Division Director
State Budget Division
B&C Board
1205 Pendleton Street, Suite 525
Columbia, SC 29201

Dear Mr. Brooks:

In the matter of relinquishing Dial-Up Facility revenue in the amount of $15,000.00 received in FY90-91 to the Budget & Control Board, please be advised that computer equipment and software associated with the Dial-Up Facility must be refurbished and maintained during the interim of each legislative session.

If maintenance contracts cannot be renewed and emergency power provided for the facility, we will have no choice except not to offer for the forthcoming legislative year.

Sincerely,

Charles T. McKinney
Director

CTM/bh

Source of these funds:
State agencies 7,700
Non-state agencies 7,300
15,000

001187

State of South Carolina

LegisFAX

Please deliver at once to:

Name MR. CHARLES A. BROOKS, JR.

Office B&C BOARD-BUDGET DIVISION

Phone No. 734-2280

Fax No. 734-1530

This is page 1 of a 2 page transmission.

☒ Call Betty at (803) 734-2918 to acknowledge receipt of this FAX.

☒ Comments:

As requested by Scott Barnes, Budget Analyst

☒ Received from Legislative Information Systems

☒ Received from Charles T. McKinney

For return FAX, dial (803) 734-2925

Legislative Information Systems, 112 Blatt Bldg., 1105 Pendleton St., Columbia, SC 29201

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

RECEIVED
JUL 2 3 1991
Budget and Control Board
STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR.
Governor

ROBERT M. STEWART
Chief

4400 Broad River Road (J.P. Strom Boulevard) • Mail: P.O. Box 21398
Columbia, South Carolina 29221-1398 • Phone: 803/737-9000

July 23, 1991

Mr. Charles A. Brooks
State Budget and Control Board
State Budget Division
Edgar Brown Building, Suite 525
1205 Pendleton Street
Columbia, SC 29201

RE: Freeze on Data Processing Revenue

Dear Mr. Brooks:

The South Carolina Law Enforcement Division is legislatively mandated pursuant to Section 23-3-110 of the Code of Laws of South Carolina, Creation and Function of Statewide Criminal Information and Communication System, to operate such a system to support all criminal justice entities in the state.

This system, although primarily established for intrastate criminal justice needs, was carefully designed to meet the interstate requirements of these agencies. This is accomplished through the computer interfaces to both the Federal Bureau of Investigations/National Crime Information and Communications System (NCIC) the National Law Enforcement Telecommunicatcns System (NLETS), and within the last year has taken on an on-line international role through the automated interface with the Royal Canadian Mounted Police/Canadian Police Information Center (RCMP/-CPIC). These interfaces provide law enforcement and other criminal justice entities in South Carolina with timely access to Wanted Person, Missing Person, and Stolen Property File information both in the United States and Canada; immediate access to motor vehicle registration and driver's license information; and most important to the judicial, corrections and probation agencies, the system provides timely criminal history record information for a sundry of things such as pretrial, presentencing, probation decisions and incarceration classification. The system has proven invaluable to the criminal justice community of South Carolina and saves untold man-hours that would be required if such information was not available through the State's Criminal Justice Information and Communication System!

The system is comprised of a large, complex mainframe computer maintained and operated by the Division at its Broad River Road facility. It serves the internal automated needs of the Division through the operation of numerous systems ranging from applications dealing with financial information to an investigative case file

001189

management system to providing on-line access to the criminal history records of approximately 650,000 individuals convicted of crimes in South Carolina. Leased lines strategically located throughout the state provide an intrastate circuitry to serve in excess of 1200 criminal justice terminals. Computer interfaces provide expedient access to the intrastate and interstate files mentioned earlier.

The system is funded through a mixture of state appropriated funds and user fees generated by the Division processing management and client information for several criminal justice agencies. Due to the nature of operating a large data processing installation, it is mandatory that a certain amount of funds be encumbered and carried forward each fiscal year. An example of programmed use of these funds during the current fiscal year is:

1. The lease and maintenance for equipment that the Division has on a five year lease agreement with the UNISYS Corporation amounts to $334,046. This is programmed to be paid in an annual payment to UNISYS for which the Division receives a 5% discount and pays the invoice at the beginning of the fiscal year.

2. The lease and maintenance for equipment that the Division has on a five year agreement with AT&T Paradyne Corporation amounts to $81,965. This is programmed to be paid in an annual payment to AT&T Paradyne at the beginning of the fiscal year.

3. The payment to AT&T for the lease of long haul data communications lines and drops to individual locations has to be paid monthly in advance and amounts to approximately $19,000 at the beginning of the first month of the fiscal year.

4. The payment to Telecom/USA for the lease of long haul data communications lines and drops to individual locations has to be paid monthly in advance and amounts to approximately $3,600 at the beginning of the first month of the fiscal year.

5. The payment to NLETS is made quarterly and one payment is due at the beginning of the fiscal year and amounts to $1,350.

The above items total to $439,961. The Division must have this amount at a minimum at its disposal at the beginning of each fiscal year from the carry forward revenue account to meet these obligations.

It is also important to note that the Division has recently embarked on a project that would upgrade all of its analog circuits to digital circuits. The reason for this upgrade is twofold: first, faster line speeds are required to bring the Division into compliance with FBI/NCIC mandated transaction response times; second, the cost of digital circuits are cheaper. A prerequisite for participation in the FBI/NCIC system is that a minimum response time from the moment an user submits either an inquiry or enters a record, specified transactions times must be maintained. During a recent FBI/NCIC audit, the Division was sited for non-compliance of this standard for all transactions. Additionally, one of the most important aspects of the criminal justice system and using the information maintained in the system is the means for correctly identifying either the property and/or person in question. Such matches are made using the current system using demographic data. As a result of duplicate serial numbers, modified vehicle identification numbers, and same dates of birth, stolen social security numbers and other identifying information being utilized routinely by individuals involved

in criminal activity, there is a dire need to transmit or exchange high resolution photographs and fingerprints among users. This capability will require higher speed lines than in current use today. This is another reason the Division is initiating action at this time to upgrade its communications network to digital circuitry. The installation, cutover and associated equipment will cost approximately $110,000. This cost will be recouped in lower monthly line costs in the following fourteen months. In the Division's opinion, this is a wise and frugal use of the carry forward funds for it is only taking advantage of changing technology in this way can the costs of operating such a system be controlled.

Additionally, the Division continues to experience unbudgeted cost increases by both the computer vendor and the lease line supplier. Most of the Division's users are small law enforcement departments that cannot absorb a mid-year, third or fourth quarter price increase. Users cannot join and drop out of participation as easily as one would think. This is due to the thousands of active records maintained by the agencies in the state and national files at any given time. For example, if an agency has entered 50 wanted person records, 25 missing persons, a couple of unidentified person records, a number of stolen property records such as, guns articles, and vehicles, on-line communications must be maintained with these agencies at all times in order to confirm the validity of any record if a "hit" is made on the entry for any agency in either Canada or the U.S. and to provide instructions in regards to the person and/or property. The Division prorates the cost of its network each fiscal year pursuant to authorization from the Budget and Control Board - Office of Technology Planning, Policy and Management, based on approved rates. This establishes a uniform base for system users and allows for necessary budget adjustments at the local level. It is also important to understand that the Division is sometimes required to change a specific equipment configuration in order to benefit the entire system. The Division is unable to cost out the entire financial outlay of such upgrade in the short term to its users. It must be recognized that the Division is a significant user and either must seek additional state appropriated dollars to fund its portion of an upgrade, or identify funds from which this portion of the upgrade can be funded. It is through the user fee structure utilized by the Division for a number of years that the system has been able to comply with national mandates, intrastate system needs and not request additional state appropriated funds in this area. A reduction or "freeze" on these funds disrupting this process could be devastating to the overall operation of the system.

It must be recognized that even though the Statewide Criminal Justice Information and Communications System is operated by the Division, with the exception of the virtually insignificant applications operated internally by the Division, the System serves local law enforcement and state/local criminal justice agencies as they each attempt to fulfill their daily mission. A budget reduction and/or freeze in this area will have a negative impact on virtually every criminal justice agency in the state.

Yours truly,

Robert M. Stewart, Chief
South Carolina Law Enforcement Division

RMS:dwh

RECEIVED
JUL 2 2 1991
Budget and Control Board
STATE BUDGET DIVISION

State of South Carolina
Commission on Prosecution Coordination

1202 Park Street
Post Office Box 11561
Columbia, South Carolina 29211-1561

Telephone: 803-343-0765 **FAX: 803-343-0766**

July 22, 1991

Mr. Charles A. Brooks, Jr.
Division, Director
State Budget Division
Suite 525
Edgar Brown Building
Columbia, SC 29201

Dear Mr. Brooks:

The legislature enacted Act No. 485 of 1990 creating the South Carolina Commission on Prosecution Coordination. On January 25, 1991, I began work as the Executive Director of this newly created agency. During the past five months, I have worked to establish the necessary physical facilities for the housing of this agency. Included within those responsibilities were the location of office space through the bidding process as set out by the Office of Property Management and the purchase of all necessary equipment for the functioning of this agency. It should be noted that at this time, I am the only employee of this agency other than the sixteen circuit solicitors and their respective administrative assistants.

The Joint Appropriations Review Committee approved the expenditure of $84,700 in "Other" funds in early February, 1991. Section 1-7-980 of the South Carolina Code of Laws provides: "Funding for the Commission must be derived from the per-capita funding for state services for solicitors based upon a formula to be determined by the Commission". Therefore, the $84,700 for the start-up of this agency was derived directly from the Aid to Circuit Support line item of the solicitors. This same code section is used for funding the Commission for fiscal year 91-92.

During the first six months of this year, most of the necessary equipment purchases have been made. However, there are a few items which have not been purchased due to the state's

procurement laws and the brief amount of time available to request competitive bids. There was simply no place to house the equipment. Specifically, this agency is without any photocopy equipment at this time. As well as, there is a need to run the necessary cables to connect the computer system which is being installed in the Commission. The Commission plans to utilize the $34,797.87 which was previously not expended for these and other necessary equipment purchases.

It is the desire of the Commission to use any balance of these monies to be distributed to the circuit solicitors in their Aid to Circuit Support accounts. It should be noted that the distribution of the Aid to Circuit Support had previously been based on the 1980 census. However, the 1991-92 Appropriations Act requires a distribution based upon the 1990 census. There has been an 11.7% increase in population, based upon the differences in the two census' with no corresponding increase in funding. The population increase, coupled with the 3.3% reduction, equating $192,066, and 19% increase in crime, has made it virtually unbearable for the circuit solicitors. We are presently at an effective rate of .89 cents per-capita in the 91-92 Appropriations Act, whereas, the effective rate for the previous fiscal year was that of $1.05 per-capita. While the $34,797.87 is not a large amount of money, it is however, a most significant amount to an agency which is in desperate need of essential equipment purchases and to the prosecutors of this State who are facing the worst back-log of criminal cases in the state's history.

Your assistance in allowing this agency to maintain these funds would be most appreciative. If I may be of further assistance to you, please do not hesitate to contact me.

With kind regards, I am

Sincerely,

William D. Bilton

William D. Bilton
Executive Director

WDB/bgo

The State of South Carolina
Military Department

T. ESTON MARCHANT
MAJOR GENERAL
THE ADJUTANT GENERAL

OFFICE OF THE ADJUTANT GENERAL
1 NATIONAL GUARD ROAD
COLUMBIA, S.C. 29201-4766

July 22, 1991

TAG-DAG-BF

Mr. Charlie Brooks
Budget and Control Board Budget Division
Edgar Brown Building, Suite 525
1205 Pendleton Street
Columbia, SC 29201

Re: Source of earmarked funds - $22,842

Dear Mr. Brooks:

Subfund 3035 is the Billeting Fund at Leesburg Training Sites which is a non-profit self-supporting program monitored by the National Guard Bureau. They have some excess funds in that account currently because their revenues for rent of cabins and lodges increase in the summer months. However their expenses consist of salaries for maid service and laundry expenses. The NGB recently turned down their request to hire another maid due to lack of funds. Subfund 3035 could not give up the $22,842 you requested.

In past years Subfund 3215, Fixed Nuclear Facilities, has paid Indirect Costs to the General Fund until JARC informed us that only federal programs were required to pay Indirect Costs. We transferred $25,176 from this subfund to the General Fund in June of fiscal year 1991.

Since this fund can withstand giving up $22,842, we recommend that you take the funds from subfund 3215 instead of 3035.

Sincerely,

Evelyn Babbitt

Evelyn Babbitt, CPA
Budget & Finance Director

001194

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF INTERNAL OPERATIONS

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

1201 MAIN STREET, SUITE 700
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0500

JAMES M. SIMPSON, JR.
DIVISION DIRECTOR

M E M O R A N D U M

TO: Charlie Brooks

FROM: Eddy Brice

SUBJECT: F02 Sub Fund 3035 $41,853

DATE: July 22, 1991

In reference to your identifying $41,843 of operating funds in sub fund 3035 at year end, we want to call to your attention the consequences of losing this amount.

From this cash account we fund Board auditors and other operating expenses. This amount represents the remaining portion of budget not used in fiscal year 1990-91. We had planned to apply this portion to stabilize or reduce revenue allocations made to all other funded programs of the Board for fiscal year 1991-92. Also, it is necessary to have a positive cash balance in this account to avoid payroll and other cash flow problems that occur at the beginning of each fiscal year.

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF INTERNAL OPERATIONS

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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COMPTROLLER GENERAL

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CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
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1201 MAIN STREET, SUITE 700
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(803) 737-0500

JAMES M. SIMPSON, JR.
DIVISION DIRECTOR

July 22, 1991

Mr. Charles A. Brooks, Jr., Director
State Budget Division
Suite 525, Brown Building
Columbia, South Carolina 29201

Dear Charlie:

This is in reference to the potential loss of $93,200 in earmarked funds that we have been instructed to maintain intact until further notice from the Budget and Control Board.

Of this amount $68,918 represents the June 30, 1991, balance forward of our revenue operating account from which we fund the salaries of 19 FTE's along with their associated employer contributions. This account also funds 30% ($107,140) of our annual rent payments. These three areas represent 96% of the revenue budget (excluding postage which is strictly a reimbursement account) in which there is no room for flexibility or cut back without laying off employees. We are currently leaving three appropriated positions vacant due to budget cuts and feel that additional cutbacks in personnel would critically hamper our operation.

The revenue funds for this account are made on an allocation basis from each division of the Board. The 1991-92 allocation was reduced by the estimated balance forward in the account at June 30, 1991. In order to fund this account after a loss of $68,918, it would be necessary for us to increase the allocations for the divisions which have also been hit hard by budget and revenue reductions. Also, this loss of revenue presents us with cash flow problems since we would have no balance forward in the account to carry us through billing cycles.

The $24,282 represents funds that have been earmarked to implement enhancements to GAFRS, the Budget and Control Board's automated accounting system. Several of the identified upgrades are needed to meet external audit requirements while others are needed to integrate existing 'stand-alone' systems into GAFRS. If funds are not available to make the changes, then auditors will repeat their management letter recommendations/audit points and integrated systems will continue to require additional time and resources to maintain.

If you have any questions concerning this information, please let me know.

Sincerely,

James M. Simpson, Jr.
JMSjr/mch

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF FINANCIAL DATA SYSTEMS

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

POST OFFICE BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2240

HERMAN L. McQUAGE
DIRECTOR

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Charlie A. Brooks, Jr., Director, State Budget Division

FROM: Herman L. McQuage, Director, Financial Data Systems

DATE: July 22, 1991

SUBJECT: Financial Data Systems Operating Revenue Account

Financial Data Systems Operating Revenue Account is being used for the following purposes:

1. Six FTE positions, estimated personal services for 1991-92 FY is $185,654.00 plus benefits.

2. The General Assembly had approved an Installment Loan agreement, and the funding between Financial Data Systems and the State's Installment Purchase Program (IPP) in the amount of approximately $400,000 for five (5) years. Subsequently in FY 1990-91 this agreement was not funded and had to be paid out of the Operating Revenue account. Another installment is due in October 1991 in the amount of approximately $400,000 and again this installment is not funded.

3. This account is also used to make up short falls in FDS appropriated accounts, and to purchase computer equipment, i.e. printers, displays, disk drives, etc.

4. In prior years the balance of the account has been transferred to an equipment depreciation account set up in the Comptroller General's office to buy equipment in our long range plan. Our long range plan includes an upgrade of our present mainframe at a cost of approximately $1,000,000.00 in this FY 91-92 and to replace our current mainframe sometimes in the FY 95-96 at an estimated cost of $3,000,000.

The depreciation equipment account was set up basically to pay for upgrades and to replace our mainframe when necessary, without going back to the General Assembly requesting funds.

001198

RECEIVED
JUL 2 2 1991
Budget and Control Board
STATE BUDGET DIVISION

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF INFORMATION RESOURCE MANAGEMENT

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

1201 MAIN STREET, SUITE 930
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0077

TED L. LIGHTLE
DIVISION DIRECTOR

July 22, 1991

Mr. Charles A. Brooks, Jr.
Director, Budget Division
S. C. Budget and Control Board
Edgar Brown Building, Suite 525
Columbia, S. C. 29201

Dear Mr. Brooks:

In response to your memo of July 18, 1991, and to follow-up on discussions you had with Mackey Goodwin, Eddie Brice, and Jimmy Simpson, I would like to offer my reasoning and request for the protection of these funds. I'm sure you are aware that this subfund (3035) is the cash account for all DIRM revenue operations. Those operating areas are Telecommunications Operations, Installation Technicians, Microwave Operations, Information Processing Center (DP), Printing Operations, and Accounting Systems Software.

In the fiscal years 1985-86 through 1988-89, DIRM had considerable difficulty on a month to month basis due in large part to insufficient cash reserves in this account. We were forced to hold vendor invoices until we received sufficient revenues to make the payments. This sometimes resulted in late payment penalties. By the time we invoice any agency for its monthly services we have already processed the respective vendor invoices for payment. From the invoice date until receipt of funds is a minimum 45 days, some receivables requiring 60, 90 or more days; the exception being the end of the fiscal year, when agencies normally pay up current.

I think Mackey shared with you our plans for the cash balance in this account. Our plans are to reexamine the rates we charge our users when this account average begins to exceed the determined threshold. These plans were also discussed in the information we provided you earlier.

001199

Charlie, there are many things that can happen during the fiscal year that we can't forecast; this is especially true in operating a telephone company. For example, cable cuts are impossible to predict. We currently have two such cases pending. The cost of these cuts will in all probability be paid for by the company responsible, or by insurance (one of these has been in the process for 30 months); however, we had to take action the moment the cuts took place in order to restore telephone service to state agencies.

I realize your job of identifying these funds is a tough one, and that hardly anyone will be satisfied with the final analysis. I would request that you review our situation, taking into account the information we have provided you and our concerns regarding the potential impact of this possible action. If we can provide you with any additional information or if you have any questions, please give me or Mackey a call.

Sincerely,

Ted L. Lightle, Director
Division of Information Resource Management

TL:nb 199/91
Attachments

c: Dr. Sam Griswold
Dr. Alan Pollack
George Dorn
Debra Duncan
Jimmy Simpson
Mackey Goodwin
Eddie Brice

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF GENERAL SERVICES

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

1201 MAIN STREET, SUITE 420
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-3880

RICHARD W. KELLY
DIVISION DIRECTOR

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

July 22, 1991

Charles A. Brooks, Jr., Director
State Budget Division
Brown Building, Suite 525
1205 Pendleton St.
Columbia, S.C. 29201

Dear Charlie:

We anticipated using the funds in our 3035 account to pay for Unisys, our computer system, related bills. These bills include software and hardware ordered but not received last year and additional supplies needed to keep the system operational.

Your consideration in this matter would be most appreciated.

Sincerely,

Richard W. Kelly

001201

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF STATE FIRE MARSHAL

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

1201 MAIN STREET, SUITE 810
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0660
FAX: (803) 737-0675

LARRY H. BOSELL
STATE FIRE MARSHAL

MEMORANDUM

TO: Mr. Charlie Brooks
Director, Budget Division

FROM: Randy Halfacre
Assistant Director, Division of State Fire Marshal

DATE: July 22, 1991

SUBJECT: S. C. Fire Academy Other Funds Carry Forward

In response to your memorandum of July 18, 1991, earmarking $74,042 carry forward cash balance used in the ongoing operations of the S.C. Fire Academy, the following information is being submitted for consideration.

1. Carry forward "other" funds produced from fire training programs allows the Academy to maintain adequate cash balances for "cash flow" purposes in conducting training on an ongoing basis. Funds are expended for the resources necessary to conduct the programs "up front" with payment for services rendered following completion of training programs.

2. Appropriated funds for the ongoing operation of the Academy is woefully inadequate. Since FY 86/87, operating "state" funds have been cut forty (40%) percent, from $132,500 in FY 86/87 to $78,744 for FY 91/92. (This reduction does not include the "up to 4%" anticipated cut by the Board this fiscal year.) This continuing "state" funding erosion places an ever increasing dependence on "other" funds.

001202

3. Fire service training, especially for the volunteer fire service (85% of total service), would be severely curtailed, if not stopped altogether. This action would create a number of negative consequences, from property and life safety of citizens to the viability of our state's volunteer fire service.

4. The Academy's Industrial Training Program, critical in supplementing ongoing operations, would be in jeopardy. Industrial clients are not willing to pay "up front" for training; consequently, funds would not be available for the purchase of necessary resources to conduct industrial fire training. Industrial clients would look elsewhere for training due to the Academy's instability and inability to deliver the desired training.

5. Temporary and permanent layoff of personnel would be necessary due to lack of "other" funds. Two (2) permanent and six (6) temporary staff would be affected. Presently, payroll obligations for 8/1/91 and 8/16/91 could not be met on the two (2) permanent staff as well as a number of temporary adjunct instructors.

6. Regulatory training and communications with approximately 600 certified fire inspectors would have to be scrapped. This would further compound code enforcement (consistency and interpretation) and would be counter to Division efforts undertaken as directed by earlier Board action.

In closing, approximately fifty-four (54%) percent of the funds used in operating the Academy are revenue generated, a portion of which is the $74,042 earmarked. Should these funds be taken, the Academy would face the very grim prospect of closing by early 1992.

cc: Larry Bosell
Eddy Brice

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF HUMAN RESOURCE MANAGEMENT

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

1201 MAIN STREET, SUITE 1000
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0900

PHYLLIS M. MAYES
DIVISION DIRECTOR

TO: Charlie Brooks

FROM: Phyllis Mayes

DATE: July 22, 1991

SUBJECT: Proposed Reductions for Operating Account Subfund 3035

The Productivity and Quality Services Section of the Division of Human Resource Management operates largely on funds earned from studies contracted with state agencies. Because of the built-in lag between the time work is accomplished and payment is actually received, it is essential to maintain funds in a revenue account to allow the Section to operate through periods when no cash is flowing in.

Ideally, an operation like this would maintain funds sufficient to operate for at least six months with no income. This year, because of budget reductions and the freeze, the end-of-year balance of $31,032 was the lowest in recent years. This amount is barely adequate to maintain operations for three months, since personnel services costs alone are $8,300 per month which must be paid from this account.

Projected revenues for FY91-92 are down in all of our revenue areas because of agency budget cuts, so there is little hope for recovering from a reduction such as proposed. This reduction would have the effect of closing the Section down during a time when their services are so desperately needed by state agencies.

PMM/mw

cc: Eddy Brice

001204

JUL 23 '91 09:45

THE CITADEL
THE MILITARY COLLEGE OF SOUTH CAROLINA
CHARLESTON, S. C. 29409 - 0500

OFFICE OF THE
VICE PRESIDENT
FINANCIAL MANAGEMENT

22 July 1991

Mr. Charles A. Brooks, Jr.
Director, Budget Division
Edgar Brown Building, Suite 525
Columbia, SC 29201

Dear Mr. Brooks:

1. The purpose of this memorandum is to explain why The Citadel has $3,578,648.64 in the general operating account (sub-fund 3035) as of the close of Fiscal Year 1990-91. The State has frozen $589,690 of the funds in that account. I understand that there is a possibility that this money may be considered as a year-end surplus and "taken" away from The Citadel.

2. I strongly object to this decision for both philosophical and practical reasons. The practicality of the situation overrides the philosophical reasons only because time is short. The philosophical reasons may be more important over the long run.

3. All colleges and universities, including The Citadel, keep their books on an "accrual basis," not a "cash basis," Because we are on an accrual basis, we record "claims on cash" prior to actually drawing the cash from the State Treasurer. For example, we record an accounts payable when a good or service is received. We do not immediately write the check. During our year-end process, we did not write checks. This was done to avoid improper posting of expenditures and improper adjustment of cash between the old and new fiscal years. The result of not writing checks is part of the reason for the accumulation of cash in sub-fund 3035.

4. We have just closed the books for Fiscal Year 1990-91. Based on our data (which will soon be audited by the State Auditor), The Citadel does not have enough cash to cover current claims on the general fund cash (sub-fund 3035).

JUL 23 '91 09:45

A. Liabilities are direct claims on cash. They are amounts owed to others. The liabilities are noted below:

-Accounts Payable (excluding accounts payable for plant funds which are paid from other sources)	$ 851,181
-Accrued Faculty Payroll (faculty are paid over the summer for work done during their previous 9-month contract)	1,369,296
-Fiscal Year 1991-92 Revenue (deferred revenue funds collected in Fiscal Year 1990-91 for Fiscal Year 1991-92 operations)	305,510
-Student Deposits (cash paid by students for room reservations, uniforms, etc., that they will need for the 1991-92 academic year)	903,076
Total Liabilities	$3,429,063

B. Encumbrances are the result of a purchase order provided to a vendor. They represent a contract with the vendor. The Citadel had $184,316 of encumbrances in the appropriated accounts at year-end.

General Fund Encumbrances	$ 184,316
TOTAL LIABILITIES AND ENCUMBRANCES	**$3,613,379**

5. It is obvious that the cash on hand at the end of the year is clearly for actions that occurred in Fiscal Year 1990-91. The requirements for the cash are slightly more than the actual cash that is available.

6. The philosophical standpoint is also critical. With the decrease in formula funding, the colleges have had to implement cost-saving measures and raise fees. To arbitrarily take money from an institution punishes it for good fiscal management. Operating funds are to be spent in proportion to appropriated funds. Appropriated funds cannot be carried over from one fiscal year to the next. Prudent management at The Citadel has resulted in our having the funds on hand at year-end to pay for Fiscal Year 1990-91 obligations that come due in Fiscal Year 1991-92. **The cash on hand in sub-fund 3035 is to be used to pay Fiscal Year 1990-91 items.** Taking the funds away may force us to violate State law by paying "old-year expenses" with "new-year money."

001206

JUL 23 '91 09:46

7. I understand the State's current economic situation. However, I must point out that the 1990-91 appropriation was funded at 87.7%. We took an additional 3% cut at midyear. This exacerbated the financial problems that the college incurred due to the initial low-formula funding. Now that the 1991-92 budget is being funded at only 77%, our level of funding will be even less. We simply cannot take a $589,600 cut at this time.

8. This issue is extremely important to The Citadel. The president is very concerned about its resolution. I urge you to give my explanation the utmost consideration. I firmly believe that we have properly recorded the cash in sub-fund 3035. The liabilities are recorded "on the books" to cover the cash balance.

9. I request that you keep me informed of the situation as it proceeds through the various evaluation processes. Furthermore, I request that you let me know if the substantiation that I have made for the cash balance needs strengthening. I have been as brief as possible, but I can go into much further detail if required. If you have any questions, please contact me (792-5002) or Ralph Earhart (792-5025) at any time.

Sincerely,

Ralph P Earhart for
Calvin G. Lyons
Colonel, USA, Retired
Vice President for Finance and Business Affairs

CGL/jeb

cc: President
Exec V/P
Controller
Budget Officer

001207

College of Charleston

Charleston, South Carolina 29424

July 22, 1991

Mr. Charles Brooks
Executive Director
Budget Division
1205 Pendleton St
Columbia, SC 29201

Dear Mr Brooks

In the absence of Floyd Tyler, I have been asked to respond to you regarding the disposition of the balance remaining in the College of Charleston's Operating Revenue Account designated as sub-fund 3035. The current balance shown in the sub-fund should not be considered as excess. The amount represents cash not drawn by the College that should be held on deposit as liabilities for advance payments made by students, subject to refund, and accrued accounts payable where costs have been incurred in 1990-91 and checks not issued until invoices are received from vendors. Based on my knowledge of the other Colleges and Universities, I believe you will find the same to be true in most instances.

The College did recognize an amount of $99,400 as excess because of the freeze. This amount is reflected as appropriations on sub-fund 1001 and accordingly, can be lapsed.

Please do not hesitate to contact me if I may be of further service.

Respectfully

Joseph E. Bolchoz, Jr.
Controller

JEB,JR/mad

cc: Les Boles

001208

FROM:C OF C CONTROLLER TO:SC BEA JUL 22, 1991 2:54PM #256 P.02

Philip S. Massey, Ph.D.
Commissioner

Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

Judy E. Johnson, Ed.D.
Deputy Commissioner
Client Services

James E. Kirk
Deputy Commissioner
Fiscal Affairs

MENTAL RETARDATION
COMMISSION

Melvin L. Burton, Jr., Chairman
Clarence H. Buurman, Ph.D., Vice Chairman
Emilie A. Towler, Secretary
Annabelle S. Boykin, Ph.D.
John S. Poole
Mary C. Ramsay
Doris G. Woods

South Carolina Department of Mental Retardation

3440 Harden Street Extension
P. O. Box 4706
Columbia, South Carolina 29240
803/737-6474

July 22, 1991

Mr. Charles A. Brooks, Jr.
Director
State Budget Division
State Budget and Control Board
Edgar A. Brown Building, Suite 525
Columbia, SC 29201

RECEIVED
JUL 2 2 1991
Budget & Control Board
STATE BUDGET DIVISION

Dear Charlie:

This letter addresses the $636,008 of Medicaid funds remaining in DMR's FY 91 Medicaid revenue account as of the close of the fiscal year. We understand that the Budget and Control Board requested that these funds be reserved. DMR requests permission to retain these funds.

The $636,008 is the funding available to be carried forward into FY 92 to cover FY 91 Medicaid expenditures by DMR's local providers. Proviso 41.7 in the FY 91 Appropriations Act provides DMR's authority to carry these funds forward.

The department does not receive final cost reports for FY 91 from the community providers until early in the next fiscal year following the expenditures. DMR will have to make settlement payments based on these cost reports based on our method of reimbursement. The Medicaid program for Mental Retardation is based on a retrospective cost reimbursement process whereby revenues received are based on estimated expenditures, and a final settlement is computed on the basis of actual program expenditures in comparison to state and Medicaid payments made.

This means that if DMR is not allowed to carry forward this sum to cover expected settlements based on FY 91 costs, the Department will in effect receive a like reduction in the FY 92 budget since the expenses will have to be covered. This would, in effect, raise DMR's budget reduction for FY 92 above the across-the-board reductions being acted upon.

So far we have identified through our community program budget process approximately $300,000 needed from this revenue account for settlements. We will not have final numbers until the cost reports are completed. The settlements will be made following completion and review of the cost reports.

The proviso only allows the department to carry forward funds in order to settle expenses and then turn over any remaining balance to the General Fund. The department needs to be able to cover the expenses that relate to FY 91 with revenues from FY 91, as we have done in the past. To do otherwise reduces the new years' budget for prior year commitments.

DMR has not abused this process in the past. The carry forward of revenue has been limited to expected pay outs, and we have turned over remaining balances. We request your assistance in maintaining this process so that FY 92 services will not have to be reduced to cover these prior year expenditures.

Thank you for your consideration of this request.

Sincerely,

James E. Kirk
Deputy Commissioner,
Fiscal Affairs

JEK/ms

cc: Mr. Aaron Krute
Dr. Philip S. Massey

S. C. COMMISSION ON ALCOHOL AND DRUG ABUSE

July 22, 1991

Mr. Charles A. Brooks, Jr.
State Budget and Control Board
State Budget Division
Edgar Brown Building, Suite 535
1205 Pendleton Street
Columbia, South Carolina 29201

RE: Earmarked Funds

Dear Mr. Brooks:

The balance in sub-fund 3757, J-20, is the federal match portion of Medicaid funds which comes to this agency from the Health and Human Services Finance Commission. We are reimbursed on a fifty-fifty basis for operating expenditures based on a contractual agreement and the portion reimbursed is credited to sub-fund 3757.

Additionally, services performed by local entities are reimbursed based on a specified rate for client services and the amount to be reimbursed to the local entities are credited to this sub-fund until a check request is processed.

If you have any questions, please contact Jerry Douglas at 734-9539.

Thank you.

Sincerely,

John H. Milling
Finance Director

JHM/taa

RECEIVED
JUL 2 2 1991
Budget & Control Board
STATE BUDGET DIVISION

001211

SOUTH CAROLINA COMMISSION ON ALCOHOL AND DRUG ABUSE
3700 FOREST DRIVE, COLUMBIA, S.C. 29204-4082 • (803) 734-9520 • FAX (803) 734-9663

-44

South Carolina Commission on Women

2221 Devine Street, Suite 408
Columbia, S.C. 29205 (803) 734-9143

Mr. Charles A. Brooks, Jr.
Budget Division
State Budget and Control Board
Edgar Brown Building, Suite 525
Columbia, South Carolina 29201

Dear Mr. Brooks:

The South Carolina Commission on Women requests that existing funds remaining in subfund #3035 Operating Revenue account be exempted from use to defray the FY91 -92 projected deficit.

The current balance in this account is $2,949.00. All funds in this account have been acquired through earmarked donations. Donations were given for newsletter subscription payments, annual Women of Achievement awards program, legal brochure series, printing and postage, and voluntary reimbursement for travel expenses. In addition, over the past 3 - 5 years SCCW commissioners have returned per diem monies to be used for special projects.

Due to increase in requests for our services (newsletter postage and printing, additional speaking engagements statewide, photocopying and mailing of resource materials for instance) we have already used $1,989.19 of earmarked funds to pay basic operating expenses.

The SCCW has not had a significant increase in state funds since 1984. (The annual state appropriation FY90-91 was $80,548.00.) In an effort to continue delivering services, and aware of the limits of state funding, we have pursued private funding and donations - the funds currently in subfund #3035.

Mr. Brooks, I appreciate your consideration of this request to exempt the Commission's privately donated carry forward funds. Please call if you need further information on collection of these funds. I look forward to your reply on this matter.

With regards,

Susan Davis

Susan Davis, Director
South Carolina Commission on Women

001212

south carolina
department of corrections

P.O. BOX 21787/4444 BROAD RIVER ROAD/COLUMBIA, SOUTH CAROLINA 29221-1787
TELEPHONE (803) 737-8555
PARKER EVATT, Commissioner

RECEIVED
JUL 22 1991
Budget and
STATE F

July 19, 1991

Mr. Charles A. Brooks, Jr., Director
Budget Division
Budget and Control Board
Edgar Brown Building, Suite 525
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Mr. Brooks:

In response to our recent advisement regarding the freezing and possible loss of Education Finance Act funds, which have been maintained in a fund balance, we wish to offer the following pertinent information.

The South Carolina General Assembly passed enabling legislation which created the Palmetto Unified School District No. 1 in July of 1981. This legislation stipulated that the school district would provide educational services to the offender population throughout the statewide system in accordance with the regulations and standards mandated by the State Board of Education. A major regulatory component prescribes the district's adherence to the State Defined Minimum Program promulgated by the State Department of Education, including compliance with the accreditation standards.

The legislature approved a proviso in 1984 which stipulated that the Palmetto Unified District was eligible to receive EFA and EIA funds beginning in fiscal year 1984-85. These funds have been received, expended, and properly audited since that time. Recognizing the fluid and transient nature of the offender population which results in uncertain educational enrollments, a prudent and reasonable fund balance has been maintained in this account which is also in keeping with the accounting system required by the "South Carolina Department of Education's Financial Accounting Handbook."

The Education Finance Act of 1977 established a program of state financial aid to ensure each student in every public school an educational opportunity that meets state standards. By law, regulations,

001213

BOARD OF CORRECTIONS

GOETZ B. EATON, Chairman, Anderson, S.C.
C. LOCK MCKINNON, Vice Chairman, Lancaster, S.C.
NORMAN KIRKLAND, Secretary, Bamberg, S.C.
ADRIENE WRIGHT, Member, Goose Creek, S.C.
MILTON SMITH, Member, Spartanburg, S.C.
ROBERT M. HARRELSON, Member, Mullins, S.C.

GOV. CARROLL A. CAMPBELL, JR., Member Ex-Officio, Columbia, S.C.

and formula the Palmetto Unified School District has been adjudged as an eligible recipient of these funds for the provision and delivery of required educational services. Consequently, a loss of these EFA funds would greatly reduce the quality and scope of instructional services which are mandated by law and essential in the maintenance of this district's educational efforts.

Considering the manner and purpose for which these funds are generated and the negative impact to be incurred with their loss, we urgently request your support and favorable consideration in the exemption of these funds from General Fund recall.

Sincerely,

Parker Evatt, Commissioner

PE:md

cc: James Trexler, State Budget Analyst
Budget and Control Board
Sterling Beckman, Executive Assistant for Governmental Affairs
Department of Corrections
H. Layne Coleman, Superintendent
Palmetto Unified School District No. 1

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Attachment

FY-92 planned utilization and expenditures of EFA fund balance.

	Item Description	Cost
1.	SCDC - funded teachers' cell increase	$ 78,000
2.	EFA - funded teachers' cell increase	12,000
3.	Fringe Benefits overage	15,000
4.	EFA Staff expansion and salary annualization	80,244
5.	EFA fringe benefits on staff expansion and salary annualization	17,654
6.	Approved RFP for purchase of computers for instructional management system	53,000
7.	Increased GED testing fees	12,000
8.	Replacement of obsolete vocational equipment - EFA schools	20,000
9.	Equipment supplement of contracted programs - EFA schools	5,000
10.	Materials and supplies supplement of contracted programs - EFA schools	5,000
	Total	$297,898

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JUL 2 2 1991
Budget and Control Board
STATE BUDGET DIVISION
001215

State of South Carolina

Department of Probation, Parole, and Pardon Services

HON. RAYMOND J. ROSSI
Chairman
Member-At-Large

HON. J.P. HODGES
Vice Chairman
District Six

HON. WILLIE E. GIVENS, JR., D.D.
Secretary
District One

HON. J. RHETT JACKSON
Chairman, 1987 - 1988
District Two

HON. DR. JERRY M. NEAL
Chairman, 1989 - 1990
District Three

HON. MARION BEASLEY
Chairman, 1985 - 1986
District Four

HON. LEE R. CATHCART
District Five

2221 DEVINE STREET, SUITE 600
POST OFFICE BOX 50666
COLUMBIA, SOUTH CAROLINA 29250
(803) 734-9220

MICHAEL J. CAVANAUGH
Commissioner

MEMORANDUM

TO: Charles A. Brooks, Jr., Division Director
State Budget Division

FROM: Tom Cleary, Assistant Commissioner for Administration

RE: Prospective Revenue Line Reduction

DATE: July 23, 1991

In response to a possible reduction by the Budget and Control Board of $37,000+ from our 3035 Revenue line, we want you to know the nature of operations funded by these revenues.

At the present time, revenue from two sources are cycled through 3035:

1. State Victims Services grant from the Governor's Office (Richland and Kershaw) - approximately $25,000 grant

2. Youthful Offender Act and Extended Work Release Offender Supervision Contract with South Carolina Department of Corrections - approximately $900,000

A revenue reduction affecting our 3035 line would result in cutting back program operations affecting the entire Victims Services effort in Richland/Kershaw Counties and/or operating cutbacks affecting supervision of certain offenders. Both of these programs are essential services necessary in meeting the agency's mission. We ask that consideration be given in exempting the agency from these revenue reductions or, if not possible, in restoring these revenues after the state's FY 91 cash requirements are met.

Thank you for your assistance.

001216

/ssb

Lander
COLLEGE
Greenwood, South Carolina 29649

Vice President for Business & Administration
Telephone (803) 229-8305 • Fax (803) 229-8890

July 22, 1991

Mr. Charlie Brooks
Executive Director
Budget and Control Board
Capitol Complex
Columbia, S. C.

Dear Mr. Brooks:

I am writing to you in response to a telephone call to Lander College from Les Boles on July 22, 1991, concerning Operating Revenue funds (State Treasurer Deposit Account Subfund 3035). Mr. Boles suggested to Mary Jo Cook, our Budget Analyst, that it was the intent of the Budget and Control Board to claim these funds for the State. However, I feel obligated to point out that these funds are not Lander College money nor are they excess funds from fiscal year 90-91. These funds consist entirely of advance deposits for students attending Summer Session II at Lander College which will take place during fiscal year 91-92 and for accrued accounts payable that were posted in June for checks written in July. In the case of the advance student deposit, these funds are subject to refund if a student decides not to attend Summer Session II or if he withdraws within the refund period stated in our college catalog.

After a phone conversation with W. E. Troublefield, Jr., Vice President for Business and Administration, I am responding to this matter on his behalf. I hope the information provided in this letter will explain the balance in our 3035 account and why it cannot be claimed by the State.

If I can provide you with any further information or any assistance whatsoever, please do not hesitate to call me.

Sincerely,

M. Blair Willingham

M. Blair Willingham
Controller

MBW:rk

001217

UNIVERSITY OF SOUTH CAROLINA

COLUMBIA, S.C. 29208

TREASURER OF THE UNIVERSITY

EXECUTIVE VICE PRESIDENT
(803) 777-7478
Fax (803) 777 5619

July 22, 1991

RECEIVED
JUL 2 2 1991
Budget & Control Board
STATE BUDGET DIVISION

Mr. Charles A. Brooks
State Budget and Control Board
Budget Division
525 Brown Building
Columbia, South Carolina 29201

Dear Charlie:

As discussed on Friday afternoon, the monies within the University of South Carolina identified by your staff as available funds is very misleading and incorrect.

The 3035 account utilized within the University System as you see it at the end of June was the balance of deferred revenues collected for summer school and utilized to pay summer school salaries, payroll liabilities, and other miscellaneous deferred revenues. These funds are customarily drawn down in July as the expenses unfold. Any remaining amounts of such accounts would be funds deliberately left in the account to satisfy an IDT that was in process. In other words, this account has been utilized by the University as somewhat of a clearing account. This may not be consistent with every other institution and agency practice but it is a consistent and proper accounting procedure.

The 3417 account is a cash balance account for governmental, local, philanthropic, commercial and other grants and contracts. Yes, there is cash there, but the University is contractually obligated to complete activities to satisfy such requirements and such services to be completed in this fiscal year will utilize those funds. Stated another way, these cash balances simply represent unearned revenue.

The University understands the State's revenue plight. We have been operating on austere expectations since the beginning of FY91. We have also positioned ourselves to anticipate a 2 percent revenue reduction for FY92. We, however, continue to pray that such will not be necessary since our needs to meet the Institution's missions are already so much greater than identified resources.

001218

Thank you for assisting us in clarifying this matter. My staff and I are available on short notice to provide further information and explanation to you for your staff or the Board if necessary.

Sincerely,

R. W. Denton

c: Mr. Carroll A. Campbell, Jr., Chairman
Mr. Grady L. Patterson, Jr.
Mr. Earle E. Morris, Jr.
Mr. James M. Waddell, Jr.
Mr. William D. Boan
Dr. John M. Palms

MUSC understands that the Budget Division has been asked to restrict "excess funds" in the agencies' accounts. Please be advised that the Medical University of South Carolina has a bond issue to be closed on July 30 in the amount of $ 10,000,000. On the day of closing MUSC must transfer $1.659 million dollars to the bond reserve fund from the Medical Center's current fund. Additionally the Medical Center's current accounts payable exceeds $ 3.8 million; therefore, the available cash balance of $ 3.9 million is not in "excess" of the Medical University's commitments.

DIVISION OF FINANCE
(803) 792-4131
Controller 792-4131

FAX # 792 - 4127

MEDICAL UNIVERSITY OF SOUTH CAROLINA
171 Ashley Avenue
Charleston, South Carolina 29425-1040

FAX TRANSMISSION

DATE: 22 July 1991

TO: Mr. Charles Ervin

FAX #: 434-1530

FROM: Helen Lemley

NUMBER OF PAGES (INCLUDING COVER SHEET): 2

SUBJECT: _____

COMMENTS: _____

001221

An equal opportunity m/f affirmative action employer

STATE OF SOUTH CAROLINA

DEPARTMENT OF EDUCATION

COLUMBIA 29201

July 22, 1991

Dr. Barbara S. Nielsen
STATE SUPERINTENDENT OF EDUCATION

Charles A. Brooks, Jr., Director
State Budget Division
State Budget and Control Board
Edgar Brown Building, Suite 525
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Mr. Brooks:

I am writing to request that the Budget and Control Board authorize the State Department of Education to retain the $1,633,702 in operating revenues which has been identified on a preliminary basis as being available to offset State fiscal year 1990-91 expenditures. The Department of Education relies heavily on these funds to operate two vital services which directly impact every school in the state: transportation and textbooks. The loss of revenue would cripple systems which are already severely underfunded.

As you know, fiscal year 1991-92 begins the third year in which the state has been unable to provide sufficient funds to operate transportation and to purchase textbooks for the growing school population as required by law. Compounding the problem, the astronomical rise in the price of gasoline during FY 1990-91 resulted in a three million dollar shortfall which the agency worked to manage for the purchase of bus fuel. For FY 1991-92, textbooks have been adopted and contracts have been signed which would, at best, leave the state one year behind in meeting its textbook needs.

The operating revenues generated by the agency are budgeted to play a crucial role in support of transportation and textbooks for fiscal year 1991-92. The State Department of Education depends on these revenues to provide safe transportation and textbooks for the children of South Carolina. I hereby respectfully request that the Department be allowed to retain all funds in Operating Revenue accounts.

Sincerely,

Barbara S. Nielsen

Barbara Stock Nielsen, Ed.D.
State Superintendent of Education

cc: Carroll A. Campbell, Jr., Chairman
Governor
Grady L. Patterson, Jr., State Treasurer
Earle E. Morris, Jr., Comptroller General
James M. Waddell, Jr., Chairman
Senate Finance Committee
William D. Boan, Chairman
Ways and Means Committee
Jesse A. Coles, Jr., Ph.D., Executive Director

001222

MEMORANDUM

TO: Charles A. Brooks, Jr.
Director, State Budget Division
Edgar Brown Building, Room 535
Columbia, SC

FROM: Charles M. Case

SUBJECT: Operating Revenue carried forward FY 1990-91

DATE: July 22, 1991

This is to confirm my phone conversation with Susan Dewitt and Les Boles, reference revenue carry forward from 1990-91 to 1991-92.

We have projected a carry over of $276,019.62. We all so have $12,718.62 of purchase orders that will be brought forward because invoices were not received in time to pay in fiscal month thirteen. This leaves a net of $263,300.86.

Several items need to be taken into account when asking why the carry over:

A. The monthly payroll and fringe is $35,711.03.

B. Our participation with the Southern Education Communications Association is $71,696.00 due July 1, 1991, and a voucher is in the Comptroller General's Office.

C. We have a voucher being prepared today for PBS programming for this year for $2,284,275.00. The CPB Grant will pay $2,034,275.00 and $250,000.00 from revenue. This is due on or before July 31, 1991.

D. We have already committed $172,921.15 in annual contracts for 1991-92. The major part of this was $89,000.00 for computer maintenance. The remainder was for essential items. With the freeze and reductions in our base operations, this seemed the logical approach. These commitments are paid monthly and/or quarterly.

In preparing information to present to our commission for guidance in the budget request for 1992-93, I found that utilities, closed circuit/telephone line, printing and gasoline charges have increased approximately $655,000.00 over the past three years and we have not had any increase in appropriation for them. At the same time our revenue has increased considerably but not to that extent.

We did abide by the freeze and continue to do so. Our lapse will be $64,737.96. Your consideration in not freezing the $263,300.86 is essential if we are to meet payroll and basic services.

RECEIVED
JUL 2 2 1991
Budget and Control Board
STATE BUDGET DIVISION

South Carolina Department of Archives and History
1430 Senate Street, P.O. Box 11,669, Columbia, South Carolina 29211 (803) 734-8577
State Records (803) 734-7914; Local Records (803) 734-7917

July 19, 1991

Mr. Charles A. Brooks, Jr., Director
State Budget Division
Edgar Brown Building, Suite 525
Columbia, SC 29201

Dear Charlie:

We have been advised that the Budget and Control Board has identified our State Preservation Grant account as a potential source of funds to address a portion of the budget deficit. The purpose of this letter is to explain how this grant program operates and to outline the current obligations for these funds.

The funds in this account are earned from the US Department of the Interior by the Department of Archives and History for administering the National Historic Preservation Program in the state. With the exception of the appropriate amount of indirect cost reimbursement to the General fund, the remainder of the funds is deposited with the State Treasurer, and used by the Department to fund and administer a State Historic Preservation Grants program pursuant to a proviso that has been in our budget since FY88.

While the current balance in this account is $725,000, it is extremely important to note that $592,058.49 is encumbered through prior grant awards to numerous entities throughout the state for preservation projects and as salaries and associated fringe benefits of the two staff people who are required to administer those awards. I am sure, however, the question left lingering is this: if we have made awards, how can there still be such a large sum of funds left in the account?

When an award is made, the funds are not immediately disbursed to the grantee. As a control measure, the grant funds are disbursed on a reimbursable basis to ensure that the funds are expended for appropriate grant-related items. The expenditures have obviously lagged behind the revenue collections quite a bit which explains the significant balance in the account. However, simply because grantees have not yet requested reimbursement does not mean that the funds are uncommitted. Based on our awarding these entities their grants, they have, in turn, made contractual obligations to architects, contractors, other service providers, and suppliers in order to execute their projects. In most cases, they have expended their own funds anticipating reimbursement. Rescinding these grants would result in serious legal consequences for the State.

001225

Letter to Charles A. Brooks, Jr.
July 19, 1991

While it is never pleasant to lose funds that one had planned to use, the Department of Archives and History is nonetheless willing to turn over $132,941.51 in unobligated grant funds to the State to be used to solve the State's budget dilemma. Please contact me or Lynette Rinker at 734-8577 if you require any further information or documentation regarding our grant awards.

Sincerely,

George L. Vogt
Director

GLV/

cc: Mr. Les Boles, State Budget Analyst
Ms. Lynette Rinker, Executive Assistant

South Carolina State Museum

July 23, 1991

Mr. Charles A. Brooks, Jr.
Division Director
State Budget Division
Edgar Brown Building, Suite 525
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Mr. Brooks:

We were informed late last week that the Budget & Control Board had identified $84,870 of the State Museum's "other" funds for a possible budget cut this year.

These funds would come from the earned income generated by admission fees and retail sales. Funds from both sources are earmarked to support important public functions of the museum. For example, we depend upon admission fees 1) to pay for the rental of visitor parking spaces, 2) to support temporary/part-time staff who maintain and repair exhibits and provide weekend coverage to respond to breakdowns and technical problems, 3) to employ the person who designs and hangs our art exhibitions, and 4) to provide funds for special educational programs for the general public. Revenues from the museum store are earmarked to support our changing exhibit program. Two years ago that program was supported, in part, by a $50,000 line item of state funds, but budget cuts have eliminated those appropriations, and now we are depending entirely upon earned revenue and donations to fund changing exhibits.

What makes a cut even more ominous is the fact that our admissions revenues were down by some $52,000 last year, and we are projecting no increase for 1991-92. I am very concerned that we will not be able to absorb cuts in the earned revenue portion of our budget without eliminating exhibits and public programs, and depleting the operating accounts of our museum store. These are the very things that attract visitors, and revenue, to the museum.

We recognize that the state faces serious financial problems, and we are prepared to do our share to help overcome them. But cuts in this particular part of the budget would do serious harm to our public programming. We ask the Board to take our situation into account in making their decision.

Sincerely,

Overton G. Ganong
Executive Director

001227

OGG/nq

301 Gervais Street P.O. Box 100107 Columbia, S.C. 29202-3107
Telephone (803) 737-4921 Facsimile (803) 737-4969

South Carolina
DHEC
Department of Health and Environmental Control
2600 Bull Street, Columbia, SC 29201

Commissioner: Michael D. Jarrett

Board: John B. Pate, MD, Chairman
William E. Applegate, III, Vice Chairman
John H. Burriss, Secretary
Toney Graham, Jr., MD
Richard E. Jabbour, DDS
Henry S. Jordan, MD
Robert J. Stripling, Jr.

Promoting Health, Protecting the Environment

July 24, 1991

Charles A. Brooks, Jr.
Division Director
State Budget Division
Budget and Control Board
1205 Pendleton Street
Suite 525
Columbia, S.c. 29201

Dear Mr. Brooks:

Staff met with you, Ed Brophy and George Dorn, concerning the freezing of our earmarked (special funds) account at a specified level. Collectively, you agreed that special funds totalling $2,070,281 are in an unrestricted general fund operating balance. This balance is the result of the collection of fees for specific public health program activities/services and is used to support the operation of the program that generated the funds.

I offer the following justification for retention of specific fund balances. These programs represent basic public health and are preventive and very cost effective.

Family Planning $ 92,557

A fee is charged for family planning services rendered and charges are rate-scaled according to the ability of the patient to pay. Medicaid is billed for services provided to eligible patients. The program is experiencing financial crises as a result of unprecedented increases in pap smears and oral contraceptive costs which occurred in FY 91. Pap smears increased approximately 75% and oral contraceptives increases ranged between 140% and 800%, depending on the vendor. It is crucial for this program to be able to maintain all earnings to offset these increases in costs to continue to serve patients at the same level for FY 92.

Maternal and Child Care $ 521,348

This program's revenue is derived from fee for services charged to Medicaid for maternity care, EPSDT, and other child health services. These funds are needed to continue our efforts in infant mortality reduction and to assist with cash flow problems due to the lag time in receiving Medicaid reimbursement. The loss of these funds will surely reduce the number of patients that can be served.

001228

recycled paper

Home Health Services $ 1,197,177

Professional and supportive health care services are provided persons, in their homes, under the direction of/or in collaboration with the attending physicians. Services provided are reimbursed by the recipient, Medicare, Medicaid, or other third party as appropriate. State funds have virtually been eliminated in this program along with a reduction of indigent care services. The elimination of these funds would certainly lead to a total discontinuation of indigent care services. Cash balances to cover monthly payroll and travel expenses in excess of $2.5 million are needed. Also, we are faced with contingent liabilities concerning Medicare reimbursements which are finalized through the submission of an annual cost report.

Community Long Term Care $ 259,214

This program provides personal care aide services, i.e., support for activities of daily living, such as bathing, personal hygiene, meal planning and preparation; home support such as light cleaning, shopping, and home safety; medical monitoring and transportation are provided to eligible Medicaid clientele. This program is dependent upon prompt reimbursement as it maintains a monthly payroll and travel expenditure of approximately $740,000. The majority of these funds are derived from Medicaid billings and/or subject to Medicaid audits which can occur up to two years after the cost report is filed. The last two audits have resulted in pay backs which constitutes contingent liabilities regarding the distribution of these funds.

I am confident that upon your review of our justifications for retention of these funds, that you will concur that they are essential in providing health services to the citizens of our state.

Sincerely,

Michael D. Jarrett
COMMISSIONER

MDJ:ddc
cc: Benjamin R. Lee, Jr.

DMH South Carolina Department of Mental Health

Commissioner's Office
[illegible] Box 485
Columbia, SC 29202
(803) 734-7780
Information (803) 734-7766

Joseph J. Bevilacqua, Ph.D.
State Commissioner

July 24, 1991

Charles A. Brooks, Jr.
State Budget & Control Board
Room 525, Edgar Brown Building
1205 Pendleton Street
Columbia, S.C. 29201

Dear Mr. Brooks:

I am in receipt of your letter dated July 18, 1991, regarding the reservation of $778,447 of the agency's operating revenue for potential use by the State Budget & Control Board in balancing the state deficit identified for FY 91.

As you may know, the General Assembly passed legislation this past session regarding a Children's Commitment process. In the bill, the first year's implementation was identified as $1.4 million, however a provision of the act made its implementation contingent on available funding. No state appropriations were provided by the General Assembly for FY 92 for this purpose, but the agency did identify some of the funding which you referenced in your memo as available for this purpose.

Services to severely emotionally disturbed children and adolescents are currently inadequate and numerous groups are intereted in seeing the agency implement more services soon as possible. It is the intent of the Department to begin several C & A programs in FY 92 aimed at the legislation just passed. Many of these programs have recently became Medicaid eligible, therefore they would essentially become self-supporting in the future.

I would encourage the Board to consider allowing the Department of Mental Health to use the funding for the purpose cited above. Thank you for your consideration.

Sincerely,

Joseph J. Bevilacqua, Ph.D.
State Commissioner

MENTAL HEALTH COMMISSION:
[illegible] M.D., [illegible]
[illegible] Horwin, Jr., [illegible]
Elizabeth L. Forrester, [illegible]
Fred H. Gantt, [illegible]
F.A. Hall, Jr., [illegible]
Louise R. Hassenpflug, [illegible]
John P. Linton, Esq., [illegible]

South Carolina Water Resources Commission

1201 Main Street, Suite 1100 ☐ Columbia, S.C. 29201 ☐ Telephone (803) 737-0800

Alfred H. Vang
Executive Director

July 23, 1991

Mr. Ken Brown
State Budget Division
Budget and Control Board
Edgar Brown Building Suite 525
Columbia, South Carolina 29201

As a follow-up to the conversation on July 22, 1991 concerning the $8894.00 balance in our Operating Revenue account, we have reviewed this request as to why we would need this revenue. We did an analysis of what types of revenue are included in this figure and found that it was earmarked for several programs. We now realize that all of these funds are needed. The $8894.00 balance contains registration fees for our Water Week Symposium that will be held in Charleston this fall. This symposium has received prior approval from the Board. The balance also includes fees for the sale of publications that per proviso 57.1 allows us to collect, expend and carry forward funds derived from the sale of publications.

If further information is needed, please call me.

Charles R. Myers Jr.
Charles R Myers Jr
Administration Operations Manager

001231

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JUL 25 1991
dget and Control Bo
ATE BUDGET DIVIS

SOUTH CAROLINA FORESTRY COMMISSION
PO Box 21707 • Columbia, South Carolina 29221
(803) 737-8800, FAX (803) 798-8097
Robert J. Gould, State Forester

July 22, 1991

Mr. Charles A. Brooks, Jr.
Director, State Budget Division
Edgar Brown Building, Suite 525
1205 Pendleton Street
Columbia, SC 29201

Dear Mr. Brooks:

This letter is in reply to the South Carolina Budget and Control Board's request that the Forestry Commission freeze Earmarked Funds (3035) in the amount of $361,909. Said funds are to remain frozen until the Forestry Commission is advised as to their final disposition.

Mr. Brooks, the Forestry Commission respectfully requests that the Budget and Control Board exempt the Forestry Commission from this budget freeze for the following reasons:

1) Included in the $361,909 is approximately $210,243 carried forth as the balance remaining in a fund created to repay a loan and the interest thereon and to reforest lands pursuant to Public Law 48-23-136. The loan was repaid somewhat earlier than anticipated following accelerated timber sales on Manchester State Forest as related to Hugo salvage cutting.

   These funds are being carried forward to reforest timberlands on Manchester State Forest that were devastated by Hurricane Hugo. Please refer to the enclosed information sheet titled, Hugo's Impact Upon Manchester State Forest's Revenue Flow.

2) Also included in the $361,909 is 98.26% of the entire operating budget for Manchester State Forest. Please refer to the attached Proviso (59.3) to the 1990-91 Appropriations Bill which allows the Forestry Commission to carry forward unexpended funds to operate Manchester State Forest.

3) Contained too in these carry over funds is the sum of $56,669 that must be paid to Sumter and Jasper Counties as mandated by Act 48-23-260.

Without relief from the aforementioned frozen funds, Manchester State Forest can only be placed in a caretaker status and the South Carolina Forestry Commission will be unable to comply with state laws and provisos. The South Carolina Forestry Commission urges the Budget and Control Board to rescind the freeze placed on Manchester State Forest's sole means to function and be rehabilitated in the wake of Hugo.

Sincerely,

Robert J. Gould
State Forester

001232

OUR MISSION - To protect and develop the forest resources of South Carolina

§ 48-23-136. Pledge of revenue.

Notwithstanding any other provision of law, for the payment of the loan and the interest thereon, there is annually pledged all revenues derived from the sale of timber from Forestry Commission lands which exceed the amount of one hundred eight thousand, six hundred seventy dollars to be credited to the General Fund of the State and those funds designated for allocation to counties under the provisions of § 48-23-260 of the 1976 Code, and all donations and revenues made available to the Commission for this purpose. Each year, after allocation of revenue from timber sales to the General Fund, counties, and the payment of principal and interest on the loan, any remaining funds may be used for the reforestation of Forestry Commission lands cut pursuant to this section and § 48-23-135. Any unexpended balance at the close of each fiscal year must be carried forward and expended in accordance with the provisions of this section and § 48-23-135.

HISTORY: 1983 Act No. 66 § 2.

§ 48-23-140. Acceptance by Commission of gifts and the like.

The State Commission of Forestry may accept and hold gifts, donations or contributions from individuals, associations, corporations, counties, municipalities, the Federal Government or other agencies and may acquire real estate for purposes within the powers and duties of the Commission. Any gift, donation or contribution accepted and held by the Commission under the provisions of this section shall be used for the purpose specified by the donor. The Commission may accept conveyances and leases of real and personal property for, in the name of, and on behalf of the State from the Secretary of the Interior of the United States, subject to the terms and conditions of the act of Congress of June 6, 1942 (56 US Statutes 326).

HISTORY: 1962 Code § 29-16; 1952 Code § 29-16; 1942 Code §§ 3281, 3282; 1932 Code §§ 3281, 3282; 1927 (35) 367; 1929 (36) 194; 1944 (43) 1318.

Research and Practice References—
98 CJS, Woods and Forests § 12.

Federal Aspects—
As to 56 Stat. 326 which was repealed by 61 Stat. 209, see former 15 USCS § 609r.

001233

§ 48-23-150. Disbursement of funds.

All of such funds shall be disbursed by the State Treasurer upon warrants drawn by the State Commission of Forestry.

impose any liability upon the general credit and taxing power of the State.

HISTORY: 1962 Code § 29-26; 1952 Code § 29-26; 1942 Code § 3284-3; 1935 (39) 150, 1214; 1941 (42) 1314.

§ 48-23-250. Use of revenues from land; generally.

The revenues derived from lands owned by the Commission shall be segregated by the State Treasurer for the use of the Commission in the acquisition, management, development and use of such lands until all obligations incurred have been paid in full. Fifty per cent of all net profits accruing from the administration of such lands shall be applicable for such purposes as the General Assembly may prescribe and fifty per cent shall be paid into the school fund of the county in which the lands are located.

HISTORY: 1962 Code § 29-28; 1952 Code § 29-28; 1942 Code § 3284-3; 1935 (39) 150, 1214; 1941 (42) 1314.

Related Local Laws—

For a local law regarding the use of such revenues in Edgefield County, see Local Law Index.

For a local law providing for the disposition of funds from the Francis Marion National Forest in Charleston County, see Local Law Index.

§ 48-23-260. Counties containing State forest lands shall share in revenues.

The State Treasurer shall pay to any county containing State forest lands an amount equal to twenty-five per cent of the gross proceeds received by the State in each fiscal year from the sale of timber, pulpwood, poles, gravel, land rentals and other privileges on such State forest lands in any such county. This provision shall apply to all State forest lands managed or operated by the State Commission of Forestry whether they be owned in fee by the State or leased from the United States, but this provision shall not apply to State parks. The funds herein provided for shall be spent for general school purposes. Where a particular State forest lies in more than one county or school district, the funds derived from such State forest and to be paid by the State Treasurer shall be apportioned on the basis of land acreage involved. All funds distributed under the provisions of this section shall be spent upon the approval of a majority of the county legislative delegation, including the Senator.

HISTORY: 1962 Code § 29-29; 1957 (50) 277; 1958 (50) 1546. 001234

Cross references—

For pledge of revenues derived from sale of timber from Forestry Commission lands to secure payment of loan and interest thereon, see § 48-23-135.

1990-91

	TOTAL FUNDS	GENERAL FUNDS
EQUIPMENT	45,102	
LIGHT/POWER/HEAT	6,300	
TRANSPORTATION	20,500	
TOTAL OTHER OPERATING EXP	123,973	
AID TO SUBDIVISIONS:		
ALLOC CNTY-RESTRICTED	135,000	
TOTAL AID TO SUBDIVISIONS	135,000	
TOTAL SANDHILLS	517,186	
TOTAL STATE FORESTS	770,517	192,291
IV. EMPLOYEE BENEFITS		
B. BASE PAY INCREASE		
BASE PAY INCREASE	19,791	
TOTAL PERSONAL SERVICE	19,791	
TOTAL BASE PAY INCREASE	19,791	
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	2,974,576	2,839,688
TOTAL FRINGE BENEFITS	2,974,576	2,839,688
TOTAL STATE EMPLOYER CONTRIBUTIONS	2,974,576	2,839,688
TOTAL EMPLOYEE BENEFITS	2,994,367	2,839,688
TOTAL FORESTRY COMMISSION	19,261,054	16,941,445
TOTAL AUTHORIZED FTES	(614.55)	(593.54)

59.1. The State Forestry Commission may refund deposits placed with the Commission for tree seedling orders.

59.2. Compensation supplements paid personnel of the Forestry Commission by counties and/or other political subdivisions shall not be extended in the current fiscal year to additional employees, nor shall such existing supplements be increased in the current fiscal year.

59.3. Revenue received from hunting and fishing permits, land rentals, fuelwood sales, the marketing of pine straw, merchantable timber, and miscellaneous products on Forestry Commission lands for the current fiscal year shall be retained by the Commission to be used

wildlife habitat and the administration of various programs on Forestry Commission holdings. The Commission may carry forward any unexpended funds under this provision to be used for those purposes.

59.4. When demand for forest tree seedlings from South Carolina landowners exceeds the supply available from Forestry Commission nurseries, the Forestry Commission is authorized to purchase seedlings for resale at cost plus shipping and one dollar per thousand for administrative costs. The current fiscal year revenue received from the resale and distribution of these seedlings shall be retained in a seedling purchase revolving fund to be expended for that purpose only.

59.5. No reduction in the funds appropriated herein which may be made during the current fiscal year by the State Forestry Commission shall result in the reduction of personnel or expenditures for fire wardens and forestry tower operators.

59.6. The State Forestry Commission is authorized to trade or sell real property of approximately one acre with improvements in Williamsburg County which it owns for the purpose of obtaining a more appropriately situated tract of real estate to be used for the Commission's county headquarters. If the Commission sells this tract of real property, it may use the proceeds from this sale to purchase real property for the Commission's county headquarters.

59.7. DELETED

59.8. Funds appropriated for equipment in Program II.A. must be used specifically for field operations equipment.

59.9. DELETED

SECTION 60
DEPARTMENT OF AGRICULTURE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATIVE SERVICES		
A. GENERAL		
PERSONAL SERVICE:		
COMMSNR. OF AGRICULTURE	78,612	78,612
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,155,406	1,155,406
	(45.00)	(45.00)
OTHER PERSONAL SERVICE:		
TEMPORARY POSITIONS	18,000	18,000
TOTAL PERSONAL SERVICE	1,252,018	1,252,018
OTHER OPERATING EXPENSES:		
CONTRACTUAL SERVICES	180,291	177,791

FROM:SC FORESTRY COMM HQ TO:SC BEA JUL 22, 1991 4:18PM P.05

Hugo's Impact Upon Manchester State Forest's Revenue Flow

Hurricane Hugo devastated some 35% of the pine growing stock and 60% of the hardwood growing stock on Manchester State Forest. Pre-Hugo annual sustained harvestable volumes of 2.5 million bd. ft. and 4,500 cords of pine (hardwood sales are irregular and are not a major revenue factor), pale when compared to losses attributed to Hugo. It is estimated that 16 million bd. ft. of pine sawtimber, 25,000 cords of pine pulpwood, 4.7 million bd. ft. of hardwood sawtimber and 8,000 cords of hardwood pulpwood was severely damaged by Hugo. As much as possible of this devastated timber was salvaged, but only a fraction of its pre-Hugo dollar value was realized due to market conditions, degrade to the wood, and increased logging costs. Hugo devastated 6 years of Manchester's normal annual harvest in less than 1 hour.

It will not be possible to harvest from Manchester State Forest sufficient timber to generate operating and reforestation funds without severely overcutting Manchester's remaining timber. This would adversely impact the future management of this State Forest and reduce its benefits to the citizens of South Carolina. Simply put, if we don't afford Manchester a few years of relief from significant cutting, Hugo's impact will be magnified far beyond what could be achieved with good forest management. We must divorce Manchester from mandatory cutting driven by financial need. The use of the carry over funds, for the purpose of reforestation, now frozen by the Budget and Control Board will allow for the orderly rehabilitation of Manchester State Forest.

July 22, 1991

JUL 23 '91 08:35

CLEMSON
UNIVERSITY

VICE PRESIDENT AND VICE PROVOST
FOR AGRICULTURE AND NATURAL RESOURCES

July 23, 1991

Mr. Charles A. Brooks, Jr.
Director
State Budget Division
Edgar Brown Building, Suite 525
1205 Pendleton Street
Columbia, SC 29201

Dear Mr. Brooks:

We have been informed that there is a proposal to take $70,696 from Clemson University's Public Service Activities unrestricted (program income) funds. We realize the state faces funding shortages which have also impacted Public Service Activities budgets. Due to a combination of state budget cuts, the failure of federal funds to keep pace with previous salary increases, and an unfunded salary increase program implemented in conjunction with Clemson University's effort to keep salaries competitive with the Southern Region, Public Service Activities may end 1990-91 in a deficit situation. The proposed taking of $70,696 would make any possible deficit even larger and emphasize even more the need to implement a reduction in personnel costs by either a furlough or reduction in force.

Over 80% of Clemson's Public Service Activities budget is for personnel costs. Also, a substantial amount of the budget is spent for travel in order for Cooperative Extension, Livestock-Poultry Health and Regulatory and Public Service staff to deliver services provided across the state. This situation makes it extremely difficult to deal with a major cut in appropriations, especially when the cut comes late in the fiscal year. University revenue generated in 1991-92 may have to be used to help cover the possible deficit from FY91.

The balances on the comptroller's books do not reflect the above situation. Additionally, OMB circular A-110, which covers grants and agreements with institutions of higher education, hospitals, and other nonprofit organizations, specifies that program income earned by those federally sponsored programs shall be reinvested into those programs.

In light of the above, we request that Clemson be allowed to retain balances on hand which were generated by the University in support of Public Service Activities. Otherwise, we request deferring the final decision until Clemson closes its books at the end of this week to assess the possibility of a deficit.

Sincerely,

Milton B. Wise

Milton B. Wise

001237

101 BARRE HALL • CLEMSON, SOUTH CAROLINA 29634-5201 • TELEPHONE 803/656-3015

In preparing information to present to our commission for guidance in the budget request for 1992-93, I found that utilities, closed circuit/telephone line, printing and gasoline charges have increased approximately $655,000.00 over the past three years and we have not had any increase in appropriation for them. At the same time our revenue has increased considerably but not to that extent.

We did abide by the freeze and continue to do so. Our lapse will be $64,737.96. Your consideration in not freezing the $263,300.86 is essential if we are to meet payroll and basic services.

South Carolina Migratory Waterfowl Committee
Post Office Box 1853
Columbia, South Carolina 29202

July 22, 1991

Mr. Ken Brown
State Budget Analyst
Suite 525, Brown Building
Columbia, South Carolina 29202

Dear Ken:

Your inquiry into the balance of funds as of July 11, 1991 for the Migratory Waterfowl Committee has caused some concern among Committee members.

I should be noted that these funds support over 90% of the Committee's total budget operations with the remaining balance being transmitted to a non-profit organization in Canada. These funds are then used to improve and protect waterfowl habitat that will have a direct impact on waterfowl in the Atlantic Flyway, specifically South Carolina.

The Committee would have no serious objection to the borrowing of some of these funds for a short term, but for the State to just take funds that appear to be dedicated will cause serious problems with conservation minded persons. Further, these revenue funds are used in lieu of state funds and therefore makes the Committee's administrative function almost self supporting. Any reduction in these balances weakens the flexibility of the Committee, especially since state dollars are already frozen.

In short, the Committee is willing to assist in the short term idea of borrowing, but not in the outright taking of any of these balances.

Sincerely,

John B. Reeves

cc: Jake Rasor

JBR/lj

001239

South Carolina
Wildlife & Marine
Resources Department

Equal Opportunity Agency

James A. Timmerman, Jr., Ph.D.
Executive Director

July 22, 1991

Mr. Bob Stein
Budget Analyst
State Budget Division
Brown Building, Suite 525
Columbia, South Carolina 29202

Dear Bob:

During the Department's Commission meeting Friday, July 19, 1991, I discussed in detail the conversation you and Benny Reeves had pertaining to several fund balances in sub fund 3035. According to this information, I advised the Commission of the possibility of the Budget and Control Board taking these balances to assist in balancing the 1990-91 fiscal year budget.

After a lengthy discussion of this matter, the Commission voiced strong concern over the taking of these revenues, especially those that are earmarked for boating, mariculture, and enforcement of our shrimp baiting laws. The balances are necessary to support ongoing operations, especially in our boating/titling program. Revenue generated by the registration and titling of boats/motors varies from month to month. The fall and winter months are slow revenue generating months. This time of the year the Department depends on carry forward balances to support existing payroll and office expenses that continue although our revenue collections have been reduced.

For your information, this boating account has over $150,000 encumbered for the purchase of boating forms, decals, and computer processing equipment. The South Carolina Wildlife and Marine Resources Commission expressed a positive desire to assist the state in the current budget crisis by releasing some of these funds on a "borrow" basis, but to just take these balances would place a burden on this program to the extent that a possible Reduction in Force may be necessary to keep the program that is mandated by law functioning.

001240

Rembert C. Dennis Building ☐ P.O. Box 167 ☐ Columbia, South Carolina 29202 ☐ Telephone: 803 - 734-4007

It would be appreciated if your would express my concerns on this matter to the members of the Budget and Control Board.

Sincerely,

James A. Timmerman, Jr.

PRT

Fred P. Brinkman, Executive Director

Division of Engineering & Planning
William R. Jennings, Director
(803) 734-0173
FAX (803) 734-0133

July 22, 1991

Mr. Charles Brooks
Director, Budget Division
State Budget and Control Board
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Mr. Brooks:

Mr. Harris B. Caldwell, Director of PRT's Administrative Services Division and Mr. William R. Jennings, Director of PRT's Engineering and Planning Division met with Mr. George Dorn of your office last week to discuss PRT's operating revenue funds totaling some $896,704. It is my understanding that the Board will consider using these funds to assist in reducing the State's budget deficit.

This letter is to advise you that these funds do not represent a surplus or carry forward balance from FY 90-91. They do represent current revenue collections for the first two weeks in FY 91-92.

Removal of these funds from PRT represents an 8 1/2% reduction in our total revenue base. Action of this magnitude will have serious impacts on State Park programs and services.

For comparative purposes, consider the fact the PRT just recently closed fifteen (15) swimming areas and "laid-off" 75 temporary employees for the remainder of the summer. This action will result in a savings of only $40,000. You can readily see the magnitude of the reduction in services to accommodate a nearly $900,000 cut. As you know revenues account for approximately 65% of our State Park's operating budget. A cut this deep will require the closing of some parks.

Another major hurdle we must overcome this year is the increase in minimum wage. We had estimated that the agency would need to absorb an additional $210,000 for temporary personnel for FY 91-92. Reducing our revenue base drastically affects our ability to handle this problem.

As always PRT will cooperate with the Budget and Control Board and will attempt to keep our revenue generating facilities open. However, it will be impossible to maintain a satisfactory level of service.

Please let us know if we can furnish you any further information.

Sincerely,

John W. Lawrence

John W. Lawrence
Deputy Director

001242

cc: Fred Brinkman

SOUTH CAROLINA
STATE DEVELOPMENT BOARD

Wayne L. Sterling
Director

MEMORANDUM

DATE: July 22, 1991

TO: Dr. Charles Brooks, Director
Budget Division, B & C Board

FROM: Bill Floyd, Director of Administration

SUBJECT: Use of "Earmarked Funds"

As per your request, this memorandum is to describe the proposed use of the $65,402 of earmarked funds remaining on the books of the Development Board as of June 30 that have been identified by your staff as potential offsets to the State deficit.

$5,326 represents the balance of funds from the Governor's Rural Summit. This money is planned to pay for a publication that was promised to attendees as part of their registration fees.

$2,073 is equipment money from sale of used equipment that was to buy a laser printer for Accounting until the freeze stopped this expenditure.

The balance of $58,003 is revenue from sales of the Industrial Directory. We try each year to retain enough of this revenue to print/typeset the next directory. This amount is about $10,000 more than is minimally needed for that purpose.

C01243

Budget and Control Board
STATE BUDGET DIVISION

Post Office Box 927 Columbia, South Carolina 29202
(803)737-0400 (800)922-6684 (In State) TWX No. 810-666-2628
Fax (803)737-0418

STATE WORKERS' COMPENSATION FUND

July 22, 1991

Irvin D. Parker
Director

RECEIVED
JUL 22 1991
Budget and Control
STATE BUDGET OFFICE

Mr. Charles A. Brooks, Jr., Director
State Budget Office
525 Edgar Brown Building
Columbia, S.C. 29201

RE: Acct. 3035, Educational Services

Dear Mr. Brooks:

At the present time we have $3,241 in the Educational Services Account. These funds represent registration fees collected for educational and training seminars which have been offered to the contact person at each state, county and municipal agency who are members of the Fund.

We began providing one-day educational seminars in 1989 designed to improve the working relationship and flow of information between employer and insurance carrier and thus improve the control of claims cost which have risen about 7 1/2 percent in each of the past five years. The medical cost component is rising much faster than inflatio and the average cost of treating lost work time injuries doubled in the 1980's alone.

These seminars cover such topics as Medical Benefits, Processing a Claim, Why Workers File Claims, Forms: How and When to Use Them, First Report of Injury Form, How to Avoid a Fine and other Rules and Regulations, Litigated Claims, Settlements, Informal Conferences, Safety, Rights of Employers and Employees, Second Injury Claims, Why Premiums Go Up and Recent Statutory Decisions.

Employers pay a $25 registration fee which covers the costs of printing, supplies, refreshment breaks and a box lunch. It is our firm belief that we must work with our members and educate them in order to reduce claims cost and premiums for workers' compensation coverage. The inability to expend these funds or possibly lose them would eliminate a very successful tool we have been using as part of our Loss Control and Cost Containment program.

001244

P.O. BOX 102100 COLUMBIA, S.C. 29221-5000 (803) 737-9450 1-800-521-6576 FAX (803) 731-1428

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JUL 22 1991
Budget and Control Board
STATE BUDGET DIVISION

Your consideration regarding this matter will be greatly appreciated.

Sincerely,

Gwen Adkins

Gwen Adkins
Assistant Director

ga

STATE WORKERS' COMPENSATION FUND

FAX: (803) 731-1428

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JUL 22 1991
Budget and Control Board
STATE BUDGET DIVISION

TO: Mr. Charles A. Brooks, Jr., Director

ORGANIZATION: State Budget Office

FROM: Susan Adkins

ORGANIZATION: State Workers' Compensation Fund

DATE: July 22, 1991

PAGE 1 OF 3 PAGES

001246

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Budget and Control Board
STATE BUDGET DIVISION

STATE OF SOUTH CAROLINA
DEPARTMENT OF INSURANCE
1612 MARION STREET
COLUMBIA, SOUTH CAROLINA 29201

MAILING ADDRESS:
P.O. BOX 100105, COLUMBIA, S.C. 29202-3105
TELEPHONE: (803) 737-6160

JOHN G. RICHARDS
CHIEF INSURANCE COMMISSIONER

INSURANCE COMMISSION
JOAB M. ANDERSON
FRANCES B. GILBERT
WILLIAM S. JONES
ROGER E. MEINERS
CONNIE R. MORTON
EDWARD K. PRITCHARD, JR.
FRANK B. WASHINGTON

July 22, 1991

Charles A. Brooks, Jr., Director
Budget & Control Board Finance Division
Edgar Brown Building, Suite 525
1205 Pendleton Street
Columbia, S.C. 29201

Dear Mr. Brooks:

RE:Other Funds

The Department has today a total of seven vacancies. Two of these are critical positions to the proper operation of the agency. After doing a personal service projection at present rates for the 112 employees still on the payroll, the agency will have $48,000 to fund the vacant positions. The short fall is principally due to the Department absorbing the Cost of Living and Merit increases from FY 1990-91. This will not meet the minimum salaries for the two critical positions with grades of 40 and 45, with minimum starting salaries of $32,895 and $40,023.

With additional cuts anticipated of from 1% ($52,886) to 4% ($211,545), the Department's only alternative will be an additional Reduction In Force above the already reduced force by seven employees. The retention of the 3035 Other Funds carry over, to be used for operating expenses will allow the first 1%(52,886) to be covered by these funds rather than additional cuts in personal service.

A review of Operating Expenses for the past fiscal year reveals the following. Contractural Services are principally for payment to DIRM for Data Processing and copy machine rental, few cuts can be made from the remaining costs. Supplies of $116,485 included postage of $55,000 and with postage going up, and normal paper, data processing and printing needs, cuts will only net small savings. Fixed charges is mostly building rent ($422,506) and rent of copy machines and data processing

001247

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Budget and Control Board
STATE BUDGET DIVISION

equipment, nominal savings can be made here. Equipment purchases ($40,784) will be cut. Travel will be for the examination of insurance companies, investigations of improper insurance practices and limited administrative travel. The travel budget for financial condition division has been cut from approximately $150,000 three years ago to $115,000 for the current year. And for the first time in several years we now have a full staff of examiners. In summary the cuts from Operating Expenses will be minimal, and any significant cut will have to come from a Reduction in Force.

Congressional Hearings have recently intensified concerning the Federal regulation of insurance as opposed to State regulation. The Chief Insurance Commissioner has testified to the importance of insurance regulation remaining with the States, rather than Federal control. Should the Federal government take over the regulation of insurance, the right to tax goes with that authority and the state of South Carolina would lose millions of dollars in revenue. It is of the utmost importance that the Department of Insurance continue the audit of insurance companies and maintain a continuing review of the financial condition of companies doing business in this State.

The most recent failures of insurance companies like Executive Life Insurance Company and Mutual Benefit Life Insurance Company point up the need for aggressive and constant monitoring of the financial status of insurance companies doing business in this State to safeguard the assets of citizens of South Carolina.

In order for the Department of Insurance to carry out statutory mandates, we must have personnel with the knowledge, skills and abilities to effectively police the insurance industry.

As an update, the Department collected $89,770,299.09 for credit to the General Fund for FY 1990-91. This amount is net of $2,128,560.00 which was transferred to the Workers Compensation Insolvency Fund.

The Department respectfully requests that the entire amount of Other Funds be carried over from FY 1990-91 to FY 1991-92. If you require additional information, please contact Noel Bailey at 737-6130.

Very truly yours,

Miriam L. Leeke

MRS. MIRIAM L. LEEKE
Director,
Administrative Services

001248

South Carolina Tax Commission

301 Gervais Street, P.O. Box 125, Columbia, South Carolina 29214

July 22, 1991

Ms. Frances H. Barr
Senior Budget Analyst
BCB Budget Division
Room 525 Edgar Brown Building
Columbia, SC 29201

SUBJECT: Justification for Retention of Special Revenue Fund

Dear Ms. Barr:

I assert that your Agency's proposed seizure of our special revenue fund would be in violation of SS 12-36-2630, S.C.C., which permits us to recapture the incremental cost of administering the Accommodations Tax; SS 12-54-460, which enables us to to retain the administrative expenses of debt setoff operations; and SS 12-7-2415 and -2416, which provide that we may recapture the incremental cost of administering the Wildlife Department and Children's Trust Checkoff programs.

The referenced provisions clearly indicate that it is the intent of the General Assembly that the Tax Commission should retain the funds in question to support the direct costs of the related operations for which there is no other source of funding. Again, we hold that your capture of these funds would be a prima facie violation of legislative intent.

Signed,

Dale M. Rhodes
Controller

001249

UNEMPLOYMENT INSURANCE

JOB SERVICE

South Carolina

Employment Security Commission

COMMISSION
J. William McLeod, Chairman
737-2652
C. Lem Harper, Vice-Chairman
737-2655
Cecil T. Sandifer, Commissioner
737-2656

1550 Gadsden Street
Post Office Box 995
Columbia, South Carolina 29202

EXECUTIVE DIRECTOR
Robert E. "Jack" David
737-2617

July 22, 1991

Mr. Charles A. Brooks, Jr., Director
Budget Division
Edgar A. Brown Building, Suite 525
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Mr. Brooks:

In response to the resolution of the State Budget and Control Board concerning the use of carry-over funds in sub-fund 3035 (other funds), we are hereby requesting that the balance as of June 30, 1991 of $136,799.58 remain in the User Fees Program and be available for agency use.

The South Carolina Occupational Information System (SCOIS) has 372 terminal location sites, available around the State, which pay a user fee each year for service. User sites include high schools and middle schools, colleges and universities, vocational schools and rehabilitation centers, job service offices, community-based organizations, libraries, and correctional institutions. This information system provides the key to occupational training and educational information to many institutions and is also a valuable resource for small business owners and educators.

These carry-over funds available on July 1, 1991 are currently obligated to replace the original computer system, which was purchased in 1978, with an IBM RISC System/6000, Model 510 Computer, teleprinters, software, and other necessary operating expenses associated with the User Fees Program, with projected cost of $138,365 (see attached).

If additional information is needed, please contact Billy R. Martin at 737-2560.

Sincerely,

Robert E. David
Executive Director

RED:sc
Attachment
REF: ADM-2

001250

TO: Robert Chapple
FAX #: 737-2642

FROM: Floyd Sharpe
FAX #:
PHONE #:

DATE: 4/10/91
PAGES INCLUDING THIS PAGE: 2

7-2464

State Budget and Control Board

DIVISION OF RESEARCH & STATISTICAL SERVICES

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

REMBERT C. DENNIS BUILDING
1000 ASSEMBLY STREET, SUITE 425
COLUMBIA, SOUTH CAROLINA 29201
(803) 734-3793

BOBBY M. BOWERS
DIRECTOR

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

April 1, 1991

Mr. Ron Moore
Materials Management Office
1201 Gervais Street
AT&T Building
Columbia, South Carolina 29201

Dear Mr. Moore:

The Information Technology Policy & Management Office has approved for the procurement process a request from the South Carolina Employment Security Commission for sixty-two (62) microcomputer based workstations, one (1) microcomputer based server, four (4) portable microcomputer based workstations, sixty (60) printers, forty-six (46) dial-up modems, related microcomputer hardware and operating system/database software. The projected cost for this technology is $138,365. The procurement of this technology will be made with existing funding.

The microcomputer based workstations and printers will replace the agency's old teleprinters that have been part of the SCOIS network since 1978, and provide expansion resources for the SCOIS Junior system at the middle school level. The agency's PRIME 550 minicomputer system, that currently supports the statewide SCOIS system, was acquired in 1979 and will be replaced with the microcomputer based server. It is our understanding that the agency's current equipment maintenance and repair costs are excessive, equipment failure is frequent, and user problems are difficult to resolve at sites across the state.

The approval of this request represents Planning Office concurrence with the statement of needs, and with the types and classes of equipment proposed to satisfy those needs. This is not an approval for any specific brand or model of equipment. All approvals are based on the condition that the items acquired will comply with any existing State standards for information technology.

001251

ECONOMIC RESEARCH
WILLIAM C. GILLESPIE, PH.D.
(803) 734-3783

OFFICE OF INFORMATION TECHNOLOGY MANAGEMENT
LARRY L. HUCKABEE
(803) 734-1621

HEALTH & DEMOGRAPHIC STATISTICS
WALTER P. BAILEY, M.P.H.
(803) 734-3818, (803) 734-3788

OFFICE OF DIGITAL CARTOGRAPHY
GEORGE F. FOWLER
(803) 734-3795

If we can be of any further assistance in this matter, please contact me.

Very truly yours,

Douglas B. Smith
Chief, Information Technology Planning

AFS

cc: Robert D. Chapple

South Carolina Aeronautics Commission

RECEIVED
JUL 2 2 1991
Budget and Control Board
STATE BUDGET DIVISION

July 22, 1991

Charles A. Brooks, Jr.
Director, Budgets Division
1205 Pendleton St. Suite 525
Columbia, South Carolina 29201

Dear Mr. ~~Brooks~~, Charlie

The South Carolina Aeronautics Commission Operating Revenue Account Mini:1996, Objc:0000, Sub:3035 is an account established for utilization of reimbursements received from other agencies for aircraft services. This account has a current balance of $128,862.55 and is eligible for carried forward into the current fiscal year under the provision of Proviso 123.2.

This account balance is abnormally high for the end of the fiscal year due to the fact that many aircraft equipment replacements scheduled for fourth quarter FY90-91 were deferred due to the confusion surrounding the current freeze and the uncertainty of FY91-92 funding levels.

Now that FY91-92 funding levels have been issued, we anticipate expenditure from this account in the near future as described below:

Aircraft	Equipment Replaced	Est Cost
N49SC	Airconditioning and Alternator	$18,256.00
All	Installation KY18 LORAN	$18,000.00
N1SC	Weather Radar	$50,000.00
N49SC/N2SC	TEFLON Coat in lieu of Paint	$12,000.00

Additionally, we target a minimum balance in this account of $50,000 to provide funds for unanticipated failure of equipment that could render the aircraft unserviceable if not replaced.

001253

Post Office Box 280068, Columbia, South Carolina 29228-0068
(803) 822-5400 (800) 922-0574 (In State) FAX (803) 822-8002

Cancellation of carried forward for these funds in a short term effort to balance the budget penalizes those who carefully managed their accounts throughout the year. Furthermore, it will hamper our efforts to effectively maintain our aircraft in a serviceable, capable state and lead to increased maintenance costs in the future. I request your assistance in maintaining the carry forward of this account.

Sincerely,

John P. Park
Executive Director

EXHIBIT

JUL 30 1991 5

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD REGULAR SESSION

MEETING OF July 30, 1991 ITEM NUMBER 3

AGENCY: Board of Economic Advisors

SUBJECT: Fiscal Year 1991-92 Revenue Estimate

To be presented at the meeting.

BOARD ACTION REQUESTED:

Accept the revised 1991-92 general fund revenue estimate as presented by the Board of Economic Advisors.

ATTACHMENTS:

001255

EXHIBIT

JUL 30 1991 5

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA
BOARD OF ECONOMIC ADVISORS

Walter R. Pettiss, Chairman
Andrew J. Crane
Thomas E. Snider, Ph.D.
S. Hunter Howard, Jr., Ex officio
Barbara A. Feinn, Ph.D., Executive Director

Edgar A. Brown Building
Suite 535
1205 Pendleton Street
Columbia, S. C. 29201
803/734-1510

To: South Carolina Budget and Control Board

The Board of Economic Advisors met today in response to your request that the BEA provide an additional revenue estimate for Fiscal Year 1991-92. Deliberations at this point are without benefit of the amount of final collections for Fiscal Year 1990-91 and without any indications of current revenues for Fiscal Year 1991-92.

It was the conclusion of the Board that the revenue estimate for Fiscal Year 1991-92 is $3,440 million. Our confidence level around this figure ranges from $3,390 to $3,470 million.

Board of Economic Advisors
W.R.P.
July 26, 1991

001256

EXHIBIT

JUL 3 0 1991 5

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF July 30, 1991
ITEM NUMBER 4

AGENCY: Budget and Control Board

SUBJECT: Fiscal Year 1991-92 Budget Options

To be presented at the meeting.

BOARD ACTION REQUESTED:

Consider options.

ATTACHMENTS:

001257

STATE OF SOUTH CAROLINA

OFFICE OF STATE TREASURER

GRADY L. PATTERSON, JR.
TREASURER

P. O. DRAWER 11778

COLUMBIA
29211

SUMMARY OF BUDGET ACTIONS TO ADDRESS SHORTFALLS
Taken by the State Budget and Control Board
July 30, 1991

Fiscal Year 1990-91: Shortfall of $44,100,000

Sales tax collected and accrued in the month of June, remitted to the State no later than July 20, shall be credited to the State's General Fund in the fiscal year in which such taxes accrue.

Estimated Sales Tax Revenues Accrued in June 1991: (which will be applicable)	$68,500,000
Distributed as follows:	
To cover deficit.....	$44,100,000
To fund Gen. Fund Reserve....	24,400,000
Total	$68,500,000

Fiscal Year 1991-92:

Appropriation of $3,580,836,134
Projected shortfall of $148,000,000

July 26, 1991 — Board of Economic Advisors reduced projected revenues by $148,000,000

July 30, 1991 — State Budget and Control Board took action as follows:

Committed 2% Capital Reserve	$ 65,900,000
Reduced Expenditures 3% (1% cut, 2% escrowed)	101,000,000
Total reduction thus generated:	$166,900,000
Less est. shortfall	(148,000,000)
Difference available for any additional shortfall	$ 18,900,000
Plus Gen. Fund Reserve Carried Forward	24,400,000
Total Available for 1991-92 Year-End Deficit, if any (If budget reductions are insufficient)	$ 43,300,000

001258

RESOLUTION
of the
SOUTH CAROLINA STATE BUDGET AND CONTROL BOARD

BE IT RESOLVED by the South Carolina State Budget and Control Board that, beginning with July 1991 and for each fiscal year hereafter, sales tax collected pursuant to Code Section 12-36-2570, Code of Laws of South Carolina, 1976, as amended, which are collected in the month of June to be remitted to the State no later than July 20 shall be credited to the State's general fund in the fiscal year in which they accrue.

The Board further resolves that, since the accrued June sales tax and the General Fund Reserve are sufficient to cover the projected shortfall, no interfund loan is necessary.

SO BE IT RESOLVED, this 30th day of July, 1991.

Jesse A. Coles, Jr., Ph.D.
Executive Director

Donna K. Williams, Secretary

001259

RESOLUTION

BE IT RESOLVED by the South Carolina State Budget and Control Board that the spending and hiring limitations imposed by the Board until August 1, 1991, shall be rescinded, and a 3 percent restriction on the rate of expenditure of funds from appropriations for 1991-92 is imposed until further notice on all State agencies, departments, and institutions.

These actions are taken by the Board under Section 129.6 of the FY 1991-92 Appropriations Act because the Board has determined that a deficit may occur in excess of funds available to the State in the Capital Reserve Fund for Fiscal Year 1991-92. The Board is also required under Section 129.15 of the FY 1991-92 Appropriations Act to take such action to avoid a year-end deficit by restricting the rate of expenditure.

The Board has received reports and studies from the Board of Economic Advisors and the Budget Division of the Board which indicate a lower rate of revenue growth than the 8.4 percent estimated growth rate in revenue over FY 1990-91 revenue that is the basis for the FY 1991-92 budget. Reports from the South Carolina Tax Commission have indicated that revenue collection for the State are behind as compared to last year.

The Board directs that a special account be established within the chart of accounts of each agency, department, or institution to escrow the 2 percent level of restricted funds until further notice of the Board. The appropriations for all State agencies, departments and institutions are reduced by 1 percent under Section 14.48 of the 1991-92 Appropriations Act.

The Board directs that first the entire Capital Reserve Fund is reduced to avoid a year-end deficit because the revenue forecast for FY 1991-92 is less than expenditures authorized in the 1991-92 Appropriations Act. Thereafter, the 3 percent restriction on the rate of expenditure of General Fund Appropriations of all State agencies, departments and institutions, based on appropriations for the entire fiscal year, shall be implemented commencing August 1, 1991.

This restriction on the rate of expenditure does not apply to Section 4-Judicial Department, Section 14R-Capital Reserve Fund, or Section 119-Debt Service.

Agencies, institutions and departments are to be given maximum flexibility in managing this restricted rate of expenditure level. This may include, but is not limited to, expanded use of Federal and other funds, restructured job duties and functions among available personnel to perform work more efficiently, and improved systems and processes in order to continue providing quality services with reduced funding.

The intent of this restriction on the rate of expenditure of funds is not to impose a hiring freeze, but to impose an overall spending limitation within which each agency, department, or institution must operate.

001260

SO BE IT RESOLVED, this 30th day of July, 1991.

APPROVED BY BUDGET AND CONTROL BOARD:

Executive Director

Secretary to the Board

HISTORY: 1990 Act No. 612, Part II, § 74A, eff July 1, 1990 (became law without the Governor's signature).

Editor's Note—
This section is comparable to provisions appearing in former Section 12-35-1360.

CASE NOTES

1. [Reserved for future use]

2. Under former law

There is grave doubt of the existence of a right to recover interest in an action for refund of sales and use taxes, and therefore, the legal remedy afforded taxpayers in South Carolina is not plain or adequate. United States v Livingston, 179 F Supp 9 (1959), affirmed in 364 US 855, 80 S Ct 1611, 4 L Ed 2d 1719 (1960).

ATTORNEY GENERAL'S OPINIONS

1. [Reserved for future use]

2. Under former law

The Tax Commission has the duty to examine a taxpayer's records to establish a sales or use tax payment before authorizing the refund thereof under § 83 of Act 644, Acts of 1978, 1979 Op Att'y Gen, No 79-46, p 63.

§ 12-36-2560. Payment of tax on sales made on installment basis.

On all sales of retailers made on an installment basis which conform to the provisions of the Uniform Commercial Code in which the retailer takes a security interest, the vendor may elect to include in the return only the portion of the sales price actually received by the retailer during the taxable period or to include the entire sales price in the return for the taxable period during which the sale was consummated. Having once elected either method of reporting the sales, the taxpayer must continue unless and until permission has been received from the commission to make a change. Nothing in this section may be construed to permit delay in reporting sales under other terms of credit or cash sales.

The commission may, for any cause, require a taxpayer to include in his returns the entire sales price of articles sold on an installment basis which conforms to the provisions of the Uniform Commercial Code in which the retailer takes a security interest.

HISTORY: 1990 Act No. 612, Part II, § 74A, eff July 1, 1990 (became law without the Governor's signature).

Editor's Note—
This section is comparable to provisions appearing in former Section 12-35-540.

§ 12-36-2570. Time when tax payment due; monthly report.

(A) The taxes imposed under the provisions of this chapter, except as otherwise provided, are due and payable in monthly installments on or before the twentieth day of the month following the month in which the tax accrues.

(B) On or before the twentieth day of each month, every person on whom the taxes under this chapter are imposed shall render to the commission, on a form prescribed by it, a true and correct statement showing, by location, the gross proceeds of wholesale and retail sales of his business, and sales price of the property purchased for storage, use, or consumption in this State, together with other information the commission may require.

(C) At the time of making a monthly report, the person shall compute the taxes due and pay to the commission the amount of taxes shown to be due. A return is considered to be timely filed if the return is mailed and has a postmark dated on or before the date the return is required by law to be filed.

(D) The commission may permit the filing of returns every twenty-eight days. These returns must be filed within twenty days following the period covered by the return.

HISTORY: 1990 Act No. 612, Part II, § 74A, eff July 1, 1990 (became law without the Governor's signature).

Editor's Note—
This section is comparable to provisions appearing in former Sections 12-35-570, 12-35-590, 12-35-880, 12-35-890, and 12-35-920.

Cross references—
Discount allowed on amount of sales or use tax owed to state upon timely filing and payment of tax, see § 12-36-2610.

CASE NOTES

1. [Reserved for future use]

2. Under former law

This section [Code 1962 § 65-1466] does not provide any remedy for a citizen to test title and right of possession of his property when he owes no tax and his property has been illegally seized for the taxes of a third party, and to test such title and right to possession of his property, claim and delivery is the proper remedy. Stephens v Hendricks, 226 SC 79, 83 SE2d 634 (1954).

Section refers only to payment of tax by person charged therewith.—The language of this section [Code 1962 § 65-1466] refers only to payment of taxes by a person charged with the payment thereof, a tax debtor, and there is no reference therein to payment by a person of taxes charged against a third party. Stephens v Hendricks, 226 SC 79, 83 SE2d 634 (1954).

Remedy under this section [Code 1962 § 65-1462] exists in favor of person against whom taxes are assessed. Stephens v Hendricks, 228 SC 458, 90 SE2d 632 (1955).

The debt to the State arises upon each sale, and the deferment of the time of payment until the twentieth day of the next month is merely a grace period for payment. Stephens v Hendricks, 228 SC 458, 90 SE2d 632 (1955).

Applied in E-G Sheet Metal Works v Crain, 235 SC 290, 111 SE2d 562 (1959).

Characterizations of sale as wholesale or retail.—A food service that sold meals to sponsor organizations that conducted federally supported summer lunch programs for indigent children was properly characterized as a retail seller by the tax commission and assessed for sales taxes where no sale was ever contemplated or was ever made by the sponsor organizations to either the children or the Department of Agriculture; accordingly, the last transaction for a consideration involved the food service as vendor and the organizations as vendees. ARA Services, Inc. v South Carolina Tax Com. (1978) 271 SC 146, 246 SE2d 171, cert den 439 US 1048, 58 L Ed 2d 707, 99 S Ct 725.

A sales tax levied on the sale of motor trucks by a South Carolina corporation engaged in the retail sale of large trucks to a common carrier licensed for both intrastate and interstate motor freight carriage, and delivered in South Carolina, was a tax on the sale of the trucks and not on the interstate activity of the trucks, and was not prohibited by the commerce clause of the United States Constitution. Burton International, Inc. v Wasson (1985, App) 284 SC 571, 327 SE2d 673.

Section 12-54-80 would not be applied retroactively to validate an assessment which was untimely under § 12-35-1370. South Carolina Nat. Bank v South Carolina Tax Com. (1989) 297 SC 279, 376 SE2d 512.

There is a grave doubt of the existence of a right to recover interest in an action for refund of sales and use taxes, and therefore, the legal remedy afforded taxpayers in South Carolina is not plain or adequate. United States v Livingston, 179 F Supp 9 (1959), affirmed in 364 US 855, 80 S Ct 1611, 4 L Ed 2d 1719 (1960).

ATTORNEY GENERAL'S OPINIONS

1. [Reserved for future use]

2. Under former law

South Carolina Tax Commission is without authority to delegate duty to collect delinquent taxes to independent contractors. 1984 Op Atty Gen, No. 84-1, p. 16.

The penalty for failure to prepay sales tax is five percent per month until the tax is paid, not however, exceeding twenty-five percent. The penalty is upon the difference in the amount of the prepayment that was due and the amount actually paid. The failure to make the prepayment or to pay the same in full does not bar the discount allowed for the full and timely payment of the tax due on the regular sales tax return. 1986 Op Att'y Gen, No. 86-46, p. 137.

The Tax Commission is authorized by Sections 12-54-20 and 12-54-70 to charge interest on sales tax payments and estimated sales tax payments where such payments are paid after the due date even if such are paid within an extension period granted by Section 12-54-70. 1986 Op Att'y Gen, No. 86-110, p 330.

001261

RESOLUTION

BE IT RESOLVED by the South Carolina State Budget and Control Board that the spending and hiring limitations imposed by the Board until August 1, 1991, shall be rescinded, and a 3 percent restriction on the rate of expenditure of funds from appropriations for 1991-92 is imposed until further notice on all State agencies, departments, and institutions.

These actions are taken by the Board under Section 129.6 of the FY 1991-92 Appropriations Act because the Board has determined that a deficit may occur in excess of funds available to the State in the Capital Reserve Fund for Fiscal Year 1991-92. The Board is also required under Section 129.15 of the FY 1991-92 Appropriations Act to take such action to avoid a year-end deficit by restricting the rate of expenditure.

The Board has received reports and studies from the Board of Economic Advisors and the Budget Division of the Board which indicate a lower rate of revenue growth than the 8.4 percent estimated growth rate in revenue over FY 1990-91 revenue that is the basis for the FY 1991-92 budget. Reports from the South Carolina Tax Commission have indicated that revenue collection for the State are behind as compared to last year.

The Board directs that a special account be established within the chart of accounts of each agency, department, or institution to escrow the 2 percent level of restricted funds until further notice of the Board. The appropriations for all State agencies, departments and institutions are reduced by 1 percent under Section 14.48 of the 1991-92 Appropriations Act.

The Board directs that first the entire Capital Reserve Fund is reduced to avoid a year-end deficit because the revenue forecast for FY 1991-92 is less than expenditures authorized in the 1991-92 Appropriations Act. Thereafter, the 3 percent restriction on the rate of expenditure of General Fund Appropriations of all State agencies, departments and institutions, based on appropriations for the entire fiscal year, shall be implemented commencing August 1, 1991.

This restriction on the rate of expenditure does not apply to Section 4-Judicial Department, Section 14R-Capital Reserve Fund, or Section 119-Debt Service.

Agencies, institutions and departments are to be given maximum flexibility in managing this restricted rate of expenditure level. This may include, but is not limited to, expanded use of Federal and other funds, restructured job duties and functions among available personnel to perform work more efficiently, and improved systems and processes in order to continue providing quality services with reduced funding.

The intent of this restriction on the rate of expenditure of funds is not to impose a hiring freeze, but to impose an overall spending limitation within which each agency, department, or institution must operate.

SO BE IT RESOLVED, this 30th day of July, 1991.

APPROVED BY BUDGET AND CONTROL BOARD:

Executive Director

Donna K. Williams

Secretary to the Board

001262

EXHIBIT

JUL 30 1991 6

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD REGULAR SESSION

MEETING OF July 30, 1991 ITEM NUMBER 5

AGENCY: Human Resource Management

SUBJECT: Requests for Exemptions from Budget Freeze

The Division of Human Resource Management recommends that the Board approve the following agency requests for exemptions from the budget freeze:

(a) Clemson University: fill the Director of the Livestock-Poultry Health Program position, effective August 1, 1991. Clemson advises that a board-certified veterinarian is needed to comply with a federal mandate that makes SC responsible for diagnosing infections and contagious animal diseases, including diseases transmittable to humans.

(b) Department of Education: fill 14 state-funded positions (12 Program Directors, grade 46; 1 Director of State Development and Training, grade 41; and 1 Public Information Director III, grade 44), effective immediately. The vacancies exist because of a recent agency reorganization. The Department advises that the positions must be filled now so that it may provide services to school districts beginning with the next school year.

(c) Wildlife and Marine Resources: fill the Director of Marine Resources Research Institute position at the Marine Resources Department, effective August 17, 1991. The Department advises that the continued absence of an Institute director jeopardizes its ability to secure valuable research funding.

BOARD ACTION REQUESTED:

Approve the following agency requests for exemptions from the budget freeze, as recommended by the Division of Human Resource Management:

(a) Clemson University: fill the Director of the Livestock-Poultry Health Program position, effective August 1, 1991;

(b) Department of Education: fill 14 state-funded positions (12 Program Directors, grade 46; 1 Director of State Development and Training, grade 41; and 1 Public Information Director III, grade 44), effective immediately.

(c) Wildlife and Marine Resources: fill the Director of Marine Resources Research Institute position at the Marine Resources Department, effective August 17, 1991.

ATTACHMENTS:

Agenda item worksheets w/attachments

001263

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (Revised 8/84)

For meeting scheduled for:

July 30, 1991

___ *Blue Agenda*
x *Regular Session Agenda*
___ *Executive Session Agenda*

1. *Submitted By:*
   (a) Agency: Division of Human Resource Management
   (b) Authorized Official Signature: Phyllis M. Mayes

2. *Subject:* Authority to fill state funded position

3. *Summary Background Information:*

Clemson University requests an exemption from the Budget and Control Board's May 14, 1991 budget freeze in order to fill the Director of the Livestock-Poultry Health Program position. Clemson University is asking that the Board reconsider its June 11, 1991 decision to disapprove their request for an exemption to fill this position. A board certified veterinarian is needed to comply with a federal mandate that makes our State responsible for diagnosing infections and contagious animal diseases including diseases transmittable to humans. Clemson University requests to fill the position on August 1, 1991.

EXHIBIT

4. *What is Board asked to do?*

JUL 30 1991 6

STATE BUDGET & CONTROL BOARD

Approve the request to fill the position.

5. *What is recommendation of the Board Division involved?*

Approve the request.

6. *Recommendation of other office (as required)?*

(a) Office Name _____ *(b) Authorized Signature* _____

7. *Supporting Documents:*

List Those Attached	*List Those Not Attached But Available from Submitter*
a. Fact Sheet prepared by DHRM	
b. Letter of request for exemption	

001264

(a)

FACT SHEET

AGENCY:

Clemson University

REQUEST:

Clemson University requests authorization to fill a state funded Director of the Livestock-Poultry Health position effective August 1, 1991. Dr. Joseph Hill, DVM, Ph.D., who is a board certified veterinarian has been selected to fill the position.

BACKGROUND:

On June 11, 1991, the Budget and Control Board disapproved Clemson's request to fill this position. Clemson ask that the Board reconsider their request to fill this essential position.

This position directs the only animal diagnostic laboratory in South Carolina. This activity is required by federal mandate and is responsible for diagnosing infections and contagious diseases including diseases transmittable to humans.

Joseph Hill, DVM, Ph.D. was selected to fill the Director's position. Clemson wants to offer him the job and he has agreed to accept their unofficial offer. If Clemson is authorized to fill this position by August 1, 1991, Dr. Hill will have time to move his family to Columbia prior to the beginning of the public school year.

EXHIBIT

JUL 30 1991 6

STATE BUDGET & CONTROL BOARD

001265

JUL 2 4 1991
HOLD FOR RESPONSE

CLEMSON
UNIVERSITY

VICE PRESIDENT AND VICE PROVOST
FOR AGRICULTURE AND NATURAL RESOURCES

July 19, 1991

Ms. Phyllis M. Mayes, Director
Division of Human Resource Management
State Budget and Control Board
P.O. Box 12444
Columbia, SC 29211

Dear Ms. Mayes:

We would request that the following position request be placed on the agenda for the July 30, 1991, meeting of the Budget and Control Board due to the critical importance of this position. We feel this position should be exempted from the freeze because it deals directly with issues of public safety.

The Clemson Animal Diagnostic Laboratory is the only animal diagnostic laboratory in South Carolina. After an exhaustive search, we have found the available, qualified person to fill this position. It is essential that we fill this position with a board certified, DVM, PhD prepared person, both from the liability and credibility standpoint.

Dr. Joseph Hill is available and has agreed to accept this position. But, due to the fact that he has a child in junior high school, he must be hired by August 1 or he will not be available to move this year. We do not have another candidate that meets our needs for this position.

This position is responsible for meeting the animal health laboratory needs of South Carolina and is critical to protect both animal health and human health through testing for zoonotic diseases. We cannot afford to expose our people and our programs to litigation by not filling this position, and cannot emphasize enough how critical this position is to South Carolina.

Sincerely,

Milton B. Wise

Milton B. Wise

xc: Jesse Coles, Jr.
Charles Brooks, Jr.
Jones Bryan

001266

101 BARRE HALL • CLEMSON, SOUTH CAROLINA 29634-5201 • TELEPHONE 803/656-3015

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (Revised 8/84)

For meeting scheduled for: July 30, 1991

___ *Blue Agenda*
X *Regular Session Agenda*
___ *Executive Session Agenda*

1. *Submitted By:*
   (a) Agency: Division of Human Resource Management
   (b) Authorized Official Signature: Phyllis M. Mayer

2. *Subject:* Authority to fill fourteen state funded positions

3. *Summary Background Information:*

The South Carolina Department of Education requests an exemption from the Budget and Control Board's May 14, 1991, budget freeze in order to fill fourteen state funded positions. These vacancies were established as a result of a recent reorganization of the agency.

The Department of Education requests that these positions be filled immediately in order that the agency may provide services to the school districts beginning with the next school year.

4. *What is Board asked to do?*

Approve the request to fill these positions.

5. *What is recommendation of the Board Division involved?*

Approve the request.

6. *Recommendation of other office (as required)?*

(a) Office Name _____ *(b) Authorized Signature* _____

7. *Supporting Documents:*

List Those Attached	*List Those Not Attached But Available from Submitter*
a. Fact Sheet prepared by DHRM. b. Letter of request for exemption.	

001267

(b)

FACT SHEET

AGENCY:

South Carolina Department of Education

REQUEST:

The agency requests authority to fill fourteen permanent full time positions which are 100% state funded.

BACKGROUND:

Dr. Barbara S. Nielsen was elected to serve a four year term as State Superintendent of Education effective January 1991. At the beginning of Dr. Nielsen's term she began a review of the agency's organizational structure in order to (1) provide better consultative services to the school districts, and (2) streamline administrative operations. As a result of this review, several layers of managerial and supervisory positions were eliminated (52 positions) and replaced with a flatter organizational structure (22 positions). Since eight of the positions are filled by current staff members, fourteen positions remain to be filled.

The agency requests to fill these positions by August 17, 1991, in order to provide services to the school districts at the beginning of the school year. These positions were established with existing FTE's and no additional funds will be required.

POSITIONS TO BE FILLED:

Director of Education Office (twelve program director vacancies)
Grade 46: $41,624 - $52,029 - $62,435

Director, Staff Development and Training (one vacancy)
Grade 41: $34,212 - $42,765 - $51,318

Public Information Director III (one vacancy)
Grade 44: $38,485 - $48,106 - $57,728

EXHIBIT
JUN 30 1991 6
STATE BUDGET & CONTROL BOARD

Prepared by the Division of Human Resource Management

JUL 16 1991

RECEIVED
JUL 16 1991
DIVISION OF HUMAN RESOURCE MANAGEMENT

STATE OF SOUTH CAROLINA

DEPARTMENT OF EDUCATION

Dr. Barbara Stock Nielsen
STATE SUPERINTENDENT OF EDUCATION

July 12, 1991

Jesse A. Coles, Ph.D.
Executive Director
Budget and Control Board
612 Wade Hampton Office Building
P. O. Box 12444
Columbia, South Carolina 29211

Dear Dr. Coles:

I would like to take this opportunity to express my appreciation to you, Mrs.Phyllis Mayes and the staff of the Division of Human Resource Management for the assistance provided in completing Phase I and Phase II of the Department's Restructuring. Ms. Terri Jenkins and Mr. Chris Byrd of the Division of Human Resource Management provided timely and professional expertise in establishing the position of Director of Education Office.

It is imperative that the Department continue to implement this phase of the restructuring, therefore, I am requesting an exception to the Budget and Control Board's hiring freeze to fill the fourteen (14) director positions which will enable the Department to provide services to the school districts at the beginning of the school year. I anticipate filling these positions by August 17, 1991. Once I have filled these positions I will move forward to elimating the old positions of Education Program Director and Education Program Supervisor within the agency. This should result in a cost savings to the agency budget.

If any additional information is needed, please contact Mr. Roy Alexander, Director, Office of Personnel at 734-8505.

Thank you very much for your support in the Department's efforts to improve education for the children of South Carolina.

Sincerely,

Barbara S. Nielsen

Barbara Stock Nielsen, Ed.D.
State Superintendent of Education

cc: Phylis Mayes

001269

1429 SENATE STREET COLUMBIA, SOUTH CAROLINA 29201 (803) 734-8492 FAX (803) 734-3389

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (Revised 8/84)

For meeting scheduled for:

July 30, 1991

___ *Blue Agenda*
X *Regular Session Agenda*
___ *Executive Session Agenda*

1. *Submitted By:*
   (a) Agency: Division of Human Resource Management
   (b) Authorized Official Signature: Phyllis M. Mayes

2. *Subject:* Authority to fill state funded position

3. *Summary Background Information:*

The South Carolina Wildlife and Marine Resources Department requests an exemption from the Budget and Control Board's May 14, 1991 budget freeze in order to fill the Director of the Marine Resources Research Institute position at the Marine Resources Department. Position serves as the chief scientist for the Institute, seeks sources of funding for research programs, coordinates marine biology academic program with the College of Charleston and manages the Institute's daily activities. After two lengthy recruiting efforts, the Department requests to fill the position as Director of the Marine Resources Research Institute with an out of state candidate.

4. *What is Board asked to do?*

Approve the request to fill the position.

EXHIBIT
JUL 30 1991 6
STATE BUDGET & CONTROL BOARD

5. *What is recommendation of the Board Division involved?*

Approve the request.

6. *Recommendation of other office (as required)?*

(a) Office Name _____ *Authorized (b) Signature* _____

7. *Supporting Documents:*

List Those Attached	*List Those Not Attached But Available from Submitter*
a. Fact Sheet prepared by DHRM	
b. Letter of request for exemption	

001270

(c)

FACT SHEET

AGENCY:

South Carolina Wildlife and Marine Resources Department

REQUEST:

The Department requests authorization to fill the Director of the Marine Resources Research Institute position effective August 17, 1991. The Department wishes to employ Fred Holland, Ph.D. An earlier candidate declined the position. The continued absence of a director for the Institute jeopardizes the Department's ability to secure valuable research funding.

BACKGROUND:

The Department did two national searches to locate a replacement for the former director. The director is expected to secure federal research funds for scientific projects related to management of living marine resources, he will manage academic involvement with the College of Charleston, University of South Carolina, Clemson University and the Medical University, he will serve as chief scientist for the Department and will manage the Institutes' daily activities.

EXHIBIT

JUL 30 1991 6

STATE BUDGET & CONTROL BOARD

001271

South Carolina
Wildlife & Marine
Resources Department

Equal Opportunity Agency

James A. Timmerman, Jr., Ph.D.
Executive Director

July 23, 1991

Ms. Phyllis M. Mayes, Director
Division of Human Resource Management
Budget and Control Board
1201 Main Street, Suite 1000
Columbia, SC 29201

RE: Hiring Exemption - Director of the Marine Resources Research Institute, Marine Resources Division, S.C. Wildlife and Marine Resources Department, Charleston

Dear Phyllis:

I request that the above-referenced position be placed on the agenda for the next Budget and Control Board meeting on July 30, 1991, for consideration of a hiring exemption.

The Director of the Marine Resources Research Institute is essentially the chief scientist of the Marine Resources Division. As such, he directs our applied marine research program which is oriented toward solving problems relating to management of our living marine resources. He is also responsible for development of extramural funding for priority research programs. In addition, the Director manages our involvement with academic institutions, which includes serving as a faculty member for the cooperative graduate program in marine biology at the College of Charleston, instructing graduate students, and working with colleagues and students at the University of South Carolina, Clemson University, South Carolina State College, and the Medical University of South Carolina. The Division maintains formal cooperative arrangements with all five of these institutions. These arrangements include faculty appointments, joint research, course instruction and involvement with undergraduate and graduate students in the marine sciences.

The Director of the Institute is an absolutely critical position for the Division. Last year, Dr. Victor Burrell, Jr., the former Director, announced his plans to retire from that position early in 1991. Because of the overwhelming importance of the position, we immediately began a national search for a suitable replacement. The result of that search was that we offered the position last fall, with plans for the new Director to overlap a

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few months with the old one as part of his orientation. Unfortunately, the scientist offered the job declined due to the salary and retirement plans we were able to offer. As a result, we had to initiate a completely new nationwide search. In the meantime, Dr. Burrell retired, and for the last several months we have been operating without a permanent Director for the Institute. The second search was completed this spring, just about the time that the Budget and Control Board imposed its comprehensive hiring freeze.

We now have an individual ready to accept the position and move back to South Carolina, but I cannot bring him aboard until the Board releases the position from the freeze. This individual, Dr. Fred Holland, received his undergraduate degree from The Citadel and his Ph.D. from the University of South Carolina and is eminently qualified to lead the Research Institute. Because of his experience and contacts, he also is well positioned to assist us in securing additional Federal grants to support our research program. With the financial situation the State is currently facing, and the growing pressures on our coastal resources from all directions, we desperately need Dr. Holland's assistance in improving our funding base for priority research.

This is the most critical vacancy in the Marine Resources Division at the moment, and I believe the most important in the agency at this time. I respectfully urge the Board to allow me to hire Dr. Holland immediately, so that he can get about leading the Institute. I also feel that this position should be exempt from the freeze due to its direct involvement in higher education programs, including instructional activities.

Your favorable consideration of this request would be most appreciated.

Sincerely,

James A. Timmerman, Jr.
Executive Director

JATjr:rms

CC: Dr. Paul Sandifer
Director, Marine Resources Division

CC: Mr. Al Courie
Director of Personnel

A. FREDERICK HOLLAND, Vice President, ESM Operations

EDUCATION:

Ph.D., Marine Science, University of South Carolina, 1974
M.S., Biology, University of South Carolina, 1972
B.S., Biology, The Citadel, 1964

FIELDS OF COMPETENCE AND EXPERIENCE:

Environmental assessments, resource management, aquatic ecology, benthic ecology, power plant and industrial impact assessment, population biology, design and conduct of biological water quality monitoring programs, and environmental training

PROFESSIONAL BACKGROUND:

Dr. Holland is presently the Vice President of Versar, Inc., ESM Operations. In this position, he is responsible for the general management and technical direction of a staff of 75 individuals including ecologists, environmental scientists, meteorologists, aquatic and terrestrial biologists, estuarine and marine oceanographers, fisheries biologists, engineers, modelers, statisticians, data base managers, computer specialists, technical writers, and clerical staff. Annual contract support under his management and direction is approximately $5,000,000. Dr. Holland has held a senior managerial position for over 10 years. During this period, he has had responsibility for developing, managing and directing many complex, multidisciplinary research and monitoring/assessment programs.

In addition to his management experience, Dr. Holland has over 15 years of technical experience in environmental science. His technical experience includes: the design and implementation environmental monitoring and research programs for combined state/federal efforts; evaluation of diverse monitoring and research program elements; regulatory evaluation of the environmental impact of point source dischargers and non-point source pollutant inputs; evaluation and identification of best-available-technology (BAT), and appropriate remedial/pollution abatement actions for pollution inputs; conduct of experimental and monitoring studies to evaluate the effectiveness of pollution abatement technologies and policies; basic research on trophic dynamics and processes; and field sampling, analysis, and interpretation of data for a broad range of ecosystems. Dr. Holland is presently assisting the Office of Research and Development of the Environmental Protection Agency, aiding in the development of monitoring research plans for five of the major ecosystems in the United States including estuaries.

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A. FREDERICK HOLLAND (Continued)

Other key areas of Dr. Holland's managerial and technical experience include:

- Management and technical contribution to the Chesapeake Bay Long-Term Monitoring Program to assess the relative roles of natural and anthropogenic factors in controlling the abundance of natural resources

- Management and technical contribution to the impact assessment of 10 point source thermal dischargers to Chesapeake Bay, Maryland; Chesapeake Bay tributaries, Maryland; Delaware Bay, New Jersey/Delaware and Barnegat Bay, New Jersey

- Development of the design of an interpretive plan for the analysis of all elements of the Chesapeake Bay Monitoring Program (e.g., phytoplankton, zooplankton, nutrients, benthos, sediment contaminants, water quality)

- Panel member on the National Academy of Sciences Panel evaluating marine monitoring and research programs. The goals of this panel are to improve the quality of marine monitoring and to improve the usefulness of monitoring information for decision makers. These goals are being accomplished by assessing the current state of marine environmental monitoring, assessing the role of marine monitoring data in the environmental decision-making process, and identifying appropriate research needs to further develop monitoring strategies, technologies, and practices.

- Principal author of over 100 technical reports for governmental agencies and articles in professional technical journals

- A recognized authority on marine and estuarine ecological processes

- Past President of the Atlantic Estuarine Research Society and a member of the governing board of the National Estuarine Research Federation

- Organized, convened, and hosted the 1984 Marine Benthic Meetings in Baltimore, Maryland (approximately 500 attendees)

- Organized, convened, and hosted a special session in the 1983 Estuarine Research Federation Conference concerning the collection, analysis, and interpretation of long-term environmenal data sets.

Dr. Holland joined Versar in 1974 as a Research Scientist. Since that time he has been responsible for designing, conducting, and coordinating studies to identify and quantify the effects of perturbations on aquatic ecosystems including the technical direction and management of large interdisciplinary programs involving the participation of several state and federal agencies, as well as numerous independent contractors and institutions. A major emphasis of Dr. Holland's technical activities has

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STATE BUDGET & CONTROL BOARD

been quantification of the cumulative and long-term impacts of anthropogenic development on estuarine ecosystems, including Chesapeake Bay.

Much of Dr. Holland's specific research has been aimed at the development of research programs focusing on an understanding of the roles of benthic resources in the Chesapeake Bay ecosystem. This research includes the development and testing of sampling gears, identification and quantification of factors controlling benthic distributions in space and time, development of analysis methods for partitioning major sources of variation in benthic populations and communities, and development of information demonstrating that benthic organisms were good biological indicators of water quality and environmental conditions. For the past several years, the major emphasis of Dr. Holland's research programs has been the establishment and development of a long-term monitoring program for benthic resources of the Maryland portion of the Chesapeake Bay that has applicability at the national scale. This work includes the development of analysis methods for partitioning natural variation, including long-term trends, from changes in benthic communities resulting from other man-related impacts. This procedure allows for a rigorous characterization of existing conditions which will be used to gauge the effectiveness of proposed cleanup programs and other mitigative actions.

Other recent benthic research that Dr. Holland has been involved in includes: identification of factors affecting benthic recruitment; characterization of fouling in mesohaline habitats; evaluation of technologies for controlling fouling on intake structures; evaluation of the effectiveness of wastewater treatment alternatives for estuarine and freshwater environments; determination of the role of organic and sediment inputs in controlling benthic community structure and function; establisment of the linkage between vertical flux of organics and sediments on the physical, chemical, and biological properties of sediments; assessment of the effects of point-source pollutants on the population dynamics of dominant Chesapeake Bay benthic species; and evaluation of the role of oligochaetes as intermediate hosts in the life cycle of a nematode parasite of estuarine fish. Dr. Holland has also been principal investigator on benthic studies in southeast Alaska and intertidal habitats of South Carolina.

Dr. Holland has been Project Manager for studies assessing the environmental and cultural impacts of projects ranging from renovation/reactivation of space launch complexes along the central California coast, to limestone mining operations in coastal North Carolina. Issues for the projects ranged from impacts on endangered biota and loss of critical habitat to concerns of Native Americans over protection of historical burial sites. For these assessments, Dr. Holland coordinated the activities of archaeologists, engineers, operations staff, and environmentalists to obtain the required information and integrated it into a document acceptable to regulators, Native Americans, and the public. A major focus of these projects was evaluation of engineering alternatives to identify those that were cost effective and minimized

environmental and cultural harm. For impacts that could not be avoided, Dr. Holland developed mitigation plans acceptable to regulators.

Dr. Holland has also been a researcher on projects evaluating the efficiency of intake technologies at reducing larval fish and zooplankton entrainment, the effects of power plants on fish distributions, cumulative power plant impacts on the Chesapeake Bay ecosystem, and blue crab population dynamics. He prepared portions of An Environmental Atlas of the Potomac Estuary, a book published by the Maryland Power Plant Siting Program, and Monitoring for Management Actions, a book prepared by the Maryland Office of Environmental Programs. These books summarize and integrate environmental data collected by state, federal, and industrial institutions for resource managers and regional planners.

Dr. Holland's laboratory experience includes research that required the culturing of various marine organisms for use in physiological, biochemical, and life-cycle studies. He was co-principal investigator on experimental studies evaluating the biotoxicity of chlorine and bromine chloride on representative estuarine species.

Dr. Holland taught courses in Environmental Ecology and was awarded the Distinguished Undergraduate Teaching Award given annually by the University of South Carolina to the outstanding graduate teaching assistant.

OTHER PROFESSIONAL ACTIVITIES:

(1976-present) Adjunct Associate Professor, University of Maryland, Chesapeake Biological Laboratory, Center for Environmental and Estuarine Studies

Editor of a special issue of Estuaries on long-term variation in biotic systems

Co-host and organizer for the 1984 Benthic Ecology Meeting

Member of Committee on System Assessment of Marine Environmental Monitoring, National Research Council

(1988-1989) Past President Atlantic Estuarine Research Society

PROFESSIONAL SOCIETIES:

American Society of Limnology and Oceanography
Estuarine Research Society
American Society of Zoologists
American Association for the Advancement of Science
Sigma Xi

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A. FREDERICK HOLLAND (Continued)

American Ecological Society
Atlantic Estuarine Research Society
North American Benthological Society

EXHIBIT

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STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF July 30, 1991
ITEM NUMBER 5A

AGENCY: Department of Agriculture

SUBJECT: Request for Exemption from Budget Freeze

The Department of Agriculture requests an exemption from the budget freeze to fill the vacant position of Administrative Specialist at the Pee Dee State Farmers Market in Florence.

The Department advises that the position is critical to the effective operation of the Market. There currently are no full-time, permanent employees at this facility and, as a result, operations have been severely hampered.

The level of activity at farmers' markets is at its highest during the summer and fall months.

Both of the authorized full-time positions at the Pee Dee Farmers Market are vacant. Hiring an Administrative Specialist will allow the Department to provide a better level of support to the Market, and will have the least possible budgetary impact.

BOARD ACTION REQUESTED:

Approve the Department of Agriculture request for an exemption from the budget freeze to hire an Administrative Specialist at the Pee Dee State Farmers Market in Florence.

ATTACHMENTS:

Tindal July 29 letter to Coles

001279

State of South Carolina
Department of Agriculture

D. Leslie Tindal · Commissioner

Wade Hampton Office Building
P. O. Box 11280
Columbia, S. C. 29211

Telephone: (803) 734-2210

July 29, 1991

Dr. Jesse A. Coles
Executive Director
State Budget and Control Board
612 Wade Hampton Office Building
Columbia, South Carolina 29211

Dear Jesse:

I respectfully request permission from the Budget and Control Board to proceed with the hiring of a permanent employee to fill the vacant position of Administrative Specialist, Class Code 0512 - Position 12.

The position is critical to the effective operation of the Pee Dee State Farmers Market in Florence. Currently, there are no full-time, permanent employees located at this facility. As a result, operations have been severely hampered due to the unexpected departure of previous employees.

The level of activity at all of our farmers markets is at its highest during the summer and fall months. It is critical that we have adequate staff on hand at each location during all hours of operation. At the present time, this can only be accomplished by shifting personnel from the Columbia market and by hiring temporary employees. This has proven to be extremely inefficient and leaves us short of personnel at other locations.

There are two full-time positions authorized at the Pee Dee Farmers Market, and both positions are vacant. The hiring of the Administrative Specialist will result in the least possible budgetary impact, and allow us to provide a better level of support to those who depend on the facility.

Sincerely,

Les

D. LESLIE TINDAL

EXHIBIT
JUL 30 1991 6
STATE BUDGET & CONTROL BOARD

DLT/pj

001280

EXHIBIT 7

JUL 30 1991

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF July 30, 1991
ITEM NUMBER 6

AGENCY: Budget Division

SUBJECT: FEMA Match Final Payment

The Budget Division advises that the final payment of $1,650,000 for FEMA Public Assistance Matching Funds is due on August 1, 1991. No provision has been made in the 1991-92 Appropriations Act for this payment.

The 1990-91 Appropriations Act, Part III, authorized a promissory note of $31,350,000 for various purposes, one of which was $3,000,000 for "State Agency Hugo Related Capital Improvements. The unencumbered balance in that account is $1,250,000.

The Division recommends that the Board authorize the final payment of $1,650,000 for FEMA Public Assistance Matching Funds from whatever funds are available within the Governor's Office. The Division also recommends that, with concurrence from the Joint Bond Review Committee, the Board request reimbursement for those funds from the State Agency Hugo Related Capital Improvements account.

BOARD ACTION REQUESTED:

(a) Authorize the final payment of $1,650,000 for FEMA Public Assistance Matching Funds from whatever funds are available within the Governor's Office.

(b) With concurrence from the Joint Bond Review Committee, request reimbursement for the final payment of $1,650,000 for FEMA Public Assistance Matching Funds by the Governor's Office from the State Agency Hugo Related Capital Improvements account.

ATTACHMENTS:

Agenda item worksheet; Wrenn June 21 and July 15 memos to Brooks

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

92-9

Meeting Scheduled for: July 30, 1991 Regular Agenda

1. Submitted By:
   (a) Agency: State Budget Division
   (b) Authorized Official Signature:

2. Subject:
   Final Payment Due August 1, 1991 FEMA Public Assistance Match

3. Summary Background Information:
   Final payment of $1,650,000 for FEMA Public Assistance Matching Funds is due on August 1, 1991. No provision in the 1991-92 Appropriations Act has been made for this payment. The 1990-91 Appropriations Act, Part III, authorized a promissory note of $31,350,000 for various purposes, one of which was a $3,000,000 amount "State Agency Hugo Related Capital Improvements". The unencumbered balance in this account is $1,250,000.

4. What is Board asked to do?
   Authorize the payment to be made from whatever funds are available within the Governor's Office, with subsequent request to reimburse such payment from funds now established as "State Agency Hugo Related Capital Improvements," after concurrence is received from the Joint Bond Review Committee.

5. What is recommendation of Board Division involved?
   Recommend that payment be made as soon as possible from funds now within the Governor's Office.

Scott Barnes

6. Recommendation of other Division/agency (as required)?

   (a) Authorized Signature:
   (b) Division/Agency Name:

7. Supporting Documents:
   (a) List Those Attached:
      1. Letter From the Office of the Governor Dated June 21, 1991
      2. Letter From the Office of the Governor Dated July 15, 1991

   (b) List Those Not Attached But Available From Submitter:
      1. In House Hugo File
      2. Part III 1990-91 Appropriation Act

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State of South Carolina

Office of the Governor

CARROLL A. CAMPBELL, JR.
GOVERNOR

OFFICE OF EXECUTIVE
POLICY AND PROGRAMS

M E M O R A N D U M

TO: CHARLES A. BROOKS, JR.

FROM: NANCY WRENN

DATE: JUNE 21, 1991

SUBJECT: FEMA STATE MATCH - HUGO

In fiscal year 1990-1991 the Board authorized an issue of $31,350,000 of general obligation debt of the State in the form of a promissory note. From these proceeds the following allocations were made.

FEMA Public Assistance Match	$3,300,000
Division of Local Government Water & Sewer Grant Federal Match	3,300,000
Beach Restoration - Hilton Head Island Capital Improvements	3,750,000
State Agency - HUGO Related Capital Improvements	3,000,000
FEMA - Individual and Family Grant Program Match	18,000,000

In the accounts of The Treasurer's Office there is a balance of $2,000,000 from the allocation entitled "State Agency - HUGO Related Capital Improvements.

There appears to be no provision in the 1991-1992 Appropriation Act to allow for the final payment of the State's share of the Public Assistance Program. The amount of $1,650,000 is due to FEMA on September 1, 1991.

We are requesting Board action which would result in the transfer of $1,650,000 from the accounts of the Treasurer's Office to the accounts of the Governor's Office. The payment of these funds to FEMA will satisfy the amount required as match to the State's Public Assistance Program - HUGO - in the total amount of $8,250,000.

Thank you for your assistance in this matter.

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State of South Carolina

Office of the Governor

CARROLL A. CAMPBELL, JR.
GOVERNOR

MEMORANDUM

OFFICE OF EXECUTIVE
POLICY AND PROGRAMS

TO: CHARLES A. BROOKS, JR.

FROM: NANCY WRENN NW

DATE: JULY 15, 1991

SUBJECT: HURRICANE HUGO STATE PUBLIC ASSISTANCE MATCH

This will expand on and further clarify the correspondence dated June 21, 1991 which concerned the above referenced subject. Please particularly note the date change of the final payment from September 1, 1991, as stated in the June 21 correspondence, to July 2, 1991 as corrected in this memorandum.

As you will remember, estimates of the damage caused by Hurricane Hugo which was applicable to the State Public Assistance Program was in excess of $260,000,000. This amount would normally have been required by F. E. M. A. to be shared at a ratio of 75% Federal funds to 25% State funds. The State dollars required in that formula would have reached $65,000,000.

On October 6, 1989, the President modified the cost sharing provisions for Public Assistance in that eligible cost exceeding $10.00 per capita would be funded at 100% Federal funds.

Using the population of 3.3 million for our state it was determined that $8.25 million would be the cap on the State matching share.

The original schedule of repayment was:

$3,300,000	due on November 22, 1989
$3,300,000	due on September 22, 1990
$1,650,000	due on July 2, 1991

F.E.M.A. has verbally agreed to a 30 day extension in the final payment which was due July 2, 1991.

Assistance provided to State agencies through June 30, 1991 is $34,555,013. We believe that a substantial portion of that $34,555,013 was for the purpose of HUGO related capital improvements.

EXHIBIT

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STATE BUDGET & CONTROL BOARD

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EXHIBIT

JUL 30 1991 8

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD REGULAR SESSION

MEETING OF July 30, 1991 ITEM NUMBER 7

AGENCY: State Treasurer's Office

SUBJECT: General Obligation Notes, Series 1991

The Board is asked to adopt a resolution providing for the issuance and sale of $31,350,000 General Obligation Notes, Series 1991.

The proceeds will be used as follows:

- any accrued interest shall be applied, after payment of the expenses in connection with the issuance of the notes, to the payment of the interest to become due on the notes at maturity;

- the premium, if any, shall be applied to the payment of the principal of the notes; and

- the balance of $31,350,000 shall be applied to the payment of the Series 1990 notes on the maturity thereof.

BOARD ACTION REQUESTED:

Adopt a resolution providing for the issuance and sale of $31,350,000 General Obligation Notes, Series 1991.

ATTACHMENTS:

Resolution

001285

HUTCHESON & WARREN
ATTORNEYS AT LAW
SUITE 340
171 CHURCH STREET
P.O. BOX 1254
CHARLESTON, S.C. 29402
(803) 577-0660
FACSIMILE
(803) 577-6843
(803) 722-0865

JOHN H. WARREN, III
THOMAS A. HUTCHESON
MARK S. SHARPE
MICHAEL D. BRYAN
ELIZABETH W. SETTLE

COLUMBIA OFFICE
1901 MAIN STREET, SUITE 1590
COMPARTMENT #504
COLUMBIA, S.C. 29201-2435
(803) 799-0660
FACSIMILE
(803) 799-9102

July 23, 1991

FEDERAL EXPRESS

Ms. Donna K. Williams, Secretary
South Carolina State Budget and Control Board
600 Wade Hampton Office Building
Columbia, South Carolina 29201

Re: $31,350,000 State of South Carolina General Obligations Notes, Series 1991

Dear Donna:

Enclosed are ten copies of a resolution authorizing the above-captioned notes which are being issued to refund the "Hugo" notes of like amount maturing on August 30, 1991. I would appreciate your placing this on the agenda for the State Budget and Control Board meeting scheduled for July 30.

Please let me know if you need any additional information. Thank you for your help in this matter. Best personal regards.

Yours very truly,

Thomas A. Hutcheson

TAH/ds

Enclosures

cc/enc: Ms. Sandy A. Huey
C. C. "Chuck" Sanders, Jr.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

General Obligation Notes, Series 1991

I, DONNA K. WILLIAMS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable William D. Boan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:00 a.m. on Tuesday, July 30, 1991, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index for this meeting were posted on bulletin boards in the office of the Governor's Press Secretary and in the Press Room in the State House, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 4:00 p.m. on Friday, July 26, 1991.

That all members of the Board were present at the meeting.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Mr. Patterson, who moved its adoption; the motion was seconded by Mr. Morris, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
5	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

July 31, 1991

Donna K. Williams

001287

A RESOLUTION

MAKING PROVISION FOR THE ISSUANCE AND SALE OF
THIRTY-ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS
STATE OF SOUTH CAROLINA GENERAL OBLIGATIONS NOTES,
SERIES 1991

001288

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(This Table of Contents is for convenience of reference only and is not intended to define, limit or describe the scope or intent of any provisions of this Resolution.)

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EXHIBIT "A"
Form of Note

EXHIBIT "B"
Form of Notice of Sale

EXHIBIT "C"
Pro Forma Debt Service Requirements of $31,350,000 State of South Carolina General Obligation Notes, Series 1991, Dated August 15, 1991, and Maturing September 1, 1992, at an Assumed Rate of Interest of Five and One-Half Percent (5.5%)

EXHIBIT "D"
Schedule Showing Pro Forma Total Principal and Interest Requirements of All General Obligations Debt Subject to the Limitation Imposed by Subparagraph (c), Paragraph 6, Section 13 of Article X and Statutory Limitation of Five Percent (5%), Including the Notes Computed at Five and One-Half Percent (5.5%) (as of August 2, 1991)

001290

BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA:

ARTICLE I
FINDINGS OF FACT

As an incident to the adoption of this Resolution and the issuance and sale of the Notes (as hereinafter defined) herein authorized, the State Budget and Control Board of South Carolina (the "State Board") finds:

Section 1.01. General Findings of Authorization. (A) Pursuant to the provisions of Section 6, Part III of Act No. 612 enacted at the 1990 session of the South Carolina General Assembly entitled "An Act To Make Appropriations To Meet The Ordinary Expenses Of State Government For The Fiscal Year Beginning July 1, 1990, And For Other Purposes", ("Act No. 612") the State Board issued Thirty-One Million Three Hundred Fifty Thousand Dollars ($31,350,000) of general obligation debt (the "Series 1990 Notes") of the State of South Carolina (the "State") in order to raise funds for the purposes authorized by Act No. 612.

(B) Proviso 129.60 contained in an act enacted at the 1991 session of the South Carolina General Assembly entitled "An Act To Make Appropriations To Meet The Ordinary Expenses Of State Government For The Fiscal Year Beginning July 1, 1991, And For Other Purposes," bearing Ratification Number R-231 (such Act and Act No. 612 being hereinafter referred to as the "Act") authorizes the extension of the maturity of the debt evidenced by the Series 1990 Notes to a date no later than September 1, 1992.

Section 1.02. Debt Limitation. In addition to the $31,350,000 limitation on the principal amount of the debt evidenced by the Series 1990 Notes contained in the Act, such debt must be issued in compliance with the applicable constitutional and statutory provisions relating to maximum annual debt service. Article X, Section 13, paragraph 6, subparagraph (c) of the Constitution of South Carolina, as amended, provides that the maximum annual debt service on all general obligation debt of the State (excluding highway bonds, state institution bonds, tax anticipation notes and bond anticipation notes) shall not exceed five percent (5%) of the general revenues of the State for the fiscal year next preceding (excluding revenues which are authorized to be pledged for state highway bonds and state institution bonds).

Section 1.03. Determination of Amount of Notes Herein Authorized. The State Board finds that it is necessary to raise $31,350,000 at this time in order to provide funds for the purpose of refunding the Series 1990 Notes.

ARTICLE II
DEFINITIONS AND CONSTRUCTION

Section 2.01. Definitions. As used in this Resolution, unless the context otherwise requires, the following terms shall have the following respective meanings:

"ACT" means collectively, Section 6, Part III of Act No. 612, enacted at the 1990 session of the South Carolina General Assembly entitled "An Act To Make Appropriations To Meet The Ordinary Expenses Of State Government For The Fiscal Year Beginning July 1, 1990, And For Other Purposes", and Proviso 129.60 of an act enacted at the 1991 session of the South Carolina General Assembly entitled "An Act To Make Appropriations To Meet The Ordinary Expenses Of State Government For The Fiscal Year Beginning July 1, 1991, And For Other Purposes", and bearing Ratification Number R-231.

"AUTHORIZED INVESTMENTS" means and includes any of the following securities, if and to the extent that the same are at the time legal for investment of the State's funds:

(i) Obligations of the United States and agencies thereof;

(ii) General obligations of the State or any of its political units or general obligations of any other state;

(iii) Savings and loan associations to the extent that the same are insured by an agency of the federal government;

(iv) Certificates of deposit where the certificates are collaterally secured by securities of the type described in (i) and (ii) above held by a third party as escrow agent or custodian, of a market value of not less than the amount of the certificates of deposit so secured, including interest; provided, however, such collateral shall not be required to the extent the same are insured by an agency of the federal government; or

(v) Repurchase agreements with banks which are members of the Federal Deposit Insurance Corporation, the underlying securities of which are obligations of the type described in (i) and (ii) above and which are fully collateralized by obligations of the same type.

"AUTHORIZED OFFICER" means the Governor of the State, the State Treasurer, the Deputy State Treasurer, the Secretary of State and any other officer or employee of the State designated from time to time as an Authorized Officer by resolution of the State Board to perform such act or sign such document.

"NOTEHOLDER" or "REGISTERED HOLDER" or "HOLDERS OF NOTES" or similar term means, when used with respect to a Note or Notes, any person whose name shall be registered in the registration books maintained by the Registrar as the owner of any Note Outstanding.

"CODE" means the Internal Revenue Code of 1986, as amended.

"GOVERNMENT OBLIGATIONS" means and includes direct general obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States of America, is fully and unconditionally guaranteed by the United States of America.

"NOTES" means the $31,350,000 State of South Carolina General Obligation Notes, Series 1991, authorized by this Resolution.

"Outstanding", when used in this Resolution with respect to Notes, means, as of any date, all Notes theretofore authenticated and delivered pursuant to this Resolution except:

(i) any Note (or any portion thereof) canceled or delivered to the Registrar for cancellation on or before such date;

(ii) any Note (or any portion thereof) deemed to have been paid in accordance with the provisions of Section 6.01 hereof; and

(iii) any Note (or any portion thereof) in lieu of or in exchange for which another Note shall have been authenticated and delivered pursuant to Section 3.12 of this Resolution.

"PAYING AGENT" means the financial institution to be determined by the State Treasurer of the State which is authorized to pay the principal and interest on any Notes and having the duties, responsibilities and rights provided for in this Resolution.

"PERSON" means an individual, a partnership, a corporation, a trust, a trustee, an unincorporated organization, or a government or any agency or political subdivision thereof.

"REGISTRAR" means the financial institution to be determined by the State Treasurer of the State which is authorized to maintain the list of those who from time to time shall be the Registered Holders of the Notes and which shall effect the transfer of Notes in accordance with the provisions of this Resolution and which has the duties, responsibilities and rights provided for in this Resolution.

"REGULATIONS" shall mean proposed, temporary and permanent regulations promulgated under the Code or any predecessor or successor thereto applicable to the Notes.

"RESOLUTION" means this Resolution as the same may be amended or supplemented from time to time.

"SERIES 1990 NOTES" means the $31,350,000 State of South Carolina General Obligation Notes, Series 1990, which are being refunded through the issuance of the Notes.

"STATE" means the State of South Carolina.

"STATE BOARD" means the State Budget and Control Board of South Carolina.

Section 2.02. Construction. In this Resolution, unless the context otherwise requires:

(a) Articles and Sections referred to by number shall mean the corresponding Articles and Sections of this Resolution.

(b) The terms "hereby," "hereof," "hereto," "herein," "hereunder" and any similar term refer to this Resolution, and the term "hereafter" shall mean after, and the term "heretofore" shall mean before, the date of adoption of this Resolution.

(c) Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders, and words importing the singular number shall mean and include the plural number and vice versa.

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ARTICLE III
ISSUANCE OF NOTES

Section 3.01. Direction to Governor and State Treasurer. The Governor of the State and the State Treasurer of the State are hereby directed to effect the issuance of $31,350,000 principal amount of State of South Carolina general obligation notes, in accordance with the provisions of this Resolution.

Section 3.02. Ordering the Issuance of Notes. Pursuant to the provisions of the Act, and for the purpose of refunding the Series 1990 Notes, there shall be issued Thirty-One Million Three Hundred Fifty Thousand Dollars ($31,350,000) aggregate principal amount of general obligation notes of the State designated "State of South Carolina General Obligation Notes, Series 1991."

Section 3.03. Date and Maturity of Notes. The Notes shall be dated as of August 15, 1991, and shall mature on September 1, 1992.

Section 3.04. Provision for Payment of Interest on the Notes. The Notes shall bear interest from August 15, 1991, at a single rate determined on the basis of a three hundred sixty-day year consisting of twelve (12) thirty-day months, and shall be payable at maturity on September 1, 1992, to the person in whose name such Notes are registered.

Section 3.05. Medium of Payment; Form and Denomination of Notes; Place of Payment of Principal. (a) The Notes shall be payable as to principal and interest in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(b) The Notes shall be issued in the form of fully registered Notes in substantially the form set forth in Exhibit "A" attached to this Resolution. The Notes shall be in the denomination of $25,000 or any integral multiple thereof. Each Note shall be numbered in such fashion as to maintain a proper record thereof.

(c) The principal of and interest on the Notes shall be payable at the office of the Paying Agent to the Persons in whose names such Notes are registered on the registration books maintained by the Registrar, as the Registered Holders thereof. Registered Holders of Notes in the aggregate principal amount of $500,000 or more may, at their request, receive payment of principal and interest by wire transfer. Payment of principal of and interest on the Notes shall be made only upon the presentation and surrender for cancellation of such Notes to the Paying Agent at maturity.

Section 3.06. Designation of Registrar and Paying Agent. The State Treasurer of the State is hereby authorized to determine the financial institution or institutions to act as Paying Agent and Registrar for the Notes. The financial institution or institutions so designated shall evidence the acceptance of such duties in writing at or before the delivery of the Notes. The Notes may be presented for registration of transfers and exchanges to the Registrar. The Notes may be presented for payment and notices and demands to or upon the State in respect of the Notes may be served at the office of the Paying Agent.

Section 3.07. Execution and Authentication. (a) The Notes shall be executed by the Governor of the State and by the State Treasurer of the State, the Great Seal of the State shall be reproduced thereon, and the same shall be attested by the Secretary of State of the State; provided that such officers required to execute or attest the execution of the Notes may employ a facsimile of their signatures in lieu of the manual signing or attesting of the Notes. Notes bearing the manual or facsimile signature of any person who shall have been such an Authorized Officer at the time such Notes were so executed shall bind the State notwithstanding that he may have ceased to be such Authorized Officer prior to the authentication and delivery of such Notes or was not such Authorized Officer at the date of the authentication and delivery of the Notes.

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(b) No Note shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless there shall be endorsed on such Note a certificate of authentication in the form set forth in the form of Note attached as Exhibit "A" to this Resolution, duly executed by the manual signature of an Authorized Officer of the Registrar and such certificate of authentication upon any Note executed on behalf of the Registrar shall be conclusive evidence that the Note so authenticated has been duly issued hereunder and that the Registered Holder thereof is entitled to the benefit of the terms and provisions of this Resolution.

Section 3.08. Exchange of Notes. Subject to the provisions of Section 3.11 hereof, Notes, upon surrender thereof at the office of the Registrar with a written instrument of transfer satisfactory to the Registrar, duly executed by the Registered Holder or his duly authorized attorney, may, at the option of the Registered Holder thereof, be exchanged for an equal aggregate principal amount of Notes in any authorized denomination. So long as any of the Notes remain Outstanding, the State shall make all necessary provisions to permit the exchange of Notes at the office of the Registrar.

Section 3.09. Transferability and Registry. All Notes shall be transferable only in accordance with the provisions for registration and transfer contained in this Resolution and in the Notes. So long as any of the Notes remain Outstanding, the State shall maintain and keep, at the office of the Registrar, books for the registration and transfer of Notes, and, upon presentation thereof for such purpose at the office of the Registrar, the State shall register or cause any Note to be transferred thereon, under such reasonable regulations as it or the Registrar may prescribe. So long as any of the Notes remain Outstanding, the State shall make all necessary provisions to permit the transfer of Notes at the office of the Registrar.

Section 3.10. Transfer of Notes. Subject to the provisions of Section 3.11 hereof, each Note shall be transferable only upon the registration books of the State, which shall be kept for such purposes at the office of the Registrar which shall be maintained for such purpose by the Registrar. Upon the presentation and surrender of any Note by the Registered Holder of such Note in person or by his attorney duly authorized in writing, together with a written instrument of transfer satisfactory to the Registrar duly executed by the Registered Holder or his duly authorized attorney, a transfer of such Note may be effected. Upon surrender for transfer of any such Note, the State shall execute and the Registrar shall authenticate and deliver, in the name of the Person who is the transferee, one or more new Notes of the same aggregate principal amount as the surrendered Note. All action taken by the Registrar pursuant to this Section shall be deemed to be the action of the State.

Section 3.11. Regulations with Respect to Exchanges and Transfers. All Notes surrendered in any exchange or transfer shall forthwith be canceled by the Registrar. For each such exchange or transfer of Notes, the State or the Registrar may make a charge sufficient to reimburse it or them for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the Registered Holder requesting such exchange or transfer. The Registrar shall not be obligated to issue, exchange or transfer any Note during the period August 15, 1992, to and including September 1, 1992.

Section 3.12. Mutilated, Destroyed, Lost and Stolen Notes. (a) If any mutilated Note is surrendered to the Registrar and the Registrar receives evidence to its satisfaction of the destruction, loss or theft of any Note, and if there is delivered to the State Treasurer such security or indemnity as may be required to save the State harmless, then, in the absence of such notice that such Note has been acquired by a bona fide purchaser, the State shall execute, and the Registrar shall authenticate and deliver, in exchange for any such mutilated Note or in lieu of any such destroyed, lost or stolen Note, a new Note of like tenor and principal amount, bearing a number unlike that of a Note contemporaneously or previously Outstanding. The Registrar shall thereupon cancel any such mutilated Note so surrendered.

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(b) Upon the issuance of any new Note under this Section, the State may require the payment of a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in relation thereto, and any other expenses, including counsel fees or other fees, of the State connected therewith.

(c) Each new Note issued pursuant to this Section in lieu of any destroyed, lost or stolen Note, shall constitute an additional contractual obligation of the State, whether or not the destroyed, lost or stolen Note shall at any time be enforceable by anyone, and shall be entitled to all the benefits hereof equally and proportionately with any and all other Notes duly issued pursuant to this Resolution. All Notes shall be held and owned upon the express condition that the foregoing provisions are exclusive with respect to the replacement or payment of mutilated, destroyed, lost or stolen Notes and shall preclude (to the extent lawful) all other rights or remedies with respect to the replacement or payment of mutilated, destroyed, lost or stolen Notes.

Section 3.13. Registered Holder as Owner of Note. The State, the Registrar and the Paying Agent may treat the Registered Holder of any Note as the absolute owner thereof, whether such Note shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Note and for all other purposes, and payment of principal and interest shall be made only to, or upon the order of, such Registered Holder. All payments to such Registered Holder shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid, and neither the State nor the Paying Agent shall be affected by any notice to the contrary.

Section 3.14. Cancellation of Notes. The Registrar shall destroy all Notes surrendered to it for cancellation. No such Note shall be deemed Outstanding under this Resolution and no Notes shall be issued in lieu thereof.

Section 3.15. Determination of Lowest Net Interest Cost. The Notes shall bear such single rate of interest as shall at the sale of such Notes reflect the lowest net interest cost to the State at a price of not less than par and accrued interest to date of delivery.

For the purpose of determining the lowest net interest cost, the aggregate of interest on the Notes from August 15, 1991, until their maturity, less any sum paid by way of premium, shall be determined on each bid and the smallest amount to be paid by the State shall reflect lowest net interest cost.

Section 3.16. Pledge of Full Faith, Credit and Taxing Power. For the prompt payment of the principal of and interest on the Notes, the full faith, credit and taxing power of the State are hereby irrevocably pledged.

Section 3.17. Notes not Subject to Prepayment. The Notes shall not be subject to prepayment prior to maturity.

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ARTICLE IV
SALE AND AWARD OF NOTES; DISPOSITION OF PROCEEDS OF SALE OF NOTES

Section 4.01. Determination of Time to Receive Bids; Form of Notice of Sale. The Notes shall be sold at public sale, at not less than par and interest accrued to the date of delivery. Bids shall be received by the State Treasurer on a date to be determined by the State Treasurer. The State Board hereby authorizes the publication of the Notice of Sale by the State Treasurer in THE BOND BUYER, a financial journal published in the City of New York, New York and in THE STATE, a newspaper published in the City of Columbia, South Carolina substantially in the form attached hereto as Exhibit "B", such notice to be published not less than seven (7) days prior to the date of sale of the Notes.

Section 4.02. Award of Notes. The Governor and the State Treasurer shall, and they are hereby authorized and empowered to, award the sale of the Notes to the bidder naming the lowest net interest cost to the State, without further action on the part of the State Board if the Governor and the State Treasurer shall determine that it is in the interest of the State to make such award.

Section 4.03. Condition to Delivery of Notes. As a condition to the issuance of the Notes the State Treasurer is directed to determine the General Fund Revenues of the State for the fiscal year ended June 30, 1991, to certify at or prior to closing as to the annual aggregate principal and interest requirements of all general obligation debt of the State subject to the limitation set forth under Article X, Section 13, paragraph 6, subparagraph (c) of the South Carolina Constitution, including the Notes, based upon their actual interest rate, and to certify that the maximum annual debt service on such general obligation debt is not greater than five percent (5%) of such General Fund Revenues as adjusted as required by said Article X, Section 13, paragraph 6, subparagraph (c).

Section 4.04. Disposition of Note Proceeds Including Temporary Investments. (a) The proceeds derived from the sale of the Notes shall be applied and disposed of as follows:

(i) Any accrued interest shall be applied, after payment of the expenses in connection with the issuance of the Notes, to the payment of the interest to become due on the Notes at maturity;

(ii) The premium, if any, shall be applied to the payment of the principal of the Notes; and

(iii) The balance of $31,350,000 shall be applied to payment of the Series 1990 Notes on the maturity thereof.

(b) Pending the use of Note proceeds as provided in paragraph (a) of this Section, the same shall be invested and reinvested by the State Treasurer in Authorized Investments. The investment earnings thereon may be used either for any lawful purpose of the State or, if so required by the Code, to make the necessary rebate to the United States Government.

(c) Neither the purchaser of the Notes nor any Registered Holder of the Notes shall be liable for the proper application of the proceeds of the Notes.

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ARTICLE V
TAX EXEMPTION OF NOTES; ARBITRAGE

Section 5.01. Tax Exemption in South Carolina. The principal of and interest on the Notes shall be exempt from all State, county, municipal, school district, and all other taxes or assessments of the State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

Section 5.02. No Arbitrage. (a) The State Board shall not take, or permit or suffer to be taken, any action with respect to the proceeds of the Notes (including any amounts treated as proceeds under Section 148 of the Code) which will cause the Notes to be "arbitrage bonds" within the meaning of Section 148(a) of the Code and Regulations promulgated thereunder.

(b) The State Board shall take all action necessary, including the payment of rebate, to comply with Section 148(f) of the Code.

ARTICLE VI
DEFEASANCE OF NOTES

Section 6.01. Discharge of Resolution. (a) If all of the Notes issued pursuant to this Resolution and all interest thereon shall have been paid and discharged, then the obligations of the State under this Resolution and all other rights granted hereby shall cease and desist. The Notes shall be deemed to have been paid and discharged within the meaning of this Article under each of the following circumstances viz.:

(i) The Paying Agent shall hold, at the stated maturity of the Notes, in trust and irrevocably appropriated thereto, sufficient moneys for the payment of the principal and interest thereon; or

(ii) If default in the payment of any principal of the Notes or any interest thereon shall have occurred at maturity, and thereafter tender of such payment shall have been made, and at such time as the Paying Agent shall hold in trust and irrevocably appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of such payment; or

(iii) If the State shall elect to provide for the payment of the Notes prior to their stated maturity and shall have deposited in an irrevocable trust moneys which shall be sufficient, or Government Obligations, which are not subject to redemption by the issuer thereof prior to the maturity of the Notes, the principal of and interest on which when due will provide moneys, which together with moneys, if any, deposited at the same time, shall be sufficient to pay when due the principal and interest to become due on the Notes on their maturity date.

(b) Neither the Government Obligations nor moneys deposited pursuant to this Section 6.01 nor the payments of principal thereof or interest thereon shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal of, and interest on, the Notes; provided that any cash received from such payments of principal of, or interest on, Government Obligations deposited, if not then needed for such purpose shall, to the extent practicable, be invested and reinvested in Government Obligations maturing at times and in amounts sufficient to pay when due the principal and interest to become due on the Notes on the maturity date thereof, and interest earned from such reinvestments not required for the payment of the principal and interest on the Notes, may be paid over to the State, as received by the financial institution with which such trust is established, free and clear of any trust, lien or pledge.

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ARTICLE VII
CONCERNING THE PAYING AGENT AND REGISTRAR

Section 7.01. Concerning the Paying Agent and Registrar. The Paying Agent and Registrar, upon receipt of any notice, resolution, request, consent order, certificate, report, opinion, Note, or other paper or document furnished to it pursuant to any provision of this Resolution, shall examine such instrument to determine whether it conforms to the requirements of this Resolution and shall be protected in acting upon any such instrument believed by it to be genuine and to have been signed or presented by the proper party or parties. The Paying Agent and Registrar may consult with counsel, who may or may not be counsel to the State, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it under this Resolution in good faith and in accordance therewith.

Whenever the Paying Agent and Registrar shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action under this Resolution, such matter (unless other evidence in respect thereof be therein specifically prescribed) may be deemed to be conclusively proved and established by a certificate of an Authorized Officer, and such certificate shall be full warrant for any action taken or suffered in good faith under the provisions of this Resolution; but in its discretion the Paying Agent and Registrar may in lieu thereof accept other evidence of such fact or matter or may require such further or additional evidence as it may deem reasonable.

Except as otherwise expressly provided in this Resolution any request, order, notice or other direction required or permitted to be furnished pursuant to any provision thereof by the State to the Paying Agent and Registrar shall be sufficiently executed if executed in the name of the State by an Authorized Officer.

ARTICLE VIII
MISCELLANEOUS

Section 8.01. Failure to Present Notes. Anything in this Resolution to the contrary notwithstanding, any money held by the Paying Agent in trust for the payment and discharge of any of the Notes, or the interest thereon, which remains unclaimed for such period of time, after the date when such Notes have become due and payable, that the Registered Holder thereof shall no longer be able to enforce the payment thereof, the Paying Agent shall at the written request of the State pay such money to the State as its absolute property and free from trust, and the Paying Agent shall thereupon be released and discharged with respect thereto and the Noteholders shall look only to the State for the payment of such Notes; provided, further, the Paying Agent shall forward to the State all moneys which remain unclaimed during a period five years from maturity; provided, however, that before being required to make any such payment to the State, the Paying Agent, at the expense of the State, may conduct such investigations as may in the opinion of the Paying Agent be necessary to locate those who are entitled to take such funds.

Section 8.02. Severability of Invalid Provisions. If any one or more of the covenants or agreements provided in this Resolution should be contrary to law, then such covenants or agreements shall be deemed severable from the remaining covenants and agreements, and shall in no way affect the validity of the other provisions of this Resolution.

Section 8.03. Resolution to Constitute Contract. In consideration of the purchase and acceptance of the Notes by those who shall purchase and own the same from time to time, the provisions of this Resolution, with the exception of that provision of Section 1.02 regarding the aggregate amount of general obligation debt which may be issued, shall be deemed to be and shall constitute a contract between the State and the Registered Holders from time to time of the Notes, and such provisions are covenants and agreements with such Registered Holders which the State hereby determines to be necessary and desirable for the security and payment thereof. The pledge hereof and the provisions, covenants, and agreements herein set forth to be performed on behalf of the State shall be for the equal benefit, protection, and security of the Registered Holders of any and all of the Notes, all of which shall be of equal rank without preference, priority or distinction of any Notes over any other Notes.

Section 8.04. Schedules Relating to State General Obligation Debt. There is attached hereto as Exhibit "D" to this Resolution a proforma schedule showing total debt service requirements on the Notes at an assumed rate of interest of five and one-half percent (5.5%) per annum. There is attached hereto as Exhibit "E" to this Resolution a schedule showing total debt service on outstanding general obligation debt as of August 2, 1991, and the Notes at an assumed rate of interest of five and one-half percent (5.5%) per annum.

Section 8.05. Execution of Closing Documents and Certificates. The Governor, the State Treasurer, the Secretary of State and any other officers or employees of the State are fully authorized and empowered to take such further action and to execute and deliver such closing documents and certificates as may be necessary and proper in order to complete the issuance of the Notes herein authorized and the action of such officers or any one or more of them in executing and delivering any of such documents, in such form as he or they shall approve, is hereby fully authorized.

Section 8.06. Official Statement. The State Board hereby authorizes an Official Statement of the State relating to the Notes to be prepared under the supervision of the State Treasurer; and the State Board hereby authorizes the use of said Official Statement and the information contained therein in connection with the public offering and sale of the Notes.

Section 8.07. Benefits of Resolution Limited to the State and Holders of the Notes. With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from this Resolution or the Notes is intended or should be construed to confer upon or give

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to any Person other than the State and the Holders of the Notes, any legal or equitable right, remedy or claim under or by reason of or in respect to this Resolution or any covenant, condition, stipulation, promise, agreement or provision herein contained. This Resolution and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the State and the Holders from time to time of the Notes as herein and therein provided.

Section 8.08. No Personal Liability. No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the State contained in this Resolution or the Notes, against any member of the State Board, any officer or employee, as such, in his or her individual capacity, past, present or future, of the State, either directly or through the State, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that this Resolution and the Notes are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer or employee as such, past, present or future, of the State, either directly or by reason of any of the obligations, covenants, promises or agreements entered into between the State and Noteholders or to be implied therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member, officer and employee is, by the adoption of this Resolution and the execution of the Notes, and as a condition of, and as a part of the consideration for, the adoption of this Resolution and the execution of the Notes, expressly waived and released. The immunity of members, officers and employees of the State under the provisions contained in this Section shall survive the termination of this Resolution.

Section 8.09. Law and Place of Enforcement of the Resolution. This Resolution shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of this Resolution shall be instituted in a court of competent jurisdiction in said State.

Section 8.10. Effect of Article and Section Headings and Table of Contents. The heading or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Resolution.

Section 8.11. Repeal of Inconsistent Resolutions. All Resolutions of the State Board, and any part of any resolution, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 8.12. Effective Date of this Resolution. This Resolution shall become effective upon its adoption.

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EXHIBIT "A"

(FORM OF NOTE)

(Face of Note)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
GENERAL OBLIGATION NOTE, SERIES 1991

No. R._____

Rate of Interest	Maturity Date	Original Issue Date	CUSIP
	September 1, 1992	August 15, 1991	

Registered Holder:

Principal Amount:

THE STATE OF SOUTH CAROLINA (the "State") acknowledges itself indebted and for value received hereby promises to pay, solely as hereinafter provided, to the Registered Holder named above, or registered assigns, the Principal Amount stated above, on the Maturity Date set forth above, and to pay interest on such Principal Amount at the Rate of Interest set forth above (calculated on the basis of a three hundred sixty-day year consisting of twelve (12) thirty-day months) from the Original Issue Date set forth above to the Maturity Date, both principal and interest being payable upon presentation and surrender of this Note at the Office of _____ _____, in the City of Columbia, State of South Carolina (the "Paying Agent and Registrar").

REFERENCE IS MADE TO THE FURTHER PROVISIONS OF THIS NOTE SET FORTH ON THE REVERSE HEREOF WHICH SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH HEREIN.

This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been duly executed by the Registrar.

IN WITNESS WHEREOF, the State of South Carolina has caused this Note to be signed by the facsimile signatures of the Governor of South Carolina and the State Treasurer of South Carolina, the Great Seal of the State of South Carolina to be reproduced hereon and the same to be attested by the facsimile signature of the Secretary of State of South Carolina.

(Facsimile Signature)
(FACSIMILE SEAL) Carroll A. Campbell, Jr. Governor

(Facsimile Signature)
Grady L. Patterson, Jr.
State Treasurer

Attest:

(Facsimile Signature)
Jim Miles
Secretary of State

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(FORM OF CERTIFICATE OF AUTHENTICATION)

This Note is one of the Notes of the issue described in the within mentioned Resolution.

_____
_____, AS REGISTRAR

Authentication Date:

[Date]

Authorized Officer

By_____

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STATE OF SOUTH CAROLINA
GENERAL OBLIGATION NOTE, SERIES 1991

(Back of Note)

Holders of Notes in the aggregate principal amount of $500,000 or more may, at their request, receive payment of principal and interest by wire transfer. The principal of and interest on this Note are payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

This Note is one of an issue of Notes in the aggregate principal amount of Thirty-One Million Three Hundred Fifty Thousand Dollars ($31,350,000) of like tenor, except as to authorized denominations, registered owner and numbering, issued pursuant to and in accordance with the Constitution and statutes of the State of South Carolina, including particularly the provisions of Section 6, Part III of Act No. 612, enacted at the 1990 session of the South Carolina General Assembly entitled "An Act To Make Appropriations To Meet The Ordinary Expenses Of State Government For The Fiscal Year Beginning July 1, 1990, And For Other Purposes", and Proviso 129.60 of an act enacted at the 1991 session of the South Carolina General Assembly entitled "An Act To Make Appropriations To Meet The Ordinary Expenses Of State Government For The Fiscal Year Beginning July 1, 1991, And For Other Purposes", bearing Ratification Number R-231 (collectively, the "Act"), and a resolution (the "Resolution") duly adopted by the State Budget and Control Board of South Carolina for the purpose of raising funds for purposes authorized by the Act.

Certain capitalized terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Resolution. Certified copies of the Resolution are on file in the office of the Registrar and Paying Agent and in the office of the Secretary of State of South Carolina.

For the payment of the principal of and interest on this Note as the same shall become due, there is pledged the full faith, credit and taxing power of the State of South Carolina.

This Note and the interest hereon are exempt from all State, county, municipal, school district, and all other taxes or assessments imposed within the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

The Notes are issuable only as fully registered Notes in denominations of $25,000 and any integral multiple thereof. This Note is transferable, as provided in the Resolution, only upon the registration books kept for that purpose at the office of the Registrar by the Registered Holder in person or by his duly authorized attorney, upon (i) surrender of this Note together with a written instrument of transfer satisfactory to the Registrar duly executed by the Registered Holder or his duly authorized attorney, and (ii) payment of the charges, if any, prescribed in the Resolution. Thereupon a new fully registered Note or Notes in a like aggregate principal amount will be issued to the transferee in exchange therefor as provided in the Resolution. The State, the Paying Agent and the Registrar may deem and treat the person in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal and interest due hereon and for all other purposes. The Registrar shall not be required to register any transfer of Notes during the period August 15, 1992, to and including September 1, 1992.

For every exchange or transfer of the Notes, the State, the Paying Agent or the Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer.

The Notes are not subject to prepayment prior to maturity.

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It is hereby certified and recited that all conditions, acts and things required by the Constitution and statutes of the State of South Carolina to exist, be performed or happen precedent to or in the issuance of this Note exist, have been performed and have happened, that the amount of this Note, together with all other indebtedness of the State of South Carolina, does not exceed any limit prescribed by such Constitution or statutes, and that provision has been made for the allocation, on an annual basis, of sufficient tax revenues to provide for the punctual payment of the principal of and interest on this Note and the issue of Notes of which this Note is one.

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____(please print or type name and address of Transferee and Social Security or other identifying number of Transferee) the within Note and all rights and title thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Note on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____ _____

Signature Guaranteed:

_____

_____

001306

(FORM OF NOTICE OF SALE)

NOTICE OF SALE
$31,350,000
STATE OF SOUTH CAROLINA
GENERAL OBLIGATION NOTES
SERIES 1991

SEALED PROPOSALS will be received by the Governor and the State Treasurer of the State of South Carolina, in the Office of the State Treasurer, in the Wade Hampton Office Building, in the City of Columbia, South Carolina on _____, August __, 1991, until __ o'clock a.m. (South Carolina time) at which time the proposals will be publicly opened and announced for the purchase of $31,350,000 State of South Carolina General Obligation Notes,Series 1991 (the "Notes").

The Notes will be dated August 15, 1991, and will mature September 1, 1992.

The Notes will not be subject to prepayment prior to maturity.

The Notes will be issued in fully registered form in the denominations of $25,000 and any integral multiple thereof. The Notes will be identical as to form, except as to numbering and authorized denominations.

The Notes will bear interest from August 15, 1991, at a single rate to be named by the successful bidder, payable at maturity on September 1, 1992.

Principal of and interest on the Notes will be paid to the registered holders thereof at maturity upon presentation and surrender of such Notes at the Office of _____, the Registrar and Paying Agent, in the City of Columbia, South Carolina. Holders of $500,000 or more aggregate principal amount of the Notes may, at their request, receive payment of principal and interest by wire transfer.

Bidders are invited to name a single rate of interest which the Notes are to bear, and unless all bids are rejected, they will be awarded to the bidder offering to purchase them at the lowest net interest cost to the State, at a price of not less than par and accrued interest to the date of delivery. Any sum named by way of premium shall be paid in cash as a part of the purchase price. Net interest cost will be determined by deducting premium, if any, from the aggregate of interest on the Notes from August 15, 1991, to maturity on September 1, 1992. Bidders are requested to present tabulations showing net interest cost in dollars and cents, but such tabulations are not required and will not be regarded as a part of the bid.

Bids will be accepted or rejected by __:00 p.m. (South Carolina time) on the day of the sale. In the event of tie low bids, the Notes shall be awarded jointly to those submitting such tie bids or in such other manner as those submitting such tie bids shall determine.

No proposal for the purchase of less than all of the Notes, or, at a price less than par and accrued interest to the date of delivery, will be considered.

The Notes are issued pursuant to Section 6, Part III of Act No. 612 enacted at the 1990 session of the South Carolina General Assembly entitled "An Act To Make Appropriations To Meet The Ordinary Expenses Of State Government For The Fiscal year Beginning July 1, 1990, And For Other Purposes", and Proviso 129.60 of an act enacted at the 1991 session of the South Carolina General Assembly entitled "An Act To Make Appropriations To Meet The Ordinary Expenses Of State

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Government For The Fiscal Year Beginning July 1, 1991, And For Other Purposes", bearing Ratification Number R-231, in order to refund certain outstanding general obligation notes of the State.

Each proposal must be submitted on the official bid form, must be enclosed in a sealed envelope and addressed to the State Treasurer of the State of South Carolina, Wade Hampton Office Building, Columbia, South Carolina, and marked on the outside in substance "Proposal for State General Obligation Notes, Series 1991". As a condition precedent to the consideration of its proposal, each bidder must enclose with it a certified or cashier's or treasurer's check drawn upon a bank or trust company, payable to the order of the State Treasurer of South Carolina for $_____ as a good faith deposit. The check of the successful bidder will be applied in part payment of the Notes or to secure the State from any loss resulting from the failure of such bidder to comply with the terms of its bid. The good faith deposit will be returned to the successful bidder if the State of South Carolina shall fail to deliver the Notes as provided in this Notice of Sale. No interest will be allowed on the good faith deposit of the successful bidder.

Payment for the Notes must be made in Federal Funds or other immediately available funds.

The right to reject all bids is reserved and any bid not conforming to this Notice of Sale may be rejected, but the right is reserved to waive technicalities.

The State will furnish, without cost to the successful bidder, the printed Notes and the opinions of The Honorable T. Travis Medlock, Attorney General of the State of South Carolina, and of Hutcheson & Warren, Bond Counsel for the State of South Carolina. The opinions will state in substance that: (1) the Notes are valid and legally binding obligations of the State of South Carolina, (2) the full faith, credit and taxing power of the State of South Carolina are pledged to the payment of the principal of and interest on the Notes, as they become due and payable, and (3) provision has been made for the allocation of sufficient tax revenues to provide for the punctual payment of the principal of and interest on the Notes.

The opinion of Hutcheson & Warren will also state that (a) interest on the Notes is excludable from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code") and (b) the Notes and the interest thereon are exempt from all State, county, municipal, school district and all other taxes or assessments imposed within the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

The Notes will be delivered to the successful purchaser on or about August 30, 1991, in the Office of the State Treasurer of the State of South Carolina, Wade Hampton Office Building, Columbia, South Carolina at the expense of the State of South Carolina, or, at such other place as may be agreed upon by the State Treasurer of the State of South Carolina and the successful purchaser at the expense of the successful purchaser.

The Preliminary Official Statement dated August ___, 1991, prepared in connection with the issuance of the Notes (the "Official Statement"), is deemed to be a near final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission except for the omission of certain pricing and other information. The Official Statement together with certain pricing information will constitute the "Final Official Statement". By the submission of a bid for the Notes, the successful bidder contracts for the receipt of one hundred (100) copies of the Final Official Statement which will be delivered by the State Treasurer to the successful bidder on August __, 1991. In order to complete the Final Official Statement, the successful bidder must furnish on behalf of the purchaser of the Notes the following information to the State Treasurer by facsimile transmission or overnight delivery to be received by the State Treasurer within 24 hours after the receipt of bids for the Notes:

1. Initial Offering Price (expressed as a price exclusive of accrued interest, or yield to maturity)

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2. Any other material information necessary for the Final Official Statement but not known to the State Treasurer.

Information relating to the issuance of the Notes or copies of the Official Statement and bid form may be obtained from Grady L. Patterson, Jr., State Treasurer of the State of South Carolina, Wade Hampton Office Building, Columbia, South Carolina 29211, telephone 803/734-2101.

/s/ Grady L. Patterson, Jr.
State Treasurer

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EXHIBIT "C"

PRO-FORMA DEBT SERVICE REQUIREMENTS OF $31,350,000 STATE OF SOUTH CAROLINA GENERAL OBLIGATION NOTES, SERIES 1991, DATED AUGUST 15, 1991, AND MATURING SEPTEMBER 1, 1992, AT AN ASSUMED RATE OF INTEREST OF FIVE AND ONE-HALF PERCENT (5.5%)

Fiscal Year Ending June 30	Total Principal	Total Interest	Total Principal and Interest
1992	- 0 -	- 0 -	- 0 -
1993	$31,350,000	$ 1,724,250	$33,074,250

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EXHIBIT "D"

SCHEDULE SHOWING PRO FORMA TOTAL PRINCIPAL AND INTEREST REQUIREMENTS OF ALL GENERAL OBLIGATION DEBT SUBJECT TO THE LIMITATION IMPOSED BY SUBPARAGRAPH (c), OF PARAGRAPH 6, SECTION 13 OF ARTICLE X AND STATUTORY LIMITATION OF FIVE PERCENT (5%), INCLUDING THE NOTES COMPUTED AT FIVE AND ONE-HALF PERCENT (5.5%)

Fiscal Year Ending June 30	Total Principal	Total Interest	Total Principal and Interest
1992	$ 48,250,000.00	$ 35,336,980.00	$ 83,586,980.00
1993	97,040,000.00	48,790,437.50	145,830,437.50
1994	69,295,000.00	42,355,650.00	111,650,650.00
1995	69,660,000.00	37,737,290.00	107,397,290.00
1996	68,495,000.00	33,163,190.00	101,658,190.00
1997	65,805,000.00	28,523,350.00	94,328,350.00
1998	57,545,000.00	23,929,565.00	81,474,565.00
1999	49,000,000.00	19,991,500.00	68,991,500.00
2000	49,000,000.00	16,624,500.00	65,624,500.00
2001	47,000,000.00	13,194,500.00	60,194,500.00
2002	41,000,000.00	10,238,750.00	51,238,750.00
2003	44,000,000.00	7,513,750.00	51,513,750.00
2004	31,000,000.00	5,079,250.00	36,079,250.00
2005	25,000,000.00	3,246,500.00	28,246,500.00
2006	19,000,000.00	1,585,000.00	20,585,000.00
2007	7,000,000.00	402,500.00	7,402,500.00
TOTALS	$788,090,000.00	$327,712,712.50	$1,115,802,712.50

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EXHIBIT

JUL 30 1991 9

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF July 30, 1991
ITEM NUMBER 8

AGENCY: General Services

SUBJECT: Annexation of Mental Retardation Property

The Division recommends approval of a petition to the City of Fort Mill requesting that the City annex a block of property which consists of 4.0 acres. The property was purchased by the Department and will be used as a site for a community residence.

After annexation, the City will provide police and fire protection to the site and the present water and sewer rates will be reduced.

The proposed annexation has been approved by the Mental Retardation Commission.

The Division also advises that Senator Hayes and Representative Hayes have been informed of the annexation.

BOARD ACTION REQUESTED:

In accord with Code Section 5-3-140, petition the City of Fort Mill to annex a block of Mental Retardation property consisting of approximately 4.0 acres, as recommended by the Division of General Services.

ATTACHMENTS:

Agenda item worksheet; attachments

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: July 30, 1991 *Regular Agenda

1. **Submitted by:**
   (a) Agency: Division of General Services
   (b) Authorized Official Signature Richard W. Kelly

2. **Subject:** Annexation of the Department of Mental Retardation property on Banks Street into the City of Fort Mill, South Carolina

3. **Summary Background Information:**

The City of Fort Mill proposes to annex a block of property which includes 4.0 acres of State property. This property was purchased by the Department and will be used as a site for a community residence for persons with mental retardation.

After annexation, the City would provide police and fire protection to the site and the present water and sewer rates would be reduced. The Mental Retardation Commission has approved the annexation and requests Board approval.

Senator Hayes and Representative Hayes have been informed of the proposal.

4. **What is Board asked to do?**

Approve proposed annexation of property on Banks Street into the City of Fort Mill, South Carolina.

5. **What is the recommendation of Board Division involved?**

6. **Recommendation of other Division/agency (as required)?**
   (a) Authorized Signature:
   (b) Division/Agency Name:

7. **List of Supporting Documents:**

   (a) Attached:
   1. Letter from DMR requesting approval of petition
   2. Petition for annexation
   3. Map of area to be annexed
   4. Code Section 5-3-140

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Philip S. Massey, Ph.D.
Commissioner

Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

Judy E. Johnson, Ed.D.
Deputy Commissioner
Client Services

James E. Kirk
Deputy Commissioner
Fiscal Affairs

MENTAL RETARDATION
COMMISSION

Melvin L. Burton, Jr., Chairman
Clarence H. Buurman, Ph.D., Vice Chairman
Emilie A. Towler, Secretary
Annabelle S. Boykin, Ph.D.
Alan S. Pissie
Mary C. Ramsay
Doris G. Woods

South Carolina Department of Mental Retardation

3440 Harden Street Extension
P. O. Box 4706
Columbia, South Carolina 29240

803/737-6474

Mr. Jesse A. Coles, Jr., Ph.D.
Executive Director
State Budget and Control Board
P. O. Box 12444
Columbia, SC 29211

June 12, 1991

RECEIVED
JUN 24 1991
DIV OF GEN. SERVICE
LEGAL SECTION

RE: Petition for Annexation

Dear Dr. Coles:

The City of Fort Mill proposes to annex a block of property which among others contains 4.0 acres of State property. This property was purchased by the Department and will be used as a site for a community residence for persons with mental retardation. Construction of the residence, however, is on hold pending resolution of the present economic situation facing the State.

Our Commission has approved the proposed annexation and recommends approval by the State Budget and Control Board in accordance with S.C. Code Ann. §5-3-140, copy enclosed. A copy of the Commission approval of May 16, 1991 is also enclosed. We believe that this action will have positive benefits for both the City and the Department. When this community residence is constructed, it will benefit from annexation by the addition of city services such as fire and police protection.

On behalf of our Commission, I urge the State Budget and Control Board to sign the enclosed Petition signifying their approval of the proposed annexation.

Please return the Petition and I will ensure that it is forwarded to the City. Thank you for your assistance.

With best regards.

Yours truly,

Philip S. Massey, Ph.D.
Commissioner

Enclosures as stated

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cc: Lonnie A. Bowman, Jr., Deputy Commissioner
Stephen R. McCuen

STATE OF SOUTH CAROLINA)
) P E T I T I O N
COUNTY OF RICHLAND)

TO THE CITY COUNCIL OF FORT MILL, SOUTH CAROLINA:

WHEREAS, State of South Carolina through its agent the Department of Mental Retardation is the owner of a 4.0 acre tract of land on Banks Street in York County, and

WHEREAS, said owner desires that the corporate limits of the City of Fort Mill, South Carolina, shall be extended by annexing said area; now,

The State of South Carolina and the South Carolina Department of Mental Retardation, being the sole owner of the property constituting the above mentioned 4.0 acres, does hereby respectfully petition the City Council of Fort Mill, South Carolina, pursuant to Section 5-3-140 of the South Carolina Code of Law, 1976, relating to alternate method of annexation when the entire area proposed to be annexed is owned by the State of South Carolina.

Dated this 30th day of July, 1991.

STATE OF SOUTH CAROLINA
State Budget and Control Board

Donna K. Williams
Witness

By Its

EXHIBIT
JUL 30 1991 91
STATE BUDGET & CONTROL BOARD

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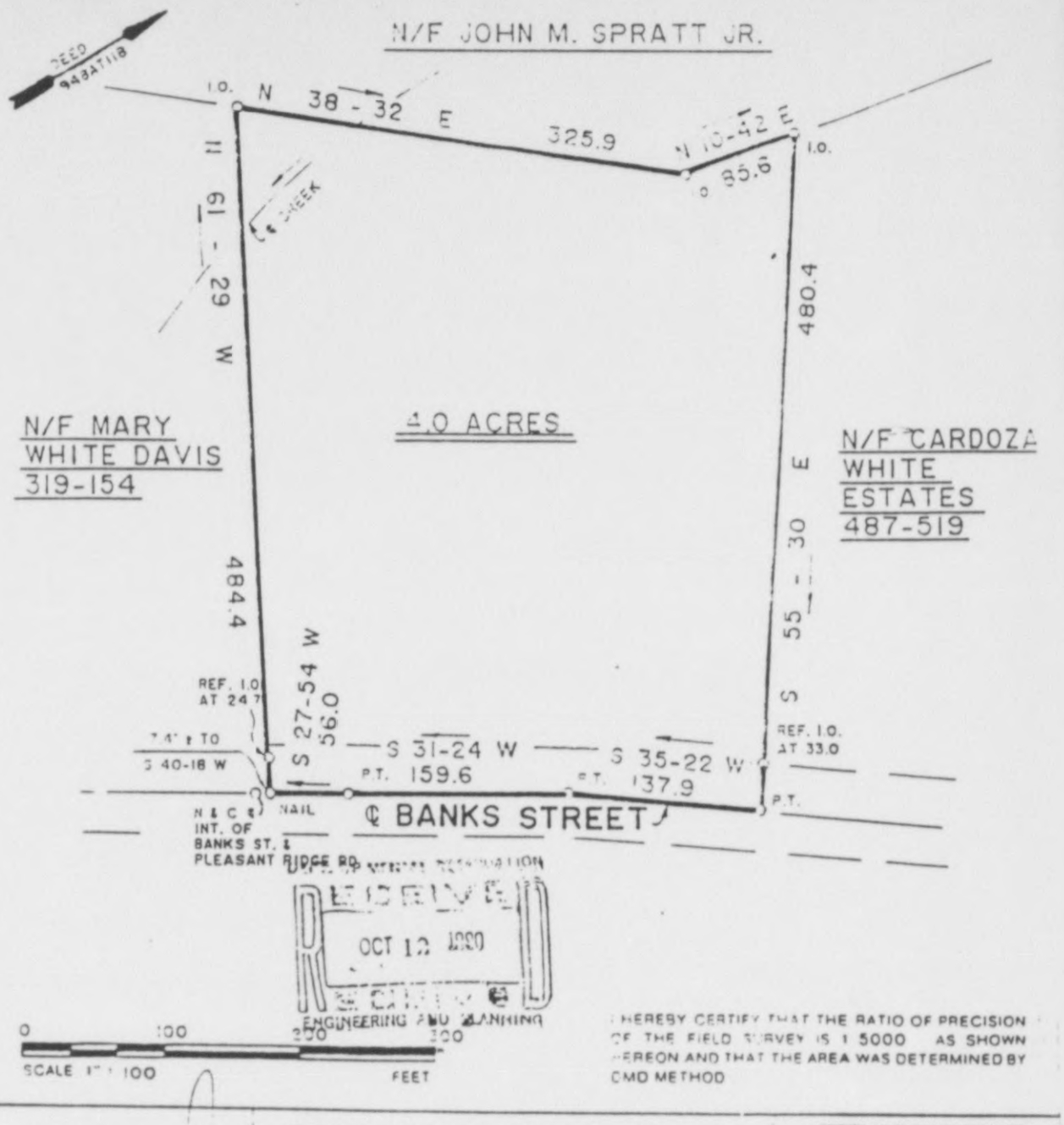

I HEREBY CERTIFY THAT THE RATIO OF PRECISION OF THE FIELD SURVEY IS 1 5000 AS SHOWN HEREON AND THAT THE AREA WAS DETERMINED BY CMD METHOD

SOUTH CAROLINA REGISTERED LAND SURVEYOR 4781 JAMES R. FREELAND

RLS JAMES R. FREELAND
NO. 4781

STATE OF SOUTH CAROLINA
YORK COUNTY
FORT MILL TOWNSHIP

SURVEY FOR
S.C. DEPARTMENT OF
MENTAL RETARDATION

FREELAND-CLINKSCALES & ASSOCIATES, INC.
Engineers • Land Surveyors
323 WEST STONE AVENUE
GREENVILLE, S.C.
(803) 271-4924

PLAT BOOK	
DEED BOOK	
TAX MAP	
PARTY CHIEF	RMF
DRAWN	MEW
DATE	9-27-90
DWG NO	25002-1

THE PRINT MACHINE, INC. 74541

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adjacent to a municipality, it may be annexed upon the petition of the Federal Government or of the State to the city or town council thereof. As used in this section, a petition by the State shall mean a petition executed by the State Budget and Control Board. Upon agreement of the city or town council to accept the petition and the passage of an ordinance to that effect, the annexation shall be complete, and the election provided for in §§ 5-3-50 to 5-3-80 shall not be required.

HISTORY: 1962 Code § 47-19.2; 1967 (55) 952; 1971 (57) 798.

ATTORNEY GENERAL'S OPINIONS

Municipal corporation may annex territory under exclusive jurisdiction of Federal Government. 1967-68 Op. Att'y Gen., No 2474, p 143.

§ 5-3-150. Alternate methods where petition signed by all or seventy-five percent of landowners.

(1) Any area or property which is contiguous to a city or town may be annexed to the city or town by filing with the municipal governing body a petition signed by seventy-five percent or more of the freeholders, as defined in § 5-3-240 owning at least seventy-five percent of the assessed valuation of the real property in the area requesting annexation. Upon the agreement of the governing body to accept the petition and annex the area, and the enactment of an ordinance declaring the area annexed to the city or town, the annexation shall be complete and the election provided for in §§ 5-3-50 through 5-3-270 shall not be required. No member of the governing body who owns property or stock in a corporation owning property in the area proposed to be annexed shall be eligible to vote on such ordinance. This method of annexation shall be in addition to any other methods authorized by law; *provided*, that no such property shall be annexed unless the following has been complied with: (1) The petition must be dated before the first signature is affixed thereto and all necessary signatures must be obtained within six months from the date of the petition; (2) The petition and all signatures thereto shall be open for public inspection at any time on demand of any resident of the municipality or area affected by the proposed annexation or by anyone owning property in the area to be annexed; (3) The petition shall state the act or code section pursuant to which the proposed annexation is to be accomplished; (4) The petition shall contain a description of the area to be annexed and there shall be attached to the petition a plat of the area to be annexed; and (5) Any municipality or any person resident therein and any person residing in the area to be annexed or owning real property therein

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commissioners, county board of directors, or other local county agency or governing body having jurisdiction over county roads.

HISTORY: 1962 Code § 47-18.2; 1971 (57) 299.

§ 5-3-120. Alternate method when entire area proposed to be annexed owned by corporation.

If the entire area proposed to be annexed belongs to a corporation only, it may be annexed on the petition of the stockholders of such corporation. Upon agreement of the governing body of the municipality to accept the petition and the passage of an ordinance to that effect by the municipality, the annexation shall be complete, and the election provided for in §§ 5-3-50 to 5-3-80 shall not be required.

HISTORY: 1962 Code § 47-19; 1952 Code § 47-19; 1942 Code § 7230; 1932 Code § 7230; Civ. C. '22 § 4385; Civ. C. '12 § 2991; Civ. C. '02 § 1997; 1896 (22) 82; 1897 (22) 459; 1901 (23) 658; 1948 (45) 1974; 1964 (53) 1810.

Research and Practice References—

13 Am Jur Legal Forms 2d, Municipal Corporations, Counties, and Other Political Subdivisions, § 180:12 (resolution accepting dedication).

CASE NOTES

Section does not change requirement that voters must consent to detachment from their city.—Although this section [Code 1962 § 47-19] authorizes a somewhat different procedure where the entire area proposed to be annexed belongs to a corporation, no part of a municipality may be detached and annexed to another without submitting the question of said detachment to the voters of the municipality being reduced in area, and it is immaterial whether the area to be eliminated from its corporate limits is owned wholly by a corporation or individually held. Forest Acres v Forest Lake, 226 SC 349, 85 SE2d 192 (1954), commented on in 7 SC LQ 672 (1955).

§ 5-3-130. Alternate method when entire area proposed to be annexed owned by school district.

If the area proposed to be annexed belongs entirely to a school district, it may be annexed upon the petition of the board of trustees of the school district to the city or town council. Upon agreement of the city or town council to accept the petition and the passage of an ordinance to that effect, the annexation shall be complete, and the election provided for in §§ 5-3-50 to 5-3-80 shall not be required.

HISTORY: 1962 Code § 47-19.1; 1953 (48) 221.

§ 5-3-140. Alternate method when entire area proposed to be annexed owned by Federal or State Government.

If the territory proposed to be annexed belongs entirely to the Federal Government or to the State of South Carolina and is

EXHIBIT

JUL 30 1991 9 001318

STATE BUDGET & CONTROL BOARD

EXHIBIT

JUL 30 1991 10

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
MEETING OF July 30, 1991

REGULAR SESSION
ITEM NUMBER 9

AGENCY: General Services

SUBJECT: Extension to HHSFC Procurement Certification

The Division recommends that, in accord with the provisions of Code Section 11-35-1210, the Board grant a 90-day extension to the existing procurement certification of the Health and Human Services Finance Commission.

The Division is completing its standard follow-up review in accord with Code Section 11-35-1230 to determine if the Commission has completed its corrective action. That follow-up review will not be complete by the time the existing procurement certification expires.

BOARD ACTION REQUESTED:

In accord with the provisions of Code Section 11-35-1210, grant a 90-day extension to the existing procurement certification of the Health and Human Services Finance Commission, as recommended by the Division of General Services.

ATTACHMENTS:

Agenda item worksheet; Shealy July 23 memo to Kelly; attachments

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BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

Meeting Scheduled for: July 30, 1991 Agenda Regular

1. Submitted By:
   (a) Agency: Division of General Services

   (b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject: Request for a 90 Day Extension of the Health and Human Services Finance Commission's Existing Procurement Certification

3. Summary Background Information: In accordance with Section 11-35-1210 of the Consolidated Procurement Code, the Division of General Services has audited the Health and Human Services Finance Commission's procurement system. Currently, we are completing our standard follow-up review in accordance with Section 11-35-1230 of the Code to determine that the Commission has completed their corrective action. This will not be completed by the time the existing procurement certification expires.

4. What is Board Asked to do?

   In accordance with Section 11-35-1210 of the Code, grant a 90 day extension to the Health and Human Services Finance Commission's certification.

5. What is Recommendation of Board Division involved?

   Grant the 90 day extension.

6. Recommendation of Other Division/Agency (as required)?

   (a) Authorized Signature:
   (b) Division/Agency Name:

EXHIBIT

7. Supporting Documents:
   (a) List Those Attached:

JUL 30 1991 10

STATE BUDGET & CONTROL BOARD

   -Memorandum from the Office of Audit and Certification
   -Health and Human Services Finance Commission's Current Procurement Certificate
   -Copy of Section 11-35-1210 of the Consolidated Procurement Code
   -Copy of Section 11-35-1230 of the Consolidated Procurement Code

   (b) List Those Not Attached But Available From Submitter

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STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF GENERAL SERVICES

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

RICHARD W. KELLY
DIVISION DIRECTOR

MATERIALS MANAGEMENT OFFICE
1201 MAIN STREET, SUITE 600
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0600

JAMES J. FORTH, JR.
ASSISTANT DIVISION DIRECTOR

M E M O R A N D U M

TO: Richard W. Kelly
Division Director

FROM: Voight Shealy, Manager
Audit and Certification

DATE: July 23, 1991

SUBJECT: EXTENSION OF THE HEALTH AND HUMAN SERVICES FINANCE COMMISSION'S PROCUREMENT CERTIFICATION

In accordance with Section 11-35-1230 of the Consolidated Procurement Code, we have been performing a follow-up review to our recent audit of the Health and Human Services Finance Commission (HHSFC). Unfortunately, we have not completed our follow-up review. Due to this fact, we are not prepared to recommend procurement recertification at this time.

Since HHSFC's procurement certification will expire before we can complete our verification that it has taken the corrective action that we recommended in our draft report, I request the Budget and Control Board grant a 90 day extension to their existing certification.

As soon as we complete the audit follow-up, we will present our report and recommendations for recertification to the Board.

C James J. Forth, Jr.

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SOUTH CAROLINA

BUDGET AND CONTROL BOARD

DIVISION OF GENERAL SERVICES

Certifies

HEALTH AND HUMAN SERVICES FINANCE COMMISSION — Agency

#66 — certificate no.

To make direct procurements subject to compliance with the Consolidated Procurement Code and Regulations not to exceed for each procurement transaction the dollar amounts for the general area of specific commodities listed herein

Service Provider Contracts Funded from Social Services Block Grant - Service Provider Being a Provider of Services Directly to a Client	$50,000 per contract, per year, limit of two one-year extension options
Consultant Services Including Information Technology Consultants	*$ 150,000 per purchase commitment
Printing Services	*$ 10,000 per purchase commitment

*The total potential purchase commitment to the state whether single-year or multi-term contracts are used.

Given this 4th day of August, 1988

Chairman, Budget and Control Board

Director, Division of General Services

Assistant Director, Division of General Services

This certification expires 08/04/91 but may be withdrawn at any time by the Budget and Control Board.

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EXHIBIT 10

JUL 30 1991

STATE BUDGET & CONTROL BOARD

16. Authorized the Insurance Reserve Fund to participate in the Joint Underwriting Association hospital loss control program at actual cost annually;

17. Approved the travel of James Bennett, John Trussell, and Strom Johnston to London, England, at an approximate cost of $4,500 each, to negotiate the renewal of the tort liability and medical malpractice reinsurance contracts; and approved the time and cost expenses for Tillinghast, Nelson & Warren, consulting actuaries, to accompany IRF staff to assist in these negotiations, at an approximate cost of $17,500;

18. Authorized the Department of Wildlife and Marine Resources to:
    (a) Accept the conveyance of nine lots at Pawley's Island from Harry C. Tiller, et al., noting that this action in no way is to be construed as undermining the State's general claim to ownership of the marshlands;
    (b) Purchase 247.8 acres in Greenville County (Ashmore Addition) for the appraised value of $347,000;
    (c) Purchase approximately 308 acres in Oconee County (Buzzard's Roost) for the appraised value of $295,400; and
    (d) Purchase 4.25 acres in Richland County (Wateree-Congaree field office) for the appraised value of $15,000;

19. Asked Chief Deputy Attorney General Shine to develop appropriate statutory language requiring State acceptance of any gifts for consideration at a future meeting;

20. Approved the purchase by the Highway Department of four acres near Bennettsville for $48,000;

21. Approved the exchange of a 5.2 acre tract of land owned by Clemson University for a 6.3 acre tract owned by J. R. Long with Mr. Long paying Clemson an additional $1,000;

22. In accord with Code Sections 1-11-100 and 10-1-130, concurred and acquiesced in the granting of a right-of-way easement in Aiken County by the Department of Parks, Recreation and Tourism and the State Forestry Commission to Theodore H. and Geraldine L. Pace for access to property surrounded by Aiken State Park;

23. In accord with Code Section 1-11-75, authorized the issuance of navigable water permits to governmental entities with no fee being required;

24. In accord with Section 11-35-1210, granted procurement certification to the Health and Human Services Finance Commission within the parameters described in the audit report for the following limits (total potential purchase commitment whether single- or multi-year contracts are used) for

EXHIBIT
JUL 30 1991 10
STATE BUDGET & CONTROL BOARD

a period of three years: Service provider contracts funded from Social Services block grants (service provider being a provider of services directly to a client), $750,000 per contract per year, limit of two one-year extension options; and consultant services including information technology consultants, $150,000 per purchase commitment;

25. Exempted the State Board for Technical and Comprehensive Education from the vacancy factor change from 2.5% to 3.75%; and directed the Budget Division to manage the funding of the exemption through the Employee Benefits section of the budget;

26. Encumbered Civil Contingent Funds for the following purposes:
    (a) $125,000 for Attorney General's Office for Catawba Indian litigation;
    (b) $4,000 for Budget and Control Board meetings; and
    (c) $1,000 for Merit Selection Panel meetings.

27. Approved the selection of the following firms to provide bond counsel services:

    (a) Haynsworth, Marion, McKay & Guerard for the Jobs-Economic Development Authority in connection with a tax-exempt composite issue; and
    (b) Nelson, Mullins, Riley and Scarborough for The Citadel in connection with the construction of a new dining facility;

28. Adopted resolutions approving the private sale for public offering thereafter of Industrial Development Revenue Bonds and/or Notes by the Jobs-Economic Development Authority for the following projects on the condition that the required reviews are completed with satisfactory results; and allocated a portion of the state ceiling to each project:

(a)	Name of Project:	Batesburg Industrial Fabric (Division of Hermitage Industries, Inc.)
	Location:	Lexington County
	Principal Amount:	$7,700,000
	Employment Impact:	165 retained; 138 additional within 12 months; 168 additional within 24 months
	Purpose:	produce lightweight industrial fabrics
(b)	Name of Project:	Brown Packing Company, Inc.
	Location:	Cherokee County
	Principal Amount:	$650,000
	Employment Impact:	122 retained
	Purpose:	meat products processing plant
(c)	Name of Project:	General Nutrition Laboratories, Inc.
	Location:	Greenville County
	Principal Amount:	$2,500,000

29. In accord with Section 11-35-1210, granted increased procurement certification to the Health and Human Services Finance Commission by adding printing services, $10,000 per purchase commitment, to run concurrently with the existing certification;

30. Approved the following Clemson University foreign travel involving $2,000 or more of State-appropriated funds: George R. Lucas, Jr., to Leuven, Belgium during the December 21, 1988 - June 30, 1989, period at an estimated cost of $2,904 of which $2,000 will be State funds;

31. In accord with Code Section 8-11-135, authorized the following payments as reimbursements for the costs incurred in moving personal and household effects to Columbia:

    (a) Archives and History: Not to exceed $5,000 to Roy H. Tryon, Deputy Director for Archives and Records Management, moving from Dover, Delaware; and

    (b) Commission on Higher Education: Not to exceed $3,188 to Dr. Robert K. Poch, Higher Education Program Coordinator, moving from Lake Monticello, Virginia.

32. Agreed to hold a regular meeting at 10 a.m. on Tuesday, October 4, 1988, in the Governor's conference room in the State House;

33. Approved salary increases ranging from 15.65% to 46.80% for 13 unclassified faculty members at the Medical University effective September 13, 1988, and authorized the Division of Human Resource Management to publish the specific salaries and justification as required by the Freedom of Information Act; and

34. Approved salary increases exceeding 8% for five unclassified executive compensation system employees (1 at Lander College; 2 at Francis Marion College; 2 at Clemson University) effective October 1, 1988, and authorized the Division of Human Resource Management to publish the specific salaries and justification as required by the Freedom of Information Act.

Section 11-35-1020. Advisory Groups.

The chief procurement officers may appoint advisory groups such as user committees to assist with respect to specifications and procurement in specific areas and with respect to any other matters within the authority of the chief procurement officers. The chief procurement officers shall develop methods for obtaining necessary and relevant information from the affected agencies, whether through user committees or by surveys and other methods. The chief procurement officers shall make every reasonable effort to ensure that such contracts are developed as will best suit the interest of the State, giving due emphasis to user needs, total costs and open competitive methods of public purchasing.

Section 11-35-1030. Procurement Training and Certification.

The Division of General Services shall develop a system of training for procurement in accordance with regulations by the board. Such training shall compass the latest techniques and methods of public procurement. If deemed appropriate by the Division of General Services, such training shall include a requirement for certification of the procurement officer of each purchasing agency.

SUBARTICLE 9

Auditing and Fiscal Reporting

Section 11-35-1210. Certification.

(1) **Authority.** The board may assign differential dollar limits below which individual governmental bodies may make direct procurements not under term contracts. The Division of General Services shall review the respective governmental body's internal procurement operation, shall certify in writing that it is consistent with the provisions of this code and the ensuing regulations, and recommend to the board those dollar limits for the respective governmental body's procurement not under term contract.

(2) **Policy.** Authorizations granted by the board to a governmental body are subject to the following:

(a) adherence to the provisions of this code and the ensuing regulations, particularly concerning competitive procurement methods;

(b) responsiveness to user needs;

(c) obtaining of the best prices for value received.

(3) **Adherence to Provisions of the Code.** All procurements shall be subject to all the appropriate provisions of this code, especially regarding competitive procurement methods and nonrestrictive specifications.

Section 11-25-1220. Collection of Data Concerning Public Procurement.

The Division of General Services shall prepare statistical data concerning the procurement, use and disposition of all supplies, services and construction. All using agencies shall furnish such reports as the Division of General Services may require concerning use, needs and stocks on hand, and the chief procurement officers shall prescribe forms to be used by the using agencies in requisitioning, ordering and reporting supplies, services and construction. The chief procurement officers shall limit requests for information to those items necessary for the effective operation of the purchasing system, but using agencies shall be required to provide information as requested.

Section 11-35-1230. Auditing and Fiscal Reporting.

(1) **Auditing.** The Division of General Services through consultation with the chief procurement officers shall develop written plans for the auditing of state procurements.

In procurement audits of governmental bodies thereafter, the auditors from the Division of General Services shall review the adequacy of the system's internal controls in order to ensure compliance with the requirement of this code and the ensuing regulations. Any noncompliance discovered through audit must be transmitted in management letters to the audited governmental body, the Budget and Control Board. The auditors shall provide in writing proposed corrective action to governmental bodies. Based upon audit recommendations of the Division of General Services the board may revoke certification as provided for in Section 11-35-1210 and require the governmental body to make all procurements through the office of materials management above a dollar limit set by the board until such time as the board is assured of compliance with this code and its regulations by that governmental body.

(2) **Fiscal Reporting.** Beginning with the first quarter of fiscal year 1981-82 and each quarter thereafter, in

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consultation with the Legislative Audit Council, the Comptroller General shall assume responsibility for operation and maintenance of the automated quarterly fiscal reporting procedures that have been developed under Section 1-1-930. The Comptroller General shall assume responsibility for providing quarterly reports to the General Assembly regarding the status of personnel positions, budgets, transfers and expenditures in all state agencies, departments and institutions in a format developed in consultation with the Legislative Audit Council. The Legislative Audit Council shall periodically review the reporting system and coordinate legislative information needs with the Office of the Comptroller General as necessary. All agencies, departments and institutions of state government shall report to the Comptroller General the information required under Section 1-1-940.

Beginning in the first quarter of fiscal year 1981-82, the Legislative Audit Council shall undertake a periodic review of the reporting and data analysis system developed by the division for reporting both commodities purchased and those not purchased through the division's central purchasing system, and shall make recommendations for incorporating these reporting procedures into the Statewide Accounting and Reporting System (STARS) as necessary to reduce unnecessary duplication and improve efficiency, effectiveness and accountability.

Section 11-35-1240. Administrative Penalties.

The board shall prescribe administrative penalties for violation of the provisions of this code and of regulations promulgated thereunder, excluding those matters under the jurisdiction of the Ethics Commission as provided by law.

Violation of these provisions shall be grounds for loss of or reduction in authority delegated by the board.

Section 11-35-1250. Authority to Contract for Auditing Services.

No contract for auditing or accounting services shall be awarded without the approval of the State Auditor except where specific statutory authority is otherwise provided.

Section 11-35-1260. Authority to Contract for Legal Services.

No contract for the services of attorneys shall be awarded without the approval of the State Attorney General except where specific statutory authority is otherwise provided.

Section 11-35-1270. Authority to Contract for Certain Services.

For the purpose of procuring any professional services not included in the purchasing authority of this code and the ensuing regulations, where the person employed is customarily employed on a fee basis rather than by competitive bidding (e.g., clergy, dentists, physicians), a governmental body may act as a purchasing agent and contract on its own behalf for such services, subject to this code and regulations which may be established by the board.

ARTICLE 5

Source Selection and Contract Formation

EXHIBIT
JUL 30 1991 1 01
STATE BUDGET & CONTROL BOARD

SUBARTICLE 1

Definitions

Section 11-35-1410. Definitions of Terms Used in this Article.

Unless the context clearly indicates otherwise:

(1) **"Cost-reimbursement contract"** means a contract under which a contractor is reimbursed for costs which are allowable and allocable in accordance with the cost principles as provided in Article 13 of this chapter and a fee, if any.

(2) **"Established catalog price"** means the price included in a catalog, price list, schedule, or other form that:
  (a) is regularly maintained by a manufacturer or vendor of an item;
  (b) is either published or otherwise available for inspection by customers;
  (c) state prices at which sales are currently or were last made to a significant number of buyers consituting the general buying public for the supplies or services involved.

(3) **"Invitation for bids"** means all documents, whether attached or incorporated by reference, utilized for

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EXHIBIT

JUL 30 1991 11

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF July 30, 1991
ITEM NUMBER 10

AGENCY: Abbeville County

SUBJECT: Industrial Revenue Bond (The Bibb Company Project)

The required reviews by the Attorney General's Office and the Division of General Services on the Abbeville County proposal to issue revenue bonds have been completed with satisfactory results.

The project requires approval under State law. An allocation of a portion of the Ceiling was granted at the July 17 meeting.

Issuing Authority:	Abbeville County
Amount of Issue:	$3,000,000 Industrial Revenue Bonds
Allocation Amount:	$3,000,000 (granted 7/17/91)
Name of Project:	The Bibb Company
Employment Impact:	maintain existing employment of 150; additional employment of approximately 20
Project Description:	textile manufacturing facility (previously known as Abbeville Mills) that manufactures yarn primarily used in the manufacture of sheeting and toweling

BOARD ACTION REQUESTED:

Adopt a resolution approving the Abbeville County proposal to issue $3,000,000 Industrial Revenue Bonds on behalf of The Bibb Company project.

ATTACHMENTS:

Resolution; Ashworth July 22 letter; Rush July 24 letter; Standard Form Credit Enhancement Letter from Citibank, N.A.

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STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

The Bibb Company

I, DONNA K. WILLIAMS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable William D. Boan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:00 a.m. on Tuesday, July 30, 1991, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index for this meeting were posted on bulletin boards in the office of the Governor's Press Secretary and in the Press Room in the State House, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 4:00 p.m. on , Friday, July 26, 1991.

That all members of the Board were present at the meeting.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Mr. Patterson, who moved its adoption; the motion was seconded by Mr. Morris, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
5	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

October 1, 1991

Donna K. Williams

001329

A RESOLUTION APPROVING THE ISSUANCE BY ABBEVILLE COUNTY, SOUTH CAROLINA, OF NOT EXCEEDING $3,000,000 PRINCIPAL AMOUNT INDUSTRIAL DEVELOPMENT REVENUE BONDS (THE BIBB COMPANY PROJECT) SERIES 1991, PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, TITLE 4, CHAPTER 29 (1976), AS AMENDED.

WHEREAS, the County Council of Abbeville County, South Carolina (the "Governing Board"), has heretofore, by submitting a petition (the "Petition") under and pursuant to the provisions of Section 4-29-140 of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), requested the approval by the State Budget and Control Board of the issuance by Abbeville County (the "County") pursuant to the Act of its Industrial Development Revenue Bonds (The Bibb Company Project) in the aggregate principal amount of not exceeding $3,000,000 (the "Bonds"); and

WHEREAS, the County proposes to issue the Bonds for the purpose of defraying the cost of acquiring, by construction and purchase, approximately 36 acres of land, an approximately 122,000 square foot building or buildings and other improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishings (the "Project") to be used for the purpose of manufacturing textiles; and

WHEREAS, the Project is to be made available to The Bibb Company, a Delaware corporation (the "Company"), upon terms which require the Company to make payments to or for the account of the County in amounts sufficient to pay the principal and interest on the Bonds; and

WHEREAS, the Bonds will be payable from and secured by an assignment of the obligations of the Company under a Loan Agreement between the County and the Company; and

WHEREAS, the County has submitted a copy of a resolution and petition adopted by the County on June 10, 1991;

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. The Board has made such investigation of the matters set forth in the Petition as it deems appropriate, and it is hereby found, determined and declared:

(a) The Petition filed by the Governing Board contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 4-29-140 of the Act; and

(b) The Project subject of the Petition of the Governing Board is intended to promote the purposes of the Act and is reasonably anticipated to effect such result.

Section 2. In consequence of the foregoing, the proposal of the County to defray the cost of acquiring the Project, to make the Project available to the Company, to finance the cost thereof and expenses incidental thereto by the execution and delivery of the Bonds, in substantially the form set forth in the Indenture of Trust, secured by an assignment of the revenues to be derived from the Loan Agreement, be and the same is hereby in all respects approved. This approval shall not be affected by any changes in the details of the proposal of the County so long as such changes do not impose a pecuniary liability upon the County or its general credit or taxing power, are approved by the County Council and the Company, and do not make inaccurate, except as to dates and amounts, the summaries of the Loan Agreement and the Indenture of Trust and the description of the Project.

Section 3. Notice of the action taken by this Board in approving the above described undertaking of the County shall be published in the Abbeville Press and Banner, which is a newspaper having general circulation in Abbeville County.

Section 4. The Notice, required in Section 3 above to be published, shall be in substantially the form set forth in Exhibit "A" of this Resolution.

Section 5. This Resolution shall take effect immediately.

EXHIBIT A

NOTICE PURSUANT TO THE PROVISIONS
OF SOUTH CAROLINA CODE ANNOTATED,
TITLE 4, CHAPTER 29
(1976), AS AMENDED

Notice is hereby given pursuant to the provisions and requirements of Section 4-29-140 of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), that the State Budget and Control Board of South Carolina, pursuant to a Petition filed by the County Council of Abbeville County, South Carolina, has given its approval to the following undertaking by Abbeville County, South Carolina:

The issuance by Abbeville County of its Industrial Development Revenue Bonds (The Bibb Company Project) in the original principal amount of not exceeding $3,000,000 (the "Bonds"), to defray the costs of acquiring, by construction and purchase, approximately 36 acres of land, an approximately 122,000 square foot building or buildings and other improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishings by The Bibb Company, a Delaware corporation, to be used as an industrial facility for the purpose of manufacturing textiles (the "Project") to be located in Abbeville County. The Project will be made available to The Bibb Company which will unconditionally covenant to make payments sufficient to pay the principal and interest on the Bonds. The Bonds will be payable solely and exclusively out of payments to be made by The Bibb Company for the use of the Project.

Notice is further given that any interested party may, within twenty (20) days after the date of the publication of this notice, but not afterwards, challenge the validity of the State Budget and Control Board's approval of the Project, and the issuance of the Bonds by Abbeville County to finance the same, by action de novo instituted in the Circuit Court for Abbeville County, South Carolina.

STATE BUDGET AND CONTROL BOARD

BY: DONNA K. WILLIAMS, Secretary

Dated: July 30, 1991.

JUL 15 1991

TRANSMITTAL FORM, REVENUE BONDS

Date: July 15, 1991
Submitted for BCB Meeting on:
August 30, 1991

TO: Donna K. Williams, Secretary
State Budget and Control Board
600 Wade Hampton Office Building
Columbia, SC 29201
OR P. O. Box 12444, Columbia, SC 29211

FROM:

McNair Law Firm, P.A.
Name of Law Firm

7 N. Laurens St., NCNB Plaza Ste. 1201
Street Address/Box Number

Greenville, SC 29601
City, State, Zip Code

(803)271-4940
Telephone Area Code and Number

RE: Not Exceeding $3,000,000
Amount of Issue

Industrial Revenue Bonds
Type of Bonds or Notes

Abbeville County, S.C.
Issuing Authority Name

Spetember 15, 1991
Projected Issue Date

Project Name: The Bibb Company Project

Project Description: The facility will be used for the purpose of manufacturing textiles. yarn mfg for use by other facilities to mfg sheeting towels

Employment as result of project: Maintain existing employment of 150 and additional employment of approximately 20 people.

CEILING ALLOCATION REQUIRED	**REFUNDING INVOLVED**	**PROJECT APPROVED PREVIOUSLY**
X Yes ($3,000,000) ___ No	__ Yes ($_____) X No	__ Yes (_____) X No
Amount	Amount	Date

DOCUMENTS ENCLOSED (executed original and three copies of each):
(**ALL** required for State law approval; **A and C** only for ceiling allocation only.)

A. X Petition

B. X Resolution or ordinance

C. X Inducement Resolution or comparable preliminary approval

D. X Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: to be provided in package to be delivered July 16, 1991)
OR ___ Audited financial statements for three most recent years

E. ___ Department of Health and Environmental Control certificate IF REQUIRED

F. X Budget and Control Board Resolution and Public Notice (original)
[Plus 5 copies for certification and return to counsel]

G. X Processing fee
Amount $3,000 Check No. _____
Payor to be provided in package to be delivered July 16, 1991
The Bibb Company

H. X Draft bond counsel opinion letter

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Bond Counsel: Nancy Page By: Nancy Page
Typed Name of Counsel Signature

EXHIBIT

5/91

JUL 30 1991 11

STATE BUDGET & CONTROL BOARD

TRANSMITTAL FORM, REVENUE BONDS

Date: July 16, 1991
Submitted for BCB Meeting on:
August 30, 1991

TO: Donna K. Williams, Secretary
State Budget and Control Board
600 Wade Hampton Office Building
Columbia, SC 29201
OR P. O. Box 12444, Columbia, SC 29211

FROM:

McNair Law Firm, P.A.
Name of Law Firm

7 N. Laurens St., NCNB Plaza Ste. 1201
Street Address/Box Number

Greenville, SC 29601
City, State, Zip Code

(803)271-4940
Telephone Area Code and Number

RE: Not Exceeding $3,000,000
Amount of Issue

Industrial Revenue Bonds
Type of Bonds or Notes

Abbeville County, SC
Issuing Authority Name

September 15, 1991
Projected Issue Date

Project Name: The Bibb Company Project

Project Description: The facility will be used for the purpose of manufacturing textiles.

Employment as result of project: Maintain existing employment of 150 and additional employment of approximately 20 people.

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
X Yes ($3,000,000) ___ No	__ Yes ($_____) X No	__ Yes (_____) X No
Amount	Amount	Date

DOCUMENTS ENCLOSED (executed original and three copies of each):
(**ALL** required for State law approval; **A and C** only for ceiling allocation only.)

A. ___ Petition - DELIVERED JULY 15, 1991

B. ___ Resolution or ordinance - DELIVERED JULY 15, 1991

C. ___ Inducement Resolution or comparable preliminary approval - DELIVERED JULY 15, 1991

D. X Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: Citibank, N.A.)
OR ___ Audited financial statements for three most recent years

E. ___ Department of Health and Environmental Control certificate IF REQUIRED

F. ___ Budget and Control Board Resolution and Public Notice (original)
[Plus _____ copies for certification and return to counsel] - DELIVERED JULY 15

G. ___ Processing fee - DELIVERED JULY 16, 1991
Amount $_____ Check No. _____
Payor _____

EXHIBIT
11

JUL 30 1991
STATE BUDGET & CONTROL BOARD

H. ___ Draft bond counsel opinion letter - DELIVERED JULY 15, 1991

Bond Counsel: Nancy Page **By:** Nancy Page.
Typed Name of Counsel Signature

5/91

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The State of South Carolina

Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

EXHIBIT

JUL 30 1991 11

STATE BUDGET & CONTROL BOARD

July 22, 1991

Ms. Donna K. Williams
Assistant Executive Director
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

RE: Not Exceeding $3,000,000
Industrial Revenue Bonds
Abbeville County, South Carolina
(The Bibb Company Project)

Dear Ms. Williams:

Regarding the above-referenced obligation, we have reviewed the Petition and other documents forwarded to us by the State Budget and Control Board. These represent a portion of the documents that have been submitted to the Board for its approval pursuant to Section 4-29-140, et seq., South Carolina Code of Laws, 1976, as amended. The documents, with one exception, appear to comply with the requirements of the referenced Code sections that certain specific information be addressed in these documents.

Section 4-29-140 (b) requires a reasonable estimate of the cost of the project. This information would be found in the findings that the governing body must make pursuant to Section 4-29-60, regarding not only the amount of bonds necessary to finance the project, but the amount necessary each year to pay the principal of and interest on the bonds proposed to be issued to finance the project be stated. The Petition at paragraph 5, (vi) does represent that

> ... the County Council will make the requisite finding as to the amount necessary in each year to pay the principal and the interest on the Bonds proposed to be issued to defray the cost of the Project.

However, it should be noted that the information required by the code as to the specific amount, is not included in the information submitted to this Office.

This opinion addresses only the fact that the documents, other than the exception noted above, appear to meet the conditions imposed by State law that certain specific matters be included in the documentation. No opinion is expressed as to any other matters, including whether the Petition should be approved as a matter of policy.

Office of the Attorney General

BY: Drew Ashworth

TGA:bvc

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF GENERAL SERVICES

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

1201 MAIN STREET, SUITE 420
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-3880

RICHARD W. KELLY
DIVISION DIRECTOR

JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

July 24, 1991

EXHIBIT

JUL 30 1991 11

STATE BUDGET & CONTROL BOARD

Donna K. Williams
Secretary
State Budget and Control Board
612 Wade Hampton Office Building
Columbia, South Carolina 29201

Re: Abbeville County Industrial
Development Revenue Bonds on behalf
of The Bibb Company
$3,000,000

Dear Mrs. Williams:

We have received the Revenue Bonds Transmittal Form with the enclosed drafts of the Petition of County Council to the Budget and Control Board, Resolution Making Application to the State, Resolution Authorizing an Assistance Agreement, the Assistance Agreement, Resolution of the Budget and Control Board Approving Issuance, Public Notice and draft of Opinion of Bond Counsel.

Upon review, these documents have been submitted by Bond Counsel, McNair Law Firm, P.A. and appear to be in good order. Of course, we express no opinion as to the merits of the bond issue or the validity of the information recited in these documents as we have not acted in a capacity which would enable us to have knowledge adequate to form such an opinion. We have merely reviewed the documents form and they appear to meet the conditions imposed by State law that certain matters be addressed in the documentation.

Sincerely,

Wayne F. Rush

Wayne F. Rush
General Counsel

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EXHIBIT

JUL 30 1991 11

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA
STATE BUDGET AND CONTROL BOARD
Standard Form Credit Enhancement Letter

TO: Secretary, State Budget and Control Board
P. O. Box 12444
Columbia, SC 29211

RE: Sale by Abbeville County, South Carolina (the "Issuer")
Of its Industrial Development Revenue Bonds (the "Bonds")
On behalf of The Bibb Company (the "Company")
(The Bibb Company Project) (the "Project")
Credit Enhancement Provided by
Citibank, N.A. (the "Bank")

The Bank has agreed to issue a non-revocable Letter of Credit in favor of a Trustee to be named with respect to the issuance of the bonds on behalf of the Company. In connection with the referenced sale of Bonds by the Issuer, the Bank makes the following representations and certifications:

1. The Bank has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of its prospective investment in the Bonds;

2. The Bank is financially able to bear the economic risk of its proposed investment in the Bonds for an indefinite period;

3. The Bank is familiar with the business affairs of the Company and has obtained and examined all financial and other information with respect to the Bonds, the Company and the officers and shareholders of the Company which it deems necessary in order to enable it to evaluate the merits and risks of its investment in the Bonds and to make an informed investment judgment in connection with the credit enhancement with respect to the Bonds;

4. The Bank has had the opportunity to ask questions of, and receive answers from, the Issuer and the Company concerning the terms and conditions of the offering and any other information which it has deemed relevant to the Bonds and its investment in the Bonds; and

SWORN to and subscribed before me this 16th day of July, 1991.

Mary M Atkinson
Notary Public

My Commission expires

_____.

OFFICIAL SEAL
MARY M. ATKINSON
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. JULY 6,1993

Bank: Citibank, N.A.
Auth. Official: John W. Podkowsky
Title: Vice President
Address: 641 Lexington Avenue
New York, NY 10043

BY: _____
Signature of Authorized Official

DATE: July 16, 1991

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CITICORP CITIBANK

Citibank, N.A.
A subsidiary of
Citicorp

399 Park Avenue
New York, N.Y.
10043

EXHIBIT

JUL 30 1991 11

STATE BUDGET & CONTROL BOARD

July 16, 1991

South Carolina State Budget & Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211
Attn: Donna K. Williams, Secretary

NTC Group, Inc.
3 Pickwick Plaza
Suite 200
Greenwich, Connecticut 06830
Attn: Alan Masarek

Abbeville County
County Courthouse
Abbeville, South Carolina 29620
Attn: David Bates, County Administrator

Ladies & Gentlemen:

Enclosed is a copy of the Standard Form Credit Enhancement Letter executed on behalf of Citibank, N.A. ("Letter") relating to Industrial Development Revenue Bonds to be sold by Abbeville County, South Carolina on behalf of The Bibb Company.

With regard to references made to "investment in the Bonds" in the Letter, please be advised that Citibank, N.A. would be issuing its Letter of Credit in favor of a Trustee to be named with regard to the Bonds and is not purchasing the Bonds for its own account nor making any investment in

the Bonds. Be further advised that any Citibank, N.A. Letter of Credit so issued would have a one-year expiry date, with provision made for renewal or drawing at the end of such period.

Very truly yours,

CITIBANK, N.A.

By _____
John W. Podkowsky,
Vice ~~President~~

JWP:dh
Enclosure

cc: Counsel for the Issuer
Steven E. Mundy
Hawthorne & Mundy
Post Office Box 218
Abbeville, South Carolina 29620

Bond Counsel
Nancy Page
McNair Law Firm, P.A.
Suite 1201, NCNB Plaza
Greenville, South Carolina 29601

DeVerille A. Huston
Sidley & Austin
One First National Plaza
Chicago, Illinois 60603

Gil C. Tily
Dechert Price & Rhoads
214 Carnegie Center
Princeton, New Jersey 08540-6237

EXHIBIT

JUL 30 1991 11

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
ABBEVILLE COUNTY)

TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA

P E T I T I O N

This Petition of Abbeville County, South Carolina (the "County"), pursuant to South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), and specifically Section 4-29-140 thereof, respectfully shows:

1. The County Council of Abbeville County (the "County Council") is the governing body of the County and as such is the "governing board" of the County referred to in the Act.

2. The Act, among other things, empowers the County, subject to obtaining the approval of the State Budget and Control Board, pursuant to Section 4-29-140 of the Act: (i) to acquire, and, in connection with such acquisition, to enlarge, improve and expand, whether by construction, purchase, gift or lease, one or more projects (as defined in the Act) which shall be located within the jurisdiction of the County; (ii) to make available to any industry or industries any or all of its projects for such payments and upon such terms and conditions as the governing board may deem advisable and as shall not conflict with the provisions of the Act; (iii) to issue revenue bonds for the purpose of defraying the cost of acquiring, by construction and purchase, and in connection with any such acquisition, to enlarge, improve and expand any project; and (iv) to refund industrial revenue bonds or notes, including interest accrued thereon, heretofore issued under the Act, and to secure the payment of such bonds all as in the Act provided.

3. The County has agreed to assist The Bibb Company, a Delaware corporation qualified to do business as a corporation in South Carolina (the "Company"), by issuing its revenue bonds for the purpose of defraying the cost of the Project more fully described in Exhibit A attached hereto.

4. The County has been advised by the Company that the estimated amount necessary to defray the cost of the Project will be not exceeding $5,000,000, and it has requested the County to execute and deliver its Industrial Development Revenue Bonds (The Bibb Company Project) (the "Bonds") in the principal amount of not exceeding $5,000,000 to defray such costs.

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5. Pursuant to Section 4-29-60 of the Act, the County Council has made the requisite findings that: (i) the financing of the Project will subserve the purposes of the Act; (ii) it is anticipated that the Project will benefit the general public welfare of the County by providing employment and other public benefits not otherwise provided locally by reducing costs to the Company; (iii) the financing of the Project will give rise to no pecuniary liability of the County or a charge against its general credit or taxing power; (iv) the principal amount of the Bonds required to finance the Project is expected to be not exceeding $5,000,000; (v) the County does not deem it necessary to establish any reserve funds in connection with the retirement of the proposed Bonds and the maintenance of the Project; and (vi) the terms under which the Project is to be made available to the Company provide that the Company shall maintain the Project and carry all proper insurance with respect thereto, and as a part of the proceedings of the County, the County Council will make the requisite finding as to the amount necessary in each year to pay the principal and the interest on the Bonds proposed to be issued to defray the cost of the Project.

6. Pursuant to Section 4-29-140 of the Act, the County sets forth the following information:

(a) The Project, described in detail on Exhibit A, consists of land, a building or buildings, other improvements, and certain machinery, apparatus, equipment, office facilities and furnishings to be used for the purpose of manufacturing textiles. It is anticipated that the Project will maintain current employment of approximately 150 people and provide additional employment for approximately 20 people in the County and neighboring areas and that the Project will provide stimulation to the economy of the County and neighboring areas thereto by increased payrolls, capital investment and tax revenues.

(b) It is estimated that the financing of the Project, including the items of cost authorized in the Act, will be not exceeding $5,000,000.

(c) Copies of the Loan Agreement and the Indenture of Trust are available from the County. The following summary of terms is in no wise intended to affect or alter the actual terms of the documents themselves:

(i) The proposed Loan Agreement between the Company and the County provides in general:

(A) Proceeds derived from the placement of the Bonds will be used and applied by the County upon request of the Company solely for the payment

of the costs (as that term is defined in the Act) incident to the acquisition, by construction and purchase, of the Project.

(B) The Company obligates itself: to effect the completion of the Project if the proceeds derived from the placement of the Bonds prove insufficient therefor without diminution of any payments to the County required by the Loan Agreement; to meet the payments of principal and interest on the Bonds as the same become due and to pay the cost of maintaining and insuring the Project to the extent and in the manner provided in the Loan Agreement.

(C) The County does not incur any pecuniary liability or charge upon its general credit or taxing powers.

(ii) The proposed Indenture of Trust between the County and a financial institution, as trustee (the "Trustee"), provides in general:

(A) An irrevocable pledge and assignment for the benefit of the Trustee or its assigns as holder of the Bonds of the County's right, title and interest in and to the Loan Agreement and all payments, receipts and revenues which the County has a right to receive under the Loan Agreement or with respect to any security afforded thereunder or any other financing agreement with respect to the Project in favor of the County (except payments and rights to indemnification payments and administration expenses), and all the moneys and securities in funds created under the Indenture of Trust.

(B) The terms of the Bonds, the provisions for exchange and transfer of the Bonds, the prepayment provisions, the means of disbursement, default provisions and remedies therefor and various other matters relating to the Bonds.

(C) The execution of the Indenture of Trust imposes no pecuniary liability on the County and does not create a charge upon the general credit or taxing power of the County.

7. Neither the approvals granted in connection with the Bonds nor the request for an allocation granted by the State Budget and Control Board have been made in consideration of any bribe,

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gift, gratuity, or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, the County respectfully prays that the State Budget and Control Board (i) accept the filing of this Petition and the documents submitted herewith, (ii) make such investigation as it deems advisable, (iii) if it finds that the financing of the Project is intended to promote the purposes of the Act and may be reasonably anticipated to effect such result, that it approve the execution and delivery of the Bonds by the County pursuant to the Act to defray the cost of the Project (including changes in any details of the said financing as finally consummated which do not materially affect the undertaking of the County), (iv) allocate to the Bonds such portion of the state ceiling as established by the Tax Reform Act of 1986 and the Internal Revenue Code of 1986, as amended, as is necessary for the issuance of the Bonds, and (v) give published notice of its approval in the manner set forth in Section 4-29-140 of the Act.

Respectfully submitted,

ABBEVILLE COUNTY, SOUTH CAROLINA

By: W. B. Hamby II
Chairman, County Council of
Abbeville County, South Carolina

ATTEST:

Carol A. Chrisley
Clerk, County Council
of Abbeville County,
South Carolina

Dated: June 10, 1991.

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EXHIBIT A

THE PROJECT

A portion of the proceeds of the $5,000,000 Abbeville County, South Carolina, Industrial Development Revenue Bonds (The Bibb Company Project) Series 1991, will be used to acquire approximately 36 acres of land, an approximately 122,000 square foot building or buildings, machinery, equipment, fixtures and office furnishings for the purpose of manufacturing textiles.

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EXHIBIT

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STATE BUDGET & CONTROL BOARD

RESOLUTION

A RESOLUTION MAKING APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE ISSUANCE BY ABBEVILLE COUNTY, SOUTH CAROLINA, OF ITS INDUSTRIAL DEVELOPMENT REVENUE BONDS (THE BIBB COMPANY PROJECT) SERIES 1991, PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, TITLE 4, CHAPTER 29 (1976), AS AMENDED, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING $5,000,000.

WHEREAS, Abbeville County, South Carolina (the "County"), acting by and through its County Council, is authorized and empowered under and pursuant to the provisions of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), to acquire and cause to be acquired properties that are projects under the Act through which the industrial development of the State of South Carolina will be promoted and trade developed by inducing industrial enterprises to locate in and remain in the State of South Carolina and thus utilize and employ the manpower, agricultural products and natural resources of the State; and

WHEREAS, the County is further authorized by the Act to issue revenue bonds, as defined in the Act to include notes, payable solely from revenues and receipts from any financing agreement with respect to such project and secured by a pledge of said revenues and receipts and by an assignment of such financing agreement; and

WHEREAS, in order to implement the public purposes enumerated in the Act, the County proposes to issue its Industrial Development Revenue Bonds (The Bibb Company Project) in the principal amount of not exceeding $5,000,000 (the "Bonds") under and pursuant to the Act to defray the cost of acquiring, by construction and purchase, a building or buildings, other improvements, and certain machinery, apparatus, equipment, office facilities and furnishings (the "Project), and, subject to the approval of the State Budget and Control Board of South Carolina, to make the proceeds of the Bonds available to The Bibb Company (the "Company") under and pursuant to the terms of a Loan Agreement (the "Loan Agreement") to be entered into between the County and the Company; and

WHEREAS, it is now deemed advisable by the County Council to file with the State Budget and Control Board of South Carolina, in compliance with Section 4-29-140 of the Act, the Petition of the

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County requesting approval of the proposed financing by the State Budget and Control Board;

NOW, THEREFORE, BE IT RESOLVED by the County Council of Abbeville County, South Carolina, as follows:

Section 1. In accordance with Section 4-29-110 and 4-29-140 of the Act, it is hereby found, determined and declared as follows:

(a) The issuance of the Bonds in the principal amount of not exceeding $5,000,000 to defray the costs of the Project will subserve the purposes and in all respects conform to the provisions and requirements of the Act.

(b) It is anticipated that the Project being financed with the Bonds, more fully described on Exhibit A attached hereto, will benefit the general public welfare of the County by maintaining existing employment of 150 people and providing additional permanent employment for approximately 20 people from the County and adjacent areas with a resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of industrial operations not otherwise provided locally.

(c) Neither the Project, the Bonds proposed to be issued by the County, nor any documents or agreements entered into by the County in connection therewith will constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power.

(d) The issuance of the Bonds by the County in the principal amount of not exceeding $5,000,000 will be required to defray the costs of the Project.

(e) Inasmuch as the Company is a corporation with established credit, the establishment of reserve funds in connection with the retirement of the Bonds and maintenance of the Project is deemed unnecessary.

(f) The Project will continue to be made available by the County to the Company upon terms which will require the Company, at its own expense, to maintain the Project in good repair and to carry all proper insurance with respect thereto.

(g) A reasonable estimate of the cost of the Project, including necessary expenses incident thereto, is not exceeding $5,000,000.

(h) Neither the approvals granted in connection with the Bonds nor the request for an allocation granted by the State Budget

and Control Board have been made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Section 2. There be and is hereby authorized and directed the submission on behalf of the County of a Petition requesting the approval of the proposal of the County to issue the Bonds by the State Budget and Control Board of South Carolina pursuant to the provisions of Section 4-29-140 of the Act, said Petition, which constitutes and is hereby made a part of this authorizing resolution, to be in substantially the form attached hereto.

Section 3. The Chairman of the County Council of the County be and is hereby authorized and directed to execute said Petition in the name and on behalf of the County; and the Clerk of the County Council be and is hereby authorized and directed to attest the same and thereafter to submit an executed copy of this resolution to the State Budget and Control Board in Columbia, South Carolina.

Section 4. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its passage and approval.

Passed and approved June 10, 1991.

ABBEVILLE COUNTY, SOUTH CAROLINA

By: _____
Chairman, County Council of
Abbeville County, South Carolina

ATTEST:

Carol A. Chesley
Clerk, County Council
of Abbeville County,
South Carolina

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EXHIBIT A

THE PROJECT

A portion of the proceeds of the $5,000,000 Abbeville County, South Carolina, Industrial Development Revenue Bonds (The Bibb Company Project) Series 1991, will be used to acquire approximately 36 acres of land, an approximately 122,000 square foot building or buildings, machinery, equipment, fixtures and office furnishings for the purpose of manufacturing textiles.

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A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN ASSISTANCE AGREEMENT BY AND BETWEEN ABBEVILLE COUNTY, SOUTH CAROLINA, AND THE BIBB COMPANY, WHEREBY, UNDER CERTAIN CONDITIONS, ABBEVILLE COUNTY WILL ISSUE NOT EXCEEDING FIVE MILLION DOLLARS ($5,000,000) INDUSTRIAL DEVELOPMENT REVENUE BONDS OR NOTES.

WHEREAS, Abbeville County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended (the "Act"), to acquire, or cause to be acquired, properties (which such properties constitute "projects" as defined in the Act) and to enter into agreements with any industry to construct, operate, maintain and improve such projects; to enter into financing agreements with respect to such projects; to issue revenue bonds to defray the costs of such projects; and to accept any grants for such projects through which powers the industrial development of the State of South Carolina will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State of South Carolina and thus utilize and employ the manpower, agricultural products and natural resources of the State; and

WHEREAS, the County is authorized by the Act to issue revenue bonds, as defined in the Act to include notes, payable solely out of the revenues derived from a financing agreement with respect to such project and may further be secured by a pledge of said revenues, a trust indenture or indenture covering all or any part of such project, and a pledge of any financing agreement with respect to such project; and

WHEREAS, The Bibb Company, a Delaware corporation (the "Corporation"), has requested the County to issue not exceeding $5,000,000 of its Industrial Development Revenue Bonds or Notes (The Bibb Company Project) pursuant to the Act for the purpose of defraying the cost of acquiring by construction and purchase approximately 36 acres of land, an approximately 122,000 square foot building or buildings or other improvements thereon, and all machinery, apparatus, equipment, office facilities and furnishings to be installed therein for the purpose of manufacturing textiles, constituting an industrial facility (the "Project"), all as more fully set forth in the Assistance Agreement attached hereto; and

WHEREAS, the County has determined on the basis of the information supplied to it by the Corporation that the Project would be a "project" as that term is defined in the Act and that the Project would subserve the purposes of the Act.

EXHIBIT

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STATE BUDGET & CONTROL BOARD

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NOW, THEREFORE, BE IT RESOLVED, by the County Council as follows:

Section 1. Pursuant to the authority of the Act and subject to the approval by the State Budget and Control Board, and for the purpose of defraying a portion of the cost (as defined in the Act) of acquiring the Project there is hereby authorized to be issued revenue bonds or notes of the County in the principal amount of not exceeding Five Million Dollars ($5,000,000) to be designated "Abbeville County, South Carolina, Industrial Development Revenue Bonds or Notes (The Bibb Company Project)" (the "Bonds").

Section 2. The provisions, terms and conditions of the financing agreement by and between the County and the Corporation, the provisions, terms and conditions of the trust indenture or indenture by and between the County and the Trustee or Bondholder, yet to be named, and the form, details, rate or rates of interest, maturity and redemption provisions, if any, of the Bonds shall be prescribed by subsequent resolution or ordinance of the County Council.

Section 3. The Chairman of the County Council of the County is hereby authorized and directed to execute the Assistance Agreement attached hereto in the name and on behalf of the County, and the Clerk of the County Council is hereby authorized and directed to attest the same; and the Chairman of the County Council of the County is hereby further authorized and directed to deliver said executed Assistance Agreement to the Corporation.

Section 4. Prior to the issuance of any Bonds, the County Council will comply with the provisions of the Home Rule Act regarding the procedural requirements for adopting ordinances and resolutions.

Section 5. All orders, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

Section 6. It is the intention of the County Council that this resolution shall constitute an official action on the part of the County within the meaning of the applicable regulations of the United States Treasury Department relating to the issuance of industrial revenue bonds. This resolution shall constitute "official intent" by the County to allow the reimbursement of expenditures for the Project incurred prior to the issuance of the Bonds. The County Council intends to reimburse any expenditures incurred for the Project by issuing tax-exempt debt in the form of the Bonds. Any expenditures incurred for the Project prior to the issuance of the Bonds will be paid by the Corporation.

Done in meeting duly assembled this 10th day of June, 1991.

ABBEVILLE COUNTY, SOUTH CAROLINA

By: _____
Chairman, County Council of
Abbeville County, South Carolina

ATTEST:

By: Carol A. Chrisley
Clerk, County Council
of Abbeville County,
South Carolina

EXHIBIT

JUL 30 1991 11

STATE BUDGET & CONTROL BOARD

ASSISTANCE AGREEMENT

THIS AGREEMENT made and entered into by and between ABBEVILLE COUNTY, SOUTH CAROLINA, a body politic and corporate and a political subdivision of the State of South Carolina (the "County"), and THE BIBB COMPANY, a Delaware corporation (the "Corporation").

W I T N E S S E T H :

ARTICLE I

RECITATION OF FACTS

As a means of setting forth the matters of mutual inducement which have resulted in the making and entering into of this Agreement, the following statements of fact are herewith recited:

Section 1.01. The County is a body politic and corporate, and a political subdivision of the State of South Carolina, and is authorized and empowered by the provisions of Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended (the "Act"), to acquire, or cause to be acquired, and to enlarge, improve, expand, equip, furnish, own, lease and dispose of properties through which the industrial development of the State will be promoted and trade developed by inducing new industries to locate in South Carolina and by encouraging industries now located in South Carolina to expand their investments and thus utilize and employ manpower and other resources of South Carolina.

Section 1.02. The Corporation desires to acquire approximately 36 acres of land located within the jurisdiction of the County, and an approximately 122,000 square foot building or buildings and other improvements thereon and all machinery, apparatus, equipment, office facilities and furnishings to be used as an industrial facility for the purpose of manufacturing textiles (the "Project"). The Project when completed and in operation will retain the existing employment of approximately 150 people and provide additional permanent employment in the County for approximately 20 people.

Section 1.03. The Corporation has requested the County to assist it with its contemplated program through the sale of Industrial Development Revenue Bonds (or Notes) pursuant to the Act, whereby the County would defray a portion of the cost of the Project.

Section 1.04. The County has given due consideration to all the proposals and requests of the Corporation and has agreed to endeavor to effect the issuance of the bonds at the time and on the terms and conditions hereafter set forth.

ARTICLE II

UNDERTAKINGS ON THE PART OF THE COUNTY

The County agrees as follows:

Section 2.01. The County will, subject to the approval by the State Budget and Control Board required by the Act, authorize the issuance of not exceeding Five Million Dollars ($5,000,000) Abbeville County, South Carolina, Industrial Development Revenue Bonds (or Notes) (The Bibb Company Project) (the "Bonds"), at such time as the Corporation may request the County to do so.

Section 2.02. The County will permit the Corporation to arrange for the sale of the Bonds to defray the cost of the Project as aforesaid and if successful marketing arrangements can be made, it will adopt such proceedings and enter into such agreements as are necessary for the issuance and securing of the Bonds.

Section 2.03. The proceeds of any sale of the Bonds shall be applied to the payment of the costs of the Project as determined under the Act including, without limitation, the expenses incurred in connection with the issuance and sale of the Bonds, the acquisition by construction and purchase of the Project including land, buildings, necessary machinery and equipment and other items permitted by the Act, and the repayment of any funds advanced or loans incurred by the Corporation for such purposes.

Section 2.04. Prior to issuing any Bonds, the County may enter into a trust indenture with a trustee bank to be selected by the Corporation or an indenture with the purchasers of the Bonds pursuant to which the Bonds will be issued. Such trust indenture or indenture shall be substantially in the form used in connection with the issuance of other South Carolina industrial revenue bonds and may constitute a lien on the Project and the revenues derived from the financing agreement with respect to the Project to secure the payment of the Bonds.

Section 2.05. If requested by the Corporation and in order to provide interim financing pending the issuance of the Bonds, the County will adopt the necessary proceedings and provide for the issuance of bond anticipation notes pursuant to Title 11, Chapter 17, Code of Laws of South Carolina, 1976, in anticipation of the issuance of the Bonds.

Section 2.06. The County will perform such other acts and adopt such further proceedings as may be required to faithfully implement its undertakings and to consummate the proposed financing.

ARTICLE III

UNDERTAKINGS ON THE PART OF THE CORPORATION

Section 3.01. The Corporation agrees that the County will have no obligation to find a purchaser of the Bonds.

Section 3.02. The Corporation further agrees, if the plan proceeds as contemplated:

(a) to acquire by construction and purchase the land, buildings, equipment and machinery constituting the Project;

(b) to enter into a financing agreement with the County under the terms of which the Corporation will obligate itself to pay to the County sums sufficient to pay the principal, interest and premium, if any, on the Bonds, as and when the same become due and payable, said financing agreement shall be in such form and contain such provisions as shall be satisfactory to the County and to the Corporation;

(c) to obligate itself to make the additional payments required by the Act, including, but not limited to, payments in lieu of taxes if necessary;

(d) to hold the County harmless from all pecuniary liability and to reimburse it for all expenses to which it might be put in the fulfillment of its obligations under this Agreement in the implementation of its terms and provisions;

(e) to perform such further acts and adopt such further proceedings as may be required to faithfully implement its undertakings and consummate the proposed financing; and

(f) to covenant and agree in the financing agreement referred to hereinbefore to install in the buildings which are to become a part of the Project all necessary equipment and machinery and thereafter to operate the Project as a facility for the purpose of manufacturing textiles or for such other purposes as may hereafter be deemed appropriate.

ARTICLE IV

GENERAL PROVISIONS

Section 4.01. All commitments of the County under Article II hereof are subject to all of the provisions of the Act and the condition that nothing contained in this Agreement shall constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power.

Section 4.02. The parties hereto agree that the Corporation may proceed with the Project including the construction of a building or buildings and acquisition and installation of the equipment and machinery prior to the issuance of the Bonds.

Section 4.03. This Assistance Agreement may be assigned by the Corporation to a corporation which is a wholly owned subsidiary of the Corporation, to a corporation the majority stockholders of which are the majority stockholders of the Corporation, to a partnership comprised of the majority stockholders of the Corporation, or to any or all of the stockholders of the Corporation in their individual capacities.

Section 4.04. All commitments of the County and the Corporation hereunder are subject to the condition that the County and the Corporation do agree on acceptable terms and conditions of all documents the execution and delivery of which are contemplated by provisions hereof.

Section 4.05. The parties understand that the Corporation may choose not to finance the Project as herein provided, in which event this Agreement shall become void.

Section 4.06. It is the intention of the parties hereto that this Agreement shall constitute an official action on the part of the County within the meaning of the applicable regulations of the United States Treasury Department relating to the issuance of industrial revenue bonds. This resolution shall constitute "official intent" by the County to allow the reimbursement of expenditures for the Project incurred prior to the issuance of the Bonds. The County Council intends to reimburse any expenditures incurred for the Project by issuing tax-exempt debt in the form of the Bonds. Any expenditures incurred for the Project prior to the issuance of the Bonds will be paid by the Corporation.

IN WITNESS WHEREOF, the parties hereto, each after due authorization, have executed this Agreement on the respective dates indicated below.

ABBEVILLE COUNTY, SOUTH CAROLINA

By: _____
Chairman, County Council of
Abbeville County, South Carolina

ATTEST:

By: Carol A. Chesley
Clerk, County Council
of Abbeville County,
South Carolina

Dated: June 10, 1991.

THE BIBB COMPANY

By: _____

Its: _____

(SEAL)

ATTEST:

By: Grace B. Gabbard

Its: Notary

Dated: June 25, 1991.

Notary Public, Newton County, Georgia
My Commission Expires May 4, 1993

[Form of Opinion of Bond Counsel]

EXHIBIT

JUL 30 1991 11

STATE BUDGET & CONTROL BOARD

_____, 1991

Abbeville County Council
Abbeville, South Carolina

Re: $3,000,000 Abbeville County, South Carolina, Industrial Revenue Bonds (The Bibb Company Project) Series 1991

Ladies and Gentlemen:

We have served as Bond Counsel in connection with the issuance by Abbeville County, South Carolina (the "County"), of its $3,000,000 Industrial Revenue Bonds (The Bibb Company Project) Series 1991 (the "Bonds"). The Bonds have been issued pursuant to the terms of an Indenture of Trust dated as of September 1, 1991 (the "Indenture"), between the County and _____, as trustee (the "Trustee"). The County will loan the proceeds of the Bonds to pay the cost of a certain project pursuant to a Loan Agreement dated as of September 1, 1991 (the "Agreement"), between the County and The Bibb Company (the "Borrower"). Pursuant to the terms of the Agreement, the Borrower is obligated to make payments to or on behalf of the County sufficient to pay the principal and purchase price of, premium, if any, and interest on the Bonds. Unless otherwise indicated, all capitalized terms as used in this opinion shall have the meanings set forth in Article I of the Indenture.

In connection with our opinion, we have examined the Constitution and laws of the State, particularly Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended ("Act"), the transcript of the proceedings with respect to the Bonds, certified copies of documents relating to the organization of the County and certified copies of proceedings and other papers relating to the issuance and sale by the County of the Bonds, including the ordinance adopted by the County on September __, 1991, authorizing the issuance of the Bonds.

The Bonds will be issued as fully registered bonds and will bear a dated date of September __, 1991. The Bonds are payable by the County solely from the funds provided pursuant to the Indenture. Under the terms of the Indenture and the Agreement, the Borrower will provide initially a Letter of Credit to secure payment of the principal and purchase price of and interest on the Bonds issued on behalf of the Borrower. _____ (the "Bank") has, subject to the termination dates specified therein, issued its irrevocable direct-pay Letter of Credit with respect to the Bonds. The Borrower has also granted to the Bank a security interest in certain real and personal property pursuant to a South Carolina Mortgage, Security Agreement and Assignment of Leases and Rents dated as of September 1, 1991 (the "Mortgage"), and a Security Agreement dated as of September 1, 1991, between the Borrower and the Bank (the "Security Agreement"). We refer you to the Bonds, the Agreement, the Indenture, the Mortgage and the Security Agreement for a further description of the Bonds, the purposes for which the Bonds are issued and the security therefor.

With respect to the organization of the Borrower, the power of the Borrower to enter into and perform its obligations under the Agreement and the other documents to which it is a party, the due authorization, execution and delivery of the Agreement and the other documents by the Borrower and the validity and enforceability thereof against the Borrower, we refer you to the opinion of _____ of even date herewith addressed to you.

With respect to the due authorization, execution and delivery of the Letter of Credit by the Bank, the validity thereof and enforceability thereof against the Bank, we refer you to the opinion of _____ of even date herewith addressed to you.

As to questions of fact material to our opinion, we have relied upon representations of and compliance with covenants by the Borrower and the County contained in the Agreement, the Indenture, certificates of public officials furnished to us, and certificates of representatives of the Borrower, the Trustee, the County, the Bank and other parties, including, without limitation, representations, covenants and certifications as to certain prior tax-exempt bond issues, the use of the proceeds of the Bonds, certain capital expenditures of the Borrower and others, compliance

with the arbitrage reporting and rebate requirements, the average reasonably expected economic life of the property being financed with the proceeds of the Bonds, and other factual matters which are relevant to the opinion expressed in paragraph 7, in each case without undertaking any independent verification. We have assumed that all signatures on documents, certificates and instruments examined by us are genuine, all documents, certificates and instruments submitted to us as originals are authentic and all documents, certificates and instruments submitted to us as copies conform to the originals. In addition, we have assumed that all documents, certificates and instruments relating to this financing have been duly authorized, executed and delivered by all parties thereto other than the County, and we have further assumed the due organization, existence and powers of such other parties other than the County.

Based on the foregoing, we are of the opinion that:

1. The County is a validly existing public body, corporate and politic, and a political subdivision of the State of South Carolina, and is vested with the rights and powers conferred by the Act.

2. The County has all requisite authority and power under the Act to issue the Bonds and to enter into and perform its obligations under the Indenture and the Agreement and to apply the proceeds from the issuance of the Bonds to make the loans contemplated by the Agreement.

3. The Bonds have been duly authorized and issued in accordance with the Act and the Indenture and, subject to paragraph 6 below, constitute valid, binding and enforceable limited obligations of the County, payable by the County solely from the revenues and receipts pledged to such purpose under the Indenture and from amounts drawn under the Letter of Credit. The Bonds do not create or constitute a pledge of the faith and credit or the taxing power of the County or the State. Neither the County nor the State is obligated to make any payment with respect to the Bonds except from the special funds provided therefor and the property pledged thereto under the Indenture.

4. The Indenture and Agreement have been duly authorized, executed and delivered by the County, and, subject to

paragraph 6 below, constitute valid and binding agreements of the County enforceable against the County in accordance with their respective terms.

5. The County's right, title and interest in the Agreement (except the County's rights to indemnity, notices and payment of its expenses) have been assigned to the Trustee, and, subject to paragraph 6 below, such assignment constitutes a valid and binding assignment of the County, enforceable against the County in accordance with its terms.

6. It is to be understood that the rights of the Bond Owners and the obligations of the parties under the Bonds, the Indenture and the Agreement are subject to the exercise of judicial discretion in accordance with general principles of equity, the valid exercise of the constitutional powers of the United States and the police powers of the State and to the provisions of applicable bankruptcy, insolvency, reorganization, moratorium and similar laws, now or hereafter in effect, relating to or affecting the enforcement of creditors' rights. Certain indemnity provisions may be unenforceable pursuant to court decisions invalidating such indemnity agreements on grounds of public policy.

7. Under existing law, the interest on the Bonds is excludable from gross income for federal income tax purposes, except that under Section 147(a) of the Internal Revenue Code of 1986, as amended (the "Code"), such federal exclusion from gross income shall not apply with respect to any particular Bonds for any period during which held by a "substantial user" of the Project or a "related person" within the meaning of such Section. Also, such exclusion from gross income of interest for federal income tax purposes may become inapplicable with respect to all or part of the Bonds, in certain cases retroactive to the date of issuance, (i) in the event of the occurrence of certain contingencies relating to prior issues and capital expenditures by the Borrower or any principal user of the Project or any persons related to the Borrower or any principal user of the Project provided for in Section 144(a) of the Code, or (ii) in the event the Borrower or the County fails to comply with certain covenants in the Indenture and Agreement with respect to maintenance of the exclusion from gross income for federal income tax purposes for the interest on the Bonds, including use, investment and expenditure of Bond proceeds and use of the facilities financed with Bond proceeds.

Interest on the Bonds must be included as an item of tax preference in the computation of the alternative minimum tax on corporations and on individuals imposed by Section 55 of the Code.

Ownership of the Bonds may result in collateral federal income tax consequences to certain taxpayers, including, without limitation, financial institutions, property and casualty insurance companies, individual recipients of Social Security or Railroad Retirement benefits and taxpayers who may be deemed to have incurred (or continued) indebtedness to purchase or carry tax-exempt obligations.

We advise you that under the Indenture, the method of determining the interest rate on the Bonds may in certain events be changed. Such a change in interest rate is subject to, among other things, receipt by the Trustee of an opinion of a firm of attorneys nationally recognized on the subject of municipal bonds (who or which may or may not be this firm) substantially to the effect that such change will not adversely affect the exclusion of interest on the Bonds from gross income for purposes of federal income taxation. Our opinion expressed in the preceding paragraph speaks only as of the date of this letter, and nothing shall be interpreted or construed to express or imply any opinion concerning the effect of any such change in the method of determining the interest rate on the exclusion of interest on the Bonds from gross income for purposes of federal income taxation. The availability of such an opinion will depend upon the facts and law existing at the time the opinion is sought.

8. Under present law, interest on the Bonds is exempt from all taxation by the State, except for inheritance, estate and transfer taxes.

Our services as Bond Counsel to the County have been limited to rendering the foregoing opinions based on our review of such legal proceedings as we deem necessary to make the statements contained in this letter with respect to the validity of the Bonds and the tax-exempt status of the interest thereon. We have not examined any documents or other information concerning the business or financial resources of the County, the Borrower or the Bank and we express no opinion as to the accuracy or completeness of any

information with respect to the County, the Borrower or the Bank that may have been relied upon by the owners of the Bonds in making their decision to purchase the Bonds.

Very truly yours,

McNAIR LAW FIRM, P.A.

SEP 3 0 1991

McNAIR LAW FIRM, P.A.
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TELEPHONE 202/659-3900
FACSIMILE 202/659-5763

September 27, 1991

Mrs. Donna K. Williams
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

Re: Notice of Approval
The Bibb Company

Dear Donna:

Enclosed is a copy of the affidavit of publication of the Notice of Approval for The Bibb Company. This notice was published in The Abbeville Press and Banner on August 7, 1991.

If you have any questions, please do not hesitate to give me a call.

Sincerely,

McNAIR LAW FIRM, P.A.

Nancy

Nancy Page

NP/dcp
Enclosure

001365

STATE OF SOUTH CAROLINA
COUNTY OF ABBEVILLE

AFFIDAVIT OF PUBLICATON

PERSONALLY appeared before me Tracy L. McGovern, who being duly sworn, says that he/she is a respresentative of THE ABBEVILLE PRESS AND BANNER, a newspaper published at Abbeville, in Abbeville County and State of South Carolina; That the Notice Pursuant to the Provisions of South Carolina Code Annotated Title 4, Chapter 29 As Amended, of which a printed copy is annexed hereto was published in said newspaper once each week for 1 week, and the dates of publication were 8/7/91, _____, _____, _____.

Signed Tracy McGovern

Sworn to and subscribed before me
this 30 day of
August, 1991

(SEAL)

Signed M. Lynne West
Notary Public for South Carolina.

My Commission Expires

My Commission Expires May 22, 1996

C01366

NOTICE PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, TITLE 4, CHAPTER 29 (1976), AS AMENDED

Notice is hereby given pursuant to the provisions and requirements of Section 4-29-140 of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), that the State Budget and Control Board of South Carolina, pursuant to the Petition filed by the County Council of Abbeville County, South Carolina, has given its approval to the following undertaking by Abbeville County, South Carolina:

The issuance by Abbeville County of its Industrial Development Revenue Bonds (The Bibb Company Project) in the original principal amount of not exceeding $3,000,000 (the "Bonds"), to defray the cost of acquiring, by construction and purchase, approximately 36 acres of land, an approximately 122,000 square foot building or buildings and other improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishings by The Bibb Company, a Delaware corporation, to be used as an industrial facility for the purpose of manufacturing textiles (the "Project") to be located in Abbeville County. The Project will be made available to the Bibb Company which will unconditionally covenant to make payments sufficient to pay the principal and interest of the Bonds. The Bonds will be payable solely and exclusively out of payments to be made by The Bibb Company for the use of the project.

Notice is further given that any interested party may, within twenty (20) days after the date of the publication of this notice, but not afterwards, challenge the validity of the State Budget and Control Board's approval of the Project, and the issuance of the Bonds by Abbeville County to finance the same, by action de novo instituted in the Circuit Court for Abbeville County, South Carolina.

STATE BUDGET AND CONTROL BOARD

BY: DONNA K. WILLIAMS, Secretary

Dated: July 30, 1991

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October 14, 1991

Mrs. Donna K. Williams, Secretary
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

Re: $3,000,000 Abbeville County, South Carolina, Variable Rate Demand Industrial Development Revenue Bonds (The Bibb Company Project) Series 1991

Dear Donna:

I am enclosing the pertinent portions of the Indenture of Trust for the above-referenced bond issue. The form of the Bonds sets forth the amounts necessary to pay the principal and interest on the Bonds.

Please let me know if you need anything further. The closing for the Bonds is scheduled for October 30.

Thank you.

Sincerely,

McNAIR LAW FIRM, P.A.

Nancy

Nancy Page

NP/dcp
Enclosure

001367

FORM OF BOND

[FORM OF FRONT OF BOND]

ABBEVILLE COUNTY, SOUTH CAROLINA

Variable Rate Demand
Industrial Development Revenue Bonds
(The Bibb Company Project)
Series 1991

No. R- $_____

RATE OF INTEREST	MATURITY DATE	BOND DATE	CUSIP
VARIABLE			

REGISTERED OWNER:

PRINCIPAL AMOUNT:

Abbeville County, South Carolina, a political subdivision and body corporate and politic of the State of South Carolina (the "Issuer"), for value received, hereby promises to pay to the Registered Owner above or registered assigns, subject to prior redemption, on the Maturity Date noted above the Principal Amount stated above upon surrender at the Corporate Trust Office of the Trustee, IBJ Schroeder Bank & Trust Company, New York, New York (together with any successor thereto, the "Trustee") and in like manner to pay interest on each Interest Payment Date on the principal amount hereof remaining unpaid from time to time during the Initial Period at the Initial Rate, and thereafter, at the Variable Rate until the Fixed Rate Date, and on and after the Fixed Rate Date, at the Fixed Rate; provided, however, that the interest on the Bonds shall not exceed the Maximum Rate. After the Initial Period, interest on this bond will be payable at the Variable Rate but not in excess of the Maximum Rate. During the Initial Period and Variable Rate Period, interest on this bond shall be computed on the basis of the actual number of days elapsed in a year of 365 days (366 days in leap years). During the Fixed Rate Period, interest on this bond shall be computed on the basis of a 360-day year comprised of twelve 30-day months.

THE TERMS AND PROVISIONS OF THIS BOND AND DEFINITIONS OF CERTAIN TERMS USED HEREIN ARE CONTINUED ON THE REVERSE SIDE OF THIS BOND AND SUCH CONTINUED TERMS AND PROVISIONS AND DEFINITIONS SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH ON THE FRONT OF THIS BOND. Capitalized terms not otherwise defined shall have the meanings given such terms in the Indenture (as defined below).

This bond shall not be entitled to any benefit under the Indenture or be valid or become obligatory for any purpose until this bond shall have been authenticated by the manual signature of a duly authorized signatory of the Tender Agent or the Trustee, of the certificate of authentication hereon.

This bond and all other bonds issued under and secured by the Indenture are, and are to be, equally and ratably secured, to the extent provided in the Indenture, solely by a pledge of the Revenues and other funds pledged under the Indenture. This bond and the interest and redemption premium, if any, hereon are limited obligations of the Issuer payable solely from the Revenues and receipts derived from the Loan Agreement, including payments received under the Note, which revenues and receipts have been pledged and assigned to the trustee to secure payment hereof and from amounts received pursuant to the Letter of Credit. This bond and the interest and premium, if any, hereon do not and shall never constitute a general obligation or indebtedness of the Issuer or of the State of South Carolina within the meaning of any State constitutional provision or statutory limitation and do not and shall never constitute or give rise to a pecuniary liability of the Issuer or of the State of South Carolina or a charge against the general credit or taxing power of the Issuer or the State of South Carolina.

No covenant or agreement contained in this bond or the Indenture shall be deemed to be a covenant or agreement of any director, officer, member, agent or employee of the Issuer in his individual capacity, and neither the directors of the Issuer nor any officer thereof executing this bond shall be liable personally on this bond or be subject to any personal liability or accountability by reason of the issuance of this bond.

It is hereby certified and recited that all conditions, acts and things required by law and the Indenture to exist, to have happened and to have been performed precedent to and in the issuance of this bond exist, have happened and have been performed in due time, form and manner as required by law and the Indenture, and that the issuance of this bond and the issue of which it forms a part are within every debt and other limit prescribed by the laws of the State of South Carolina.

IN WITNESS WHEREOF, the Issuer has caused this bond to be signed in its name and on its behalf by the manual or facsimile signature of its Chairman and its seal or a facsimile thereof to be impressed, imprinted or otherwise reproduced hereon and attested by the manual or facsimile signature of its Clerk to County Council as of the Bond Date hereof.

ABBEVILLE COUNTY, SOUTH CAROLINA

(SEAL)

By_____
Chairman of County Council

Attest:

_____
Clerk to County Council

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds described in the within mentioned Indenture.

Date of Authentication:

_____

IBJ SCHROEDER BANK & TRUST COMPANY,
as Trustee

By_____
Authorized Signatory

[FORM OF BACK SIDE OF BOND]

This bond is one of a duly authorized issue of bonds of the Issuer designated as herein above set forth, issued under and pursuant to the Constitution and laws of the State of South Carolina, more particularly Chapter 29 of Title 4 of the Code of Laws of South Carolina, 1976, as amended (the "Act"), and under and secured by an Indenture of Trust between the Issuer and the Trustee, dated as of October 1, 1991 (hereinafter, together with all indentures supplementary thereto and amendatory thereof called the "Indenture"). This bond is issued for the purpose of and the proceeds will be loaned to the Borrower under and pursuant to a Loan Agreement between the Issuer and the Borrower, dated as of October 1, 1991 (hereinafter, together with any amendments thereof, called the "Loan Agreement"), to provide funds for the financing of the cost of acquiring, constructing, improving and/or equipping the Project. Pursuant to the Loan Agreement, the Borrower is obligated to make loan payments sufficient to pay the principal or Purchase Price of, premium, if any, and interest on this bond. Payment of the principal, Purchase Price of and up to 39 days' interest (or such other lesser or greater amount as may be required or approved by the Rating Agency) at the Maximum Rate during a Variable Rate Period and the Initial Period or up to 188 days' interest (or such other lesser or greater amount as may be required or approved by the Rating Agency) on this bond at the actual interest rate borne by this bond during the Fixed Rate Period, plus the premium, if any, that would apply on the first optional call date after the Fixed Rate Date, as the case may be, is or will be secured by an irrevocable Letter of Credit (the "Letter of Credit") of a bank (the "Bank") providing for direct payments to or upon the order of the Trustee. Under certain circumstances, the Letter of Credit may be replaced by a Substitute Letter of Credit.

Copies of the Indenture and the Loan Agreement are on file at the Corporate Trust Office of the Trustee and reference is made to the Indenture and the Loan Agreement for the provisions relating to, among other things, the terms and security of this bond, the collection and disposition of the Revenues and receipts of the Issuer from or in connection with the Loan Agreement, the custody and application of the proceeds of this bond, the rights and remedies of the Owner of this bond, the rights, duties and obligations of the Issuer, the Borrower, the Tender Agent, the Paying Agent, the Bond Registrar and the Trustee and the modification or amendment of any of the foregoing documents.

"Initial Period" means the period from the Bond Date to the day before the first Interest Payment Date. "Interest Payment Date" means (i) during the Initial Period and the Variable Rate Period, the first Business Day of each month following the Interest Period for which interest is to be paid, and (ii) during the Fixed Rate Period, the first day of each April and October.

Interest shall accrue on the unpaid portion of the principal of this bond from the last date to which interest was paid on this bond, or if no interest has been paid on this bond, from the date of original issuance of this bond until the entire principal amount of this bond is paid. Interest accrued on this bond during each Interest Period shall be paid on the Interest Payment Date to the owner of this bond of record as of the Record Date. Payment of defaulted interest shall be made to the Owner of record as of the fifth Business Day before the date of such payment; provided that no Owner who has had his Bond purchased in accordance with the Indenture shall receive payment of such defaulted interest and such interest shall be paid to the subsequent Owner of such Bond to whom interest is owed.

Interest on overdue principal and, to the extent lawful, on overdue premium and interest on this bond, shall be payable at the rate borne by this bond on the day prior to the date such payment is due. The Trustee shall compute the amount of interest payable on the Bonds using the rates supplied to the Trustee by the party setting such rates. The Remarketing Agent shall notify the Trustee in writing sent (1) on the first Business Day of each week in which interest on the Bonds is payable at a Variable Rate, of the Variable Rate for the applicable Thursday through Wednesday period; or (2) on the first Business Day after the Determination Date, of the Fixed Rate set on such Determination Date. Using the rates supplied by such notices, the Trustee shall calculate the interest payable on this bond. The Trustee shall confirm the effective interest rate by telephone or in writing to any Owner (at such Owner's cost) who requests it in any manner.

Payment of principal or premium, if any, on this bond shall be made to the Owner hereof upon surrender of this bond to the Trustee, as described on the face of this bond. Payment of the Purchase Price of this bond shall be made to the Owner hereof upon surrender of this bond to the Trustee and after the Trustee has received moneys for the payment of the Purchase Price, all as provided below. Payment of interest shall be made to the Owner of this bond as of the Record Date by the Trustee (and after the Trustee has received moneys for the payment of interest) by check or draft mailed to the registered address of such Owner, except that an owner of $1,000,000 or more in aggregate principal amount of Bonds may be paid interest by wire transfer to an account in the United States if the Owner makes a written request to the Trustee at least fifteen days prior to the Record Date specifying the account address, all in accordance with the Indenture. All payments of principal or Purchase Price of, premium, if any, and interest on this bond shall be paid by check or wire transfer in money of the United States that at the time of payment is legal tender for payment of public and private debts. If any payment on this bond shall be due on a non-Business Day, it shall be made on the next succeeding Business Day, and no interest shall accrue as a result of such extension of the payment on this bond.

During the Initial Period and the Variable Rate Period, the Bonds shall be issuable in Authorized Denominations. Authorized Denominations shall mean (i) with respect to the Initial Period or the Variable Rate Period, $100,000 and any integral multiple thereof, and (ii) with respect to the Fixed Rate Period, $5,000 and any integral multiple thereof.

The Remarketing Agent will set the Initial Rate on the first Business Day of the calendar week in which the Bonds are issued and will set a Variable Rate on the Wednesday (or the preceding Business Day if Wednesday is not a Business Day) of each calendar week thereafter as long as the Bonds bear interest at the Variable Rate in the manner described in the Indenture. The Initial Rate will be effective for the Initial Period. Each Variable Rate will be the minimum rate necessary (as determined by the Remarketing Agent) for the Remarketing Agent to sell such Bonds on the date the Variable Rate is set at their principal amount plus accrued interest; provided that in no event during the Variable Rate Period shall the interest rate exceed the Maximum Rate. Each Variable Rate will be effective Thursday through Wednesday (or through the end of the period in which such Bonds bear interest at the Variable Rate, whichever first occurs). If for any reason the Remarketing Agent does not set a Variable Rate, the Variable Rate for that period will be the Variable Rate set for the immediately preceding Thursday through Wednesday period. If a court holds that the Variable Rate set for any period is invalid or unenforceable, the Variable Rate for that period will be the rate that is equal to the 30-day Tax-exempt commercial paper rate published in The Bond Buyer or another newspaper or journal containing financial news as of the date of determination in the manner specified in the Indenture.

The Remarketing Agent shall set the Fixed Rate on a date (the "Determination Date") no fewer than one nor more than fifteen Business Days before the beginning of the Fixed Rate Period in the manner described in the Indenture. Under certain circumstances, the Fixed Rate may be determined in accordance with certain indices, all as more particularly described in the Indenture.

Anything in the Indenture to the contrary notwithstanding, in no event shall the interest on this bond exceed twelve percent (12%) per annum (the "Maximum Rate").

The Borrower may convert the Interest Rate Determination Method from the Variable Rate to the Fixed Rate by notifying the Issuer, the Trustee, the Tender Agent, the Bank, the Paying Agent, the Bond Registrar and the Remarketing Agent of the proposed effective date of the conversion to the Fixed Rate at least 45 days prior to the proposed effective date in accordance with the terms of the Indenture. The notice shall be accompanied by an opinion of Bond Counsel stating that the conversion is not prohibited by the Act, the laws of the State of South Carolina or the Indenture and that the conversion will not adversely affect the Tax-exempt status

of interest on the Bonds. The Fixed Rate shall be applicable from the effective date specified in the notice until maturity of the Bonds.

A conversion from the Variable Rate to the Fixed Rate pursuant to the preceding paragraph shall comply with the following: (i) the effective date of the conversion shall be an Interest Payment Date which occurs during the Variable Rate Period in any year prior to the maturity of the Bonds; (ii) no conversion to the Fixed Rate shall occur after a determination is made requiring mandatory redemption of all Bonds on a Determination of Taxability; (iii) the Letter of Credit to be in effect on and after the Fixed Rate Date shall be an irrevocable Letter of Credit satisfying the requirements of the Indenture, and (iv) the Remarketing Agent (or a successor thereto pursuant to the provisions of the Indenture) shall have agreed to remarket the Bonds on the Fixed Rate Date.

When a conversion from the Variable Rate to the Fixed Rate is to be made, the Trustee shall notify the Owners by first-class mail at least 30 but not more than 45 days prior to the effective date of such conversion. The notice shall be prepared and furnished by the Borrower, in cooperation with the Trustee, in accordance with the Indenture and shall state: (1) that the Interest Rate Determination Method will be converted to the Fixed Rate; (2) the effective date of the Fixed Rate; (3) the period of potential Determination Dates; (4) the Maximum Rate; (5) the Interest Payment Dates and Record Dates in the Fixed Rate Period; (6) that during the Fixed Rate Period there will be no Demand Purchase Option; (7) that all Bonds not tendered for purchase by the sixth Business Day prior to the effective date of the conversion will be deemed to have been so tendered and shall be purchased on the effective date of the conversion at the principal amount thereof plus interest accrued to such date; (8) the issuer of the Letter of Credit and the amounts covered under the Letter of Credit to be in effect after the conversion; (9) the redemption provisions to which the Bonds are subject during the Fixed Rate Period; (10) that during the Fixed Rate Period Bonds may be issued in denominations of $5,000 or integral multiples of $5,000; and (11) that if the opinion of Bond Counsel required by the Indenture is rescinded, the rate will not be converted to the Fixed Rate.

The Bonds are subject to redemption as provided in the Indenture such that Bonds which remain Outstanding subsequent to redemption shall be in Authorized Denominations. All redemptions of the Bonds shall be at a redemption price indicated below, plus in each case interest accrued to the redemption date. A Bond delivered for purchase pursuant to the Demand Purchase Option (described below) on a date after notice of redemption of such Bond has been given but before the redemption date shall be purchased pursuant to the Demand Purchase Option and such Bond shall not be remarketed except to an Owner who shall acknowledge in writing to the Remarketing Agent that such Bond shall be redeemed on the redemption date.

Commencing January 1, 1992, during the Variable Rate Period, the Bonds may be redeemed in whole or in part at the principal amount thereof, at the option of the Borrower, in Authorized Denominations, with the prior written consent of the Bank, on any Interest Payment Date upon not less than 45 days' prior written notice to the Trustee and the Remarketing Agent.

After the Fixed Rate Date, the Borrower shall have the option to redeem the Bonds on any Interest Payment Date in whole or in part in Authorized Denominations upon not less than 45 days' prior written notice to the Trustee, at redemption prices (expressed as percentages of the principal amount of Bonds called for redemption), plus accrued interest, if any, thereon to the date fixed for redemption, as follows: (i) if, on the Fixed Rate Date, the length of time from the Fixed Rate Date to the date of final maturity of the Bonds (the "Remaining Term"), shall exceed five years, then such Bonds cannot be redeemed for the first five years after the Fixed Rate Date; on and after the first October 1 following the fifth anniversary of the Fixed Rate Date, such Bonds shall be subject to redemption at a redemption price of 103%, which price shall decline by 1% per annum on each October 1 following the anniversary of the Fixed Rate Date to 100% (i.e., 102% on or after the October 1 following the sixth anniversary of the Fixed Rate Date; 101% on or after the October 1 following the seventh anniversary; 100% on or after the October 1 following the eighth anniversary and thereafter for the balance of the Remaining Term); and (ii) if, on the Fixed Rate Date, the Remaining Term shall be five years or less, the Bonds shall not be callable for redemption for the balance of the Remaining Term.

During the Fixed Rate Period, the Borrower shall have the option pursuant to subsections (1) and (3) below to redeem the Bonds in whole at any time, and the Borrower shall provide for the redemption of Bonds in whole or in part pursuant to subsection (2) below and in part pursuant to subsection (4) below at any time, in each case with the prior written consent of the Bank, at the principal amount thereof, after the occurrence of any of the following: (1) the Borrower determines that the continued operation of the Project is impractical or uneconomical or undesirable for any reason and the Project is no longer to remain in operation; (2) all or substantially all of the Project is damaged, destroyed, condemned or taken by eminent domain; (3) the construction or operation of the Project is enjoined or prevented or is otherwise prohibited by, or conflicts with, any order, decree, rule or regulation of, any court or Federal, state or local regulatory body, administrative agency or other governmental body, or (4) upon completion of the Project, from an amount equal to surplus funds remaining in the Construction Fund in accordance with the Indenture.

The Outstanding Bonds shall be redeemed in whole (or in part as provided below) at the principal amount thereof on the first date on which the Trustee can redeem Bonds following the giving of the notice of redemption in accordance with the

Indenture, after the Trustee receives written notice from an Owner or former Owner of a Determination of Taxability. Fewer than all the Bonds may be redeemed if redemption of fewer than all would result, in the opinion of Bond Counsel in the interest payable on the Bonds remaining Outstanding being Tax-exempt for any Owner of Bonds other than a Substantial User or Related Person. If fewer than all Bonds are redeemed pursuant to this paragraph, the Trustee shall select the Bonds to be redeemed by lot as provided in the Indenture or by such other method acceptable to the Trustee, as may be specified in an opinion of Bond Counsel. IF THE LIEN OF THE INDENTURE IS DISCHARGED PRIOR TO THE OCCURRENCE OF A FINAL DETERMINATION OF TAXABILITY, THEN THE BONDS SHALL NOT BE REDEEMED AS DESCRIBED IN THIS PARAGRAPH.

If the Borrower does not replace an expiring or terminating Letter of Credit, then the Bonds shall be redeemed as a whole: (i) during the Variable Rate Period on the last Interest Payment Date before such Letter of Credit expires or terminates at the principal amount thereof; and (ii) during the Fixed Rate Period, on the Interest Payment Date next preceding the date such Letter of Credit expires or terminates, at the percentage of their principal amount which would be payable upon redemption of such Bonds at the option of the Borrower on such date. If the Bonds are to be redeemed pursuant to another provision of the Indenture on the same day, then the Bonds shall be redeemed pursuant to such other provision.

The Bonds are subject to mandatory redemption in the event of a "cessation of operation" on the first Interest Payment Date occurring not earlier than 30 days after the "cessation of operation" at a redemption price equal to the principal amount of the Bonds outstanding plus accrued but unpaid interest thereon. A cessation of operation shall not be deemed to have occurred until 60 days shall have elapsed after written notice has been given to the Borrower and the Trustee by the Issuer that operation of the Project shall have ceased (other than due to circumstances beyond the reasonable control of the Borrower if the Borrower is proceeding with due diligence to cure) and the Borrower shall not have demonstrated to the satisfaction of the Issuer that the Borrower (or an assignee or lessee) is proceeding with due diligence to operate the Project as a "project" (within the meaning of the Act).

The Bonds are subject to mandatory sinking fund redemption prior to maturity, in part, by lot, in the amounts and on the dates set forth in the Indenture, at a redemption price equal to the principal amount of the Bonds to be redeemed, together with interest accrued thereon to the date fixed for redemption, without premium.

In the case of any redemption of any Bonds, the Trustee shall give in its own name or in the name of the Issuer notice, by first-class mail, postage prepaid, at least 30 days (or in the event of acceleration of payment of the Bonds, as early as

practicable) before the date fixed for redemption, to the Owners of such Bonds, or portions thereof, so called for redemption, at their respective addresses as the same shall last appear on the Bond Register, that such Bonds have been called for redemption and, in the case of Bonds to be redeemed in part only, the portion of the principal amount thereof that has been called for redemption; that they will be due and payable on the date fixed for redemption (specifying such date) upon surrender thereof at the applicable Corporate Trust Office, at the applicable redemption price (specifying such price) together with any accrued interest to such date; and that all interest on the Bonds, or portions thereof, so to be redeemed will cease to accrue on and after such date. Receipt of such notice shall not be a condition precedent to such redemption and failure so to mail any such notice to an Owner shall not affect the validity of the proceedings for the redemption of Bonds of any Owner.

If this bond or any portion hereof shall have been duly called for redemption and payment of the principal of, premium, if any, together with unpaid interest accrued to the date fixed for redemption, shall have been made or provided for, then interest on this bond or such portion shall cease to accrue from such date, and from and after such date this bond or such portion shall no longer be entitled to any lien, benefit, or security under the Indenture, and the Owner hereof shall have no rights in respect of this bond or such portion except to receive payment of such principal of, premium, if any, and, unpaid interest accrued to the date fixed for redemption.

During the Variable Rate Period, any Bond or Authorized Denomination thereof shall be purchased on the demand of the Owner at the Purchase Price thereof upon delivery of a written or telephonic notice (promptly confirmed in writing) to the Trustee by 12:00 noon, Eastern Standard Time, on a Business Day, stating the principal amount of the Bond or Authorized Denomination thereof, the bond numbers, the name of the Owner in which the Bonds are registered and the Business Day (which shall be at least seven days subsequent to the date such notice is delivered) such Bond or Authorized Denomination thereof is to be purchased; provided that any portion of a Bond which is not to be purchased shall be in an Authorized Denomination. The Owner shall deliver the Bond to the Tender Agent by 5:00 p.m., Eastern Standard Time, on the Business Day immediately preceding the date of purchase. Any Bonds for which a notice of the exercise of the Demand Purchase Option has been given which are not so delivered shall be deemed delivered on the Business Day immediately preceding the date of purchase and shall be purchased in accordance with the Indenture.

All Bonds delivered for purchase shall be accompanied by an instrument of transfer satisfactory to the Tender Agent, executed in blank by the Owner with the signature guaranteed by a commercial bank, trust company or member firm of the New York Stock Exchange.

The Bonds shall be mandatorily purchased on the Fixed Rate Date.

Bonds shall be purchased pursuant to the Indenture first with the proceeds of the funds from the remarketing of Bonds and second with funds obtained by a drawing or drawings on the Letter of Credit. Bonds purchased with the proceeds of a drawing or drawings on the Letter of Credit shall be registered as provided in the Indenture. Payment of the Purchase Price of any Bond delivered as provided in the Indenture shall be made by check or wire transfer, upon request, on the date of purchase, but only upon delivery and surrender of such Bond to the Tender Agent on the Business Day preceding the date of purchase and only after the Tender Agent has received moneys for the payment of the Purchase Price in accordance with the terms of the Indenture. From and after the date such Bond (or Authorized Denomination thereof) is purchased, interest on such Bond (or Authorized Denomination thereof) shall cease to be payable to the prior Owner thereof, such Owner shall cease to be entitled to the benefits and security of the Indenture with respect to such Bond (or Authorized Denomination thereof) and shall have recourse solely to the funds held by the Tender Agent for the purchase of such Bond (or Authorized Denomination thereof) and the Trustee and the Tender Agent shall not register any further transfer of or exchange such Bond (or Authorized Denomination thereof) by such prior Owner.

No purchase (other than a mandatory purchase on the Fixed Rate Date) shall be made at any time when payment of interest on the Bonds is not being made when the same shall be due and payable or if payment of the principal or Purchase Price of or premium, if any, on the Bonds is not being made when the same shall become due and payable.

Under certain circumstances, the Indenture may be amended without the consent of the Owners. To the extent and in the manner permitted by the terms of the Indenture, the provisions of the Indenture, or any Indenture amendatory thereof or supplemental thereto, may be modified or altered with the consent of the Borrower and the Owners of not less than a majority in aggregate principal amount of the Bonds then Outstanding.

No Supplemental Indenture shall be entered into, and no modification or alteration of this Indenture or of the rights and obligations of the Issuer or of the Owners of the Bonds in any particular shall be made, without the prior written consent of the Bank.

The transfer of this bond is registrable, as provided in the Indenture and in the provisions for registration endorsed hereon, upon the Bond Register kept for that purpose, by the Owner hereof in person, or by his attorney duly authorized in writing, upon surrender of this bond prior to the Fixed Rate Date to the Trustee together with a written instrument of transfer satisfactory to the Trustee duly executed by the Owner or by his attorney duly

authorized in writing. The Issuer, the Trustee, the Tender Agent, the Bond Registrar and any Paying Agent may deem and treat the person in whose name this bond is registered as the absolute Owner hereof for the purpose of receiving payment of, or on account of, the principal or Purchase Price of, premium, if any, and interest due hereon and for all other purposes. Neither the Issuer nor the Bond Registrar shall be required (a) except in the case of the exercise of a Demand Purchase Option (i) to register the transfer of or to exchange this bond for a period of ten days next preceding any selection of Bonds for redemption or (ii) to register the transfer of or to exchange this bond if selected for redemption in whole or in part, or (b) to register the transfer of or to exchange any Bond for the period from the date six Business Days preceding the Fixed Rate Date to the Fixed Rate Date.

If moneys shall have been set aside and held by the Trustee for the payment or redemption of Bonds and the interest installments therefor at the maturity or redemption date thereof, such Bonds shall be deemed to be paid within the meaning provided in the Indenture and such Bonds shall cease to be entitled to the lien of the Indenture.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

_____

_____

(Please insert Social Security Number or other identifying number of Assignee)

the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated:

Signature Guaranteed:

_____

(Bank, Trust Company or Firm)

_____

(Authorized Officer)

_____

Notice: Signature must correspond with the name of the registered owner as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatever.

STATE OF SOUTH CAROLINA

State Budget and Control Board

OFFICE OF THE EXECUTIVE DIRECTOR

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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COMPTROLLER GENERAL

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CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

P.O. BOX 12444
COLUMBIA, SOUTH CAROLINA 29211
(803) 734-2320

October 23, 1991

C E R T I F I C A T E
STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS
(UNDER TAX REFORM ACT OF 1986)
FINAL ALLOCATION, CALENDAR YEAR 1991

TO: Abbeville County
Employer ID #57-6000298
P. O. Box 579
Abbeville, SC 29620

c/o Ms. Nancy Page
McNair Law Firm, P.A.
7 North Laurens Street
Greenville, SC 29601

RE: Issue of $3,000,000 Abbeville County, South Carolina
Variable Rate Demand Industrial Development Revenue Bonds
Issue Date Projected By Issuing Authority: October 30, 1991
CUSIP Number: n/a
Allocation Expiration Date: November 15, 1991
Issue Amount Certificate Date: October 22, 1991

Based upon my receipt of the issue amount certificate required of the issuing authority by Section 1-11-550 of the South Carolina Code of Laws, 1976, as amended, which certificate is dated not more than ten (10) business days prior to the projected date of issue which, as certified by the issuing authority, is within the time period during which the ceiling allocation approved previously on a tentative basis by the State Budget and Control Board for the referenced project is valid, I have determined that the allocation is now final in the amount indicated above.

I also have determined that the referenced issue when issued and combined with the amount of private activity bonds and notes certified to me previously by South Carolina issuing authorities as having been issued or which are to be issued in 1991 will not exceed the 1991 State Ceiling on the issuance of private activity bonds for the State of South Carolina.

Donna K. Williams
Donna K. Williams
Secretary to the Board

001382

FAX (803) 734-2117

McNAIR LAW FIRM, P.A.
ATTORNEYS AND COUNSELORS AT LAW

NCNB PLAZA / SUITE 1201
7 NORTH LAURENS STREET
GREENVILLE, SOUTH CAROLINA 29601

TELEPHONE 803/271-4940
FACSIMILE 803/271-4015

CHARLESTON OFFICE
140 EAST BAY STREET
POST OFFICE BOX 1431
CHARLESTON, SC 29402
TELEPHONE 803/723-7831
FACSIMILE 803/722-3227

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NCNB TOWER
1301 GERVAIS STREET
POST OFFICE BOX 11390
COLUMBIA, SC 29211
TELEPHONE 803/799-9800
FACSIMILE 803/799-9804

GEORGETOWN OFFICE
121 SCREVEN STREET
POST OFFICE DRAWER 418
GEORGETOWN, SC 29442
TELEPHONE 803/546-6102
FACSIMILE 803/546-0096

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McNAIR LAW BUILDING
10 POPE AVENUE EXECUTIVE PARK
POST OFFICE DRAWER 7787
HILTON HEAD ISLAND, SC 29938
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RALEIGH FEDERAL BUILDING
ONE EXCHANGE PLAZA
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FACSIMILE 919/890-4180

WASHINGTON OFFICE
MADISON OFFICE BUILDING
SUITE 400
1155 FIFTEENTH STREET, NORTHWEST
WASHINGTON, DC 20005
TELEPHONE 202/659-3900
FACSIMILE 202/659-5763

October 22, 1991

Mrs. Donna K. Williams, Secretary
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

Re: $3,000,000 Abbeville County, South Carolina, Variable Rate Demand Industrial Development Revenue Bonds (The Bibb Company Project) Series 1991

Dear Donna:

In accordance with the regulations of the State Budget and Control Board, I am submitting a copy of IRS Form 8038 on behalf of Abbeville County and The Bibb Company. Please confirm the allocation of $3,000,000 of the State volume to the above-captioned issue. The issue is scheduled to close on October 30, 1991.

Sincerely,

McNAIR LAW FIRM, P.A.

Nancy Page

NP/dcp
Enclosure

001383

Form **8038**
(Rev. May 1989)
Department of the Treasury
Internal Revenue Service

Information Return for Tax-Exempt Private Activity Bond Issues

(Under Section 149(e))
► See separate instructions.

OMB No 1545 0720
Expires 5/31/92

Part I Reporting Authority — Check box if Amended Return ► ☐

1 Issuer's name: Abbeville County, South Carolina	2 Issuer's employer identification number: 57-6000298
3 Number and street: County Courthouse, Post Office Box 579	4 Report number: PA19 91 - 1
5 City or town, state, and ZIP code: Abbeville, South Carolina 29620	6 Date of issue: October 30, 1991
7 Name of issue: $3,000,000 Variable Rate Demand Industrial Development Revenue Bonds (The Bibb Company Project) Series 1991	8 CUSIP number:

Part II Type of Issue (check box(es) that applies and enter the Issue Price for each)

			Issue Price
9	Exempt facility bond:		
a	☐ Airport (sections 142(a)(1) and 142(c))	9a	
b	☐ Docks and wharves (sections 142(a)(2)and 142(c))	9b	
c	☐ Mass commuting facilities (sections 142(a)(3)and 142(c))	9c	
d	☐ Water furnishing facilities (sections 142(a)(4)and 142(e))	9d	
e	☐ Sewage facilities (section 142(a)(5))	9e	
f	☐ Solid waste disposal facilities (section 142(a)(6))	9f	
g	☐ Qualified residential rental projects (sections 142(a)(7) and 142(d)), as follows:	9g	
	Meeting 20-50 test (section 142(d)(1)(A)) ☐		
	Meeting 40-60 test (section 142(d)(1)(B)) ☐		
	Meeting 25-60 test (NYC only) (section 142(d)(6)) ☐		
	Has an election been made for deep rent skewing, (section 142(d)(4)(B))? ☐ Yes ☐ No		
h	☐ Facilities for the local furnishing of electric energy or gas (sections 142(a)(8)and 142(f))	9h	
i	☐ Local district heating or cooling facilities (sections 142(a)(9) and 142(g))	9i	
j	☐ Qualified hazardous waste facilities (sections 142(a)(10) and 142(h))	9j	
k	☐ High-speed intercity rail facilities (sections 142(a)(11), 142(c), and 142(i))	9k	
	Check box if you elected not to claim depreciation or any tax credit (see instructions) ► ☐		
l	☐ Facilities allowed under a transitional rule of the Tax Reform Act of 1986 (see instructions)	9l	
	Facility type		
	1986 Act section		
10	☐ Qualified mortgage bond (section 143(a))	10	
	Check box if you elect to rebate arbitrage profits to the U.S. ► ☐		
11	☐ Qualified veterans' mortgage bond (section 143(b))	11	
	Check box if you elect to rebate arbitrage profits to the U.S. ► ☐		
12	☒ Qualified small issue bond (section 144(a)). Check box for $10 million small issue exemption ► ☒	12	3,000,000
13	☐ Qualified student loan bond (section 144(b))	13	
14	☐ Qualified redevelopment bond (section 144(c))	14	
15	☐ Qualified hospital bond (section 145(c))	15	
16	☐ Qualified 501(c)(3) bond other than a qualified hospital bond (section 145)	16	
	Employer identification number (EIN) of qualifying 501(c)(3) organization		
17	☐ Nongovernmental output property bond (treated as private activity bond)(section 141(d))	17	
18	☐ Other. Describe (see instructions) ►	18	

Part III Description of Bonds

	(a) Maturity date	(b) Interest rate	(c) Issue price	(d) Stated redemption price at maturity	(e) Weighted average maturity	(f) Yield	(g) Net interest cost
19 Final maturity	10-1-2004	VR %	$ 3,000,000	$ 3,000,000			
20 Entire issue			$ 3,000,000	$ 3,000,000	13 years	VR %	VR %

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Part IV Uses of Original Proceeds of Issue (including underwriters' discount)

				Amount
21	Proceeds used for accrued interest		21	0
22	Issue price of entire issue (enter amount from line 20,column c)		22	3,000,000
23	Proceeds used for bond issuance costs (including underwriters' discount)	0		
24	Proceeds used for credit enhancement	0		
25	Proceeds allocated to reasonably required reserve or replacement fund	0		
26	Proceeds used to refund prior issues (complete Part VI)	0		
27	Total (add lines 23, 24, 25, and 26)		27	0
28	Nonrefunding proceeds of the issue (subtract line 27 from line 22 and enter amount here)		28	3,000,000

Part V Description of Property Financed by Nonrefunding Proceeds
(Do not complete for qualified student loan bonds, qualified mortgage bonds, or qualified veterans' mortgage bonds.)

29 Type of Property Financed by Nonrefunding Proceeds:		Amount
a Land	29a	100,000
b Buildings and structures	29b	350,000
c Equipment with recovery period of more than 5 years	29c	2,550,000
d Equipment with recovery period of 5 years or less	29d	0
e Other (describe)	29e	0

30 Standard industrial classification (SIC) of nonrefunding proceeds for the financed projects.

	SIC Code	Nonrefunding proceeds $		SIC Code	Nonrefunding proceeds $
a	2281	$2,940,000	c		
b			d		

Part VI Description of Refunded Bonds (complete this part only for refunding bonds)

31 Enter the remaining weighted average maturity of the bonds to be refunded ▶ _____ years

32 Enter the last date on which the refunded bonds will be called ▶ _____

33 Enter the date(s) the refunded bonds were issued ▶

Part VII Miscellaneous

34 Name of governmental unit(s) approving issue (see instructions) ▶ Abbeville County Council

35 Enter the amount of the bonds designated by the issuer under section 265(b)(3)(B)(i)(III) ▶

Part VIII Volume Cap

			Amount
36	Amount of volume cap allocated to the issuer. **Attach state certification**	36	3,000,000
37	Amount of issue subject to the unified state volume cap	37	3,000,000
38	Amount of issue not subject to the unified state volume cap or other volume limitations:		
a	Of bonds for governmentally owned solid waste facilities, airports, docks, wharves or high-speed intercity rail facilities	38a	
b	Under a carryforward election. Attach copy of Form 8328 to this return	38b	
c	Under transitional rules of the Tax Reform Act of 1986	38c	
	Enter the Act section of the applicable transitional rule ▶		
d	Under the exception for current refunding (section 1313(a) of the Tax Reform Act of 1986)	38d	
39	Amount of issue of qualified 501(c)(3) bonds:		
a	Qualified hospital bonds	39a	
b	Qualified nonhospital bonds	39b	
c	Outstanding tax-exempt nonhospital bonds	39c	
40a	Amount of issue of qualified veteran's mortgage bonds	40a	
b	Enter the amount of the state veterans' limit	40b	

Part IX Arbitrage Rebate (see instructions)

41 Method of payment ▶ ☐ Check ☐ Other

42 Amount being rebated ▶ $ _____

43 CUSIP number ▶

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete.

Barney Gambrell
Signature of officer

October 30, 1991
Date

Barney Gambrell
Type or print name of above officer

Chairman, County Council
Title (type or print) of officer

001385

RESOLUTION

BE IT RESOLVED by the South Carolina State Budget and Control Board that the spending and hiring limitations imposed by the Board until August 1, 1991, shall be rescinded, and a 3 percent restriction on the rate of expenditure of funds from appropriations for 1991-92 is imposed until further notice on all State agencies, departments, and institutions.

These actions are taken by the Board under Section 129.6 of the FY 1991-92 Appropriations Act because the Board has determined that a deficit may occur in excess of funds available to the State in the Capital Reserve Fund for Fiscal Year 1991-92. The Board is also required under Section 129.15 of the FY 1991-92 Appropriations Act to take such action to avoid a year-end deficit by restricting the rate of expenditure.

The Board has received reports and studies from the Board of Economic Advisors and the Budget Division of the Board which indicate a lower rate of revenue growth than the 8.4 percent estimated growth rate in revenue over FY 1990-91 revenue that is the basis for the FY 1991-92 budget. Reports from the South Carolina Tax Commission have indicated that revenue collection for the State are behind as compared to last year.

The Board directs that a special account be established within the chart of accounts of each agency, department, or institution to escrow the 2 percent level of restricted funds until further notice of the Board. The appropriations for all State agencies, departments and institutions are reduced by 1 percent under Section 14.48 of the 1991-92 Appropriations Act.

The Board directs that first the entire Capital Reserve Fund is reduced to avoid a year-end deficit because the revenue forecast for FY 1991-92 is less than expenditures authorized in the 1991-92 Appropriations Act. Thereafter, the 3 percent restriction on the rate of expenditure of General Fund Appropriations of all State agencies, departments and institutions, based on appropriations for the entire fiscal year, shall be implemented commencing August 1, 1991.

This restriction on the rate of expenditure does not apply to Section 4-Judicial Department, Section 14R-Capital Reserve Fund, or Section 119-Debt Service.

Agencies, institutions and departments are to be given maximum flexibility in managing this restricted rate of expenditure level. This may include, but is not limited to, expanded use of Federal and other funds, restructured job duties and functions among available personnel to perform work more efficiently, and improved systems and processes in order to continue providing quality services with reduced funding.

The intent of this restriction on the rate of expenditure of funds is not to impose a hiring freeze, but to impose an overall spending limitation within which each agency, department, or institution must operate.

SO BE IT RESOLVED, this 30th day of July, 1991.

APPROVED BY BUDGET AND CONTROL BOARD:

Jesse A. Coles Jr.
Executive Director

Donna K. Williams
Secretary to the Board

EXHIBIT

JUL 30 1991 12

STATE BUDGET & CONTROL BOARD

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