

621

Agency Certification and Transmittal Sheet

Code:

E-21

Name:

S.C. Commission on Prosecution Coordination

Mission Statement: The mission of the South Carolina Commission on Prosecution Coordination is to improve South Carolina's Criminal Justice System by enhancing the professionalism and effectiveness of South Carolina's Solicitors and their staff through activities such as coordination of prosecution services, education, information, association, and interaction; and to achieve objectives which will benefit and improve the Office of Solicitor.

In carrying out its mission, the Commission's primary responsibilities include:

- Support of the fair, just, and swift administration of justice by the Offices of the Solicitors;
- Coordination of all administrative functions of the Offices of the Solicitors;
- Submission of the budgets of the solicitors and their affiliate services to the General Assembly;
- Coordination of pre-trial intervention and other diversionary programs within the Solicitors' offices;
- Collection of data and reports as required by the South Carolina General Assembly;
- Development and direction of legal education programs and training programs for solicitors and their staff to help improve
 - o the legal knowledge and advocacy skills of prosecutors,
 - o the effectiveness and efficiency of the prosecution of criminal cases in this State,
 - o augmented investigation of crimes,
 - o the provision of victim services, and
 - o office administration;
- Creation of materials, including publications such as newsletters and manuals, to assist prosecutors and others in Solicitors' Offices with the day-to-day performance of their job functions;
- Service as a source of information on and assistance with legal and ethics issues;
- Coordination and cooperation with other state, local, and federal government agencies involved in the criminal justice system;
- Liaison with South Carolina non-governmental entities involved in the criminal justice system, including those representing the interests of the South Carolina Bar, crime victims, and criminal defense interests; and
- Liaison with national criminal justice entities involved in the criminal justice system.

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OCT 04 2011

Budget & Control
OFFICE OF STATE BUDGET

To the Office of State Budget

REVISED

This, and accompanying statements, schedules, and explanatory sheets consisting of 44 pages constitute the operating budget estimates of this agency for all proposed expenditures for the 2012-2013 fiscal year.

All statements and explanations contained in the estimates submitted herewith are true and correct to the best of my knowledge.

Signed:



(Agency Head)

Date:

3-Oct-12

FISCAL YEAR 2012-13 BUDGET PLAN

I. EXECUTIVE SUMMARY

A. Agency Section/Code/Name:

Agency Section 46

Code: E-21

Name: S.C. Commission on Prosecution Coordination

B. Summary Description of Strategic or Long-Term Goals:

- Seek increased funding for Judicial Circuits State Support in the amount of 1.5 million dollars;
- Seek funding to replace the 1.6 million dollar Criminal Domestic Violence Grant that will end June 30, 2012;
- Creation of a new website that will allow for restricted access to more relevant and helpful information by the Solicitors' Offices, to include access to research, training materials, sample pleadings, and online registration for training programs, with a long-term goal of being able to offer streaming education videos online;
- Develop and install an Alcohol Education Program (AEP) software program between Office of Solicitor and SLED;
- Administer federal grant funding for Criminal Domestic Violence Prosecutors in each Judicial Circuit Solicitors' Offices;
- Victim/Witness Advocate (grant position) to work side-by-side with the Assistant Attorney Generals and Assistant Solicitors (on an as needed basis) in preparing cases involving victims for court;
- Administer federal grant funding for capital litigation training and the John R. Justice Student Loan Forgiveness program;
- Weekly publications of Legislative actions;
- Publication of budgetary actions by the General Assembly;
- Quarterly publication of "*Behind the Wheel*;"
- Publication of "*Prosecutor Reporter*;"
- Quarterly publication of "*Higher Standard*;"
- Provide timely notification and information to the Solicitors' Offices on changes to or pronouncement/enactment of laws by the courts and legislature;
- Serve as a resource for prosecutors in trial or preparing for trial who have questions related to ethics, substantive criminal law, procedural criminal law, and evidence.
- Conduct monthly training programs – to include training for prosecutors, victim advocates, prosecution investigators, diversionary program staff, and other staff of the Solicitors' Offices, law enforcement and judges – on topics such as capital litigation, DUI, evidence, forensic science, investigation, trial advocacy, and substantive and procedural criminal law; and
- Co-sponsor and/or support trainings of other agencies and organizations, including the Magistrates Intensive Training and the Conference(s) of the South Carolina Solicitors' Association.

C. 2011-2012 Agency Recurring Base Appropriation:

State	\$8,320,706
Federal	\$139,796
Other	\$5,759,751

D. Number of Budget Categories:

2

E. Agency-wide Vacant FTEs

Vacant FTEs as of July 31, 2011: 5

Vacant 20%

F. Efficiency Measures:

This agency has achieved greater efficiency over the past year through a number of methods that were adopted since January 1, 2011. One method is the cross-training of employees so that they can perform job functions not included in their current job descriptions (but included in the job descriptions of other employees). This has increased the ability of employees to assist others during heavy workload periods and to step-in when an employee is out of the office. This particular method has also resulted in better teamwork and morale, which, in turn, has improved our customer service. The second method adopted to increase efficiency was the reassignment of some duties among the staff. For example, primary responsibility for the administration of the Commission's grants

have shifted from two positions (one eliminated in December 2010 and one, the Administrative Assistant, still within the agency). The PTI Director has now assumed primary responsibility for most of the Commission's grants and other staff members have assumed either primary responsibility for other grant(s) or assist the PTI Director with work on the grants. This particular shift has allowed the Administrative Assistant to devote more time to the financial and human resources needs of the agency. Another method by which the Commission has achieved greater efficiency is through the utilization of volunteers. Four volunteers (three part-time third-year law students and a retired First Assistant Solicitor) are assisting with legal research, case review, preparation of materials, data entry, and clerical work.

In addition, the Commission has improved its effectiveness and the services provided to its customers (i.e., the Solicitors' Offices) through its own continuous assessment of its services and products, the consideration of feedback received (with implementation of changes if warranted), and research into what is being done by similar agencies and others outside South Carolina.

The measures discussed above have neither resulted in any budget savings nor reduced the need for funds. Instead, they have allowed the Commission to continue to perform all statutory and other duties despite changes and losses to its personnel and budget.

G. Number of Provisos:

6

IIA. OPERATING BUDGET PROGRAMS

Agency Section/Code/Name: 46/E21/SC Commission on Prosecution Coordination

SUMMARY OF OPERATING BUDGET PROGRAMS FOR FY 2012-13

OPERATING BUDGET PROGRAMS			FUNDING					FTEs			
Title	Activity Name	Activity No.	Non-Recurring State	Recurring State	Federal	Other	Total	State	Federal	Other	Total
Administration	Administration	152		654,564	233,268		887,832	9.00			9.00
Office of Solicitor	Office of Solicitor	151		10,729,433		7,450,000	18,179,433	32.00			32.00
							0				0.00
							0				0.00
							0				0.00
							0				0.00
For additional rows, place cursor in this gray box and press "Ctrl" + "b". (You need to start in this gray box for each row needed or the formulas will not copy properly.)											
TOTAL OF ALL OPERATING BUDGET PROGRAMS			0	11,383,997	233,268	7,450,000	19,067,265	41.00	0.00	0.00	41.00

IIB. CAPITAL BUDGET/NON-RECURRING REQUESTS FOR FY 2012-13
 Agency Section/Code/Name:E-21 S.C. Commission on Prosecution Coordination

SUMMARY OF CAPITAL BUDGET/NON-RECURRING REQUESTS FOR FY 2012-13
 ****Not Applicable****

CAPITAL BUDGET/NON-RECURRING REQUESTS				Additional State Funds	Previously Authorized State Funds	Total Other Fund Sources	Project Total
Project No.*	Project Name	Activity Name	Activity No.				
Not Applicable	***Not Applicable****	***Not Applicable****					0
							0
							0
							0
							0
For additional rows, place cursor in this gray box and press "Ctrl" + "c". (You need to start in this gray box for each row needed or the formulas will not copy properly.)							
TOTAL OF ALL CAPITAL BUDGET/NON-RECURRING REQUESTS				0	0	0	0

*if applicable

A. Summary description of programs and how they relate to the mission of the agency:

Administration – provides executive leadership, education and training, legislative and policy development, financial services, personnel services, collection and compilation of mandated reports, coordination of services, and other related administrative services. This program and its activities cover most of the Commission’s responsibilities necessary to the accomplishment of its mission.

B. Budget Program Number and Name:

I. Administration

C. Agency Activity Number and Name:

Note: If more than one activity maps to this program; provide all activity numbers, names, and approximate funding amounts.

Activity Number	Activity Name	State Non-Recurring	State Recurring	Federal	Other	Total
152	Administration		\$654,564	\$233,268		\$887,832

D. Performance Measures:

N/A (no program funding is distributed on outcomes-based performance metrics)

E. Program Interaction:

The work of the 9 FTE positions (only 4 of which are filled) along with 3 Grant FTE positions within the Commission’s Columbia office is on/under this Program. There is interaction between this Program and the Commission’s other Program (II. Office of Solicitor) in that the administrative and human resources assistance required by the other Program (which includes 32 personnel slots – each of the 16 elected Solicitors and one administrative assistant for each of the 16 Solicitors’ Offices) is accomplished by personnel and duties under this Program; and personnel under this Program work with the Solicitors’ Offices on training, grants, and to collect data.

F. Change Management:

The mission and the focus of the program have not changed over the past five years. However, the means by which the Commission has worked to meet its mission has changed due to changes in personnel and staff positions.

- In 2006, the Commission obtained a federal grant to hire a Traffic Safety Resource Prosecutor and Administrative Assistant to (1) conduct DUI-related training for law enforcement, prosecutors, and judges; and (2) provide prosecutorial assistance to DUI prosecutors. The Commission has been fortunate enough to receive this grant each year since, including a new award for 2011-2012.
- In 2011, the PTI Coordinator assumed primary administrative responsibility for most of the grants received by the Commission.

G. Detailed Funding Information:

FY 2012-13 Cost Estimates:	State Non-Recurring	State Recurring	Federal	Other	Total
Number of FTEs*		9	0.00	0.00	0.00
Personal Service	\$0	\$415233	\$97150	\$0	\$512383
Employer Contributions	\$0	128722	35424	\$0	164146
Program/Case Services	\$0	\$0	\$0	\$0	\$ 0
Pass-Through Funds	\$0	\$0	\$0	\$0	\$ 0
Other Operating Expenses	\$0	\$110609	\$42321	\$0	\$152930
Total	\$ 0	\$654564	\$174895	\$0	\$829459

* If new FTEs are needed, please complete Section G (Detailed Justification for FTEs) below.

Is this budget category or program associated with a Capital Budget Priority?
 If yes, state Capital Budget Priority Number and Project Name:.

Please List proviso numbers that relate to this budget category or programs funded by this category.

46.8
 90.13

H. Changes to the Appropriation:

Please explain any changes, to include re-alignments and funding or FTE increases requested in this year’s appropriation, as detailed below:

Funding:

Year	State Non-Recurring	State Recurring	Federal	Other (Earmarked or Restricted)
2011-2012 Act	0	0	\$139796	0
2012-2013 Act	0	0	\$233268	0
Difference	0	0	\$93,472	0
% Difference	0	0	66.9%	0

Explanation of Changes:

1. The 2012/13 amount reflects the current amount awarded for the Federal Traffic Safety Resource Prosecutor Grant of \$174,895. The 2 FTEs associated with this grant will be reflected as Temporary Grant Employees. This Grant cycle runs from 10/1/11 – 9/30/12 but we do expect for the grant to be continued on 10/1/12. There is no matching dollar requirement and this increase in the Federal amount shown above will not cause a change in State-Recurring or Non-Recurring dollars.
2. The 2012/13 amount also reflects the S.C. Commission on Prosecution Coordination’s share of the Capital Litigation Initiative Grant in the amount of \$58,375. The total amount for 2012/13 is \$116,750 but this amount will be split equally between the S.C. Prosecution Commission and the S.C. Commission on Indigent Defense in the amount of \$58,375 each.

I. Revenue Estimates:

Please detail Sources of revenue for this program, identified by SAP fund number if a live SCEIS agency or the STARS number if a STARS agency. If several sources remit to a single subfund that cannot be split by source and appropriation or program, provide an estimate of the revenue dedicated to this program.

SAP Fund Number	Source Name	General Fund	Other State	Earmarked	Restricted	Federal

If expenditures for this program are greater than known or estimated revenues and the intent is to bridge part of this shortfall by drawing down balances in agency accounts or reserves, indicate the accounts and amount of the current reserve or balance that will likely be used below.

Please detail the long-term sustainability of this program if cash reserves are needed to operate.

If there is federal fund or other fund spending authority requested above the revenue streams detailed above, please indicate the amount and explanation for each.

J. FTE Positions:

Please detail the number of FTE's filled (F) by the program as of June 30 of each fiscal year, and the number authorized (A) by the Appropriations Act.

Fiscal Year	State	Other-Earmarked or Restricted	Federal	Total	Temporary, Temporary Grant, Time -limited
2012-2013 (A)	9	0	0	9	2
2011-2012 (A)	9	0	0	9	0
2010-2011 (F)	4	0	0	4	0
2010-2011 (A)	9	0	0	9	0
2009-2010 (F)	6	0	0	6	0
2009-2010 (A)	9	0	0	9	0
2008-2009 (F)	7	0	0	7	0
2008-2009 (A)	9	0	0	9	0
2007-2008 (F)	7	0	0	7	0
2007-2008 (A)	9	0	0	9	0

K. Detailed Justification for FTEs:

(1) Justification for New FTEs

(a) Justification:

(b) Future Impact on Operating Expenses or Facility Requirements:

(2) **Position Details:**

	State	Federal	Earmarked	Restricted	Total
Position Title:					
Number of FTEs	0.00	0.00	0.00	0.00	0.00
Personal Service	\$0	\$0	\$0	\$0	\$ 0
Employer Contributions	\$0	\$0	\$0	\$0	\$ 0

	State	Federal	Earmarked	Restricted	Total
Position Title:					
Number of FTEs	0.00	0.00	0.00	0.00	0.00
Personal Service	\$0	\$0	\$0	\$0	\$ 0
Employer Contributions	\$0	\$0	\$0	\$0	\$ 0

	State	Federal	Earmarked	Restricted	Total
Position Title:					
Number of FTEs	0.00	0.00	0.00	0.00	0.00
Personal Service	\$0	\$0	\$0	\$0	\$ 0
Employer Contributions	\$0	\$0	\$0	\$0	\$ 0

A. Summary description of programs and how they relate to the mission of the agency:

Office of Solicitor – State funds supporting the function of the Offices of Solicitor are distributed to the 16 Judicial Circuit Solicitors through the Commission, including the salaries and fringe benefits of the 16 elected Solicitors and 16 Administrative Assistants (one per Judicial Circuit Solicitor’s Office), and funds necessary to the operation of the Solicitors’ Offices, including the prosecution of criminal cases, diversion programs, and drug courts.

B. Budget Program Number and Name:

II. Offices of Circuit Solicitor

C. Agency Activity Number and Name:

Note: If more than one activity maps to this program; provide all activity numbers, names, and approximate funding amounts.

Activity Number	Activity Name	State Non-Recurring	State Recurring	Federal	Other	Total
151	Office of Solicitor		\$10,729,433		\$7,450,000	\$18,179,433

D. Performance Measures:

N/A (no program funding is distributed on outcomes-based performance metrics)

E. Program Interaction:

There is interaction between this Program and the Commission’s other Program (I. Administration) in that the administrative and human resources assistance required by this Program (for 32 personnel slots – each of the 16 elected Solicitors and one administrative assistant for each of the 16 Solicitors’ Offices) is accomplished by personnel and duties under Program I. Administration; and personnel under the other Program I. Administration work with the Solicitors’ Offices on training, grants, and to collect data.

F. Change Management:

The mission and the focus of the program have not changed over the past five years.

G. Detailed Funding Information:

FY 2012-13 Cost Estimates:	State Non-Recurring	State Recurring	Federal	Other	Total
Number of FTEs*		32	0.00	0.00	32
Personal Service	\$0	\$2,634,459	\$0	\$0	\$2,634,459
Employer Contributions	\$0	\$1,408,612	\$0	\$0	\$1,408,612
Program/Case Services	\$0	\$0	\$0	\$0	\$0
Pass-Through Funds	\$0	\$14,136,362	\$0	\$0	\$14,136,362
Other Operating Expenses	\$0	\$0	\$0	\$0	\$ 0
Total	\$ 0	\$18,179,433	\$ 0	\$ 0	\$18,179,433

* If new FTEs are needed, please complete Section G (Detailed Justification for FTEs) below.

Is this budget category or program associated with a Capital Budget Priority? NO

If yes, state Capital Budget Priority Number and Project Name:.

Please List proviso numbers that relate to this budget category or programs funded by this category.

46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 46.7, 53.6, 72.7, 72.8, 72.9

H. Changes to the Appropriation:

Please explain any changes, to include re-alignments and funding or FTE increases requested in this year's appropriation, as detailed below:

Funding:

Year	State Non-Recurring	State Recurring	Federal	Other (Earmarked or Restricted)
2011-2012 Act		\$7,629,433	\$0	\$5,759,751
2012-2013 Act		\$10,729,433	\$0	\$7,450,000
Difference		\$3,100,000	\$0	\$1,690,249
% Difference		40.6%	\$0	29.3%

Explanation of Changes:

State Recurring:

1. Judicial Circuit States Support- Seeking a 1.5 million dollar (\$1,500,000) increase in Judicial Circuits States Support. Judicial Circuits State Support is the main state recurring funding source for the 16 Judicial Solicitors' Offices. There have been total recurring reductions since FY 2008-2009 of \$7,148,316 amounting to a 46% reduction of the S.C. Prosecution Commission's General Fund Appropriation. The \$1.5 million dollar increase will replace the \$1.5 million dollar non-recurring Judicial Circuit State Support that was received in FY 2010/11. This was made up of \$1,000,000 from Increased Department of Revenue Enforcement Collections and \$500,000 from the State Fiscal Stabilization Fund Program. According to S.C. Court Administration, there were 113,721 cases handled in General Sessions Court in FY 2010/11 and 13,274 cases handled in Family Court in FY 2010/11. This funding enables the 16 Judicial Circuit Solicitors to hire assistant solicitors, investigators and support staff for the prosecution of criminal cases. Adequate funding of Judicial Circuit States Support is vital to be able to prosecute cases in a timely manner and to reduce the pending backlog of cases.

2. Criminal Domestic Violence Prosecution- Seeking a 1.6 million dollar (\$1,600,000) appropriation for Criminal Domestic Violence Prosecution. In FY 2009/10 The Prosecution Commission was awarded a 3 year Criminal Domestic Violence Grant from the S.C. Department of Public Safety. This grant has provided \$100,000 for each of the 16 Solicitor's Offices for Criminal Domestic Violence Prosecution in both General Sessions and Magistrates Courts. This grant has been very successful and each of the 16 Solicitor's Offices has Criminal Domestic Violence prosecutors who are making a huge difference in this area but the grant is in its and final year of funding. According to S.C. Court Administration, there were 4,388 CDV cases handled just in General Sessions Court in FY 2010/11. Many more cases were handled in Magistrates Court. The S.C. Prosecution Commission is asking for funds to continue this program in order to continue combating the ongoing problem of criminal domestic violence in this state.

Other:

1. Court Fees- Seeking a \$28,021 increase in authorization for Court Fees (S.C. Code Section 14-1-204). The amount collected varies from year to year and the agency is estimating a conservative ceiling that it doesn't expect collections to go over but may end up being less than the authorized amount.

2. Law Enforcement Funding- Seeking a \$814,746 increase in authorization for Law Enforcement Funding (S.C. Code Section 14-1-212). The amount collected varies from year to year and the agency is estimating a conservative ceiling that it doesn't expect collections to go over but may end up being less than the authorized amount.

3. Drug Court Funding- Seeking a \$447,482 increase in authorization for Drug Court Funding (S.C. Code Section 14-1-213). The amount collected varies from year to year and the agency is estimating a conservative ceiling that it doesn't expect collections to go over but may end up being less than the authorized amount.

4. Traffic Education Program-Magistrates Court- Seeking \$50,000 in authorization for Traffic Education Program-Magistrates Court (S.C. Code Section 17-22-350(B)). This is a new program and money is collected pursuant to an application fee and a request is being made that this be included in the budget. The amount collected is anticipated to vary from year to year and the agency is estimating a conservative ceiling that it doesn't expect collections to go over but may end up being less than the authorized amount.

5. Traffic Education Program-Municipal Court- Seeking \$50,000 in authorization for Traffic Education Program-Municipal Court (S.C. Code Section 17-22-350(C)). This is a new program and money is collected pursuant to an application fee and a request is being made that this be included in the budget. The amount collected is anticipated to vary from year to year and the agency is estimating a conservative ceiling that it doesn't expect collections to go over but may end up being less than the authorized amount.

6. Conditional Discharge Fee-General Sessions- Seeking \$100,000 in authorization for Conditional Discharge Fee-General Sessions (S.C. Code Section 44-53-450(C)). This is a new program and money is collected pursuant to a fee and a request is being made that this be included in the budget. The amount collected is anticipated to vary from year to year and the agency is estimating a conservative ceiling that it doesn't expect collections to go over but may end up being less than the authorized amount.

7. Conditional Discharge Fee-Magistrates Court- Seeking \$100,000 in authorization for Conditional Discharge Fee-Magistrates Court (S.C. Code Section 44-53-450(C)). This is a new program and money is collected pursuant to a fee and a request is being made that this be included in the budget. The amount collected is anticipated to vary from year to year and the agency is estimating a conservative ceiling that it doesn't expect collections to go over but may end up being less than the authorized amount.

8. Conditional Discharge Fee-Municipal Court- Seeking \$100,000 in authorization for Conditional Discharge Fee-Magistrates Court (S.C. Code Section 44-53-450(C)). This is a new program and money is collected pursuant to a fee and a request is being made that this be included in the budget. The amount collected is anticipated to vary from year to year and the agency is estimating a conservative ceiling that it doesn't expect collections to go over but may end up being less than the authorized amount.

I. Revenue Estimates:

Please detail Sources of revenue for this program, identified by SAP fund number if a live SCEIS agency or the STARS number if a STARS agency. If several sources remit to a single subfund that cannot be split by source and appropriation or program, provide an estimate of the revenue dedicated to this program.

SAP Fund Number- Revenue Object Code	Source Name	General Fund	Other State	Earmarked	Restricted	Federal
4722	Court Fees		\$300,000			
4813	Fee for Motions			\$450,000		
5750	Law Enforcement Funding		\$4,500,000			
5751	Drug Court Funding			\$1,800,000		
	Traffic Education Program- Magistrates Court		\$50,000			
	Traffic Education Program- Municipal Court		\$50,000			
	Conditional Discharge Fee-General Sessions			\$100,000		
	Conditional Discharge Fee- Magistrates Court			\$100,000		
	Conditional Discharge Fee- Municipal Court			\$100,000		

If expenditures for this program are greater than known or estimated revenues and the intent is to bridge part of this shortfall by drawing down balances in agency accounts or reserves, indicate the accounts and amount of the current reserve or balance that will likely be used below.

Please detail the long-term sustainability of this program if cash reserves are needed to operate.

If there is federal fund or other fund spending authority requested above the revenue streams detailed above, please indicate the amount and explanation for each.

J. FTE Positions:

Please detail the number of FTE's filled (F) by the program as of June 30 of each fiscal year, and the number authorized (A) by the Appropriations Act.

Fiscal Year	State	Other-Earmarked or Restricted	Federal	Total	Temporary, Temporary Grant, Time -limited
2012-2013 (A)	32	0	0	32	0
2011-2012 (A)	32	0	0	32	0
2010-2011 (F)	32	0	0	32	0
2010-2011 (A)	32	0	0	32	0
2009-2010 (F)	32	0	0	32	0
2009-2010 (A)	32	0	0	32	0
2008-2009 (F)	32	0	0	32	0
2008-2009 (A)	32	0	0	32	0
2007-2008 (F)	32	0	0	32	0
2007-2008 (A)	32	0	0	32	0

K. Detailed Justification for FTEs:

(1) Justification for New FTEs

(a) Justification:

(b) Future Impact on Operating Expenses or Facility Requirements:

(2) **Position Details:**

	State	Federal	Earmarked	Restricted	Total
Position Title:					
Number of FTEs	0.00	0.00	0.00	0.00	0.00
Personal Service	\$0	\$0	\$0	\$0	\$ 0
Employer Contributions	\$0	\$0	\$0	\$0	\$ 0

	State	Federal	Earmarked	Restricted	Total
Position Title:					
Number of FTEs	0.00	0.00	0.00	0.00	0.00
Personal Service	\$0	\$0	\$0	\$0	\$ 0
Employer Contributions	\$0	\$0	\$0	\$0	\$ 0

	State	Federal	Earmarked	Restricted	Total
Position Title:					
Number of FTEs	0.00	0.00	0.00	0.00	0.00
Personal Service	\$0	\$0	\$0	\$0	\$ 0
Employer Contributions	\$0	\$0	\$0	\$0	\$ 0

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

46.1

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

II. Office of Circuit Solicitor

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Action

(Indicate Keep, Amend, Delete, or Add):

Keep

E. Title

Descriptive Proviso Title:

PCC:Solicitor Salary

F. Summary

Summary of Existing or New Proviso:

The amount appropriated in this section for salaries of solicitors shall be paid to each full-time solicitor. Each full-time solicitor shall earn a salary not less than each full-time circuit court judge.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

Directs that the circuit solicitor shall not earn less than a full-time circuit court judge.

I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

This proviso could be codified

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-none- would be the same as the amount appropriated for solicitor salaries (\$2,084,992).

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

V. Proviso Justification Form	Agency Code E-21	Agency Name S.C. Commission on Prosecution Coordination
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(INSERT PROVISOR FROM FY 2012-13 RENUMBERED PROVISOR BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

46.2

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

II. Office of Circuit Solicitor

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Action

(Indicate Keep, Amend, Delete, or Add):

Keep

E. Title

Descriptive Proviso Title:

PCC:Solicitor Expense Allowance

F. Summary

Summary of Existing or New Proviso:

Each solicitor shall receive five hundred dollars (\$500.00) per month as expense allowance.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

Directs that the circuit solicitor shall receive five hundred dollars (\$500.00) per month as an expense allowance.

I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

This proviso could be codified

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-none- would be the same as the amount appropriated "other operating expenses." (\$96,000)

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(INSERT PROVISOR FROM FY 2012-13 RENUMBERED PROVISOR BASE HERE)

V. Proviso Justification Form	Agency Code E-21	Agency Name S.C. Commission on Prosecution Coordination
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A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

46.3

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

II. Office of Circuit Solicitor

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Action

(Indicate Keep, Amend, Delete, or Add):

Amend

E. Title

Descriptive Proviso Title:

PCC:Judicial Circuits State Support

F. Summary

Summary of Existing or New Proviso:

The amount appropriated and authorized in this section for Judicial Circuits (16) State Support shall be apportioned among the circuits on a per capita basis and based upon the official census of 2000. Payment shall be made as soon after the beginning of quarter as practical.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

Asking to have Proviso amended because of adoption of 2010 Census.

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

Directs that Judicial Circuit State Support be distributed on a per-capita basis based upon the census.

I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

This proviso could be codified-asking to have Proviso amended because of adoption of 2010 Census.

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-none-

Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

V. Proviso Justification Form	Agency Code E-21	Agency Name S.C. Commission on Prosecution Coordination
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46.3 (PCC: Judicial Circuit State Support) The amount appropriated and authorized in this section for Judicial Circuits (16) State Support shall be apportioned among the circuits on a per capita basis ~~and~~ based upon the current official census, ~~of 2000~~. Payment shall be made as soon after the beginning of quarter as practical.

(INSERT PROVISOR FROM FY 2012-13 RENUMBERED PROVISOR BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

46.4

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

II. Office of Circuit Solicitor

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Action

(Indicate Keep, Amend, Delete, or Add):

Keep

E. Title

Descriptive Proviso Title:

PCC: Solicitor Carry Forward

F. Summary

Summary of Existing or New Proviso:

Any unexpended balance on June 30, of the prior fiscal year, may be carried forward into the current fiscal year and expended for the operation of the solicitor's office relating to operational expenses.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

Directs that funds distributed to the Office of Solicitor that have not been expended by June 30, may be carried forward and used for solicitor's office operating expenses.

I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

This proviso could be codified

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-none-

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

V. Proviso Justification Form	Agency Code E-21	Agency Name S.C. Commission on Prosecution Coordination
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(INSERT PROVISOR FROM FY 2012-13 RENUMBERED PROVISOR BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

46.5

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

II. Office of Circuit Solicitor

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Action

(Indicate Keep, Amend, Delete, or Add):

Amend

E. Title

Descriptive Proviso Title:

Solicitors' Office-County Funding Level

F. Summary

Summary of Existing or New Proviso:

It is the intent of the General Assembly that the amounts appropriated for solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services without any additional charges.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

Needs to be amended further to clarify that counties cannot lower funding to solicitor's offices because of state appropriations.

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

Directs that counties may not supplant county appropriated funds for the solicitor with state appropriated funds.

I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

The intent of the proviso needs to be clarified.

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-none

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

V. Proviso Justification Form	Agency Code E-21	Agency Name S.C. Commission on Prosecution Coordination
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46.5 (Solicitors' Office-County Funding Level) It is the intent of the General Assembly that the amounts appropriated for solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services without any additional charges. Additionally, no county shall be permitted to contribute less money than the amount the county contributed in the prior fiscal year.

(INSERT PROVISOR FROM FY 2012-13 RENUMBERED PROVISOR BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

46.6

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

II. Office of Circuit Solicitor

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Action

(Indicate Keep, Amend, Delete, or Add):

Amend

E. Title

Descriptive Proviso Title:

Solicitors Victim/Witness Assistance Programs

F. Summary

Summary of Existing or New Proviso:

When funds are available, the amount appropriated and authorized in Part IA, Section 46 for Solicitors Victim/Witness Assistance Programs shall be apportioned among the circuits on a per capita basis and based upon the official census of 2000. Payment shall be made as soon after the beginning of each quarter as practical.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

Amend to reflect language of "current" official census instead of "2000" census.

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

Directs how Solicitor's Victim/Witness Assistance appropriation would be distributed.

I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

Proviso has not been codified because funds have not been appropriated

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-none

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

V. Proviso Justification Form	Agency Code E-21	Agency Name S.C. Commission on Prosecution Coordination
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46.6 Solicitors Victim/Witness Assistance Programs -When funds are available, the amount appropriated and authorized in Part IA, Section 46 for Solicitors Victim/Witness Assistance Programs shall be apportioned among the circuits on a per capita basis and based upon the current official census ~~of 2000~~. Payment shall be made as soon after the beginning of each quarter as practical.

(INSERT PROVISOR FROM FY 2012-13 RENUMBERED PROVISOR BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (If new indicate "New #1", "New #2", etc.):

46.7

B. Appropriation

Related budget category, program, or non-recurring request (Leave blank if not associated with funding priority):

II. Office of Circuit Solicitor

Request for 1.6 million dollars for Criminal Domestic Violence Prosecution

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Action

(Indicate Keep, Amend, Delete, or Add):

Amend

E. Title

Descriptive Proviso Title:

Violent Crime, CDV, DUI Prosecution

F. Summary

Summary of Existing or New Proviso:

The Prosecution Coordination Commission shall retain information and data on any federally funded grants whose purpose is for the prosecution of criminal domestic violence and/or driving under the influence charges and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal Year detailing those charges handled by assistant solicitors who are funded by the grant(s). If not privileged information by law, the report shall at a minimum include information and statistics regarding the number of dispositions, types of dispositions, and county in which the dispositions took place

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

This proviso needs to be amended because the Criminal Domestic Violence Prosecution grant will end June 30, 2012 and the DUI Prosecution grant is now administered directly by the Department of Public Safety. The Prosecution Commission is no longer involved with the grant. Additionally, the S.C. Prosecution Commission is requesting an appropriation of 1.6 million dollars to continue Criminal Domestic Violence Prosecution. The S.C. Prosecution Commission is asking that this money be distributed on a pro-rata basis to the 16 Circuit Solicitors.

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

This proviso is not needed because the Criminal Domestic Violence Prosecution grant will end June 30, 2012 and the DUI Prosecution grant is now administered directly by the Department of Public Safety. The Prosecution Commission is not involved with the grant.

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-none

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

~~46.7. — (PCC: Violent Crime, CDV, DUI Prosecution) The Prosecution Coordination Commission shall retain information and data on any federally funded grants whose purpose is for the prosecution of criminal domestic violence and/or driving under the influence charges and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal Year detailing those charges handled by assistant solicitors who are funded by the grant(s). If not privileged information by law, the report shall at a minimum include information and statistics regarding the number of dispositions, types of dispositions, and county in which the dispositions took place~~

Replace with Amended Version: 46.7 (PCC: CDV Prosecution) The amount appropriated and authorized in this section for Criminal Domestic Violence Prosecution shall be apportioned among the circuits on a pro-rata basis. If not privileged information, the Prosecution Coordination Commission shall collect and retain information and data regarding Criminal Domestic Violence Prosecution and shall include: the number of dispositions, types of dispositions and county in which the disposition took place and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal year.

(INSERT PROVISOR FROM FY 2012-13 RENUMBERED PROVISOR BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

46.8

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

I. Administration

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Action

(Indicate Keep, Amend, Delete, or Add):

Delete

E. Title

Descriptive Proviso Title:

Central Office Staff

F. Summary

Summary of Existing or New Proviso:

For the current fiscal year, the central office is limited to 4 State Funded FTE's as follows: Executive Director, Administrative Assistant, Education Coordinator, and the Coordinator for Pre-Trial Intervention. This limitation does not apply to FTE's funded with grant funds. The Office of State Budget shall assist the agency with the implementation of this proviso to include the re-location of central office staff in a state owned office building as soon as practicable. In addition the Office of State Budget shall identify the savings achieved by this proviso. Any savings achieved must be transferred to Judicial Circuits State Support. Nothing in this proviso shall be construed to limit the powers and duties of the Commission on Prosecution Coordination.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

The Prosecution Commission has identified state owned space and will move December-2011/January-2012 into state owned office space. The Prosecution Commission would seek flexibility so that it can fill vacant position(s).

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary**I. Justification**

Refer to the instructions for the correct question to answer in this space, based on the action you selected

The Prosecution Commission has identified state owned space and will move December-2011/January-2012 into state owned office space. The Prosecution Commission would seek flexibility so that it can fill vacant position(s).

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J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-would impact Judicial Circuits State Support but cannot be determined at this time

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

~~46.8. —(PCC: Central Office Staff) For the current fiscal year, the central office is limited to 4 State Funded FTE's as follows: Executive Director, Administrative Assistant, Education Coordinator, and the Coordinator for Pre Trial Intervention. This limitation does not apply to FTE's funded with grant funds. The Office of State Budget shall assist the agency with the implementation of this proviso to include the re location of central office staff in a state owned office building as soon as practicable. In addition the Office of State Budget shall identify the savings achieved by this proviso. Any savings achieved must be transferred to Judicial Circuits State Support. Nothing in this proviso shall be construed to limit the powers and duties of the Commission on Prosecution Coordination.~~

(INSERT PROVISOR FROM FY 2012-13 RENUMBERED PROVISOR BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

53.6

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Proviso from another agency-Department of Juvenile Justice

D. Action

(Indicate Keep, Amend, Delete, or Add):

Keep

E. Title

Descriptive Proviso Title:

Juvenile Arbitration/Community Advocacy Program

F. Summary

Summary of Existing or New Proviso:

The amount appropriated and authorized in this section for the Juvenile Arbitration Program shall be retained and expended by the Department of Juvenile Justice for the purpose of providing juvenile arbitration services through the sixteen (16) Judicial Circuit Solicitors' offices in the state and used to fund necessary administrative and personnel costs for the programs.

The Department of Juvenile Justice shall contract with Solicitors to administer the Juvenile Arbitration Program and disburse up to \$60,000 per Judicial Circuit based on services rendered. The amount payable to Solicitors may vary based on consistent adherence to established statewide program guidelines to assess program performance.

The \$250,000 appropriated for the Community Advocacy Program in the first Judicial Circuit, will be used to fund necessary administrative and personnel costs for this status offender diversion program. The Department of Juvenile Justice shall monitor and provide support to this program.

All unexpended funds may be retained and carried forward from the prior fiscal year to be used for the same purposes.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

Directs up to \$60,000 per circuit for Juvenile Arbitration Programs and \$250,000 for the First Circuit Community Advocacy Program.

V. Proviso Justification Form	Agency Code E-21	Agency Name S.C. Commission on Prosecution Coordination
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I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

This proviso could be codified

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-up to \$1,210,000

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(INSERT PROVISOR FROM FY 2012-13 RENUMBERED PROVISOR BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

72.7

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Proviso from another agency-State Office of Victim Assistance

D. Action

(Indicate Keep, Amend, Delete, or Add):

Keep

E. Title

Descriptive Proviso Title:

Victim Assistance Programs

F. Summary

Summary of Existing or New Proviso:

It is the intent of the General Assembly that the amounts appropriated in this section for victim assistance programs in solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services. Any reduction by any county in funding for victim assistance programs in solicitors' offices shall result in a corresponding decrease of state funds provided to the solicitors' office in that county for victim assistance services. Each solicitor's office shall submit an annual financial and programmatic report which describes the use of these funds. The report shall be submitted to the Governor, the Attorney General, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on October 1, for the preceding fiscal year.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary**I. Justification**

Refer to the instructions for the correct question to answer in this space, based on the action you selected

This proviso could be codified

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J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-none

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(INSERT PROVISO FROM FY 2012-13 RENUMBERED PROVISO BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

72.8

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Proviso from another agency-State Office of Victim Assistance

D. Action

(Indicate Keep, Amend, Delete, or Add):

Keep

E. Title

Descriptive Proviso Title:

Establish Victim Assistance Programs

F. Summary

Summary of Existing or New Proviso:

The funds appropriated in this section for Victim/Witness Program must be equally divided among the judicial circuits, less any adjustments made for budget reductions. The funds for each circuit must be distributed to the solicitor's office of that circuit and only used by the solicitor for the purpose of establishing a Victim/Witness Program in the circuit which shall provide, but not be limited to, the following services:

- (1) Make available to victims/witnesses information concerning their cases from filing in general sessions court through disposition.
- (2) Keep the victim/witness informed of his rights and support his right to protection from intimidation.
- (3) Inform victims/witnesses of and make appropriate referrals to available services such as medical, social, counseling, and victims' compensation services.
- (4) Assist in the preparation of victims/witnesses for court.
- (5) Provide assistance and support to the families or survivors of victims where appropriate.
- (6) Provide any other necessary support services to victims/witnesses such as contact with employers or creditors.
- (7) Promote public awareness of the program and services available for crime victims.

The funds may not be used for other victim-related services until the above functions are provided in an adequate manner.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

This proviso directs that funds are allocated to the Solicitor's Offices shall be allocated on a pro-rata basis.

V. Proviso Justification Form	Agency Code E-21	Agency Name S.C. Commission on Prosecution Coordination
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I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

This proviso could be codified

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-none

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(INSERT PROVISO FROM FY 2012-13 RENUMBERED PROVISO BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

72.9

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Proviso from another agency-State Office of Victim Assistance

D. Action

(Indicate Keep, Amend, Delete, or Add):

Keep

E. Title

Descriptive Proviso Title:

Victim/Witness Program Formula Distribution

F. Summary

Summary of Existing or New Proviso:

If funds in the South Carolina Victims' Compensation Fund exceed the amount required to operate the State Office of Victims Assistance and pay claims of crime victims the first \$650,000 of such excess must be used for Victim/Witness programs by distribution to Judicial Circuits based on a formula and criteria developed by the policy committee, and otherwise subject to requirements of Section 72.7 and 72.9.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

This proviso directs that funds up to \$650,000 be distributed to Solicitor's Offices if there are sufficient funds to operate SOVA and pay claims of crime victims.

I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

This proviso could be codified

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

Fiscal Impact-up to \$650,000

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K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(INSERT PROVISO FROM FY 2012-13 RENUMBERED PROVISO BASE HERE)

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

90.13

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

Administration

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

General proviso-Statewide Revenue

D. Action

(Indicate Keep, Amend, Delete, or Add):

Amend

E. Title

Descriptive Proviso Title:

Prohibits Public Funded Lobbyists

F. Summary

Summary of Existing or New Proviso:

90.13. (SR: Prohibits Public Funded Lobbyists) In order to eliminate taxpayer funded lobbying, the following state agencies and institutions, for Fiscal Year 2011-12, shall transfer the amounts indicated to the General Fund:

Prosecution Coordination Commission	\$	19,290
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All state agencies and institutions are prohibited from using general fund appropriations to compensate employees who engage in lobbying on behalf of the state agency or institution. The State Ethics Commission shall require state agencies and institutions that report lobbying activities to the commission to certify that the lobbying activities were not funded by general fund appropriations.

All state agencies and institutions are prohibited from entering into contracts using general fund appropriations to provide lobbying services to the agency or institution.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

Proviso applied to FY 2011/12 only. Prosecution Commission on Coordination no longer has a registered lobbyist.

H. Explanation of how this proviso directs the expenditure or appropriation of funds, and why this direction is necessary

V. Proviso Justification Form	Agency Code E-21	Agency Name S.C. Commission on Prosecution Coordination
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I. Justification

Refer to the instructions for the correct question to answer in this space, based on the action you selected

Proviso applied to FY 2011/12 only. Prosecution Commission no longer has a registered lobbyist.

J. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

None

K. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

90.13. (SR: Prohibits Public Funded Lobbyists) In order to eliminate taxpayer funded lobbying, the following state agencies and institutions, for Fiscal Year 2011-12, shall transfer the amounts indicated to the General Fund:

Administrative Law Court	\$22,000
The Citadel	\$ 16,881
Clemson University	\$ 45,546
Coastal Carolina University	\$20,230
College of Charleston	\$34,000
Department of Health & Environmental Control	\$26,553
State Board for Technical & Comprehensive Education	\$22,431
Florence-Darlington Technical College	\$10,001
Greenville Technical College	\$ 31,783
Horry-Georgetown Technical College	\$ 1,183
Tri-County Technical College	\$55,545
Francis Marion University	\$23,500
Judicial Department	\$59,164
Medical University of South Carolina	\$80,380
Department of Natural Resources	\$17,157
Prosecution Coordination Commission	\$19,290
South Carolina State University	\$20,000
University Of South Carolina	\$53,368
University of South Carolina-Upstate	\$11,000
Winthrop University	\$ 9,300
Lander University	\$25,000
Total	\$604,312

All state agencies and institutions are prohibited from using general fund appropriations to compensate employees who engage in lobbying on behalf of the state agency or institution. The State Ethics Commission shall require state agencies and institutions that report lobbying activities to the commission to certify that the lobbying activities were not funded by general fund appropriations.

All state agencies and institutions are prohibited from entering into contracts using general fund appropriations to provide lobbying services to the agency or institution.

(INSERT PROVISIO FROM FY 2012-13 RENUMBERED PROVISIO BASE HERE)

Federal Aid Justification

2011-CP-BX-0005

Summary

Award Title	Capital Case Litigation Initiative				
CFDA Number/Title	(XX.XXX) Other CFDA	→	If "Other", identify:	16.746 Capital Case Litigation Initiative	
Award Number (Federal)	2011-CP-BX-0005	Start Date	10/01/11	Federal Agency	Department of Justice (15)
Award Number (State)		End Date	09/30/13	Federal Subagency	
Award Period	One-Time	→	If "Other", explain:		

Financial

Total Award Amount	\$233,499	Amount Available in FY 2012-13	\$1116750 - (to be split equally between SCCPC in S.C. Indigent Defense)
State Match Required?	No	If "Yes", describe, and provide SAP Fund Number(s) of funding sources	
Local Match Required?	No	If "Yes", describe	
Assistance Type	Other Assistance	If "Other", explain	This Grant is to provide training for prosecutors and public defenders in the area of Capital Litigation.
Is administrative and/or indirect cost recovery permitted? If so, explain:			
Will funds be passed-through to other entities? If so, what types of entities, and how will funds be distributed?	Yes. SC Commission on Indigent Defense.		

Federal Aid Justification

2011-CP-BX-0005

Questions

How is the use of these funds essential to your agency's mission?

To provide basic and advanced training on death penalty issues and advocacy for attorneys who litigate capital cases on behalf of indigent defendants (defense attorneys) and the state (prosecutors).

What budgetary, compliance, and programmatic obligations will the state incur (now or in the future) through the receipt of these funds?

Will submit budgets to Department of Justice for approval and will also submit programatic reports to Department of Justice

What outcome and/or performance measures will you track and/or report on in association with this award?

Will test participants before and after training is given to see increase in knowledge.

What is the name and title of the individual in your agency who is responsible for the success of this program?

Amie Clifford

Federal Aid Justification	2H12017
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Summary

Award Title	Traffice Safety Resource Prosecutor		
CFDA Number/Title	(XX.XXX) Other CFDA	→	If "Other", identify: 20.601 Highway Safety Act of 1966
Award Number (Federal)	2H12017	Start Date	10/01/11
		Federal Agency	
Award Number (State)		End Date	09/30/12
		Federal Subagency	
Award Period	Periodic Renewal	→	If "Other", explain:

Financial

Total Award Amount	\$ 174,895.00	Amount Available in FY 2012-13	\$43,724 for 7/1 -9/30 (expecting the grant to be renewed for 10/1/12 - 9/30/13)
State Match Required?	No	If "Yes", describe, and provide SAP Fund Number(s) of funding sources	
Local Match Required?	No	If "Yes", describe	
Assistance Type	Other Assistance	If "Other", explain	20.601 Highway Safety Act of 1966
Is administrative and/or indirect cost recovery permitted? If so, explain:	Explanation would be here.		
Will funds be passed-through to other entities? If so, what types of entities, and how will funds be distributed?	No		

FY 2012-13 Agency Budget Request	Agency Code	Agency Name
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Federal Aid Justification	2H12017
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Questions

How is the use of these funds essential to your agency's mission?

To provide critical support to State prosecutors and law enforcement to improve the prosecution of traffic safety violations.

What budgetary, compliance, and programmatic obligations will the state incur (now or in the future) through the receipt of these funds?

Will submit budgetary and programmatic information to the S.C. Department of Public Safety

What outcome and/or performance measures will you track and/or report on in association with this award?

Will keep statistics on number of trainings given and number of attendees.

What is the name and title of the individual in your agency who is responsible for the success of this program?

Mattison Gamble