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March 26, 2009

HAND DELIVERED

The Honorable Mark Sanford, Jr.
Governor, State of South Carolina
The State House
Columbia, South Carolina 29201

Dear Governor Sanford:

At the request of Senate Majority Leader, Harvey Peeler, and other members of the Senate Finance Committee, I am writing to ask you to reconsider your decision not to request nearly \$700 million in federal stimulus money that must by law be used for education, health care and social services.

The reason for this request is simple: Your decision is destined to create absolute chaos in governmental agencies that perform core missions for the people, and will hurt tens of thousands of South Carolina families at a time when uncertainty and fear over the economy already pervade almost every household.

The state budget has been cut by \$1.1 billion in the last year, including \$297 million for public education, \$181 million for higher education and \$292 million for health and social services agencies.

Higher education, for example, is now funded at 1995 levels, not adjusted for inflation.

Now the legislature is faced with more budget cuts unless the legislative branch of government can constitutionally override your decision, which will be an uphill battle both politically and legally. You know it, and I do too. First, there is no assurance that such an override attempt will succeed. Second, some knowledgeable legal experts question whether this can be done constitutionally. Should the legislature proceed with an override and budget the stimulus funds, a lawsuit is possible, if not probable. The prospect of the state budget being held up by the court or even declared unconstitutional cannot be ignored.

Therefore, on Monday I will ask the subcommittee chairmen of the Senate Finance Committee to develop two budgets: one with the stimulus money included; the other without the money.

I owe it to you and the people of South Carolina to be honest about the outcome if we do not have access to the stimulus money. **Our people will be taxed whether South Carolina uses it or it goes to another state.**

The Honorable Mark Sanford, Jr.
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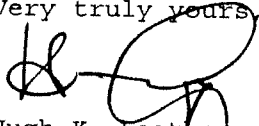
Without the money, teachers will be fired, classrooms will become more overcrowded and tuition at state-supported universities will increase even more. **We have heard estimates of between 1,700 and 4,000 teachers and school employees being fired.** Also, we have heard that higher education tuition could increase by double digits.

There is also the distinct possibility that certain agencies would be cut so drastically that they would be rendered ineffective. Legislators would be forced to choose among educational, environmental, public safety, health care and other agencies that are necessary to serve and protect our state. **You are asking us to choose between mental health and special needs patients versus law enforcement because there is no way we can fund both adequately.** I do not rule out the possibility of having to eliminate agencies without the stimulus money.

This, governor, is chaos. Overriding your decision could lead to chaos in the courts. Failure to override your decision most assuredly would lead to chaos in the budget.

You and only you have the power to avert the possible scenarios I have described. You have a deadline of Friday, April 3rd, to reconsider your decision. We both know that you, with a stroke of the pen, can avert this potential long -term devastating effect on our people. I ask you to do so for the good of your state.

Very truly yours,



Hugh K. Leatherman, Sr.

HKL:dsm

cc: Members, Senate Finance Committee

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