

1983 WL 182010 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 28, 1983

*1 Honorable John A. Crosscope, Jr.
Interim Commissioner
S. C. Department of Social Services
P. O. Box 1520
Columbia, South Carolina 29202-9988

Dear Mr. Crosscope:

The Attorney General has asked that I reply to your letter of August 31, 1983, requesting an opinion whether the report issued by the 'Transition Committee' created by [Section 44-6-110](#), Code of Laws of 1976, as amended (see Act No. 83 of 1983), is in compliance with the Act.

The question which you have submitted in behalf of a member of the Board of Social Services is extremely broad; indeed, so much so that it probably cannot be addressed in the form of an official opinion of the Attorney General.

[Section 44-6-110](#), which creates a Transition Committee to assist the new State Health & Human Services Finance Commission to become operational, provides in pertinent part:

A report must be filed with the Governor within ninety (90) days after the effective date of this section concerning plans for the implementation of this section.

It is thus readily apparent that the General Assembly gave the Transition Committee no specific guidelines to follow, other than to be of assistance in getting the new Commission underway. A review of the report forwarded to the Governor on September 6, 1983, by Mr. William T. Putnam, Chairman of the Transition Committee, discloses that the Transition Committee identified and addressed a number of questions concerning planning, organization, personnel and logistic support, budgeting and legal matters. The report further indicates that the work of the Transition Committee will continue through the fiscal year until the functions of the new Commission and the Department of Social Services have been clearly separated and their future operations organized and coordinated.

In short, I would advise that the Transition Committee has complied and continues to be in compliance with the requirements of the Act. Perhaps if the task had been assigned by the General Assembly to some other entity or committee, the plan developed by another body might be somewhat different; however, difference in opinion as to the desirability of one plan over another does not carry the implication that the plan proposed is not in compliance with the legislative mandate.

Sincerely,

Frank K. Sloan
Chief Deputy Attorney General

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