

1979 WL 43529 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 17, 1979

*1 Honorable E. K. Hardin
Chester County Probate Judge
Chester County Courthouse
Chester, SC 29706

Dear Judge Hardin:

Mr. McLeod has referred your recent letter to me for reply. You have inquired as to how certain additional money appropriated to the probate court may be utilized. Section 8 of the appropriations bill contains a proviso that states in part that:

. . . of the \$3,000 appropriated in this section for each . . . county judge of probate one-half shall be paid to each . . . probate judge as a salary supplement and the other one-half shall be used by each . . . probate judge to secure additional clerical help . . .

This section was amended to expressly delete a prior provision stating that the money could be used for additional clerical help ‘. . . or to offset the costs of existing clerical help. ‘Therefore, it would appear that the clear intent of the Legislature was to prohibit a probate judge from utilizing the additional money to compensate persons presently employed. In view of the deletion, the only logical interpretation of the provision is that the money may only be used for additional help that may be employed with this appropriation of money.

Very truly yours,

Treva G. Ashworth
Senior Assistant Attorney General

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