

April 8, 2013

Marty J. Jackley, Attorney General  
SD Office of the Attorney General  
1302 East Highway 14, Suite 1  
Pierre, SD 57501

### **Letter of Intent Regarding Legislation Approved in the 2013 Session**

Dear Attorney General Jackley:

This Letter of Intent sets forth a particular view held by the Joint Committee on Appropriations in approving your appropriation in the 2013 Legislative Session. As such, it supplements that appropriation with a specific policy guideline as approved on March 25, 2013.

While the guideline does not have the direct force of statutory law, it rests solidly on a long-standing tradition of Legislative-Executive relationships in South Dakota and it will be used by the Joint Committee as one basis for the fiscal oversight of your agency and its continued funding.

The 2013 South Dakota Legislature passed HB1185 which included authorization to spend funds collected in the LEOTF. The bill authorizes three agencies -- the Office of the Attorney General, the Unified Judicial System, and the Department of Corrections -- to spend from this fund. During the 2013 Legislative Session, all three agencies reported that the fund had a negative cash balance.

It is the intent of the Interim Joint Committee on Appropriations that the Office of the Attorney General, the Unified Judicial System, and the Department of Corrections cooperatively develop a solution to the over-expenditure of this fund. Furthermore, if the Governor's FY15 recommended budget does not fully address the deficit and provide a fiscally sound plan for the future, the three agencies shall collectively offer alternative plans for JCA consideration at the Interim Appropriations Committee meeting in December 2013. At least one alternative must be void of any increases to fees or fines.

In addition, it is also expected that you will be prepared to address this guideline in your FY15 budget presentation to the Joint Committee next January.

Thank you for your cooperation.

A handwritten signature in blue ink, appearing to read "Fred Romkema".

Representative Fred Romkema  
Co-Chair, Interim Joint Appropriations

A handwritten signature in blue ink, appearing to read "Deb Peters".

Senator Deb Peters  
Co-Chair, Interim Joint Appropriations

cc: Marty Guindon, Auditor General  
Jason Dilges, Commissioner, Bureau of Finance and Management