

Session 116 - (2005-2006)

S 0080 General Bill, By McConnell, Moore, Campsen, Verdin, Alexander, Gregory, Grooms and Richardson

Summary: Restructuring Bill

A BILL TO AMEND 2-13-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISTRIBUTION OF THE CODE OF LAWS OF SOUTH CAROLINA, SO AS TO PROVIDE FOR CODE DISTRIBUTION TO NEWLY CREATED AND REORGANIZED STATE AGENCIES; TO AMEND CHAPTER 30, TITLE 1, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO PROVIDE THAT THE POWER TO ORGANIZE AND REORGANIZE A DEPARTMENT INTO DIVISIONS LIES WITH THE GENERAL ASSEMBLY IN FURTHERANCE OF ITS MANDATE PURSUANT TO ARTICLE XII OF THE SOUTH CAROLINA CONSTITUTION, TO CREATE THE DEPARTMENTS OF ADMINISTRATION AND BEHAVIORAL HEALTH SERVICES, TO RENAME THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO THE DEPARTMENT OF HEALTH OVERSIGHT AND FINANCE, TO ESTABLISH THE DEPARTMENT OF NATURAL RESOURCES AS A CABINET AGENCY GOVERNED BY A DIRECTOR WHO IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE FOR THE ORGANIZATION, GOVERNANCE, DUTIES, FUNCTIONS, AND PROCEDURES OF VARIOUS DEPARTMENTS AND DIVISIONS, AND FOR THE MANNER OF SELECTION AND REMOVAL OF GOVERNING AUTHORITIES; TO AMEND SECTION 1-11-20, RELATING TO THE DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, SO AS TO DELETE OBSOLETE REFERENCES AND TO REFLECT THE TRANSFER OF THE DIVISION OF GENERAL SERVICES, THE OFFICE OF HUMAN RESOURCES, AND THE OFFICE OF ENERGY FROM THE BOARD TO THE SOUTH CAROLINA DEPARTMENT OF ADMINISTRATION AS PROVIDED IN SECTION 1-30-22, TO ADD SECTIONS 1-11-54 AND 1-11-185, SO AS TO FURTHER PROVIDE FOR THE TRANSFERS, AND ARTICLE 9, CHAPTER 11 OF TITLE 1, SO AS TO CREATE THE COORDINATING COUNCIL FOR CULTURAL AND INFORMATION SERVICES; AND TO AMEND THE FOLLOWING SECTIONS ALL SO AS TO CONFORM THEM TO THE TRANSFERS: 1-1-970; 1-1-1410, AS AMENDED; 1-11-22; 1-11-55; 1-11-56; 1-11-57; 1-11-58; 1-11-65, AS AMENDED; 1-11-70; 1-11-80; 1-11-90; 1-11-100; 1-11-110; 1-11-180; 1-11-220; 1-11-225; 1-11-250 AND 1-11-260, BOTH AS AMENDED; 1-11-270, AS AMENDED; 1-11-280; 1-11-290; 1-11-300, AS AMENDED; 1-11-310, AS AMENDED; 1-11-320; 1-11-335; 1-11-340; 1-11-435; 1-11-710; 1-11-770, AS AMENDED; 2-47-30, 2-47-56; CHAPTER 9, TITLE 3; CHAPTER 9, TITLE 10; 10-1-30; 10-1-130; 10-1-180; 10-1-190; 10-5-230, AS AMENDED; 10-5-270, AS AMENDED; 10-7-10, AS AMENDED; 10-11-50, AS AMENDED; 10-11-90; 10-11-110; 11-9-610, 11-9-620; 11-9-630; 11-11-57; 11-35-1580, AS AMENDED; 11-35-3810, 11-35-3820, 11-35-3830, AND 11-35-3840, ALL AS AMENDED; 11-35-4020, AS AMENDED; 13-7-10, AS AMENDED; 13-7-30, AS AMENDED; 13-7-830, AS AMENDED; 23-1-230; 23-47-30; 23-47-50, AS AMENDED; 44-53-530; 44-96-140; 48-52-410; 48-52-620; 48-52-635; 48-52-680; 48-46-30; 48-46-40; 48-46-50; 48-46-60; 48-46-90; 58-9-2540, AS AMENDED; 59-150-60; AND 59-150-390; AND TO REPEAL SECTIONS 1-11-315, RELATING TO A PLAN FOR USE OF AN ALTERNATIVE FUEL BY STATE VEHICLES; 1-11-430, RELATING TO THE BUDGET AND CONTROL BOARD'S GOVERNING SUPPLY AND USE OF TELECOMMUNICATIONS FOR STATE GOVERNMENT; AND 48-52-435, 48-52-440, AND 48-52-460, ALL RELATING TO ESTABLISHMENT OF AN ENERGY ADVISORY COMMITTEE; BY ADDING ARTICLE 9, CHAPTER 11 OF TITLE 1, SO AS TO ESTABLISH THE DIVISION OF THE STATE CHIEF INFORMATION OFFICER IN THE BUDGET AND CONTROL BOARD; TO AMEND THE CODE BY ADDING CHAPTER 8 OF TITLE 1, SO AS TO ESTABLISH THE OFFICE OF THE STATE INSPECTOR GENERAL IN THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTIONS 20-7-2379, 20-7-2385, AND 20-7-2386, ALL AS AMENDED, RELATING TO THE DIVISION FOR REVIEW OF FOSTER CARE OF CHILDREN, SECTIONS 20-7-5210 AND 20-7-5240, RELATING TO THE CHILDREN'S CASE RESOLUTION SYSTEM, AND SECTIONS 43-21-10, 43-21-20, 43-21-45, 43-21-60, 43-21-70, AND 43-21-100, AS AMENDED, SECTION 43-21-110, AND SECTION 43-21-150, AS AMENDED, ALL RELATING TO THE DIVISION ON AGING, SO AS TO MAKE TO MAKE TECHNICAL CORRECTIONS AND CONFORMING CHANGES TO REFLECT THE ABOVE TRANSFERS TO THE OFFICE OF THE LIEUTENANT GOVERNOR; AND TO REPEAL SECTIONS 43-21-120, 43-21-130, AND 43-21-140, RELATING TO THE COORDINATING COUNCIL AND THE LONG-TERM CARE COUNCIL AND ITS DUTIES; TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES AND TO ESTABLISH WITHIN THIS DEPARTMENT THE DIVISIONS OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, CONTINUUM OF CARE, AND MENTAL HEALTH BY TRANSFERRING TO THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES THE OPERATIONS OF THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE OPERATIONS OF THE CONTINUUM OF CARE FOR EMOTIONALLY DISTURBED CHILDREN FROM THE GOVERNOR'S OFFICE, AND THE OPERATIONS OF THE DEPARTMENT OF MENTAL HEALTH AND TO TRANSFER TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS THE OPERATIONS OF THE BABYNET SERVICES PROGRAM FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO CONFORM THE FOLLOWING TO THIS RESTRUCTURING, BY AMENDING SECTIONS 8-11-945, 9-11-10, 11-11-170, 12-21-2975, 14-1-203, 14-1-204, 14-1-205,

14-1-208, 16-25-20, 16-25-65, 17-24-40, 20-7-670, 20-7-765, 20-7-2725; ARTICLE 23, CHAPTER 7, TITLE 20; SECTIONS 20-7-5710, 20-7-5910, 20-7-8515, 20-7-9710, 24-1-280, 24-3-110; ARTICLE 19, CHAPTER 13, TITLE 24; SECTIONS 24-13-2140, 24-23-40, 40-47-140, 40-55-90, 40-75-290, 40-75-300, 42-1-480, 43-5-1185, 43-5-1190, 43-21-120, 43-35-10, 43-35-310, 44-7-210; ARTICLE 21, CHAPTER 7, TITLE 44; CHAPTER 9, TITLE 44; SECTIONS 44-11-10, 44-11-30, 44-11-60, 44-11-70, 44-11-80; CHAPTER 13, TITLE 44; CHAPTER 15, TITLE 44; BY ADDING SECTION 44-17-305; BY AMENDING SECTIONS 44-17-410, 44-17-450, 44-17-460, 44-17-580, 44-17-860, 44-17-865, 44-17-870, 44-20-20; CHAPTER 22, TITLE 44; CHAPTER 23, TITLE 44; SECTIONS 44-27-10, 44-27-30, 44-28-20, 44-28-40, 44-28-60, 44-28-80, 44-28-360, 44-28-370, 44-36-20, 44-36-330, 44-37-40, 44-38-380, 44-48-30, 44-48-50, 44-48-100, 44-48-110, 44-48-120, 44-48-130; CHAPTER 49, TITLE 44; SECTIONS 44-52-10, 44-52-165, 44-52-200, 44-53-110, 44-53-310, 44-53-450, 44-53-480, 44-53-490, 44-53-500, 44-107-80, 44-128-50, 50-21-112, 56-1-385, 56-1-1330, 56-5-2990, 56-21-70, 59-20-41, 59-36-20, 59-150-230, 61-12-20, 61-12-50, AND 62-5-105; TO AMEND SECTIONS 9-1-1870, 9-11-315, 11-7-40, 12-54-240, AS AMENDED, 20-7-2640, AS AMENDED, 20-7-9710, AS AMENDED, 38-55-530; 39-29-10, AS AMENDED, 43-5-1280, 43-7-60, 43-7-410, AS AMENDED, 43-7-420, 43-7-430, 43-7-440, AS AMENDED, 43-7-460, AS AMENDED, 44-6-5, 44-6-10, 44-6-45, 44-6-140, 44-6-146, 44-6-170, 44-6-400, 44-6-530, 44-6-620, 44-6-630, 44-6-640, 44-6-720, 44-6-730, 44-7-84, 44-7-90, 44-37-40, 44-38-30, 44-39-20, 44-61-30, 59-1-450, 59-123-60, AS AMENDED, AND 59-123-125, ALL RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR THE HEALTH AND HUMAN SERVICES FINANCE COMMISSION, SO AS TO CHANGE REFERENCES TO BOTH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE HEALTH AND HUMAN SERVICES FINANCE COMMISSION TO THE DEPARTMENT OF HEALTH OVERSIGHT AND FINANCE; TO AMEND SECTION 44-6-30, RELATING TO THE DUTIES OF THE DEPARTMENT OF HEALTH OVERSIGHT AND FINANCE, SO AS TO REQUIRE THE DEPARTMENT TO IMPLEMENT AN ELECTRONIC CASE MONITORING SYSTEM; TO ADD SECTION 43-1-270 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE A SPECIFIED NUMBER OF CHILD DEVELOPMENT SERVICES SLOTS IN CERTAIN COUNTIES USING STATE AND TITLE XX FUNDING; TO RENAME CHAPTER 6, TITLE 44 "DEPARTMENT OF HEALTH OVERSIGHT AND FINANCE"; AND TO REPEAL ARTICLE 3, CHAPTER 6, TITLE 44, RELATING TO CHILD DEVELOPMENT SERVICES PROVIDED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; TO AMEND CHAPTER 4 OF TITLE 48, AS AMENDED, SECTIONS 48-9-15, 51-17-10, 51-17-50, BOTH AS AMENDED, 51-17-70, 51-17-90, 51-17-130, BOTH AS AMENDED, 51-18-60, 1-5-40, 48-45-80, 48-59-40, 49-23-20, 49-25-40, 50-1-5, 50-3-180, 50-3-720, 50-3-910, 50-3-1120, 50-5-1950, AND 50-11-20, ALL PERTAINING TO THE DEPARTMENT OF NATURAL RESOURCES AND RELATED MATTERS, SO AS TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES EFFECTIVE JANUARY 1, 2006, WILL BE AN EXECUTIVE CABINET AGENCY HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE WITH THE CURRENT BOARD OF THE DEPARTMENT TO BECOME ADVISORY; TO AMEND SECTIONS 20-7-2700, 20-7-2710, 20-7-2870, 20-7-2980, 20-7-2990, AND 20-7-3097, ALL AS AMENDED, ALL RELATING TO THE LICENSURE AND REGULATION OF CHILDCARE FACILITIES, SO AS TO REMOVE THE AUTHORITY, DUTIES, AND RESPONSIBILITIES OF SUCH LICENSURE AND REGULATION FROM THE DEPARTMENT OF SOCIAL SERVICES AND TO PLACE THEM WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND TO AMEND SECTION 20-7-3050, RELATING TO THE DUTIES OF THE STATE ADVISORY COMMITTEE ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO PROVIDE THAT THE COMMITTEE MAKE RECOMMENDATIONS ABOUT CHANGES IN REGULATIONS TO THE BOARD OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

12/15/04	Senate	Prefiled
12/15/04	Senate	Referred to Committee on Judiciary
12/17/04		Scrivener's error corrected
01/11/05	Senate	Introduced and read first time SJ-118
01/11/05	Senate	Referred to Committee on Judiciary SJ-118
02/08/05	Senate	Referred to Subcommittee: Martin (ch), Moore, Ritchie, Malloy, Cromer, Campsen, Williams
03/03/05	Senate	Committee report: Majority favorable with amend., minority unfavorable Judiciary SJ-24
03/15/05	Senate	Special order, set for 03/16/05 SJ-42
03/22/05	Senate	Debate interrupted SJ-15
03/23/05	Senate	Amended SJ-25
03/23/05	Senate	Read second time SJ-25
03/29/05	Senate	Amended SJ-21
03/29/05	Senate	Read third time and sent to House SJ-21
03/30/05	House	Introduced and read first time HJ-17
03/30/05	House	Referred to Committee on Ways and Means HJ-21