

**PROVISO REVIEW SUBCOMMITTEE
HIGHER EDUCATION RECOMMENDATIONS
FOR FY 2010-11**

SECTION 6 - H03 - COMMISSION ON HIGHER EDUCATION

- 6.9** **AMEND** (SREB funds Exempt From Budget Cut) Excludes Southern Regional Education Board Professional Scholarship Programs and Fees and Assessments from the calculation of any across the board cut mandated by the Budget and Control Board or the General Assembly.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND proviso to authorize SREB funds to be carried forward and expended by CHE for the same purpose. Requested by Commission on Higher Education.

6.9. (CHE: SREB Funds Exempt From Budget Cut) In the calculation of any across the board cut mandated by the Budget and Control Board or General Assembly, the amount which the Commission on Higher Education is appropriated for Southern Regional Education Board (*SREB*) Professional Scholarship Programs and Fees, Dues and Assessments shall be excluded from the Commission on Higher Education's base budget. *Funds appropriated for SREB programs may be carried forward into the current fiscal year and expended for the same purpose by the Commission on Higher Education.*

- 6.21** **AMEND** (Tuition Age) Suspends, for FY 09-10, the tuition free age limit for children of certain war veterans who may be admitted to any state-supported institution of higher learning or post high school technical education institution for eligible children who successfully appeal the Division of Veteran's Affairs on the grounds of a serious extenuating health condition.

WMC: AMEND proviso to change "2009-10" to "2010-11." Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

6.21. (CHE: Tuition Age) For Fiscal Year ~~2009-10~~ 2010-11, the age limitation for those children of certain war veterans who may be admitted to any state-supported college, university, or post high school technical education institution free of tuition is suspended for eligible children that successfully appeal the Division of Veterans Affairs on the grounds of a serious extenuating health condition.

- 6.23** **DELETE** (University Center of Greenville Funding Plan) Directs the Board of the University Center of Greenville to develop a plan by September 1st to address the University Center's annual operational funding needs. Directs that the plan be implemented to address FY 09-10 funding needs. Allows the plan to include a fee per credit hour assessed to institutions with students enrolled in the University Center. Directs that revenue collected from this source not exceed \$1,100,000 for the current fiscal year.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

6.23. (CHE: University Center of Greenville Funding Plan) ~~For the current fiscal year, the Board of the University Center of Greenville shall develop a plan by September 1, 2009, to~~

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~~address the annual operational funding needs of the University Center of Greenville. This plan shall be implemented to address the funding needs for Fiscal Year 2009-10. The plan may include a fee per credit hour assessed to institutions with students enrolled in the University Center of Greenville. Revenues collected shall not exceed \$1,100,000 for the current fiscal year.~~

- 6.24** **AMEND** (Religious Activities) Directs that for FY 09-10, state supported higher education institutions that receive Federal Stimulus Stabilization funds must continue to support, operate, and maintain existing religious programs, instruction, and facilities used for religious activities. **WMC:** AMEND proviso to change “2009-2010” to “2010-11.” Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

6.24. (CHE: Religious Activities) For Fiscal Year ~~2009-2010~~ 2010-11, state supported higher education institutions receiving Federal Stimulus Stabilization funds must continue to support, operate and maintain existing religious programs, instruction, and facilities used for religious activities.

- 6.25** **AMEND** (Scholarships Funded From Unclaimed Capital Credits) Allows businesses identified in Section 27-18-30(C) [PROPERTY PRESUMED ABANDONED; DEMAND FOR PAYMENT NOT REQUIRED] who have used unclaimed capital credits to contribute to a scholarship program at a higher education institution for the last five consecutive years to continue to fund scholarships awarded prior to the 2009-10 academic year. Directs that these funds are exempt from the provisions of Section 27-18-30(C) if the reporting requirements of Section 27-18-180 [REPORT OF UNCLAIMED PROPERTY; NOTICE TO APPARENT OWNER] are met.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “2009-2010” to “2010-11.” Fiscal Impact: BEA states that since these unclaimed capital credits have not previously been deposited with the State Treasurer in the past five years, this provision is not expected to have an impact on General Fund Unclaimed Property revenue.

6.25. (CHE: Scholarships Funded From Unclaimed Capital Credits) For the current fiscal year, businesses identified in Section 27-18-30(C) of the 1976 Code who have contributed to a scholarship program at an institution of higher education in South Carolina from unclaimed capital credits for the last five consecutive years may continue to fund the scholarships for those students who were awarded scholarships prior to the ~~2009-2010~~ 2010-11 academic year, and such funds are exempt from the provisions of Section 27-18-30(C) provided that the reporting requirements of Section 27-18-180 are met.

- 6.26** **ADD** (In-State Tuition for Military Personnel and Dependents) **HOU:** ADD new proviso to direct that members of the U.S. armed services who are stationed in South Carolina and their dependents are eligible for in-state tuition rates. Direct that if the service member is ordered for duty away from the state, their dependents remain eligible for in-state tuition rates if they remain continuously enrolled at the same institution at the time the S.C. assignment ends or if they transfer to an eligible institutions during the term or semester immediately following their enrollment at the previous institution (excludes summer terms). Direct that if the student

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transfers, the receiving institution must verify the previous institutions decision in order to certify eligibility for in-state tuition rates. Direct that it is the student's responsibility to provide all required verification documents to the institution. Direct that after their discharge from the armed services, if members of the military have evidenced intent to live in South Carolina and have lived in the state for at least 12 months immediately preceding their discharge they, and their dependents, are eligible for in-state rates even though they were not enrolled at a state institution at the time of their discharge. Sponsor: Rep. Daning.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

6.26. (CHE: In-State Tuition for Military Personnel and Dependents) During the period of their assignment to South Carolina, members of the armed services of the United States stationed in South Carolina and their dependents are eligible for in-state tuition rates. When these armed service personnel are ordered away from the State, their dependents are eligible for in-state tuition rates as long as they remain continuously enrolled at the state institution in which they are enrolled at the time the assignment ends or transfer to an eligible institution during the term or semester, excluding summer terms, immediately following their enrollment at the previous institution. In the event of a transfer, the receiving institution shall verify the decision made by the student's previous institution in order to certify the student's eligibility for in-state tuition rates. It is the responsibility of the transferring student to ensure that all documents required to verify both the previous and present residency decisions are provided to the institution. These persons and their dependents are eligible for in-state rates after their discharge from the armed services even though they were not enrolled at a state institution at the time of their discharge, if they have evidenced an intent to establish domicile in South Carolina and if they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge.

- 6.27** **ADD** (LIFE and Palmetto Fellows Enhancement Stipends) **HOU:** ADD new proviso to direct that before fall awards are made, in order to continue to be eligible for LIFE and Palmetto Fellows Enhancement Stipends students must certify and institutions must verify that the student is meeting all policy requirements established by the institution and the academic department to be enrolled as a declared major in an eligible program and that the student is making academic progress toward completing their declared eligible major. Direct that these determinations are subject to CHE verification and audit. Require funds awarded by institutions to ineligible students to be returned. Sponsor: Rep. Bingham.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

6.27. (CHE: LIFE and Palmetto Fellows Enhancement Stipends) In the current fiscal year before fall awards are made, to continue eligibility for LIFE and Palmetto Fellows Enhancement Stipends, students shall certify and the institutions shall verify that the student is meeting all requirements as stipulated by the policies established by the institution and the academic department to be enrolled as a declared major in an eligible program and is making academic progress toward completion of the student's declared eligible major. These determinations are subject to the verification and audit of the Commission on Higher Education. Institutions shall return funds determined to have been awarded to ineligible students.

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SECTION 15 - H45 - UNIVERSITY OF SOUTH CAROLINA

- 15.1 REINSERT/AMEND ORIGINAL PROVISO** (Palmetto Poison ~~Control~~ Center) Directs USC to spend at least \$150,000 on the Palmetto Poison Control Center.
WMC: AMEND proviso to delete previous authority and instead prohibit Palmetto Poison Center funding from being used for any other purposes. *There is already a specific line item for the center that is more than the amount mentioned in the proviso.* Fiscal Impact: No impact on the General Fund. Requested by University of South Carolina, Columbia Campus.
HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso and AMEND to retain deletion of “Control” from the Palmetto Poison Center name. *Conform to current name of the center.*

15.1. (USC: Palmetto Poison ~~Control~~ Center) Of the funds appropriated or authorized herein, the University of South Carolina shall expend at least \$150,000 on the Palmetto Poison Control Center. ~~The special item funding appropriated to the University of South Carolina Columbia for the Palmetto Poison Center shall not be used for any other purposes.~~

- 15.3 REINSERT** (School Improvement Council) Directs that \$100,000 of USC, Columbia Campus funds be used for the School Improvement Council
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

15.3. (USC: School Improvement Council) Of the funds appropriated to the University of South Carolina Columbia Campus, \$100,000 shall be used for the School Improvement Council.

- 15.4 DELETE** (Beaufort Campus - Penn Center) Prohibits Penn Center Project special funds from being used for any other purpose.
WMC: DELETE proviso. *Funding was deleted by the General Assembly in FY 08-09. Program no longer exists.* Fiscal Impact: No impact on the General Fund. Requested by University of South Carolina, Beaufort Campus.
HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

15.4. (USC: Beaufort Campus - Penn Center) ~~The special item funding appropriated to the University of South Carolina Beaufort for the Penn Center Project shall not be used for any other purposes.~~

- 15.5 DELETE** (Spartanburg Campus - Permanent Improvement Project) Renames the “New Library/Technology/Information Center \$5,000,000” capital improvement project listed in the Capital Improvement Bond subsection (A)(3)(j) of Act 1 of 2001 to read “Health Education Complex/Academic and Student Services \$5,000,000.”

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WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

15.5. (USC: Spartanburg Campus - Permanent Improvement Project) ~~The project titled “New Library/Technology/Information Center \$5,000,000” for the University of South Carolina Spartanburg and listed in the section authorizing Capital Improvement Bond in subsection (A)(3)(j) of Act 1 of 2001 is amended to read “Health Education Complex/Academic and Student Services \$5,000,000.”~~

SECTION 17 - H54 - MEDICAL UNIVERSITY OF SOUTH CAROLINA

17.3 **AMEND** (Preterm Birth Prevention) Directs MUSC, for FY 09-10, to implement a preterm prevention case management program using a disease management coordination network for the Medicaid fee for service population in the Low Country Perinatal Region. Directs that the purpose of the program is to reduce premature births, neonatal morbidity and mortality, and the attendant costs for neonatal intensive care. Requires the Department of Health and Human Services to provide administrative funding to MUSC for the cost of the program.

WMC: AMEND proviso to change “2009-10” to “2010-11.” Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

17.3. (MUSC: Preterm Birth Prevention) For Fiscal Year ~~2009-10~~ 2010-11, the Medical University of South Carolina shall implement a preterm prevention case management program utilizing a disease management coordination network for the Medicaid fee for service population in the Low Country Perinatal Region. The purpose of the program is to reduce premature births, neonatal morbidity and mortality, and the attendant costs for neonatal intensive care. The Department of Health and Human Services shall provide administrative funding to the Medical University of South Carolina for the cost of this program.

SECTION 18 - H59 - STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION

18.4 **DELETE** (Chester Technology Center) Authorizes York Technical College to supplement the current Chester Technology Center project budget from local or other college institutional funds in an amount sufficient to complete the project based the current projected cost of \$8,500,000. Directs that completion must be conducted in a manner that meets the college’s instructional needs and schedule. Directs that to the extent additional state funds are provided, they may be used to reimburse the local or college institutional funds.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

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18.4. (TEC: Chester Technology Center) ~~York Technical College is authorized to supplement the current project budget from local or other college institutional funds for the Chester Technology Center in an amount sufficient to complete the project based on competitive bids with a current projected cost of \$8,500,000. The completion must be conducted in a manner that meets the college's instructional needs and schedule. To the extent additional state funds are provided, such funds may be used to reimburse the local or college institutional funds.~~

- 18.6** **DELETE** (Financial and Human Resource Functions Consolidation Plan) Directs the State Board for Technical and Comprehensive Education to develop a plan to consolidate financial and human resources functions, where possible, between like technical college institutions. Requires the plan, including an estimate of the cost savings, be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees by December 31, 2009.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

18.6. (TEC: Financial and Human Resource Functions Consolidation Plan) ~~The State Board for Technical and Comprehensive Education is directed to develop a plan to consolidate financial and human resources functions, where possible, between like institutions of the state's technical college system. This plan, including an estimate of the cost savings, must be submitted to the Chairman of the Senate Finance Committee and the House Ways and Means Committee no later than December 31, 2009.~~

SECTION 89 - X90-GENERAL PROVISIONS

- 89.17** **AMEND** (Allowance for Residences & Compensation Restrictions) Authorizes specific positions to occupy agency owned residences facilities without charge.
HOU: AMEND proviso to allow TriCounty Technical College's Bridge to Clemson Resident and Area Directors to occupy residences without charge. Sponsor: Rep Cooper.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

89.17. (GP: Allowance for Residences & Compensation Restrictions) That salaries paid to officers and employees of the State, including its several boards, commissions, and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee. The charge for these items may be payroll deducted at the discretion of the Comptroller General or the chief financial officer at each agency maintaining its own payroll system. This shall not apply to the Governor's Mansion, nor for department-owned housing used for recruitment and training of Mental Health Professionals, nor to guards at any of the state's penal institutions and nurses and attendants at the Department of Mental Health, and the Department of Disabilities & Special Needs, and registered nurses providing clinical care at the MUSC Medical Center, nor to the Superintendent and staff of John de la Howe School, nor to the cottage parents and staff of Wil

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Lou Gray Opportunity School, nor to full-time or part-time staff who work after regular working hours in the SLED Communications Center or Maintenance Area, nor to adult staff at the Governor's School for Science and Mathematics who are required to stay on campus by the institution because of job requirements or program participation. The presidents of those state institutions of higher learning authorized to provide on-campus residential facilities for students may be permitted to occupy residences on the grounds of such institutions without charge.

Any state institution of higher learning may provide a housing allowance to the president in lieu of a residential facility, the amount to be approved by the Budget and Control Board.

That the following may be permitted to occupy residences owned by the respective departments without charge: the Commissioner of the Department of Corrections, the Director of the Department of Mental Health, the Farm Director, Farm Managers, and Specialists employed at the Wateree River Correctional Institution, Walden Correctional Institution, MacDougall Youth Correctional Center, and Givens Youth Correctional Center; the S. C. State Commission of Forestry fire tower operators, forestry aides, and caretaker at central headquarters; the Department of Natural Resources' Game Management Personnel, Fish Hatchery Superintendents, Lake Superintendent, and Fort Johnson Superintendent; the Department of Parks, Recreation and Tourism field personnel in the State Parks Division; Director of Wil Lou Gray Opportunity School; President of the School for the Deaf and the Blind; houseparents for the Commission for the Blind; S.C. Department of Health and Environmental Control personnel at the State Park Health Facility and Camp Burnt Gin; Residence Life Coordinators at Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at Winthrop University; Farm Superintendent at Winthrop University; Residence Hall Directors at the College of Charleston; Clemson University's Head Football Coach; the Department of Disabilities & Special Needs' physicians and other professionals at Whitten Center, Clemson University Off-Campus Agricultural Staff and Housing Area Coordinators; and University of South Carolina's Manager of Bell Camp Facility, Housing Maintenance Night Supervisors, Residence Life Directors, temporary and transition employees, and emergency medical personnel; TriCounty Technical College's Bridge to Clemson Resident and Area Directors. Except in the case of elected officials, the fair market rental value of any residence furnished to a state employee shall be reported by the state agency furnishing the residence to the Agency Head Salary Commission, and the Division of Budget and Analyses by October 1, of each fiscal year.

All salaries paid by departments and institutions shall be in accord with a uniform classification and compensation plan, approved by the Budget and Control Board, applicable to all personnel of the State Government whose compensation is not specifically fixed in this act. Such plan shall include all employees regardless of the source of funds from which payment for personal service is drawn. The Division of Budget and Analyses of the Budget and Control Board is authorized to approve temporary salary adjustments for classified and unclassified employees who perform temporary duties which are limited by time and/or funds. When approved, a temporary salary adjustment shall not be added to an employee's base salary and shall end when the duties are completed and/or the funds expire. Academic personnel of the institutions of higher learning and other individual or group of positions that cannot practically be covered by the plan may be excluded therefrom but their compensations as approved by the Division of Budget and Analyses shall, nevertheless, be subject to review by the Budget and Control Board. Salary appropriations for employees fixed in this act shall be in full for all services rendered, and no supplements from other sources shall be permitted or approved by the State Budget and Control Board. With the exception of travel and subsistence, legislative study committees shall not compensate any person who is otherwise employed as a full-time state employee. Salaries of the heads of all agencies of the State Government shall be specifically fixed in this act and no salary shall be paid any agency head whose salary is not so fixed.

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Commuter mileage on non-exempt state vehicles shall be considered as income and reported by the Comptroller General in accordance with IRS regulations. As long as there is no impact on appropriated funds, state agencies and institutions shall be allowed to spend public funds and/or other funds for designated employee award programs which shall have written criteria approved by the agency governing board or commission. For purposes of this section, monetary awards, if any, shall not be considered a part of an employee's base salary, a salary supplement, or a perquisite of employment. The names of all employees receiving monetary awards and the amounts received shall be reported annually to the South Carolina Division of Budget and Analyses.

In the case of lodging furnished by certain higher education institutions to employees, the prevailing local rate does not apply if the institution meets the exceptions for inadequate rent described in the current Internal Revenue Code Section 119(d)(2). To meet the exception, rental rates must equal the lesser of five percent of the appraised value of the qualified campus lodging, or the average of the rentals paid by individuals (other than employees or students of the educational institution) during the calendar year for lodging provided by the educational institution which is comparable to the qualified campus lodging provided to the employee, over the rent paid by the employee for the qualified campus lodging during the calendar year. The appraised value shall be determined as of the close of the calendar year in which the taxable year begins, or, in the case of a rental period not greater than one year, at any time during the calendar year in which the period begins.

- 89.45 DELETE** (Forego Salary Increase) Allows higher education institutions, including PSA agencies, employees, staff and/or faculty to request to voluntarily forego the FY 2005-06 general or merit salary increase and to have the funds remain in the base budget of their institution. Prohibits an employee, staff, or faculty from foregoing this increase if they would then earn below the minimum of his pay band.
WMC: DELETE proviso. *Technical. Proviso was specifically for FY 05-06.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**89.45.** (GP: Forego Salary Increase) Employees, staff and/or faculty of Higher Education Institutions, including Public Service Activities agencies, may request to voluntarily forego the Fiscal Year 2005-06 general or merit salary increase and have the funds appropriated for that increase remain in the base budget of the institution or agency; however, no employee, staff or faculty may voluntarily forego this increase if the employee, faculty or staff would then earn below the minimum of his pay band.~~

- 89.78 AMEND** (LightRail) Authorizes and directs the three research universities, Clemson, MUSC, and USC-Columbia to plan, procure, administer, oversee, and manage all functions associated with the S.C. LightRail [HIGH SPEED INTERNET] and directs that they are exempt from the oversight and project management regulations of the B&C Board, Division of State Information Technology. Directs that S.C. LightRail is an academic network for the use of the state's 3 research universities for the exchange of information directly related to their mission and must not carry commercial or K-12 traffic originated in S.C. Directs that for FY 09-10 public or private organizations and entities may be provided access only through formal documented partnerships with one or more of the 3 research universities. Directs that a report be submitted on February 1, 2010 that identifies each entity with access to the network and any payment

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including without limitation in-kind payment, each organization and entity is making for network access.

WMC: AMEND proviso to update fiscal year reference from “2009-10” to “2010-11” and calendar year references from “2010” to “2011.” Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

89.78. (GP: LightRail) Pursuant to this provision the three research universities: Clemson University, the Medical University of South Carolina, and the University of South Carolina-Columbia, are authorized and directed to plan, procure, administer, oversee, and manage all functions associated with the South Carolina LightRail and are thereby exempt from the oversight and project management regulations of the Budget and Control Board, Division of State Information Technology. South Carolina LightRail is an academic network for the use of the state’s three research universities for the exchange of information directly related to their mission and must not carry commercial or K-12 traffic originated in South Carolina. For Fiscal Year ~~2009-10~~ 2010-11, public or private organizations and entities may be provided access only through formal documented partnerships with one or more of the three research universities. On February 1, ~~2010~~ 2011, the entity managing the network must submit to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee a report specifically identifying each entity with access to the network and any payment, including without limitation in-kind payment, that each such organization and entity is making for access to the network.

SECTION 90 - X91 - STATEWIDE REVENUE

89.118 **ADD** (Winthrop University Owens Hall) **HOU:** ADD new proviso to direct that procurements that relate to the reconstruction and/or restoration of Winthrop University properties that were damaged by the Owens Hall fire of March 6, 2010, and related fire suppression efforts, shall be allowed and determined to meet all requirements of sole source and emergency procurement provisions through use of original contractors and vendors as necessary in order to expedite the return of damaged properties to intended uses by August 15, 2010, or as reasonably close to that date possible. Direct that by this provision, all related Permanent Improvement Project documentation shall be deemed submitted and approved, with the original Owens Hall Project documentation incorporated by reference. Direct that all documentation related to this project shall be subject to routine audit measures and compliance. Sponsor: Rep. Simrill.

PROVISO REVIEW SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

89.118. (GP: Winthrop University Owens Hall) All procurements related to reconstruction/restoration of Winthrop University properties damaged by the Owens Hall fire of March 6, 2010, and related fire suppression efforts, shall be deemed allowed and determined to meet all requirements of sole source and emergency procurement provisions of SC Code of Regulations 19-445-2105 and 19-445-2110, through use of original contractors and vendors as necessary to insure compatibility of equipment, accessories and replacement parts as a paramount consideration in order to expedite the return of damaged properties to intended uses by August 15, 2010 (or as reasonable close thereto as possible), the welfare, continued

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educational progress, and best interests of Winthrop University students and the State of South Carolina requiring it. Further, by adoption of this proviso, all Permanent Improvement Project documentation related to this work shall be deemed submitted and approved, with the original documentation for the Owens Hall Project incorporated by reference, the welfare, continued educational progress, and best interests of Winthrop University students and the State of South Carolina requiring it. All documentation related to reconstruction/restoration conducted under this proviso shall be subject to routine audit measures and compliance.

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