

**SENATE FINANCE COMMITTEE
TRANSPORTATION AND REGULATORY SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2013-14**

SECTION 79 - R23-BOARD OF FINANCIAL INSTITUTIONS

- 79.2** **ADD** (National Mortgage Settlement Carry Forward) **WMC:** ADD new proviso to authorize the Consumer Finance Division to retain, expend, and carry forward State-Federal National Mortgage Settlement funds received for enforcement and regulation.
HOU: ADOPT new proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

79.2. (FI: National Mortgage Settlement Carry Forward) Funds received by the Consumer Finance Division pursuant to the State-Federal National Mortgage Settlement for enforcement and regulation may be retained, expended, and carried forward from the prior fiscal year into the current fiscal year and used for the same purposes.

SECTION 80 - R28-DEPARTMENT OF CONSUMER AFFAIRS

- 80.5** **AMEND** (Retention of Fees) Authorizes the department, for FY 11-12, to retain all fees collected pursuant to specific sections of the code pertaining to the Motor Club Services Act; Pawnbrokers, and the Physical Fitness Act and to use these funds to implement mandated program requirements.
WMC: AMEND proviso to update fiscal year reference to "2013-14."
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

80.5. (CA: Retention of Fees) For Fiscal Year ~~2012-13~~ 2013-14, the department may retain all fees collected pursuant to Sections 39-61-80, 39-61-120, 40-39-120, and 44-79-80 of the 1976 Code. The funds retained shall be utilized to implement the requirements of the programs mandated by those sections of the code.

SECTION 82 - R40-DEPARTMENT OF MOTOR VEHICLES

- 82.6** **DELETE** (Motor Carrier Advisory Committee) Directs DMV to establish a Motor Carrier Advisory Committee to solicit input from the trucking industry and other interested parties to assist in the development of policies and procedures.
WMC: DELETE proviso. *Agency indicates the advisory committee is governed by DPS and should more appropriately be included in their section.* Fiscal Impact: No impact. Requested by Department of Motor Vehicles.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**82.6.** (DMV: Motor Carrier Advisory Committee) From the funds appropriated and/or authorized to the Department of Motor Vehicles, the department is directed to establish a Motor Carrier Advisory Committee to solicit input from the Trucking Industry and other interested parties in developing policies and procedures for the regulation of this industry. The members of the advisory committee shall serve without compensation.~~

- 82.frp** **ADD** (Facial Recognition Program) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct DMV to continue the Facial Recognition Program using their authorized funds.

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82.frp. (DMV: Facial Recognition Program) The Department of Motor Vehicles is directed to utilize the funds authorized for the agency to continue the Facial Recognition Program.

SECTION 83 - R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

83.5 AMEND (Transparency of Funding Appropriation) Requires the department to place a report on their website by September 1st, that contains all aggregate amounts of taxes, fees, and payments they charged, collected, and paid in the prior fiscal year. . Requires the report also be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees by September 1st.

WMC: AMEND proviso to direct that the report required by this proviso be incorporated into the Trust Fund Report required by Section 41-33-45 [UNEMPLOYMENT COMPENSATION FUND; ANNUAL REPORTS; TREND CHARTS; COST ANALYSIS] and be posted online and submitted to the required chairmen by October 1st rather than September 1st.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

83.5. (DEW: Transparency of Funding Appropriation) In order to promote accountability and transparency, the Department of Employment and Workforce must provide and release to the public via the agency's website, a report of all aggregate amounts of taxes, fees and payments that were charged, collected and paid by that state agency in the prior fiscal year. For the purpose of efficiency and conservation of resources, this report shall be incorporated into the Trust Fund Report due by October 1st as required by Section 41-33-45 of the 1976 Code. In addition to the requirements of Section 41-33-45, the Trust Fund Report ~~The report~~ shall include, but not be limited to: (1) SUTA taxes collected per Tier; (2) unemployment benefit claims paid; (3) how many unemployment claims were made in error; (4) loan repayments made to the federal government; and (5) the amount of funds left in the agency's account at the end of the fiscal year. The report must be posted online by ~~September~~ October first of the current fiscal year. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by ~~September~~ October first. Funds appropriated to and/or authorized for use by the department shall be used to accomplish this directive.

83.7 REINSERT / AMEND (Negotiation of Interest) Requires DEW to develop and implement a plan by October 1, 2012 to seek a waiver of interest on the FUA Loan debt so that the impact of the interest payments is mitigated on SC employers.

WMC: DELETE proviso. *Agency appealed for a waiver of interest in 2011 and 2012 with no success. Agency indicates that preparing the plan will require additional staff time and resources during times of significant decreases in federal funding. The agency wants to focus its time and efforts on initiatives that will positively impact the citizens and businesses of South Carolina.* Requested by Department of Employment and Workforce.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso and AMEND to change "2012" to "2013."

83.7. (DEW: Negotiation of Interest) By October 1, ~~2012~~ 2013, the Department of Employment and Workforce must develop and implement a plan to seek a waiver of interest on

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the state's FUA loan debt in order to mitigate the impact of the interest payments on South Carolina employers.

- 83.8** **ADD** (Local Offices) **HOU:** ADD new proviso to give the department the flexibility to use available Unemployment Insurance (UI) division funds to maintain funding for administrative and operating costs at UI centers in each county. Direct the department to use up to \$1,500,000 to provide all counties that were affected by the February 2013 regionalization of unemployment services, with a functioning UI center in every county to assist with unemployment insurance claims and reemployment training. Authorize the centers to share office space with other state or local government agencies. Require the department to make the location and operating hours known to the public. Sponsors: Reps. Vick and Harwick.
SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

83.8. (DEW: Local Offices) Of the funds appropriated to or authorized for the Department of Employment and Workforce within the Unemployment Insurance division, the department is given flexibility to use funds from available areas to maintain funding for the administrative and operating costs of Unemployment Insurance centers in each county. The department shall use up to \$1,500,000 to provide all counties affected by the February 2013 regionalization of unemployment services with a functioning Unemployment Insurance center for claimants in every county to assist with both unemployment insurance claims and reemployment training. These centers may share office space with other state or local government agencies. The department shall make known to the public the location and regular operating hours of the centers for each county.

SECTION 84 - U12-DEPARTMENT OF TRANSPORTATION

- 84.9** **DELETE** (Utilities Relocation) Establishes the Utilities Relocation Study Committee to review, study, and make recommendations on the need for improved coordination and funding for relocating water and sewer facilities located within public rights-of-way when the relocation is required due to road and bridge construction or improvement. Requires findings and recommendations be reported to the General Assembly by June 30, 2013, after which the study committee terminates.
WMC: DELETE proviso.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~84.9. (DOT: Utilities Relocation) (A) From the funds appropriated to the Department of Transportation, there is established the Utilities Relocation Study Committee to review, study, and make recommendations concerning the need for improved coordination and funding of the relocation of water and sewer facilities, and the facilities of public utilities as defined in Title 58 of the 1976 Code, located within the public rights of way when such relocation is required due to the construction or improvement of roads and bridges in the state.~~

~~(B) The Utilities Relocation Study Committee is to:~~

- ~~(1) identify and categorize a statewide estimate of the historical, current and anticipated costs associated with the relocation of water and sewer and public utilities inside and outside the rights of way owned by state agencies, counties, municipalities, or local water or sewer districts resulting from highway projects;~~
- ~~(2) determine as accurately as possible the percentage of the statewide cost estimate attributable to South Carolina Department of Transportation projects, State Transportation~~

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~~Infrastructure Bank projects, local option sales tax projects involving state roads, local road projects, and County Transportation Committee projects;~~

~~(3) identify potential sources of sustainable funds that may be used by state agencies, counties, municipalities, local water or sewer districts, or public utilities for utility relocation costs including, but not limited to, existing state and federal loan and grant programs, appropriations from the state general fund, contributions from public utilities, and other sustainable sources;~~

~~(4) identify any legal obstacles that impact the ability of state agencies, counties, municipalities, or local water or sewer districts to fund the relocation of utilities;~~

~~(5) investigate the creation of a utilities relocation trust fund to assist in relocation costs either through loans, grants, matching funds, or other means, and recommend the appropriate entity to house and administer the trust fund, the terms and conditions under which funding might be provided, and the general criteria used for evaluating funding applications;~~

~~(6) identify ways to improve coordination and reduce impacts through the use of communication, technology and improved management techniques; and~~

~~(7) recommend changes to public policy, regulations, or statutes that would improve funding or reduce costs associated with utility relocations resulting from road and bridge projects.~~

~~(C) The Utilities Relocation Study Committee must be composed of fifteen members. Notwithstanding the provisions of Section 8-13-770, the committee is composed of:~~

~~(1) one member appointed by the President Pro Tempore of the Senate;~~

~~(2) one member appointed by the Speaker of the House of Representatives;~~

~~(3) one member appointed by the Majority Leader of the Senate;~~

~~(4) one member appointed by the Majority Leader of the House of Representatives;~~

~~(5) one member appointed by the Minority Leader of the Senate;~~

~~(6) one member appointed by the Minority Leader of the House of Representatives;~~

~~(7) one member appointed by the Governor;~~

~~(8) the Secretary of Transportation, or his designee;~~

~~(9) the Chairman of the South Carolina Department of Transportation Commission, or his designee;~~

~~(10) one member representing the South Carolina Rural Water Association;~~

~~(11) one member representing the Water Utility Council of South Carolina;~~

~~(12) one member representing the South Carolina Water Quality Association;~~

~~(13) one member representing the Municipal Association of South Carolina;~~

~~(14) one member representing the South Carolina Association of Counties; and~~

~~(15) one member representing the South Carolina Association of Special Purpose Districts.~~

~~(D) The members of the study committee shall serve without compensation and may not receive mileage or per diem.~~

~~(E) The Utilities Relocation Study Committee shall make a report of its findings and recommendations to the General Assembly no later than June 30, 2013, at which time the study committee terminates.~~

84.10 DELETE NEW PROVISO (Non-Federal Aid Highway Fund) **WMC:** ADD new proviso to direct DOT to use the following for the Non-Federal Aid Highway Fund: 1% of the proceeds from 13¢ of the gasoline user fee and an amount equivalent to 10% of the 1/4¢ per gallon assessed from the inspection and environmental impact fee charged on petroleum products.

HOU: AMEND new proviso to change "12-25-2355(A)" to "12-28-2355(A)." Sponsor: Rep. White.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

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~~*84.10. (DOT: Non-Federal Aid Highway Fund) In the current fiscal year, one percent of the proceeds from thirteen cents of the gasoline user fee imposed pursuant to Title 12, Chapter 28 of the 1976 Code shall be used by the Department of Transportation for the Non-Federal Aid Highway Fund. Additionally, in the current fiscal year, the department shall use an amount equivalent to ten percent of the one fourth cent per gallon assessed pursuant to Section 12-28-2355(A) for the Non-Federal Aid Highway Fund.*~~

- 84.11 DELETE NEW PROVISO** (Evaluation of Outsourcing) **HOU:** ADD new proviso to direct DOT to conduct a review of workforce requirements and analyze the amount of outsourcing used by the department. Direct the DOT Office of Chief Internal Auditor to audit how the department determines the need to outsource a function. Require the audit findings and review be provided to the DOT Highway Commission and the General Assembly by December 1, 2013. Sponsor: Rep. Cobb-Hunter.
SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*84.11. (DOT: Evaluation of Outsourcing) The Department of Transportation shall conduct a review to determine workforce requirements and analyze the amount of outsourcing utilized by the department in order to determine the feasible level of outsourcing given the fiscally constrained environment. Additionally, the Department of Transportation, Office of Chief Internal Auditor shall conduct an audit of outsourcing, the scope of which shall include at least an analysis of the process of how and when the agency determines it needs to outsource a function. Both the audit findings and the review shall be used to provide a combined report to the Department of Transportation Highway Commission and the General Assembly no later than December 1, 2013.*~~

- 84.12 DELETE NEW PROVISO** (FEIS Funding) **HOU:** ADD new proviso to direct the department to use \$250,000 of their funds toward completing the Final Environmental Impact Statement for the Hurricane Evacuation route in Horry County and authorize the funds used for this purpose to be carried forward. Sponsor: Reps: Hardwick, Anderson, Sabb, and H.A. Crawford.
SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*84.12. (DOT: FEIS Funding) Of the funds appropriated to or authorized for the Department of Transportation, the department shall use \$250,000 toward the completion of the Final Environmental Impact Statement for the Hurricane Evacuation route in Horry County. These funds may be carried forward and expended for the same purpose.*~~

- 84.13 DELETE NEW PROVISO** (Hanahan Permit Negotiation) **HOU:** ADD new proviso to direct the department to negotiate with the City of Hanahan, the US Army Corps of Engineers, CSX railroad and other entities to regarding the purpose and need to secure the required permit to complete the Railroad Avenue Extension project. Require DOT provide a report by June 30, 2014, to the Berkeley Delegation members, the Berkeley, Charleston and Dorchester Council of Governments, and CHATS that details the project history, negotiation status, and completion plan. Sponsor: Rep. Merrill.
SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*84.13. (DOT: Hanahan Permit Negotiation) With the funds appropriated to and authorized for the Department of Transportation, the department shall negotiate with the city of Hanahan, the United States Army Corps of Engineers, CSX Railroad, and other applicable entities to demonstrate the valid purpose and need to secure the necessary permit required to*~~

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~~*complete the Railroad Avenue Extension project in the city of Hanahan. The department shall provide a report to the members of the Berkeley Delegation and the Berkeley, Charleston and Dorchester Council of Governments and CHATS detailing the history of the project, status of the negotiations and a plan for completion. This shall be completed by June 30, 2014.*~~

SECTION 87 - U30 - DIVISION OF AERONAUTICS

87.5 DELETE (Airport Development) Directs that any line item appropriation for airports be disbursed for eligible airport development items as approved by the Aeronautics Commission.
WMC: DELETE proviso. *Codified in 55-5-80 and 55-5-280.* Requested by Division of Aeronautics.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**87.5.** (AERO: Airport Development) *Any line item appropriation for airports shall be disbursed for eligible airport development items as approved by the Aeronautics Commission.*~~

87.6 DELETE (Grant Funds Carry Forward) Authorizes unexpended Matching National Grant Funds to be carried forward and used for matching committed and/or unanticipated grant funds.
WMC: DELETE proviso. *Codified in 55-5-280.* Requested by Division of Aeronautics.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**87.6.** (AERO: Grant Funds Carry Forward) *Any unexpended balance on June thirtieth, of the prior fiscal year, for Matching National Grant Funds, may be carried forward to the current fiscal year and used for matching committed and/or unanticipated grant funds.*~~

87.8 DELETE (Grant Match Funds) Authorizes funds appropriated to the Division of Aeronautics for FAA grant matching to be used to match state and local aviation airports projects whether or not FAA funding has been received. Requires Aeronautics Commission approval prior to the funds being awarded.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**87.8.** (AERO: Grant Match Funds) *The funds appropriated to the Division of Aeronautics for FAA grant matching, may be used to match state and local aviation airports projects whether or not they have received FAA funding. Any funds must be approved by the Aeronautics Commission prior to being awarded.*~~

87.9 ADD (Capital Improvement Projects) **WMC:** ADD new proviso to authorize the Division of Aeronautics to use the State Aviation Fund to pay for capital improvement projects associated with its hangar and offices at the Columbia Metropolitan Airport.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

~~**87.9.** (AERO: Capital Improvement Projects) *The Division of Aeronautics is authorized to use the State Aviation Fund to pay for capital improvement projects associated with the premises it occupies at the Columbia Metropolitan Airport.*~~

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SECTION 108 - S60-PROCUREMENT REVIEW PANEL

108.1 REINSERT ORIGINAL PROVISO (Filing Fee) Authorizes the Procurement Review Panel to charge a \$250 filing fee to the party requesting an administrative review under Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6) and/or 11-35-4410(4) of the S.C. Code of Laws. Directs the agency to retain the funds generated by the filing fee and to use such fees for agency operations. Requires forfeiture of the filing fee when an appeal is withdrawn. Allows for waiver of the fee in case of hardship.

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

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

108.1. (PRP: Filing Fee) Requests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the S.C. Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6), 11-35-4330, and/or 11-35-4410. The funds generated by the filing fee shall be retained by the panel and carried forward to be used for the operation of the panel. Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed Request for Filing Fee Waiver form at the same time the request for review is filed. The panel shall make the Request for Filing Fee Waiver forms available to the Chief Procurement Officers to provide to parties along with notice of right to appeal to the panel. If the filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the filing fee. Requests for administrative review will not be accepted unless accompanied by the filing fee or a completed Request for Filing Fee Waiver form at the time of filing.

SECTION 117 - X90-GENERAL PROVISIONS

117.23 AMEND FURTHER (State Owned Aircraft - Maintenance Logs) Requires agencies with aircraft to maintain a log of all flights and to make the log available for public inspection and online. Provides guidelines for aircraft usage and flight logs. Prohibits aircraft from being leased to individuals for their personal use.

WMC: AMEND proviso to change description from "Maintenance" to "Flight" logs. Delete specification that the logs refer to aircraft operated by the "Division of Aeronautics" and instead specify any "state owned or operated" aircraft. Change the timeframe for certifying the nature of the flight from 48 to 24 hours after the completion of the flight. Delete the stipulation that official business does not include attending a press conference or bill signing. Delete the exemption for MUSC.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to reinsert stipulation that official business does not include attending a press conference or bill signing and reinsert the exemption for MUSC.

117.23. (GP: State Owned Aircraft - ~~Maintenance~~ Flight Logs) Each agency having in its custody one or more aircraft shall maintain a continuing log on all flights, which in order to promote accountability and transparency shall be open for public inspection and shall also be posted online. Any and all aircraft owned or operated by agencies of the State Government

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shall be used only for official business. The Division of Aeronautics and other agencies owning and operating aircraft may furnish transportation to the Governor, Constitutional Officers, members of the General Assembly, members of state boards, commissions, and agencies and their invitees for official business only; no member of the General Assembly, no member of a state board, commission, or committee, and no state official shall use any state owned or operated aircraft ~~of the Division of Aeronautics~~ unless the member or official files within ~~forty-eight~~ twenty-four hours after the ~~time of departure~~ completion of the flight with the ~~Division of Aeronautics~~ agency that provided the flight a sworn statement certifying and describing the official nature of his trip; and no member of the General Assembly, no member of a state board, commission or committee, and no state official shall be furnished air transportation by a state agency ~~other than the Division of Aeronautics~~ unless such agency prepares and maintains in its files a sworn statement from the highest ranking official of the agency or its designee certifying that the member's or state official's trip was in conjunction with the official business of the agency. Official business shall not include routine transportation to and from meetings of the General Assembly or committee meetings for which mileage is authorized. Official business also does not include **attending a press conference, bill signing, or a** political function.

All logs shall be signed by the parties using the flight and the signatures shall be maintained as part of the permanent record of any agency. All passengers shall be listed on the flight log by their legal name; passengers flying with an appropriate official of SLED or the Department of Commerce whose confidentiality must, in the opinion of SLED or the department, be protected shall be listed in writing on the flight log as "Confidential Passenger SLED or the Department of Commerce (strike one)" and the appropriate official of SLED or the department shall certify to the agency operating the aircraft the necessity for such confidentiality. The Division of Aeronautics shall post its flight logs on its website within one working day of completion of trips.

Violation of the above provisions of this section is prima facie evidence of a violation of Section 8-13-700(A) of the 1976 Code and shall subject a violating member of the General Assembly to the ethics procedure of his appropriate house and shall subject a violating member of a state board, commission or committee, or a state official to the applicable ethics procedure relating to them as provided by law. The above provisions do not apply to state owned or operated aircraft ~~of the Division of Aeronautics~~ **when used by the Medical University of South Carolina, nor to aircraft** of the athletic department or the educational foundations of any state-supported institution of higher education, nor to law enforcement officers when flying on state owned aircraft in pursuit of fugitives, missing persons, or felons or for investigation of gang, drug, or other violent crimes.

Aircraft owned by agencies of state government shall not be leased to individuals for their personal use.

117.101 DELETE (WIA Meeting Requirements) Establishes Workforce Investment Board meeting notice and quorum requirements.

WMC: AMEND proviso to update fiscal year reference to "2013-14." Direct that no actions of any Workforce Investment Board may be considered unless a quorum is present.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**117.101.** (GP: WIA Meeting Requirements) For Fiscal Year 2012-13, a Workforce Investment Board meeting must be subject to all notice requirements of the Freedom of Information Act and may not take place unless a quorum of the board membership is present. Any decision made in violation of these requirements is void.~~

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117.102 AMEND (WIA Service Advertising) Establishes Workforce Investment Act advertising guidelines.

WMC: AMEND proviso to update fiscal year reference to “2013-14.” Change references to advertising their services to promoting outreach for their services.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.102. (GP: WIA Service Advertising) For Fiscal Year ~~2012-13~~ 2013-14, the Workforce Investment Act Boards may ~~advertise its~~ promote outreach for their services via billboard, bus placard, newspapers, or radio in all workforce investment areas. This ~~advertising outreach~~ advertising outreach may not be limited to e-mail, online, or other internet-based ~~advertising outreach~~, publicity, or other promotions. Workforce investment boards must adhere to all state procurement policies and procedures when ~~advertising~~ utilizing outreach for the services provided by the Workforce Investment Act.

117.103 AMEND (WIA Training Marketability Evaluation) Requires local workforce investment boards to report on how funds were allocated based for training.

WMC: AMEND proviso to update fiscal year reference to “2013-14.” Delete the requirement that local workforce investment board prepare an annual report and instead direct the department to submit all annual reports required by the U.S. Department of Labor in reference to the Workforce Investment act and Workforce Investment Boards.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.103. (GP: WIA Training Marketability Evaluation) For Fiscal Year ~~2012-13~~ 2013-14, ~~local workforce investment boards~~ the Department of Employment and Workforce shall ~~prepare an~~ submit any and all annual ~~report~~ reports required by the United States Department of Labor in reference to the Workforce Investment Act and the Workforce Investment Boards ~~that demonstrates how funds were expended in the prior fiscal year to provide marketable work skills training. The report shall include, but not be limited to the total number of local training recipients, a description of the training area in which each recipient participated, and the number and percentage of participants in each training area that, upon completion of training, have become employed in the field in which they were trained. The report shall be annually submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on or before November 16th~~ when submitted to the United States Department of Labor.

117.116 DELETE NEW PROVISO (Transfer Procurement Review Panel to ALC) **WMC:** ADD new proviso to transfer for the current fiscal year and effective July 1, 2013, the duties, functions, responsibilities, personnel, funding and physical assets of the Procurement Review Panel to the Administrative Law Court. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

117.116. (GP: Transfer Procurement Review Panel to ALC) ~~For the current fiscal year, effective July 1, 2013, the duties, functions, responsibilities, personnel, funding, and physical assets of the Procurement Review Panel are transferred to the Administrative Law Court.~~

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117.sau ADD (State Aircraft Utilization) SUBCOMMITTEE RECOMMENDATION: ADD new proviso to require prior approval for certain individuals to use any aircraft owned or leased by the State, a state agency, entity, or institution, including institutions of higher learning as follows: (1) a member of the House of Representatives to receive approval from the Speaker of the House, (2) a member of the Senate to receive approval from the President Pro Tempore of the Senate, and (3) a member of a state board, commission, or committee in the executive branch permitted to request the use of state aircraft to receive approval from the chairman of that board, commission, or committee. Direct that violations of this provision violate the state ethics laws rules of conduct and are punishable as provided for in the state ethics laws and also require the violator to reimburse the general fund within 30 days of the unauthorized flight for the full cost of the flight.

117.sau. (State Aircraft Utilization) Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of the General Assembly must be first approved by the Speaker of the House of Representatives in regard to members of the House or by the President Pro Tempore of the Senate in regard to members of the Senate.

Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of a state board, commission, or committee in the executive branch who is permitted to request use of state aircraft must be first approved by the chairman of that board, commission, or committee.

Violations of this provision are considered violations of the rules of conduct under state ethics laws and are punishable in the manner provided by Chapter 13 of Title 8 of the 1976 Code and by law, except that in addition to all other penalties or remedies authorized by law, the violating member or other person authorizing the flight shall reimburse the state general fund within thirty days of the unauthorized flight for the full cost thereof.