

**SENATE FINANCE COMMITTEE
TRANSPORTATION & REGULATORY SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2017-18**

SECTION 74 - R080 - WORKERS' COMPENSATION COMMISSION

- 74.1 DELETE** (Medical Services Provider Manual Revenue) Allows the commission to retain the revenue from the sale of Medical Services Provider Manual to fund the printing and distribution of future editions of the schedule.
WMC: DELETE proviso. *The commission no longer sells or receives revenue from the manual.* Requested by Workers' Compensation Commission.
HOU: ADOPT deletion of proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**74.1.** (WCC: Medical Services Provider Manual Revenue) All revenue earned from the sale of the commission's publication Medical Services Provider Manual shall be retained by the agency to be used for the printing and distribution of subsequent revised editions of the schedule.~~

SECTION 79 - R230 - BOARD OF FINANCIAL INSTITUTIONS

- 79.2 DELETE** (National Mortgage Settlement Carry Forward) Authorizes the Consumer Finance Division to retain, expend, and carry forward State-Federal National Mortgage Settlement funds received for enforcement and regulation.
WMC: DELETE proviso. *Funds received from the settlement have been expended.* Requested by Board of Financial Institutions.
HOU: ADOPT deletion of proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of 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 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

- 82.2 DELETE** (Publish Headquarters Call Center Telephone Number) Directs DMV to publish the telephone number of the Headquarters Call Center in each county.
WMC: DELETE proviso. *Phone number is readily available therefore proviso is unnecessary.* Requested by Department of Motor Vehicles.
HOU: ADOPT deletion of proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**82.2.** (DMV: Publish Headquarters Call Center Telephone Number) From the funds appropriated in Part IA, Section 82 to the Department of Motor Vehicles, it is the intent of the General Assembly that the Department of Motor Vehicles in each county should have the Headquarters Call Center telephone number published.~~

- 82.6 DELETE** (Facial Recognition Program) Directs DMV to continue the Facial Recognition Program using their authorized funds.
WMC: DELETE proviso. *DMV states it will continue to pay for the program therefore proviso is unnecessary.* Requested by Department of Motor Vehicles.
HOU: ADOPT deletion of proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

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~~82.6. (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.~~

- 82.9 DELETE** (DOT Transfer) Directs DMV to transfer \$10,000,000 from any available cash balances to the Non-Federal Aid Highway Fund at the DOT.
WMC: DELETE proviso. *DOT one-time transfer has been accomplished.* Fiscal Impact: Agency states that another \$10,000,000 transfer would eliminate the ability to use funds to complete the Phoenix III system. Requested by Department of Motor Vehicles.
HOU: ADOPT deletion of proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~82.9. (DMV: DOT Transfer) The Department shall transfer \$10,000,000 in the current fiscal year from any available cash balances to the Non-Federal Aid Highway Fund at the Department of Transportation.~~

- 82.11 ADD** (Phoenix III Migration Pilot) **WMC:** ADD new proviso to authorize DMV, upon approval from DOA through the IT project governance process, to expend up to \$1,000,000 from any available other earmarked cash balances to conduct a proof-of-concept pilot for Phoenix III development and data migration.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

82.11. (DMV: Phoenix III Migration Pilot) In Fiscal Year 2017-18, the department shall be authorized to expend up to \$1,000,000 from any available other earmarked cash balances to conduct a proof-of-concept pilot for Phoenix III development and data migration. Funds may be expended only upon review and approval of the Department of Administration through the IT project governance process established by proviso 117.121.

SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND WORKFORCE

- 83.5 AMEND** (UI Tax System Modernization) Authorizes DEW to expend up to \$300,000 of funds made available to the State under Section 903 of the U.S. Social Security Act. Directs the funds to be used to replace the agency's unemployment tax information system with a modern technology solution. Prohibits the funds from being obligated after a 2-year period beginning July 1, 2015.
WMC: AMEND proviso to change "\$300,000" to "\$1,743,930" and update two-year period reference from "2015" to "2017." *Agency states Reed Act funds will be used to fund a portion of the agency's unemployment tax system modernization project.* Fiscal Impact: Agency states there would be up to \$1,743,930 of other funds will be utilized to fund a portion of the project. Requested by Department of Employment and Workforce.
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE CHAIRMAN'S RECOMMENDATION: ADOPT proviso as amended.

83.5. (DEW: UI Tax System Modernization) The Department of Employment and Workforce is authorized to expend up to ~~\$300,000~~ \$1,743,930 of funds made available to the State under Section 903 of the United States Social Security Act, as amended. The funds must be used under the direction of the Department of Employment and Workforce, for the purpose of acquiring software, equipment, and necessary services to replace the agency's unemployment tax

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information system with a modern technology solution. No part of the funds herein authorized may be obligated after a two-year period beginning on July 1, ~~2015~~ 2017. The amount obligated pursuant to this provision shall not at any time exceed the amount by which (a) the aggregate of amounts transferred to the accounts of the State pursuant to Section 903 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for administration and paid out for benefits and required by law to be charged against the amounts transferred to the account of this State.

83.6 **AMEND** (Employment Training Outcomes Data Sharing) Directs DEW to require training and employment data integration; establish a Governance Policy; and develop a model data-sharing agreements with various agencies and entities.

WMC: AMEND proviso, item (A) to delete reference to “partner collaboration and sharing responsibilities” and change “2016” to “2017.” Amend item (B) to change “July 22, 2016 to July 1, 2017;” delete the requirement that DEW “develop a model” and instead “enter into a” data sharing agreement; require ETPs submit “personally identifiable information” data “for the purpose of assessing program effectiveness.” Delete language referencing the North American Industry Classification (NAIC) System and the Standard Occupation Classification (SOC) System. Delete items (C) (D) and (E) which reference deleting model data sharing agreements with specific entities. *DEW proposes deleting language referencing NAICS and SOC until a system for acquiring occupational data such as SOC is developed. Items C through E are deleted because the directives are duplicative due to the passage of Act 252 of 2016.* Requested by Department of Employment and Workforce.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE CHAIRMAN’S RECOMMENDATION: ADOPT proviso as amended.

83.6. (DEW: Employment Training Outcomes Data Sharing) The Department of Employment and Workforce, in developing the Workforce and Labor Market Information System (WLMIS) improvements required of the Workforce Innovation and Opportunity Act (WIOA) (P.L. 113-128), will require integration of training and employment data for the purposes of improving longitudinal assessment of employment outcomes for the various training providers eligible to receive funding appropriated or authorized by this Act.

(A) As the entity with authority for the oversight and maintenance for the WLMIS, the department shall establish a Governance Policy for the management, development, and security; ~~partner collaboration, and sharing responsibilities~~ no later than July 1, ~~2016~~ 2017.

(B) No later than July ~~22, 2016~~ 1, 2017, the department must ~~develop a model~~ enter into a data-sharing agreement with eligible training providers (ETPs). As specified by the WIOA Act, this agreement will require ETPs to submit personally identifiable information (PII) data related to the types of training programs offered, individual student coursework ~~and outcomes~~, program completion and time to complete, program costs, and tuition assistance for the purpose of assessing program effectiveness. ~~It will further require reporting of personally identifiable information (PII) to match training and employment data to determine placement in companies and jobs by the North American Industry Classification (NAIC) System and Standard Occupation Classification (SOC) System and other information necessary for the department to accurately and completely assess the effectiveness and return on investment of all training programs offered by the entity.~~

(C) ~~No later than January 1, 2017, the department must develop a model data sharing agreement with the Department of Education, the Center for Educator Recruitment, Retention and Advancement, and the Education Oversight Committee, the Vocational Rehabilitation Department, and the Commission on Higher Education to capture and match data as enumerated~~

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in item (B) of this provision. This agreement will ensure collaborative sharing of matched data with each partner agency for the purpose of program assessment and effectiveness in compliance with state and federal laws.

~~(D) The department and the South Carolina Student Loan Corporation shall, by January 1, 2017, enter into a data sharing agreement to determine the average debt load carried by individuals who participate in training programs with eligible training providers. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.~~

~~(E) No later than June 30, 2017, the department must develop a model data sharing agreement with the Department of Social Services to capture data related to New Hire status and social service data and with the Department of Labor, Licensing and Regulation to capture licensing and licensing related data. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.~~

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

84.9 DELETE (Tree Removal) Prohibits DOT from using their authorized funds for tree removal or other similar activities in the median of I-26 from mile marker 170 to mile marker 199 between Summerville and I-95.

WMC: DELETE proviso. *The project is complete.* Requested by Department of Transportation.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**84.9.** (DOT: Tree Removal) The Department of Transportation is prohibited from using funds authorized by this act for clear cutting, or other similar activities, in the median of Interstate 26 from approximately mile marker 170 to approximately mile marker 199 between Summerville and Interstate 95, except for the following mile marker locations: 170 to 171, 175 to 176, 182 to 183, 187 to 191, and 193 to 199.~~

84.12 REINSERT (CTC Project Expansion) Limits CTC to utilize no more than 20% of funds for ancillary initiatives that improve economic development or safety in areas adjacent to roads under its jurisdiction and defines ancillary initiatives for this purpose. Directs that if the CTC spends funds for this purpose, it must document the related anticipated results on economic development or safety.

WMC: DELETE proviso. *Agency states funds were distributed to CTCs in Fiscal Year 2015-16 in accordance with H.4230 of 2015 and therefore proviso is unnecessary.* Requested by Department of Transportation.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

84.12. (DOT: CTC Project Expansion) Of the funds distributed to County Transportation Committees (CTC), no more than twenty percent may be utilized for ancillary initiatives that improve the areas adjacent to roads under their jurisdiction for economic development or safety purposes. Ancillary initiatives may include, but are not limited to, drainage improvements, signage, lighting, sidewalks and other safety or economic-development related projects. If a CTC expends funds pursuant to this provision, the CTC must document the anticipated results on economic development or safety relative to the project.

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- 84.15 DELETE NEW PROVISO (Local Road Transfer) HOU:** ADD new proviso to authorize the department to remove a road from the state highway system and for a county or municipal governing authority to assume maintenance of the road upon receipt of a proper resolution submitted by a county or municipal governing authority. Authorize the department to provide a thing of value as a condition of transfer such as credits towards future construction projects, payment from CTC funds, or debt satisfaction and require the condition be agreed to in writing by all parties. Sponsor: Rep. Simrill.
SFC SUBCOMMITTEE CHAIRMAN'S RECOMMENDATION: DELETE new proviso.

~~*84.15. (DOT: Local Road Transfer) The Department of Transportation, upon receipt of a proper resolution submitted by a county or municipal governing authority to the Secretary of Transportation indicating its conditions, willingness, and desire to incorporate into the county or municipal road system a road on the state highway system and to assume the maintenance thereof, may at its discretion accept the resolution and remove the road from the state highway system, and it shall thereafter form a part of the county or municipal road system.*~~

~~*As a condition of such transfer, the department may provide a thing of value, including but not limited to credits towards future construction projects, payment of funds from the state's share of the County Transportation Committee funds, or satisfaction of debt owed to the department. Such thing of value may be equal to the amount of the present value of the forty year projected future maintenance cost of the road to be transferred and may be funded by the state's share of the County Transportation Committee funds. Any such condition of transfer shall be agreed to in writing by all parties.*~~

- 84.16 ADD (Rest Areas Contractual Payments) HOU:** ADD new proviso to direct the department to ensure that firms contracted to service rest areas pay their employees in a timely payment. Direct the department to delay payment to a contracted firm by the same number of days the firm is late paying their employees. Sponsor: Rep. Cobb-Hunter.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

~~*84.16. (DOT: Rest Areas Contractual Payments) The Department of Transportation is directed to ensure that firms the department contracts with to perform services at South Carolina Rest Areas pay their employees for performing such services in a timely manner. If the department determines that the contracted firm does not pay these employees in a timely manner, the department shall delay the next contractual payment to the firm by the same number of days that payment to its contracted employees was delayed.*~~

SECTION 85 - U150 - INFRASTRUCTURE BANK BOARD

- 85.1 ADD (Board Meeting Coverage) WMC:** ADD new proviso to direct the Transportation Infrastructure Bank Board to provide live-streamed coverage of all Board meetings.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

~~*85.1. (IBB: Board Meeting Coverage) Of the funds authorized for the State Transportation Infrastructure Bank Board, the Bank must provide live-streamed coverage of all Board meetings to ensure transparency and access for the public.*~~

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SECTION 117 - X900 - GENERAL PROVISIONS

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

WMC: AMEND proviso to update fiscal year reference to “2017-18.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.93. (GP: WIA Service Advertising) For Fiscal Year ~~2016-17~~ 2017-18, the Workforce Investment Boards may promote outreach for their services via billboard, bus placard, newspapers, or radio in all workforce investment areas. This outreach may not be limited to e-mail, online, or other internet-based outreach, publicity, or other promotions. Workforce investment boards must adhere to all state procurement policies and procedures when utilizing outreach for the services provided by the Workforce Investment Act.

117.94 AMEND (WIA Training Marketability Evaluation) Directs the department to submit a report to the chairmen of various legislative committees on how funds were spent to provide marketable work skills training; on any restructuring or realignment of agency functions as well as changes in staffing levels or service; and to describe efforts the agency made to reassign or retrain employees who were terminated if the agency hired new employees for that position.

WMC: AMEND proviso to update fiscal year reference to “2017-18.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.94. (GP: WIA Training Marketability Evaluation) (A) For Fiscal Year ~~2016-17~~ 2017-18, the Department of Employment and Workforce shall submit a report 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 submitted to the Chairman of the Senate Finance Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Labor, Commerce and Industry Committee on or before November sixteenth.

(B) Also, the report must specifically describe any restructuring or realignment of agency functions, and any changes in staffing levels or service. The report must detail information on employees terminated, hired, re-hired, reassigned, or reclassified by program area and location. Further, the report must describe efforts made by the agency to reassign or retrain employees who were terminated for positions for which the department hired new employees.

117.122 DELETE (County Transportation Committee Road Program Supplement) Directs the Transportation Infrastructure Bank to transfer the \$50,000,000 appropriated by Act 92 of 2015 to DOT. Directs DOT to distribute these funds to the County Transportation Committee Road Program and directs County Transportation Committees to use the funds solely for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement or reconstruction. Prohibits these funds from being used on any road, bridge, or highway that is not part of the state owned system. Authorizes these funds to be carried forward and be spent for the same purpose.

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WMC: DELETE proviso. *The transfer was completed in FY 2016-17.* Requested by Department of Transportation.

HOU: ADOPT deletion of proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

117.122. (GP: County Transportation Committee Road Program Supplement) ~~The South Carolina Transportation Infrastructure Bank shall transfer the \$50,000,000 appropriated by Act 92 of 2015 to the Department of Transportation. The department shall distribute these funds to the County Transportation Committee Road Program pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned highway system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.~~

~~Unexpended funds appropriated pursuant to this provision may be carried forward and expended for the same purposes.~~