

**SENATE FINANCE COMMITTEE  
NATURAL RESOURCES SUBCOMMITTEE  
PROVISO RECOMMENDATIONS FOR FY 2018-19**

**SECTION 44 - P160 - DEPARTMENT OF AGRICULTURE**

- 44.cb**     **ADD** (Commodity Boards) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to suspend for FY 2018-19 the application of Chapter 35 of Title 11 [SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE] as it relates to expenditures of assessments collected from producers of any agricultural commodity for market in commercial quantities made by various Commodity Boards.

*44.cb. (AGRI: Commodity Boards) Application of Chapter 35 of Title 11 of the 1976 Code to expenditures of assessments collected from producers, as defined by Section 46-17-40(j), made by the various Commodity Boards (as budgeted under Commodity Boards, Program II.B) is suspended for the Fiscal Year 2018-19.*

**SECTION 47 - P240 - DEPARTMENT OF NATURAL RESOURCES**

- 47.11**     **AMEND** (Triploid Grass Carp) Prohibits water recreation funds or any other funding source from being used to stock triploid grass carp in Lakes Marion and Moultrie.  
**WMC:** AMEND proviso to change "Fiscal Year 2017-18" to "the current fiscal year."  
**HOU:** ADOPT proviso as amended.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**47.11.** (DNR: Triploid Grass Carp) For ~~Fiscal Year 2017-18~~ the current fiscal year, no water recreation funds or any other funding source may be used to fund the stocking of triploid grass carp on Lake Marion and Lake Moultrie.

- 47.ssf**     **CONFORM TO FUNDING / ADD** (Significant Sites Funding) **SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / ADD new proviso to direct DNR to use Significant Sites Grant Program funds for efforts to increase public enjoyment of sites that have significant natural resources value. Direct that the sites include, but are not limited to, those that provide outdoor activities such as hunting, fishing, hiking, canoeing, rock climbing and bird watching.

*47.ssf. (DNR: Significant Sites Funding) The Department of Natural Resources shall use funds appropriated for the Significant Sites Grant Program to provide funding for efforts that increase public enjoyment of sites that provide access to the natural resources of South Carolina. Areas determined to be of significant value include, but are not limited to, sites that provide outdoor activities such as hunting, fishing, hiking, canoeing, rock climbing, and bird watching.*

**SECTION 49 - P280 - DEPARTMENT OF PARKS, RECREATION, AND TOURISM**

- 49.8**     **AMEND** (Wage and Supplier Rebate Funds) Requires any Motion Picture Incentive Act funds committed to film projects be carried forward and used for the same purpose. Requires any uncommitted funds be carried forward and allows PRT to use the funds for the same purpose, for deferred maintenance and for capital projects at state parks, Welcome Centers and for Marketing/Advertising.  
**WMC:** AMEND proviso to delete the authority for PRT to use uncommitted funds for other purposes and instead direct that the funds must be used solely for wage and supplier rebate funds.  
**HOU:** ADOPT proviso as amended.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

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**49.8.** (PRT: Wage and Supplier Rebate Funds) From the funds set aside pursuant to the Motion Picture Incentive Act, any funds committed to film projects shall be carried forward from the prior fiscal year and used for the same purpose. Any uncommitted funds shall be carried forward from the prior fiscal year and ~~may be used by the department for the same purpose, deferred maintenance and capital projects at state parks and Welcome Centers, and for Marketing/Advertising~~ *must be used solely for wage and supplier rebate funds pursuant to the Motion Picture Incentive Act and may not be used for any other purpose.* Prior to the funds being utilized for the state's Welcome Centers the funds shall be placed in a separate and distinct fund prior to July thirtieth of the current fiscal year and the interest accrued by the fund must remain in the fund. Of the funds placed into the separate and distinct fund in the current fiscal year, up to ten percent may be utilized for operating costs directly related to the Welcome Centers. These funds shall be carried forward from the prior fiscal year into the current fiscal year and be expended for the same purpose.

**49.18** **DELETE NEW PROVISO** (Welcome Center Complex Mowing) **WMC** ADD new proviso to direct the department to mow the outer edge of the pavement of the adjacent highway, the highway control of access right of way line and all boundaries surrounding state welcome center complexes. *This proviso was 49.16 in FY 2017-18 Appropriation Act and was Vetoed by the Governor, Overridden in the House and has been carried over in the Senate.*

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

~~*49.18. (PRT: Welcome Center Complex Mowing) Of the funds appropriated for State Welcome Centers, the department is directed to ensure that at every Welcome Center complex, the outer edge of the pavement of the adjacent highway, the highway control of access right of way line, and all boundaries surrounding the complex must be mowed in a manner to ensure that the entirety of the grounds are uniform in appearance.*~~

**SECTION 50 - P320 - DEPARTMENT OF COMMERCE**

**50.13** **CONFORM TO FUNDING / AMEND** (Regional Economic Development Organizations) Designates funding for Regional Economic Development Organizations and provides a mechanism by which the funds should be distributed.

**WMC:** AMEND proviso to update fiscal year reference from "2017-18" to "2018-19."

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation.

**50.13.** (CMRC: Regional Economic Development Organizations) The Department of Commerce shall utilize \$5,000,000 appropriated in Fiscal Year ~~2017-18~~ 2018-19 for Regional Economic Development Organizations to provide funds to the following economic development organizations and must be disbursed as follows:

- |  |                 |
|--|-----------------|
| (1) Upstate Alliance                         | \$ 750,000;     |
| (2) Central SC Economic Development Alliance | \$ 750,000;     |
| (3) North Eastern Strategic Alliance (NESA)  | \$ 745,000;     |
| (4) Charleston Regional Development Alliance | \$ 660,000;     |
| (5) I-77 Alliance                            | \$ 600,000;     |
| (6) Economic Development Partnership         | \$ 450,000;     |
| (7) Southern Carolina Alliance               | \$ 460,000; and |
| (8) The LINK Economic Alliance               | \$ 385,000.     |

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Each dollar of state funds must be matched with one dollar of private funds. The organization receiving state funds must certify that the private funds are new dollars specifically designated for the purpose of matching state funds and have not been previously allocated or designated for economic development. No funds appropriated in this proviso may be used for routine operating costs of the organization as defined by the Department of Commerce.

The remaining \$200,000 shall be provided to counties as follows, provided they meet the requirements established above:

- |                      |                 |
|----------------------|-----------------|
| (1) Beaufort County  | \$ 140,000; and |
| (2) Lancaster County | \$ 60,000.      |

Upon receipt of the request for the funds and certification of the matching funds, the Department of Commerce shall disburse the funds to the requesting organization.

Funds recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the Secretary of Commerce on the expenditure of the funds and on the outcome measures.

Any unexpended, unallocated, or undistributed funds appropriated in prior fiscal years for Regional Economic Development Organizations shall first be made available to Regional Economic Development Organizations and any remainder shall be transferred to the Rural Infrastructure Fund at the Department of Commerce. If more than one alliance applies for the same funds, the funds will be distributed pro-rata.

- 50.19**    **ADD** (Funding for Rail Infrastructure) **WMC:** ADD new proviso to allow the Secretary of Commerce to use Rural Infrastructure Fund grants authorized for the Coordinating Council for Economic Development towards state-owned rail infrastructure projects.

**HOU:** ADOPT new proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

*50.19. (CMRC: Funding for Rail Infrastructure) Of the funds authorized for the Coordinating Council for Economic Development under Section 12-10-85 (B) of the 1976 Code, the Secretary of Commerce may utilize these funds toward state-owned rail infrastructure projects.*

- 50.df**    **CONFORM TO FUNDING / ADD** (Distribution Facility) **SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / ADD new proviso to direct the Navy Base Intermodal Facility be considered a distribution facility for the purpose of sales tax exemptions associated with equipment and construction material purchases.

*50.df. (CMRC: Distribution Facility) The Navy Base Intermodal Facility owned by Palmetto Railways, a division of the Department of Commerce, shall be considered a distribution facility for the purpose of sales tax exemptions associated with the purchase of equipment and construction materials.*

- 50.ch**    **ADD** (Camp Hall Rail Construction) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the Division of Public Railways, or a person acting under contract with the division, to construct and maintain temporary borrow pits on lands that are close to the right of way for the Camp Hall Rail Project in order to provide construction fill material. Direct the Division of Railways, or its authorized contractor, to comply with the reclamation standards applicable to DOT in connection with the construction, repair and maintenance of the public road systems.

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**50.ch.** (CMRC: Camp Hall Rail Construction) *The Division of Public Railways, or a person acting under contract with the division, is authorized to construct and maintain temporary borrow pits on lands adjacent to or in close proximity to the right of way for the Camp Hall Rail Project for the limited purpose of providing fill material needed for the construction of the Camp Hall Rail Project. The Division of Railways, or its authorized contractor as applicable, shall comply with the reclamation standards applicable to the Department of Transportation and its contractors undertaking similar activities in connection with the construction, repair, and maintenance of the public road systems of the state.*

**SECTION 51 - P340 - JOBS-ECONOMIC DEVELOPMENT AUTHORITY**

- 51.1 DELETE** (Bonds Interest Rate) Directs that interest rates of bonds issued by JEDA are not subject to approval by the State Fiscal Accountability Authority.  
**WMC:** DELETE proviso. *Act 80 of 2017 corrected the scrivener's error in the Restructuring Act which had necessitated this provision.* Requested by Jobs Economic Development Authority.  
**HOU:** ADOPT deletion of proviso.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**51.1.** (JEDA: Bonds Interest Rates) ~~Pursuant to Sections 41-43-100 and 41-43-110(A) of the 1976 Code, the interest rate of bonds issued by the authority are not subject to approval by the State Fiscal Accountability Authority.~~

**SECTION 53 - P40-S.C. CONSERVATION BANK**

- 53.1 CARRIED OVER / AMEND** (Conservation Bank Trust Fund) Suspends the requirement that the South Carolina Conservation Bank receive all revenues designated for it under Section 12-24-95 [STATE DEED RECORDING FEE CREDITED TO SOUTH CAROLINA CONSERVATION BANK TRUST FUND].  
**WMC:** AMEND proviso to update fiscal year reference from "2017-18" to "2018-19."  
**HOU:** ADOPT proviso as amended.  
**SUBCOMMITTEE RECOMMENDATION:** CARRIED OVER to full committee.

**53.1.** (CB: Conservation Bank Trust Fund) For Fiscal Year ~~2017-18~~ 2018-19, the provisions of Section 12-24-95 of the 1976 Code are suspended.

**SECTION 88 - Y140 - STATE PORTS AUTHORITY**

- 88.1 AMEND** (Charleston Cooper River Bridge Project) Directs the State Ports Authority to pay the State Transportation Infrastructure Bank \$1,000,000 before June 30, 2018 to continue the Charleston Cooper River Bridge Project.  
**WMC:** AMEND proviso to update fiscal year references from "2017" to "2018" and from "2018" to "2019." *Meets the obligations of the State Ports Authority and the State Infrastructure Bank's financial agreement.* Fiscal Impact: No impact on the General Fund. The funds used to pay the Transportation Infrastructure Bank are operating funds of the Ports Authority, none of which are state appropriated funds. Generates \$1,000,000 for the State Transportation Infrastructure Bank. Per the Ports Authority, the commitment of the agency is to provide \$1,000,000 per year for 25 years, until 2027. Requested by State Ports Authority.  
**HOU:** ADOPT proviso as amended.  
**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

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**88.1.** (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, ~~2017~~ 2018, pay to the State Transportation Infrastructure Bank one million dollars before June 30, ~~2018~~ 2019, to continue the Charleston Cooper River Bridge Project.

**88.5** **DELETE** (Jasper Ocean Terminal Permitting) Designates \$1,000,000 of the funds allocated in FY 2016-17 for the Jasper Ocean Terminal Permitting for a contract for the permitting process that the Corps of Engineers were previously scheduled to handle. Prohibits the Ports Authority from spending these funds until a contract is executed. Requires funds not committed by the contract to be returned to the General Fund at the end of FY 2017-18.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**88.5.** (SPA: Jasper Ocean Terminal Permitting) ~~Of the funds allocated to the Ports Authority in Fiscal Year 2016-17 for the Jasper Ocean Terminal Permitting, \$1,000,000 is designated for a contract for the permitting process that was previously scheduled to be handled by the Corps of Engineers. This funding may not be expended by the Ports Authority until a contract is executed. Additionally, any funds not committed by this contract must be returned to the General Fund at the end of Fiscal Year 2017-18.~~

**SECTION 117 - X900 - GENERAL PROVISIONS**

**117.106** **AMEND** (State Ports Authority Property) Directs that if the Authority has not sold its real property on Daniel and Thomas Islands, with certain exceptions, by June 30, 2018, it must transfer the property to the Department of Administration.

**WMC:** AMEND proviso to delete Thomas (St. Thomas) Island and to change “2018” to “2019.”

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**117.106.** (GP: State Ports Authority Property) If the State Ports Authority has not completed the sale of its real property on Daniel Island ~~and Thomas (St. Thomas) Island~~, except for the dredge disposal cells that are needed in connection with the construction of the North Charleston terminal on the Charleston Naval Complex and for harbor deepening and for channel and berth maintenance, by June 30, ~~2018~~ 2019, the authority must transfer the property to the Department of Administration. The authority shall sell the real property under terms and conditions it considers most advantageous to the authority and the State of South Carolina.

**117.134** **AMEND** (Catastrophic Weather Event) Directs (A) that improvements to real or personal property used as a residence, such as a mobile home or manufactured housing unit, resulting from damage caused by the catastrophic weather event in October 2015 or Hurricane Matthew of 2016, made after the event and before July 1, 2018, is not considered an improvement and does not require a re-appraisal under certain funding conditions; and (B) directs that for the current fiscal year an eligible property’s tax value shall remain the same unless an assessable transfer of interest occurs.

**WMC:** AMEND proviso to update fiscal year reference from June 30, “2018” to “2019.”

**HOU:** ADOPT proviso as amended.

**SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

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**117.134.** (GP: Catastrophic Weather Event) (A) Any improvements made to real property or personal property used as a residence, such as a mobile home or manufactured housing unit, damaged during the catastrophic weather event in October 2015 or Hurricane Matthew of 2016, after the event and before June 30, ~~2018~~ 2019, is not considered an improvement and does not require a re-appraisal. This provision only applies if as a result of the catastrophic weather event, the improvements made to the property were funded by the United States Department of Housing and Urban Development Block Grant - Disaster Recovery program. This provision also applies if, at the discretion of the county and using qualifications determined by the county, the improvements were made with the assistance of a volunteer organization active in disaster, or a similar volunteer organization.

(B) During the current fiscal year, the property tax value of an eligible property shall remain the same unless an assessable transfer of interest occurs. No refund is allowed on account of values adjusted as provided in this provision.

**117.iwed ADD** (South Carolina Industry, Workforce and Education Data Warehouse) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to establish the South Carolina Industry, Workforce and Education Data Warehouse (IWEDOC) within the Revenue and Fiscal Affairs Office (RFA) to create a fully functional longitudinal data system to link industry, workforce, and education data through enhanced coordination and integration of courseware, certifications and individual data to meet the objectives and requirements of the Coordinating Council for Workforce Development (CCWD). Direct RFA to implement procedures for data sharing among stakeholder. Direct specific agencies and entities to report courseware, certifications, industry, and individual information to RFA as necessary and direct RFA to establish MOA's with the agencies or entities that specifies confidentiality of individual information and conditions and restrictions on the release of data. Direct RFA to develop internet-accessible secure analytic query tools using integrated individual data from the warehouse and to promulgate regulations that address access to and use and release of information generated through use of the query tools. Direct all state agencies participating in the warehouse to use it and its associated software applications in their day-to-day operations. Prohibit state agencies from duplicating any of the responsibilities of this provision.

*117.iwed. (GP: South Carolina Industry, Workforce and Education Data Warehouse) There is hereby established within the Revenue and Fiscal Affairs Office (RFA), the South Carolina Industry, Workforce and Education Data Warehouse (IWEDOC). The purpose of the warehouse is to create a fully functional longitudinal data system to link industry, workforce and education data through enhanced coordination and integration of courseware, certifications and individual data to meet the objectives of and in accordance with the requirements of the Coordinating Council for Workforce Development (CCWD). In addition, RFA is directed to develop and implement procedures for sharing information and coordinating efforts among stakeholders to prepare the state's current and emerging workforce to meet the needs of the state's economy. Individual data is defined as person-level data that is created, received, and/or maintained by state agencies and other entities required to report individual information to RFA under this provision. To integrate courseware, certifications and individual information, individual data and non-individual data from industry, workforce and education state agencies will be linked to improve individual outcome measures, enabling state agencies to analyze coordination and continuity of the workforce delivery system. The addition of this data will enhance existing agency systems to effectively organize, manage, and analyze educational, workforce and other data as necessary for effective program evaluation and outcomes. Certain individual information shall be delivered to RFA in order to assist in the development and*

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maintenance of this warehouse. The following agencies shall report as necessary courseware, certifications, industry and individual information:

- (1) the Department of Commerce;
- (2) the Department of Education;
- (3) the Department of Employment and Workforce;
- (4) the State Technical College System;
- (5) the South Carolina First Steps to School Readiness;
- (6) the Commission on Higher Education; and
- (7) other entities as deemed necessary by the IWEDOC, CCWD and RFA.

These agencies shall collect and provide individual data in formats and schedules to be specified by RFA, in concurrence with IWEDOC and CCWD. RFA shall establish a Memorandum of Agreement with each agency or entity. These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of individual information, the conditions for the release of data that may identify agencies, departments, divisions, programs and services, or individuals, any restrictions on the release of data so as to be compliant with state and federal statutes and regulations on confidentiality of data, conditions under which the data may be used for research purposes, and any security measures to be taken to insure the confidentiality of individual information.

To ensure accountability and the coordinated, efficient delivery of education and workforce services to meet the demands of industry, RFA shall implement, in consultation with the CCWD, IWEDOC, and other entities as deemed necessary, an integrated data system that includes individual and other data from all participating agencies.

In order to provide for inclusion of other entities into the South Carolina Industry, Workforce and Education Data Warehouse and other research and analytic-oriented applications that will assist the state in the efficient and effective provision of services, RFA shall have the authority to enter into agreements or transactions with any federal, state or municipal agency or other public institution or with any private individual, partnership, firm, corporation, association or other entity to provide statistical, research and information dissemination services including, but not limited to, program and outcomes evaluation, program monitoring/surveillance, projects to determine the feasibility of data collection and/or analyses, information dissemination and research. The confidentiality of data collected under these initiatives shall comply with applicable state and federal laws governing the privacy of data. RFA shall have the power to promulgate regulations, policies and procedures, in consultation with the participating agencies, for the development, protection and operation of the data warehouse, other research and analytic-oriented applications, and their underlying processes.

RFA shall develop internet-accessible secure analytic query tools (such as analytic cubes) using integrated individual data from the warehouse. All agencies shall cooperate with RFA in the development of these analytic tools. It is the intent of this provision that the analytic tools developed under this provision shall be made available to members of the South Carolina General Assembly and their research staff members, state agencies, and researchers. To that end, RFA shall, in consultation with the participating agencies, promulgate regulations addressing access to and use and release of information generated through use of the query tools.

All state agencies participating in the warehouse shall utilize it and its associated software applications in the day-to-day operation of their programs and for coordination, collaboration, program evaluation and outcomes analysis.

No state agency shall duplicate any of the responsibilities of this provision.