

Senator Hembree

1A.83. (SDE-EIA: Digital Learning Plan) The ~~Education Oversight Committee~~ **Department of Education** is responsible for implementing the second year of a pilot program for alternative methods of instruction for make-up days. The five school districts that participated in the initial pilot program in the prior fiscal year shall have the option of continuing to participate during the current fiscal year. As a condition of their continued participation, these five school districts shall assist the ~~committee~~ **Department** in reviewing and approving additional school districts to participate in the second year of the pilot program and shall provide technical assistance and support to new districts participating in the pilot. From funds available to the ~~committee~~ **Department**, the ~~committee~~ **Department** is authorized to allocate funds to the five districts for providing technical support to the new districts participating in the pilot program.

All districts participating in the pilot in the current fiscal year shall utilize alternative methods of instruction which may include, but are not limited to, online or virtual instruction for scheduled make up time. All make up time must reflect the number of hours of the make-up days the instruction will cover. All make up time must meet state requirements for elementary and secondary school days. All districts shall continue to report to the Department of Education all days missed, reasons for the absences, days made up, and now the alternative method of instruction used. The ~~Education Oversight Committee~~ **Department** shall work with the Educational Television Commission (ETV) and the State Library to utilize and coordinate available ETV and State Library resources and explore alternative means of delivery to districts that may lack proper access to online instruction. All school districts shall report the following information to the ~~Education Oversight Committee~~ **Department of Education** by April 1, 2020: method(s) of implementation utilized, advantages and disadvantages of the method(s) used, any feedback received from administrators, teachers, parents or guardians, and recommendations for how the program can be implemented statewide.

By June 1, 2020 the ~~Education Oversight Committee~~ **Department** shall report to the Governor, the General Assembly, ~~the Department of Education~~, and the State Board of Education a plan for implementing the eLearning program for make-up days statewide.

SENATOR HEMBREE

20.4. (USC: ~~African-American Diverse Student Recruitment and Retention~~) ~~The University of South Carolina shall utilize a portion of the funds appropriated to or authorized for the university to recruit undergraduate African-American students, to recruit African-American students at the Medical School, and to recruit African-American students at the School of Law. The four-year public universities of higher learning shall develop and adopt programs that promote a diverse student enrollment and retention.~~

SENATORS PEELER AND SHEHEEN

117.155.(GP: Higher Education Tuition Mitigation) The following recurring funds have been appropriated in Part IA to institutions of higher education to mitigate tuition and mandatory fee increases for in-state, full-time undergraduate students:

<u>(1) The Citadel</u>	<u>\$ 764,651;</u>
<u>(2) Clemson University</u>	<u>\$ 5,716,806;</u>
<u>(3) University of Charleston</u>	<u>\$ 2,659,523;</u>
<u>(4) Coastal Carolina University</u>	<u>\$ 2,145,346;</u>
<u>(5) Francis Marion University</u>	<u>\$ 1,464,038;</u>
<u>(6) Lander University</u>	<u>\$ 1,200,335;</u>
<u>(7) South Carolina State University</u>	<u>\$ 919,875;</u>
<u>(8) University of South Carolina-Columbia</u>	<u>\$ 8,313,496;</u>
<u>(9) University of South Carolina-Aiken</u>	<u>\$ 1,262,954;</u>
<u>(10) University of South Carolina-Upstate</u>	<u>\$ 2,498,567;</u>
<u>(11) University of South Carolina-Beaufort</u>	<u>\$ 780,527;</u>
<u>(12) University of South Carolina-Lancaster</u>	<u>\$ 649,998;</u>
<u>(13) University of South Carolina-Salkehatchie</u>	<u>\$ 384,972;</u>
<u>(14) University of South Carolina-Sumter</u>	<u>\$ 454,205;</u>
<u>(15) University of South Carolina-Union</u>	<u>\$ 471,844;</u>
<u>(16) Winthrop University</u>	<u>\$ 1,958,372; and</u>
<u>(17) Medical University of South Carolina</u>	<u>\$ 4,523,265.</u>

In order to retain the above appropriations, each institution of higher education listed above must certify to the Commission on Higher Education by August 1, 2019, that, ~~excluding tuition increases due to pension increases required by the provisions of Sections 9-1-1085 and 9-11-225 of the 1976 Code and any state health plan increase, there is no in-state tuition or mandatory fee increase for the 2019-2020 academic year its tuition and mandatory fees for all in-state, full-time undergraduate students did not exceed the rate of inflation for the 2018 Higher Education Price Index or 2.75% whichever is less.~~

The Commission on Higher Education shall develop the process by which institutions provide the certification. Any institution unable to provide such certification to the commission shall remit their respective above recurring allocation to the General Fund by September 1, 2019.

By October 1, 2019, the Commission on Higher Education shall report to the House Ways and Means Committee, the Senate Finance Committee, and the Executive Budget Office the institutions that failed to certify that the in-state tuition increase met the guidelines outlined in this provision. The Executive Budget Office, is directed to reduce the recurring appropriation of any institution found to be non-compliant with the certification.

SENATOR HEMBREE

117.155. (GP: Higher Education Tuition Mitigation) The following recurring funds have been appropriated in Part IA to institutions of higher education to mitigate tuition and mandatory fee increases for In-State, full-time, undergraduate students:

<u>(1) The Citadel</u>	<u>\$ 764,651 730,371;</u>
<u>(2) Clemson University</u>	<u>\$ 5,716,806 5,460,511;</u>
<u>(3) University of Charleston</u>	<u>\$ 2,659,523 2,540,292</u>
<u>(4) Coastal Carolina University</u>	<u>\$ 2,145,346 2,049,166;</u>
<u>(5) Francis Marion University</u>	<u>\$ 1,464,038 1,398,403;</u>
<u>(6) Lander University</u>	<u>\$ 1,200,335 1,146,522;</u>
<u>(7) South Carolina State University</u>	<u>\$ 919,875 878,635;</u>
<u>(8) University of South Carolina-Columbia</u>	<u>\$ 8,313,496 6,369,050;</u>
<u>(9) University of South Carolina-Aiken</u>	<u>\$ 1,262,954 1,206,333;</u>
<u>(10) University of South Carolina-Upstate</u>	<u>\$ 2,498,567 2,386,552;</u>
<u>(11) University of South Carolina-Beaufort</u>	<u>\$ 780,527 745,534;</u>
<u>(12) University of South Carolina-Lancaster</u>	<u>\$ 649,998 620,857;</u>
<u>(13) University of South Carolina-Salkehatchie</u>	<u>\$ 384,972 367,713;</u>
<u>(14) University of South Carolina-Sumter</u>	<u>\$ 454,205 433,842;</u>
<u>(15) University of South Carolina-Union</u>	<u>\$ 471,844 450,690;</u>
<u>(16) Winthrop University</u>	<u>\$ 1,958,372 1,870,575; and</u>
<u>(17) Medical University of South Carolina</u>	<u>\$ 4,523,265 113,726.</u>

In order to retain the above appropriations, each institution of higher education listed above must certify to the Commission on Higher Education by August 1, 2019, that, excluding tuition increases due to pension increases required by the provisions of Sections 9-1-1085 and 9-11-225 of the 1976 Code and any state health plan increase, there is no in-state tuition or mandatory fee increase for the 2019-2020 academic year.

The Commission on Higher Education shall develop the process by which institutions provide the certification. Any institution unable to provide such certification to the commission shall remit their respective above recurring allocation to the General Fund by September 1, 2019.

By October 1, 2019, the Commission on Higher Education shall report to the House Ways and Means Committee, the Senate Finance Committee, and the Executive Budget Office the institutions that failed to certify that the in-state tuition increase met the guidelines outlined in this provision. The Executive Budget Office, is directed to reduce the recurring appropriation of any institution found to be non-compliant with the certification.

SENATOR LEATHERMAN

Amend the following provisos to change all “President Pro Tempore of the Senate” references to “President of the Senate.”

- 1A.54 (SDE-EIA: Rural Teacher Recruiting Incentive)
- 25.1 (TEC: Training of New & Expanding Industry)
- 33.16 (DHHS: Carry Forward)
- 34.31 (DHEC: Pandemic Influenza)
- 50.5 (CMRC: Special Events Advisory Commission)
- 59.9 (AG: Public Official Attorney Fees)
- 81.8 (LLR: Immigration Bill Funding Report)
- 91.2 (LEG: Legislative Employee BPI/Merit)
- 91.4 (LEG: Subsistence/Travel Regulations)
- 91.9 (LEG: Contract for Services)
- 91.25 (LEG: Requested Information)
- 91.26 (LEG: Lawsuit Party of Interest)
- 104.5 (SFAA: IRF Report)
- 117.118 (GP: Sentencing Reform Oversight Committee Reauthorization)
- 117.129 (GP: Study Committee on Electronic Recording of Custodial Interrogations)
- 117.141 (GP: Public Service Authority Evaluation and Recommendation Committee)

SENATOR HEMBREE

MOVE TO DELETE PROVISIO 118.15

~~118.15. (SR: Taxpayer Rebate) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, those funds, combined with additional funds appropriated in this Act for taxpayer rebate, must be utilized to provide a one-time taxpayer rebate in an amount up to \$50 per taxpayer.~~

MOVE TO ADD NEW PROVISIO

118.hcf. (SR: Higher Education Facilities Repair and Renovation Fund) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, from those funds the Higher Education Facilities Repair and Renovation Fund shall be established. The fund shall be separate and distinct from the general fund of the State and all other funds. Earnings and interest on the fund must be credited to it and any balance in the fund at the end of the fiscal year shall be carried forward and used for the same purpose. The Department of Administration, Executive Budget Office shall administer the fund.

The funds shall be distributed as follows: twenty-five percent shall be transferred to the State Board for Technical and Comprehensive Education for distribution among the state's public technical colleges in a manner the board promulgates by regulation; and the remaining seventy-five percent shall be transferred by the Executive Budget Office for distribution among the state's public institutions of higher learning based on a formula developed by the Executive Budget Office, in consultation with the Commission on Higher Education and adopted by regulation.

The funds may only be expended for necessary renovation, repair, and related maintenance, and other critical equipment and system repair and maintenance that are necessary for the safe and efficient operation of the institution's physical plant in its support of the institution's educational purpose. Funds must not be used for new construction.

SENATOR CROMER

73.0em. (ORS: Energy Efficient Manufactured Homes) The Energy Efficient Manufactured Homes Incentive Program shall be extended into the current fiscal year and the Office of Regulatory Staff Energy Office shall administer the program, including incentives for qualifying taxpayers, in the same manner as it was administered in the prior fiscal year.

SENATOR CROMER AND CAMPBELL

109.cbl. (DOR: Collection of Business License Taxes) Except for business license taxes collected pursuant to Article 20, Chapter 9 of Title 58 and Chapter 7 of Title 38, a private, third party entity is prohibited from assessing, collecting, administering collection of, or processing payments of, business license taxes on behalf of counties or municipalities.

SENATOR HEMBREE

DELETE PROVISIO 20.4

~~20.4. (USC: African American Recruitment) The University of South Carolina shall utilize a portion of the funds appropriated to or authorized for the university to recruit undergraduate African American students, to recruit African American students at the Medical School, and to recruit African American students at the School of Law.~~

ADD NEW GENERAL PROVISIO

117.dsr. (GP: Diverse Student Recruitment and Retention) Institutions of higher learning shall utilize a portion of the funds appropriated to or authorized for the institution to develop enrollment and retention programs to promote diversity in their student population, to include African Americans, Hispanics and other underrepresented minorities. Institutions are directed to report the effectiveness of these enrollment and retention programs to the Commission on Higher Education for inclusion in their annual report.

Senator Davis Amendment

88.5. (SPA: Jasper Ocean Terminal Permitting) From funds specifically appropriated to the State Ports Authority (SPA) for the Jasper Ocean Terminal, not more than Five Million Dollars (\$5,000,000) shall be spent on the purchase of real property as may be available for purchase through that certain Option Agreement by and between Sherwood Plantation, Inc., and Southern Carolina Regional Development Alliance (SCRDA) dated September 20, 2017, as may be amended, so long as SCRDA secures the right to and assigns said Option Agreement to the SPA no later than September 30, 2019. In no event and under no circumstance shall the cost, expense, purchase price, payments, fees, or any associated charges for the acquisition of such property cause the SPA to expend more than the Five Million Dollars (\$5,000,000) appropriated for this purpose. It is understood that this limitation will result in less than the full acreage currently under option being purchased by the SPA.

Should the Option Agreement be exercised by the SPA, then SPA shall take title and include in the deed language providing that such property purchased pursuant to the Option Agreement shall be transferred to Jasper County by operation of law in the event that upon the fifth anniversary of the closing on such property the property has not been sold, leased, or otherwise utilized for an economic development project that will utilize port facilities. The intent of such condition is to develop the property in a manner that highlights the necessity of the Jasper Ocean Terminal.

Any appropriated funds to the State Ports Authority for the Jasper Ocean Terminal remaining after the exercise of and purchase of real property pursuant to the Option Agreement or in the event the SCRDA does not assign the Option Agreement by September 30, 2019, shall be utilized. The funds appropriated to the State Ports Authority (SPA) for the Jasper Ocean Terminal shall be utilized by the SPA to pay for activities approved and directed by the joint venture governing board and associated with advancing the Project during FY 2018-19 2019-20. In connection with activities that are approved and directed by the joint venture, SPA shall comply with the directive of Section 54-3-115 of the South Carolina Code in regard to taking "all action necessary to expeditiously develop a port in Jasper County." Activities undertaken during FY 2018-19 2019-20 may include, but are not limited to, the following:

1. working on a corporate governance model for the joint venture as an operating port;
2. working on terminal simulation for design and operation;
3. working on plans, studies, and modeling in conjunction with the respective South Carolina and Georgia Departments of Transportation and the metropolitan planning organization to identify and assess supporting road and rail infrastructure for the terminal footprint including, but not limited to, supporting infrastructure that may have independent utility;
4. working on sedimentation modeling for impacts on construction and dredging;
5. taking actions in furtherance of obtaining: (a) a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act; (b) a permit pursuant to Section 404 of the Clean Water Act, to prepare a Channel Modification Feasibility Study; and (c) studies necessary in connection with developing an Environmental Impact Statement for the Project; and
6. discharging its obligations pursuant to its Joint Venture Agreement with the Georgia Ports Authority.

The funds appropriated to SPA for the Jasper Ocean Terminal Permitting may not be used for reimbursement of SPA expenditures made in a prior fiscal year and must be used only for one or more of the purposes set forth above.

SPA shall provide a detailed report in writing to the members of the South Carolina General Assembly on or before the first day of the 2019 2020 legislative session and another such report on or before June 30, 2019 2020, describing the progress made as of the dates of those reports in regard to the Jasper Ocean Terminal, such to include a description of the ongoing and planned work.

Senator Bennett

Amend the bill, as and if amended, Section 1, DEPARTMENT OF EDUCATION, by adding an appropriately numbered proviso to read:

/ (SDE: Reserve suspension) In the current fiscal year, the provisions of Section 3 of Act 593 of 1992, as amended, relating to the limit on cash reserves are suspended for Dorchester County School District 2. The cash reserve may consist of state or federal funds allocated to the school district pursuant to this act, as well as other funds. /

Senator Martin

1A.58. (SDE-EIA: 4K Early Literacy Competencies Assessments) Of the funds carried forward from the full-day 4K program from the previous fiscal year, the Department of Education is authorized to expend up to \$800,000 on assessments and professional development to analyze the early literacy competencies of children in publicly funded prekindergarten. If these funds are not available, funds appropriated and/or authorized for assessment shall be used to administer the prekindergarten assessments. The department shall manage the administration of assessments that analyze the early literacy and language development of children in publicly funded prekindergarten as done in the prior fiscal year. Each school district and private provider participating in a publicly funded prekindergarten program will administer one of the formative assessments selected by the department to each child eligible for and enrolled in a publicly funded prekindergarten program during the first forty-five days of the school year and during the last forty-five days of the school year. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program or 504 Accommodations Plan and for students who are Limited English Proficient according to their LEP Plan. The department will provide the assessment data to the Education Oversight Committee. The results of the assessment and the developmental intervention strategies recommended or services needed to address the child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student to admission to prekindergarten.

~~Furthermore, up to \$2,000,000 of the funds appropriated for half-day programs for four-year-olds and funds carried forward from assessment must be expended by the Department of Education to administer the Kindergarten Readiness Assessment (KRA) to each child entering kindergarten in the public schools. The assessment of kindergarten students must be administered at a minimum of once during the first forty-five days of the school year with the results collected by the department. The results of the assessments and the developmental intervention strategies recommended or services needed to address each child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student admission to kindergarten. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program, 504 Accommodations Plan, or LEP Plan. Districts are given the option of designating up to two days of the one hundred eighty day school calendar to administer the assessment to kindergarten students. The department will also provide the results of the assessment of kindergarten students to the Education Oversight Committee. With available funds, the department will also provide or secure training for appropriate educators in how to administer the assessment.~~

~~For all students assessed with the Kindergarten Readiness Assessment (KRA), the Department of Education is required to collect data from schools and school districts on the prior early learning experience of each student. The data would include whether the kindergartener had attended in the prior school year a Head Start program, a South Carolina Early Reading Development and Education Program in a public school or a private center, a half-day 4K program in a public school, a full-day 4K program in a public school, a child care center (registered faith-based, registered family home, group home, or exempt provider) or informal child care.~~

Senators Matthews, Scott, Williams and Nicholson

Of the funds appropriated for "Rural Teacher Recruitment" in Fiscal Year 2019-20, \$400,000 shall be transferred to Claflin University and \$1,000,000 shall be transferred to South Carolina State University for the implementation and enhancement of a BRIDGE program to recruit minority high school students along the I-95 corridor into the teaching profession by offering them, while still in high school, access to counseling, mentoring, on campus summer enrichment programs, and opportunities for dual enrollment credits at Claflin University or South Carolina State University for the purpose of preparing these students to major in education and to become future teachers along the I-95 corridor.

SENATOR BENNETT

ADD NEW PROVISIO

38.pbp. (DSS: Pro Bono Program) From the funds appropriated to the Department of Social Services the director shall be authorized to utilize the funds appropriated to the department to establish a pro bono program for private attorneys to represent the department in hearings. Attorneys that volunteer for the program must meet the same qualifications as the attorney's hired by the department. The department shall provide training for the pro bono attorneys.

SENATOR BENNETT

109.new. For Fiscal Year 2019-20, Section 61-4-1515 (E)(1) and (E)(2) shall be suspended.

SENATE AMENDMENT

ALLEN/TURNER
APRIL 2, 2019

AMENDMENT NO. _____

ADOPTED	TABLED	CARRIED OVER	FAILED	RECONSIDERED
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Clerk of the Senate

ADOPTION NO. _____

BILL NO: H.4000

(Reference is to Printer's Date 04/10/19-S.)

Senator SETZLER proposes the following amendment (\4000C001.RT.SA19.DOCX):

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page ____, after line ____, by adding an appropriately numbered new proviso to read:

/ (PEBA: Hospital Employees) In the current fiscal year, from the funds appropriated to the Public Employee Benefit Authority, any persons employed by a hospital, that is an employer under the system by application, may elect not to become members of the South Carolina Retirement System, if this option is exercised within thirty days after they enter upon the discharge of their duties. The option provided for in this proviso is irrevocable. /

Renumber sections to conform.
Amend sections, totals and title to conform.