

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

- 3.1 AMEND** (Audit) Directs each state agency that receives lottery funds to develop and implement procedures to monitor lottery expenditures to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations. Directs the Executive Budget Office to ensure that these state agencies have effective monitoring procedures in place.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year references from “2019” to “2020.”

3.1. (LEA: Audit) Each state agency receiving lottery funds shall develop and implement procedures to monitor the expenditures of lottery funds in order to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations.

For institutions of higher learning, adopted procedures to monitor expenditures of lottery funds shall be reported to the Commission on Higher Education and the Executive Budget Office by October 1, ~~2019~~ 2020, and these expenditures are subject to annual verification and audit by the Commission on Higher Education on a rotational schedule not to exceed three years. The annual verification and audit shall be funded from the funds appropriated to or authorized for the Commission on Higher Education and the commission shall not assess a fee or charge institutions of higher learning for performing this function. In addition, the Commission on Higher Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by October first each year summarizing, by institution, how lottery funds were expended in the prior fiscal year, issues and concerns as well as institution responses to those issues and concerns discovered as a result of the commission’s verification and/or audit activity during the prior fiscal year, if any.

For the Department of Education, adopted procedures to monitor expenditures of lottery funds that are allocated to the South Carolina school districts and other recipient institutions according to law and Department of Education guidelines shall be reported to the Executive Budget Office by October 1, ~~2019~~ 2020. In addition, the Department of Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on the amount of lottery funds the department distributed to each entity in the prior fiscal year.

All other state agencies must submit their adopted procedures to monitor expenditures of lottery funds to the Executive Budget Office by October 1, ~~2019~~ 2020.

The Executive Budget Office shall ensure that state agencies receiving lottery funds have procedures in place to monitor expenditures of lottery funds and that the monitoring procedures are operating effectively.

- 3.4 DELETE** (FY 2019-20 Lottery Funding) Directs expenditure of lottery funds for Fiscal Year 2019-20.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**3.4.** (LEA: FY 2019-20 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Executive Budget Office as directed below. These appropriations must be used to supplement and not supplant existing funds for education. For cash flow purposes, the Executive Budget Office may facilitate limited transfers from the general deposits of the state for the exclusive purpose of ensuring the timely distribution of scholarships and tuition assistance payments as provided below. Any use of this transfer allowance must~~

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

include full reimbursement from the Education Lottery Account to the general deposit accounts of the state prior to the close of the fiscal year.

~~The Executive Budget Office is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.~~

~~All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.~~

~~For Fiscal Year 2019-20, certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2018-19 certified surplus, and Fiscal Year 2017-18 surplus are appropriated as follows:~~

- ~~(1) Commission on Higher Education – LIFE Scholarships as provided in Chapter 149, Title 59 \$ 240,102,429;~~
- ~~(2) Commission on Higher Education – HOPE Scholarships as provided in Section 59-150-370 \$ 14,557,008;~~
- ~~(3) Commission on Higher Education – Palmetto Fellows Scholarships as provided in Section 59-104-20..... \$ 61,809,959;~~
- ~~(4) Commission on Higher Education and State Board for Technical and Comprehensive Education – Tuition Assistance \$ 51,100,000;~~
- ~~(5) Commission on Higher Education – Need Based Grants \$ 20,000,000;~~
- ~~(6) Higher Education Tuition Grants Commission – Tuition Grants.. \$ 10,000,000;~~
- ~~(7) Commission on Higher Education – National Guard Tuition Repayment Program as provided in Section 59-111-75 \$ 2,631,129;~~
- ~~(8) State Board for Technical and Comprehensive Education – South Carolina Workforce Industry Needs Scholarship..... \$ 17,000,000;~~
- ~~(9) South Carolina State University..... \$ 2,500,000;~~
- ~~(10) State Board for Technical and Comprehensive Education – ReadySC Direct Training..... \$ 10,000,000;~~
- ~~(11) State Board for Technical and Comprehensive Education – High Demand Job Skill Training Equipment..... \$ 12,500,000;~~
- ~~(12) Commission on Higher Education – Technology Public Four Year Institutions, Two Year Institutions, and State Technical Colleges as provided in Section 59-150-356 \$ 8,000,000;~~
- ~~(13) Commission on Higher Education – SREB Program and Assessments..... \$ 236,195;~~
- ~~(14) Department of Education – Instructional Materials \$ 20,000,000;~~
- ~~(15) Department of Alcohol and Other Drug Abuse Services – Gambling Addiction Services..... \$ 50,000;~~
- ~~(16) Department of Education – School Bus Lease/Purchase..... \$ 19,363,280; and~~
- ~~(17) Department of Education – Reading Partners \$ 250,000.~~

~~For Fiscal Year 2019-20, net lottery proceeds and investment earnings above the Fiscal Year 2018-19 certified surplus are appropriated pro-rata as follows:~~

- ~~(1) Commission on Higher Education – Higher Education Excellence Enhancement Program \$ 2,927,527;~~
- ~~(2) State Board for Technical and Comprehensive Education – SPICE Program..... \$ 250,000;~~
- ~~(3) State Board for Technical and Comprehensive Education – Midlands Technical College Quick Jobs/Dual Credit~~

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

Funding.....	\$ 2,500,000;
(4) State Board for Technical and Comprehensive Education – Orangeburg Calhoun Technical College Truck Driving Certificate	\$ 350,000;
(5) Commission on Higher Education – Career Clusters.....	\$ 450,000;
(6) Commission on Higher Education – Memorial Professorships.....	\$ 1;
(7) South Carolina State University – School of Business.....	\$ 200,000;
(8) Commission on Higher Education – University Center of Greenville Debt Service	\$ 1;
(9) USC – Union Campus – Nursing Program Technology Upgrades	\$ 37,000;
(10) State Board for Technical and Comprehensive Education – Spartanburg Community College Cherokee Campus.....	\$ 200,000;
(11) Department of Education – Innovation Grants.....	\$ 2,800,000;
(12) Education Oversight Committee – After School Pilot Program and Clemson Forest Initiative.....	\$ 1,500,000; and
(13) Department of Education – Instructional Materials	\$ All Remaining.

For Fiscal Year 2019-20, funds certified from unclaimed prizes are appropriated as follows:

(1) State Board for Technical and Comprehensive Education – Workforce Scholarships and Grants	\$ 11,000,000;
(2) Commission on Higher Education – Higher Education Excellence Enhancement Program	\$ 6,072,473;
(3) Department of Alcohol and Other Drug Abuse Services – Gambling Addiction Services.....	\$ 50,000;
(4) Commission on Higher Education – SREB Program and Assessments.....	\$ 377,526;
(5) Commission on Higher Education – PASCAL	\$ 1,500,000;
(6) Commission on Higher Education – Need Based Grants	\$ 1; and
(7) Department of Education – School Bus Lease/Purchase.....	\$ All Remaining.

If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2019-20 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.

Fiscal Year 2019-20 funds appropriated to the Commission on Higher Education and the State Board for Technical and Comprehensive Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided in Section 59-150-360. Annually the State Board for Technical and Comprehensive Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least \$996 per student per term for full-time students.

Fiscal Year 2019-20 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2019-20 are fully funded.

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

If the lottery revenue received for Fiscal Year 2019-20 certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2018-19 certified surplus, and Fiscal Year 2017-18 surplus are less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro-rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$345,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process and to provide for a Scholarship Compliance Auditor.

The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.

The funds appropriated to the State Board for Technical and Comprehensive Education (SBTCE) for Workforce Scholarships and Grants shall be used to provide grants for tuition, fees, transportation, or textbook expenses to South Carolina residents enrolled in a career education program that meets all eligibility guidelines promulgated by the SBTCE in consultation with the Department of Education. Funds shall not be used for continuing education courses that do not lead to a degree, professional certificate, or industry recognized credential (IRC).

(A) Prior to disbursement of funds and no later than July 30, SBTCE must provide the colleges with a Board approved list, compiled based on regional and statewide industry needs of the programs and credentials for which the colleges are allowed to award grants for the current fiscal year.

(B) Grants shall be awarded from the fund in an amount not exceeding five thousand dollars or the total cost of attendance, whichever is less, for students to attend the program of their choice, including a professional certification program, at a South Carolina public technical college. Priority for grant awards shall be given to students seeking a degree, professional certificate, or industry recognized credential (IRC) in an industry sector with critical workforce needs as identified and recommended by the SBTCE and ratified by the Coordinating Council for Workforce Development.

(C) By April fifteenth, the SBTCE shall provide a report to the Chairman of House Ways and Means Committee and the Chairman of the Senate Finance Committee detailing use of funds received in the prior fiscal year. The report must include at minimum for each technical college: a list of programs that received funding, amount spent per program, number of students that received grants, grant amount per student, names of credentials completed by students receiving grants, amount of each type of credential completed, and job placement rates for students who completed programs and/or credentials.

Of the funds appropriated to the Commission on Higher Education for institutions of higher learning entitled "Technology Public Four Year Institutions, Two Year Institutions, and State Technical Colleges," (Technology) the commission shall allocate the realized funds on a proportional basis as follows:

(1) The Citadel	\$ 267,228;
(2) University of Charleston	\$ 607,631;
(3) Coastal Carolina University	\$ 591,366;
(4) Francis Marion University.....	\$ 260,984;
(5) Lander University.....	\$ 224,174;
(6) South Carolina State University	\$ 224,476;
(7) USC Aiken Campus	\$ 243,662;
(8) USC Upstate.....	\$ 330,928;

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

(9) USC Beaufort Campus	\$ 183,437;
(10) USC Lancaster Campus	\$ 145,010;
(11) USC Salkehatchie Campus	\$ 145,010;
(12) USC Sumter Campus	\$ 145,010;
(13) USC Union Campus	\$ 145,010;
(14) Winthrop University	\$ 362,400; and
(15) State Technical Colleges and State Board for Technical and Comprehensive Education	\$ 4,123,674.

Each institution shall use the amount appropriated only for technology repair and related technology maintenance and/or upgrades that are necessary to support an institution's educational purpose.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement.

Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to certification from the Commission on Higher Education they continue to meet the requirement of this provision.

Of the funds appropriated to the State Board for Technical and Comprehensive Education for the SPICE Program, the board shall transfer the funds to Greenville Technical College, upon which the college, from the entirety of the funds allocated to it pursuant to this Act, must dedicate no less than \$250,000 annually towards the creation and/or maintenance of a "Self Paced In-Classroom Education" (SPICE) program designed to prepare eligible citizens for re-entry into the workforce through gainful employment in skilled and other professions.

Of the funds appropriated to the Commission on Higher Education for Carolina Careers Cluster Grant (1:1 match), upon application by an eligible institution as defined in this paragraph, the commission shall disburse \$350,000 to Voorhees College and \$50,000 each to Benedict College and Claflin University provided that each were recipients of a single competitive grant from a private sector endowment of not less than \$1,000,000, the proceeds of which are intended to better prepare students for employment in high paying job clusters across the State. Funds must be spent on students and/or student support services directly related to the private sector grantor's initiative and for no other purpose. Prior to disbursement, the commission shall verify that an eligible institution will provide no less than a 1 to 1 match of the funds to be disbursed.

Of the funds appropriated to the State Board for Technical and Comprehensive Education for the South Carolina Workforce Industry Needs Scholarship, the board shall administer the South Carolina Workforce Industry Needs Scholarship as outlined below:

(A) (1) In the current fiscal year, a student attending a two year public technical college and majoring in a critical workforce area program, as defined and recommended by the State Board for Technical and Comprehensive Education (SBTCE) and ratified by the South Carolina Coordinating Council for Workforce Development, and who is receiving a Lottery Tuition Assistance Program Scholarship (LTAP) for the current fiscal year, shall receive an additional South Carolina Workforce Industry Needs Scholarship (SC WINS). A student who is attending a two year public technical college, who meets the income eligibility guidelines for free and reduced priced meals as established by the United States Department of Agriculture (USDA) and who is receiving a LTAP scholarship for the current fiscal year, shall receive a SC WINS scholarship regardless of the student's major. The SC WINS scholarship is equal to the cost of tuition and mandatory fees after applying all other scholarships or grants, not to exceed two thousand five hundred dollars.

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

~~(2) If the student is a freshman, the student must be enrolled in at least six credit hours of instruction each semester, including at least three credit hours of instruction in one of the critical workforce areas defined by the SBTCE. A student who meets the income guidelines for free and reduced priced meals as established by the USDA, must be enrolled in at least six credit hours of instruction each semester for the purpose of meeting the required minimum level of instruction in the student's major courses. To receive the additional SC WINS scholarship, the student must receive the underlying LTAP scholarship for that fiscal year and must be making acceptable progress towards receiving a degree in one of the majors pursuant to this proviso. For purposes of meeting this required minimum level of instruction in the freshman's major courses, dual enrollment courses taken in high school in these critical workforce area programs count toward the fulfillment of the minimum requirement.~~

~~(B) The SBTCE shall adopt rules to define what constitutes a critical workforce program area. Nothing herein prevents a student from changing majors within the acceptable disciplines. Additionally, the SBTCE shall communicate with high school guidance counselors regarding the list of qualifying majors. Critical workforce program additions or deletions must be ratified by the South Carolina Coordinating Council for Workforce Development.~~

~~(C) If the additional SC WINS scholarship is lost, it may be regained in the same manner the underlying LTAP scholarship is regained.~~

~~(D) In order for a student to be eligible after attempting twenty four academic credit hours, the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale.~~

~~(E) A student may not be eligible to receive the SC WINS scholarship for more than one certificate, diploma, or degree unless the additional certificate, diploma, or degree constitutes progress in the same field of study.~~

~~(F) A dual enrollment student in high school who is majoring in one of the critical workforce areas at a technical college qualifies for the SC WINS scholarship. A dual enrollment student in high school who receives a LTAP scholarship at a technical college and qualifies for free and reduced priced meals, also qualifies for the SC WINS scholarship regardless of the student's major.~~

~~(G) Additionally, an up to three hundred dollar book allowance is applied to a SC WINS recipient's account, who is majoring in one of the critical workforce areas, for expenses towards the cost of textbooks.~~

~~(H) If a critical workforce area program is placed on suspension during the SBTCE's program evaluation process, that program no longer qualifies for SC WINS funds at that specific college. Students must be advised on how to complete their program by transferring to another technical college or serving as a transient student at another technical college to complete specified courses.~~

Funds appropriated to the Department of Education for Reading Partners shall be allocated to Reading Partners and must be used to increase the number of reading interventions for students in low performing schools in grades K-5. The Office of Early Learning and Literacy shall specify planning criteria to be submitted by Reading Partners no later than July 15 of the current fiscal year. Planning criteria shall include, but is not limited to, pre and post assessment data, parental and family literacy engagement, summer learning support and building school level capacity for intervention. The department shall report to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee and the Chairman of the House Education Committee by June 15, 2020 on the impact of the program.

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 91 - A990 - LEGISLATIVE DEPARTMENT

91.20 DELETE (Other Funds Oversight Committee) Establishes the Other Funds Oversight Committee to review and make recommendations regarding receipt, appropriation, expenditure and reporting of other funds.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~91.20. (LEG: Other Funds Oversight Committee) There is created a joint committee of the Senate and of the House of Representatives entitled the Other Funds Oversight Committee. The committee shall consist of eight members as follows: the Chairman of the Senate Finance Committee, or his designee; one member of the Senate Finance Committee appointed by the Chairman of the Senate Finance Committee; the Chairman of the House of Representatives Ways and Means Committee, or his designee; one member of the House Ways and Means Committee appointed by the Chairman of the House Ways and Means Committee; the Senate Majority Leader, or his designee; the Senate Minority Leader, or his designee; the House Majority Leader, or his designee; and the House Minority Leader, or his designee.~~

~~The committee shall review and examine the source of other funds in this State and recommend to the General Assembly the appropriate policy for the receipt, appropriation, expenditure, and reporting of other funds. In making its determination, the committee shall solicit and receive testimony from state agencies, departments, boards or commissions regarding the status of the receipt of other funds, the conditions of receipt, the expenditure of other funds, and any relevant statistic or measurement. The committee shall make recommendations to the General Assembly regarding any necessary action.~~

~~The Executive Budget Office must notify the committee of any request for an increase in interim budget authorization resulting from other funds collections that is made by any state agency, department, board, or commission. The committee shall review each request and recommend appropriate action.~~

~~Members of the committee shall serve without compensation, but are allowed the usual per diem and mileage as provided by law for members of boards, commissions, and committees while on official business.~~

~~For purposes of the proviso, ‘other funds’ means any revenues received by an agency which are not federal funds and are not general funds appropriated by the General Assembly in the appropriations act.~~

91.23 AMEND (Technology Panel) Directs the K-12 Technology Initiative partnership to provide a report that describes the state’s efforts to facilitate providing cost effective connectivity and internet bandwidth to schools and libraries statewide and to report on certain technology related activities by June 1, 2020.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update report due date to no later than June 1, “2021.”

91.23. (LEG: Technology Panel) Of the funds appropriated in the Department of Education’s program VIII.D. for Technology the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state’s efforts to facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

utilization of technological and online resources to support student development and achievement, the development and utilization of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational technology related activities engaged in by the partnership. Further, the report must detail information on the expenditure of the K-12 Technology funds by each district as well as a list of the districts requesting flexibility in the use of those funds. The report shall be submitted no later than June 1, ~~2020~~ 2021.

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

93.2 **AMEND** (~~State House Operation & Maintenance Account~~ *Capitol Complex & Mansion*) Directs that funds appropriated for State House maintenance and operations be retained in a separate account and requires DOA to annually report to the State House Committee the amount spent from this fund.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change references to “State House Maintenance & Operations & Renovations” and “State House” to “Capitol Complex & Mansion.”

93.2. (DOA: ~~State House Operation & Maintenance Account~~ *Capitol Complex & Mansion*) Funds appropriated to the Department of Administration - for ~~State House Maintenance & Operations & Renovations~~ *Capitol Complex & Mansion* must be set aside in a separate account for the operation and maintenance of the ~~State House~~ *Capitol Complex & Mansion*. The department shall report annually to the State House Committee on the amount expended from this fund *for the operation and maintenance of the State House*.

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

100.11 **DELETE** (Funeral Caisson) Prohibits Funeral Caisson funds from being reduced if a general fund budget reduction is mandated and also prohibits these funds from being transferred or used for any other purpose.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Requested by Office of Adjutant General.

100.11. (ADJ: Funeral Caisson) ~~In the event of a mandated general fund budget reduction, the Adjutant General’s Office is prohibited from reducing the funds appropriated for the Funeral Caisson. In addition, these funds shall not be transferred to any other program or be used for any other purpose by the Office of Adjutant General.~~

100.13 **AMEND** (National or State Guard State Active Duty) Authorizes and directs the State Treasurer and the Comptroller General to pay from the general fund any funds necessary, not to exceed \$500,000, to cover actual costs incurred if the Governor activates the National Guard or State Guard to State Active Duty in a declared state of emergency, in response to an imminent or anticipated emergency, or for Emergency Management Assistance Compact activities. Direct that funds reimbursed, up to the amount advanced, be deposited into the general fund.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “\$500,000” to “\$1,000,000.”

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

100.13.(ADJ: National or State Guard State Active Duty) In the event of the activation of the South Carolina National Guard or State Guard to State Active Duty in response to a declared emergency or in response to an imminent or anticipated emergency, including support provided under Section 25-9-420 of the 1976 Code, the Emergency Management Assistance Compact, the State Treasurer and the Comptroller General are hereby authorized and directed to pay from the general fund of the State such funds as necessary, not to exceed ~~\$500,000~~ \$1,000,000, to cover the actual costs incurred. Any funds reimbursed to the state shall be deposited in the state general fund, up to the amount of funds advanced to the Office of Adjutant General for these activities.

100.18 AMEND (Natural Disaster FEMA Match) Authorizes EMD to use existing fund balances to provide the non-federal cost share to state and local government entities for work associated with Hurricane Irma and Hurricane Florence that is eligible under FEMA Public Assistance Program; and prohibits these funds from being used to provide the non-federal cost share to private non-profits. Directs EMD to make surplus 2015 Flood disaster non-federal cost share funds available to counties and municipalities with unreimbursed non-federal cost share from 2014 Ice Storm damages and requires counties and municipalities to submit an application for the funds by 7/31/18. Allows the \$500,000 authorized by Proviso 100.21 in Act 264 of 2018 [2017 HURRICANE IRMA AND 2014 ICE STORM FEMA MATCH] for grants to non-profit entities to be carried forward and used for the same purpose. Directs EMD to report grant recipients and amounts to the Chairmen of the Senate Finance and House Ways and Means Committees by 1/15/20.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2020-21” and report due date to January 15, “2021.”

100.18.(ADJ: Natural Disaster FEMA Match) The Office of Adjutant General, Emergency Management Division shall be authorized to utilize existing fund balances to provide the non-federal cost share to state and local government entities for work that is eligible under the Federal Emergency Management Agency Public Assistance Program for Hurricane Irma and Hurricane Florence. Existing fund balances may not be used to provide the non-federal cost share to private non-profit entities.

The Office of Adjutant General, Emergency Management Division is directed to use existing fund balances for the 2015 Flood disaster (Presidential Disaster Declaration DR-4241) to reimburse counties and municipalities with unreimbursed non-federal cost share from the 2014 Ice Storm disaster for storm cleanup expenses incurred during and after states of emergency declared by Executive Orders 2014-06 and 2014-11 and Presidential Disaster Declaration DR-4166. Counties and municipalities must submit an application for such funds by July 31, 2018.

The \$500,000 authorized by Proviso 100.21 in Act 264 of 2018 for grants for non-profit entities may be carried forward and used for the same purpose in Fiscal Year ~~2019-20~~ 2020-21. The Emergency Management Division shall prepare a report listing the name of the grant recipient and the amount received and submit the report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January 15, ~~2020~~ 2021.

SECTION 102 - E280 - ELECTION COMMISSION

102.12 AMEND (Match for Additional HAVA Funds) Authorizes the Election Commission to use primary and general elections funds or voting system refurbishment funds to match any additional federal HAVA funds that become available.

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete authorization to use funds for voting system refurbishment.

102.12.(ELECT: Match for Additional HAVA Funds) In the event that additional Help America Vote Act federal funds become available, the commission shall be authorized to utilize funds appropriated for primary and general elections ~~and for voting system refurbishment~~ to provide a match for the federal funds.

SECTION 103 - E500 - REVENUE AND FISCAL AFFAIRS OFFICE

103.6 DELETE (NG9-1-1 Strategic Plan) Authorizes RFA to use up to \$150,000 of wireless 9-1-1 fund compliance cost monies to further plan, develop and implement the comprehensive statewide NG9-1-1 system as outlined in the strategic plan; and define associated costs.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

103.6. (RFAO: NG9-1-1 Strategic Plan) ~~The Revenue and Fiscal Affairs Office shall be authorized to use up to \$150,000 of the funds from the 58.2 percent compliance cost portion of the wireless 9-1-1 fund for costs associated with the further planning, development, and implementation of the comprehensive statewide NG9-1-1 system as outlined in the South Carolina NG9-1-1 strategic plan. Associated costs include, but are not limited to, the hiring of consultants, technical experts, or other professionals for assistance in defining, developing, or implementing the operating model and standards, system or technical requirements, or other elements of the system as outlined in the strategic plan.~~

SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE TREASURER

113.2 AMEND (Quarterly Distributions) Provides for the quarterly distribution of Aid to Subdivisions Local Government Fund.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references to “2020-21.”

113.2. (AS-TREAS: Quarterly Distributions) For Fiscal Year ~~2019-20~~ 2020-21, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with the four distributions together totaling the Fiscal Year ~~2019-20~~ 2020-21 Part IA appropriation for the Local Government Fund.

113.5 DELETE (LGF) Suspends Sections 6-27-30 [FUNDING OF LOCAL GOVERNMENT FUND FROM GENERAL FUND REVENUES] and 6-27-50 [RESTRICTIONS ON AMENDMENT OR REPEAL OF CHAPTER] for Fiscal Year 2019-20.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Act 84 of 2019 outlined the new funding for the Local Government Fund.*

113.5. (AS-TREAS: LGF) ~~For Fiscal Year 2019-20, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.~~

113.7 DELETE (Political Subdivision Flexibility) Authorizes political subdivisions that receive Local Government Fund monies to reduce the amount of support they provide to any state mandated

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

program or requirement up to the percentage their Local Government Fund appropriation has been reduced compared to the amount required to be funded by law, but excludes the court system and assessment for indigent medical care from the reductions.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Act 84 of 2019 outlined the new funding for the Local Government Fund.*

~~113.7. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year 2019-20, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters in Equity and their offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices, and assessment for indigent medical care pursuant to Section 44-6-146 of the 1976 Code.~~

113.pt **ADD** (Parking Tickets) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that if a municipality issues tickets for metered parking violations outside the hours of 8:30 a.m. to 6:00 p.m., then a portion of the municipality's Aid to Subdivisions, Local Government funds will be withheld in an amount equal to the fines.

113.pt. (AS-TREAS: Parking Tickets) In the current fiscal year, if a municipality issues tickets for metered parking violations outside the hours of 8:30 a.m. to 6:00 p.m., then the municipality shall have its portion of the Aid to Subdivisions, Local Government Fund withheld in an amount equal to the amount of fines levied outside such hours.

SECTION 117 - X900 - GENERAL PROVISIONS

117.2 **AMEND** (Appropriations From Funds) Directs that funds appropriated from the General Fund, EIA Fund, Highways and Public Transportation Fund and other applicable funds are to meet the ordinary expenses of the State for FY 2019-20.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference from "2019-20" to "2020-21."

117.2. (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part, if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways and Public Transportation Fund, and other applicable funds, to meet the ordinary expenses of the state government for Fiscal Year ~~2019-20~~ 2020-21, and for other purposes specifically designated.

117.3 **AMEND** (Fiscal Year Definitions) Defines current and prior fiscal year time frames.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references from "2019" to "2020;" "2020" to "2021;" and "2018" to "2019."

117.3. (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, "current fiscal year" means the fiscal year beginning July 1, ~~2019~~ 2020, and ending June 30, ~~2020~~

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

2021, and “prior fiscal year” means the fiscal year beginning July 1, ~~2018~~ 2019, and ending June 30, ~~2019~~ 2020.

117.53 AMEND (Employee Bonuses) Authorizes state agencies and institutions to provide selected employees lump sum bonuses, not to exceed \$3,000 per year, based on objective guidelines established by the Department of Administration. Directs that these bonuses are not part of the employee’s base salary and are not earnable compensation for retirement system purposes. Directs that employees earning \$100,000 or more are not eligible for this bonus. Requires this information to be reported annually by August 31st.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the directive that employees earning \$100,000 or more are not eligible to receive bonuses under this provision. Requested by Department of Administration.

117.53.(GP: Employee Bonuses) State agencies and institutions are allowed to spend state, federal, and other sources of revenue to provide selected employees lump sum bonuses, not to exceed three thousand dollars per year, based on objective guidelines established by the Department of Administration. Payment of these bonuses is not a part of the employee’s base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems. ~~Employees earning \$100,000 or more shall not be eligible to receive bonuses under this provision.~~ The employing agency must report this information on or before August thirty-first of each year and must include the total amount and source of the bonus received by the employee during the preceding fiscal year (July first through June thirtieth). The Human Resources Division of the Department of Administration shall formulate policies and procedures to ensure compliance with the reporting provisions of this proviso. Copies of the reports shall be made available to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, upon request.

117.124 AMEND (SCRS & PORS Trust Fund) Directs that the funds allocated to PEBA for the SCRS or PORS Trust Funds be credited toward contributions due from participating employers in those systems for FY 2019-20; directs that no credits shall be issued for covered employees of special purpose districts, joint authorities, non-profits, hospitals, participating associations or service organizations as defined in Section 9-1-10(11)(e) [RETIREMENT SYSTEMS DEFINITIONS], and federally funded state employees. Directs that the SC Ports Authority, the SC Public Service Authority, and the Medical University Hospital Authority are excluded from this prohibition. Directs PEBA to collaborate with EBO and RFA to determine the amount of credit exclusion for federally funded state employees.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “2019-20” to “2020-21.”

117.124. (GP: SCRS & PORS Trust Fund) Unless otherwise provided in Paragraphs A through D of this provision, the funds appropriated to the Public Employee Benefit Authority (PEBA) for the South Carolina Retirement System Trust Fund and the Police Officers’ Retirement System Trust Fund in Part IA, Section 108 of this act shall be credited toward the contributions due from participating employers in SCRS and PORS for Fiscal Year ~~2019-20~~ 2020-21. Each employer’s credit shall be determined at the same rate as calculated by PEBA for the pension funding allocation credit for Fiscal Year 2017-18. A participating employer shall not receive a credit that exceeds the employer contributions due from the employer.

(A) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of special purpose districts, joint authorities, or non-profit

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

corporations; however, this provision does not apply to the South Carolina State Ports Authority and the South Carolina Public Service Authority.

(B) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of hospitals; however this provision does not apply to the Medical University Hospital Authority.

(C) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of participating associations or service organizations as defined in Section 9-1-10(11)(e) of the 1976 Code.

(D) From the funds available for allocation pursuant to this provision, no credits shall be issued for state employees who are funded with federal funds. The Public Employee Benefits Authority shall collaborate with the Department of Administration, Executive Budget Office and the Revenue and Fiscal Affairs Office to determine the amount of credit exclusion for federally-funded employees of state agencies.

117.129 AMEND (Statewide Administrative Services) Authorizes the Department of Administration to provide consolidated administrative services to agencies to promote cost savings, process integrity and other efficiencies and to reduce duplication, overlap and redundancies. Requires agencies that receive appropriations of \$20,000,000 or less to consult with DOA to determine whether the use of consolidated administrative services would be beneficial to the agency. Directs DOA to provide a report to the Chairmen of the Senate Finance and House Ways and Means Committees by December 31, 2019 on the usage of the administrative services offered.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update reporting deadline from “2019” to “2020.”

117.129. (GP: Statewide Administrative Services) The Department of Administration may provide consolidated administrative services to all agencies to promote cost savings, process integrity and other efficiencies, and to reduce duplication, overlap and redundancies, or any combination thereof and to provide for consistency in transactions and processes and to advance a statewide approach to agency administration. Consolidated administrative services may include, but are not limited to: 1) financial and accounting support, such as accounts payable and receivable processing, procurement processing, journal entry processing and financial reporting assistance; 2) human resources administrative support, such as transaction processing and reporting, payroll processing, and human resources training; and 3) budget support, such as budget transaction processing and budget reporting assistance.

Agencies that receive twenty million dollars or less in total appropriations in the current fiscal year shall consult with the Department of Administration to determine whether the use of consolidated administrative services offered by the department would be beneficial to the agency. The Legislative Branch, the Judicial Branch, public institutions of higher learning and technical colleges shall be exempt from the requirements of this provision.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency utilization of administrative services offered by the department no later than December 31, ~~2019~~ 2020.

117.138 DELETE (CDBG-DR Flexibility) Directs the Department of Commerce to transfer to DOA any funds that remain from a 2017 appropriation for 2015 - Non-CDBG - Disaster Recovery and directs DOA to use the funds for any disaster recovery program.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

~~117.138. (GP: CDBG-DR Flexibility) The Department of Commerce is directed to transfer any funds remaining from the appropriation it received through Act 97 of 2017 for 2015—Non-CDBG—Disaster Recovery to the Department of Administration which shall utilize these funds for any disaster recovery program.~~

117.142 DELETE (Voting System Funds Transfer) Directs the Election Commission to transfer to DOA any funds, excluding federal funds, appropriated to the commission for the purchase of a new statewide voting system or refurbishment of the current system. Directs DOA to hold these funds as well as funds appropriated to them for this purpose in a separate account. Directs that funds available to the commission or the department shall be used in FY 2019-20 to purchase a new statewide voting system.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~117.142. (GP: Voting System Funds Transfer) The State Election Commission is directed to transfer any funds which have been appropriated to the commission for the purchase of a new statewide voting system or for the refurbishment of the current statewide voting system to the Department of Administration. The Department of Administration shall hold these funds and any other funds appropriated to the department for the same purpose in a separate account. This transfer requirement shall not apply to any federal funds granted to the State Election Commission. Any funds available to the State Election Commission or the Department of Administration shall be used in Fiscal Year 2019-20 to purchase a new statewide voting system.~~

117.spb ADD (Statewide Strategic Personnel Budgeting) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require agencies to submit all human resources and personnel related budget requests to DOA's Executive Budget Office (EBO) and Division of State Human Resources (SHR) by September 1st. Direct EBO and SHR to jointly review the budget requests and submit funding recommendations to the Governor and the Chairmen of the House Ways and Means and Senate Finance Committees. Require agencies to comply with all SHR human resources rules, regulations, standards, plans, policies and directives. Exempt the Judicial and Legislative Departments, political subdivisions and quasi-governmental bodies from these requirements.

117.spb. (GP: Statewide Strategic Personnel Budgeting) (A) To encourage consistency in human resources compensation decisions, support data driven decisions regarding expenditure of funds for personnel in state government, and improve the state's ability to recruit and retain top talent, all state agencies are directed as follows:

With regard to the annual Appropriations Act budget plan submission, agencies shall submit all human resources and personnel related budget requests to the Department of Administration's Executive Budget Office and Division of State Human Resources on or before September 1 of the current fiscal year. The Executive Budget Office and the Division of State Human Resources shall jointly review the budget requests and make recommendations for funding consideration. These funding recommendations shall be submitted to the Governor, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee.

Agencies shall comply with all human resources rules, regulations, standards, plans, policies, and directives of the Division of State Human Resources.

(B) The Judicial Department, Legislative Department, political subdivisions, and quasi-governmental bodies are exempt from the requirements of this provision.

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 118 - X910 - STATEWIDE REVENUE

- 118.1 AMEND** (Year End Cutoff) Directs year-end expenditure deadlines.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year references to “2021.”

118.1. (SR: Year End Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, ~~2020~~ 2021. State agencies are required to submit all current fiscal year input documents and all electronic workflow for accounts payable transactions to the Office of Comptroller General by July 14, ~~2020~~ 2021. Appropriations for Permanent Improvements, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority and Joint Bond Review Committee, toward the accomplishment of the purposes for which the appropriations were provided. Appropriations for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority, toward the accomplishment of the purposes for which the appropriations were provided.

- 118.9 AMEND** (Tax Relief Reserve Fund) Creates the Tax Relief Reserve Fund; directs that accrued interest remain in the fund; and directs the State Treasurer, on December 31, 2018, to transfer from the General Fund any funds identified in this act designated for the Tax Relief Reserve Fund. Directs that the fund may only be used to provide tax relief to businesses and individuals as provided by law and authorizes these funds to be retained, carried forward, and used for the same purpose.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year references to “2020.”

118.9. (SR: Tax Relief Reserve Fund) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December 31, ~~2019~~ 2020, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund. These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief Reserve Fund shall be retained and carried forward to be used for the same purpose.

- 118.14 DELETE** (Taxpayer Rebate) Provides for a one-time taxpayer refund of up to \$50 per taxpayer if excess FY 2018-19 unobligated general revenue as certified by the BEA become available due to increased income tax collections resulting from the October 24, 2018 Mega Millions lottery ticket redemption. Directs that those funds, combined with funds appropriated for a taxpayer rebate, must be used to provide the one-time rebate.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

118.14.(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~~

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

redemption associated with the October 24, 2018 Mega Millions contest, the Comptroller General shall transfer such amounts in excess of the total certified unobligated general fund revenue up to \$61,400,000 to a Taxpayer Rebate Fund after the close of Fiscal Year 2018-19. To the extent sufficient funds are available, the Department of Revenue shall provide a fifty dollar refund to each individual income tax return filed for tax year 2018 that has at least a state individual income tax liability of fifty dollars, after credits, for returns filed on or before October 15, 2019. The Department of Revenue may prorate this amount based upon actual funds and eligible returns and is directed to issue these checks on December 2, 2019.

- 118.15 DELETE** (Nonrecurring Revenue) Appropriates non-recurring revenue to various agencies for Fiscal Year 2019-20, generated from specific sources.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

118.15. (SR: Nonrecurring Revenue) ~~(A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:~~

- ~~(1) \$169,541,926 from Fiscal Year 2017-18 Contingency Reserve Fund;~~
- ~~(2) \$158,650,000 from projected Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors;~~
- ~~(3) \$9,598,318 from the Litigation Recovery Account; and~~
- ~~(4) \$6,442,108 from Fiscal Year 2018-19 Debt Service Lapse.~~

~~Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2018-19 and shall be available for use in Fiscal Year 2019-20.~~

~~This revenue is deemed to have occurred and is available for use in Fiscal Year 2019-20 after September 1, 2019, following the Comptroller General's close of the state's books on Fiscal Year 2018-19.~~

~~(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.~~

~~The State Treasurer shall disburse the following appropriations by September 30, 2019, for the purposes stated:~~

- ~~(1) F310 General Reserve Fund~~
~~General Reserve Fund Contribution \$27,089,778;~~
- ~~(2) Part 1A General Fund \$20,403,313;~~
- ~~(3) E240 Office of Adjutant General~~
~~Emergency Management Division - FEMA State Match~~
~~Hurricane Florence \$22,000,000;~~
- ~~(4) D500 Department of Administration~~
~~(a) New Statewide Voting System \$40,000,000;~~
~~(b) Professional Services \$ 5,000,000;~~

~~(4.1) From the funds appropriated to the Department of Administration in Item(4)(b) for Professional Services, the department is authorized to procure such professional services that are necessary to qualify bids and proposals; receipt and evaluation of bids received for a sale, management proposals, and Santee Cooper's proposal; and, negotiate contracts for the consummation of a sale or a management proposal, and related activities. These professional services shall include, but may not be limited to, financial institutions, investment bankers, legal counsel, industry consultants and utility consultants. In the event these funds are not used for this purpose, the funds shall revert to the General Fund. The provisions of the Consolidated~~

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

Procurement Code in Chapter 35, Title 11 of the 1976 Code and any other provisions of the general law of this State in conflict with the provisions of this proviso are hereby suspended with regard to the activities undertaken pursuant herein.

- ~~(5) E280 Election Commission~~
 - ~~2020 Presidential Primary..... \$ 2,166,500;~~
- ~~(6) N040 Department of Corrections~~
 - ~~Detention Services and Equipment Upgrades..... \$10,000,000;~~
- ~~(7) U120 Department of Transportation~~
 - ~~(a) Rest Areas..... \$ 4,000,000;~~
 - ~~(b) T Bridge Repair and Rehabilitation..... \$ 1;~~
- ~~(8) A010 The Senate~~
 - ~~Operating..... \$ 1,250,000;~~
- ~~(9) R600 Department of Employment and Workforce~~
 - ~~Be Pro Be Proud..... \$ 642,500;~~
- ~~(10) U300 Division of Aeronautics~~
 - ~~State Aviation Fund..... \$ 1,000,000;~~
- ~~(11) P280 Department of Parks, Recreation, and Tourism~~
 - ~~(a) Advertising..... \$ 1,200,000;~~
 - ~~(b) Saluda River Greenway..... \$ 1,500,000;~~
 - ~~(c) Special Olympics..... \$ 250,000;~~
 - ~~(d) SC Aquarium..... \$ 1,500,000;~~
 - ~~(e) SC Association of Tourism Regions..... \$ 550,000;~~
 - ~~(f) Parks Revitalization..... \$ 6,500,000;~~
 - ~~(g) Morris Island Lighthouse..... \$ 175,000;~~
- ~~(12) J020 Department of Health and Human Services~~
 - ~~(a) Medicaid Management Information System..... \$ 7,409,009;~~
 - ~~(b) Medical Contracts..... \$ 3,500,000;~~
 - ~~(c) Cervical Cancer Awareness..... \$ 150,000;~~
- ~~(13) J120 Department of Mental Health~~
 - ~~Certification of State Match VA Nursing Homes..... \$37,065,450;~~
- ~~(13.1) Of the funds appropriated to the Department of Mental Health in Item (13), unexpended funds are to be retained in the department's Deferred Maintenance/Capital Project account and such funds, and the interest earned thereon, may only be expended by the department for additional State Veterans Nursing Home construction projects.~~
- ~~(14) J200 Department of Alcohol and Other Drug Abuse Services~~
 - ~~(a) Infrastructure Improvement/Substance Abuse
 - ~~Provider System..... \$ 3,000,000;~~~~
 - ~~(b) Opioid Response and Addiction Efforts..... \$ 3,000,000;~~
- ~~(15) L040 Department of Social Services~~
 - ~~(a) Child Support Enforcement System..... \$28,600,000;~~
 - ~~(b) Criminal Domestic Violence SCCADVASA..... \$ 800,000;~~
 - ~~(c) Epworth Children's Home..... \$ 350,000;~~
 - ~~(d) Florence Crittenton..... \$ 150,000;~~
- ~~(16) J040 Department of Health and Environmental Control~~
 - ~~(a) Murrells Inlet Channel Clearing..... \$ 2,000,000;~~
 - ~~(b) M.A.D. USA Men Against Domestic Violence..... \$ 250,000;~~
- ~~(17) B040 Judicial Department~~
 - ~~(a) Case Management System Modernization..... \$11,000,000;~~
 - ~~(b) Digital Courtroom Recording..... \$ 1;~~

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

- (18) E240— Office of Adjutant General
 - (a) SCEMD— State Emergency Operations Center
 - Improvements.....\$ 250,000;
 - (b) Armory Construction and Revitalizations\$ 4,000,000;
 - (c) McEntire Joint National Guard Base— Land Management.. \$ 2,200,000;
- (19) J160— Department of Disabilities and Special Needs
 - South Carolina Genomic Medicine Initiative— TGEM..... \$ 2,000,000;
- (20) P160— Department of Agriculture
 - (a) Laboratory/Inspection Equipment\$ 800,000;
 - (b) Regional Farmers Market\$ 1,000,000;
 - (c) Farmers— Flood Relief.....\$ 1;
 - (d) Farm Aid.....\$25,000,000;
- (21) H790— Department of Archives and History
 - (a) Replacement Microfilm Scanner\$ 102,000;
 - (b) African American Heritage Commission—
Greenbook of SC.....\$ 100,000;
 - (c) Historic Preservation\$ 3,400,000;
 - (d) Community Development Grants\$ 2,000,000;
- (22) P120— Forestry Commission
 - Firefighting Equipment.....\$ 1,000,000;
- (23) Y140— State Ports Authority
 - Jasper Ocean Terminal Port Facility Infrastructure Fund.....\$ 8,000,000;
- (24) K050— Department of Public Safety
 - (a) Vehicles\$ 500,000;
 - (b) Local Law Enforcement Grants.....\$ 2,000,000;
- (25) P320— Department of Commerce
 - (a) Closing Fund.....\$ 3,700,000;
 - (b) Military Base Task Force.....\$ 750,000;
 - (c) LocateSC\$ 4,000,000;
- (26) N12— Department of Juvenile Justice
 - (a) Electrical Grid Conversion\$ 1,120,000;
 - (b) Child Advocacy Centers.....\$ 170,000;
 - (c) Payment of Comp Time.....\$ 379,583;
 - (d) Payment of Overtime.....\$ 2,300,000;

(26.1) Of the funds appropriated to the Department of Juvenile Justice in Item (26)(d) for Payment of Overtime, the department is authorized and required to pay current non-exempt correctional officers by October 1st for any overtime earned in the prior fiscal year as represented by any compensatory time reflected in SCEIS on August 1, 2019, that was earned from September 2, 2018 to June 30, 2019. The funds for this compensation must be provided from appropriated overtime funding. If the amount of appropriated funds is not sufficient to pay all the non-exempt correctional officers accrued overtime, the department shall pay the officers on a percentage distribution based on the hours owed per officer up to the total amount that has been appropriated and any remaining hours shall be compensated as compensatory time.

- (27) H630— Department of Education
 - (a) Governor’s School for Arts and Humanities Shingled
Roof Replacement\$ 120,000;
 - (b) Governor’s School for the Arts and Humanities Repave
Parking Lot and Roads\$ 235,000;

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

(e) Governor's School for the Arts and Humanities Safety	
Repair	\$ 155,000;
(d) First Steps Outcome and Accountability System	\$ 1;
(e) Lakes and Bridges Charter School Capital	
Improvements	\$ 200,000;
(28) H950 State Museum Commission	
(a) Exhibit Renovations	\$ 3,000,000;
(b) Point of Sale Upgrade	\$ 71,900;
(c) Bishopville Military Museum	\$ 75,000;
(29) H960 Confederate Relic Room and Military Museum	
Commission	
(a) Uniform Collection	\$ 75,000;
(b) Security Upgrades	\$ 25,000;
(30) L240 Commission for the Blind	
Bathroom Renovations for ADA Compliance	\$ 30,000;
(31) L360 Human Affairs Commission	
SC Pregnancy Accommodations Act Training Act 244	\$ 70,100;
(32) R080 Workers' Compensation	
Commission IT System Legacy Modernization Project	\$ 1,800,000;
(33) R400 Department of Motor Vehicles	
End to End Encryption	\$ 400,000;
(34) E500 Revenue and Fiscal Affairs Office	
Statewide Aerial Imagery Project	\$ 2,000,000;
(35) E210 Prosecution Coordination Commission	
(a) Centers for Fathers and Families	\$ 700,000;
(b) Student Loan Forgiveness	\$ 1;
(36) D100 State Law Enforcement Division SLED	
(a) SC Critical Infrastructure Cybersecurity Program	
Equipment	\$ 126,475;
(b) Vehicle Replacement Plan	\$ 1;
(c) First Responder PTSD Treatment	\$ 500,000;
(36.1) Of the funds appropriated to the State Law Enforcement Division in Item (36)(c) for First Responder PTSD Treatment, the State Law Enforcement Division shall distribute fifty percent to the South Carolina Law Enforcement Assistance Program to reimburse law enforcement officers who incur mental injury as a result of a critical incident during the scope of employment for actual out of pocket expenses not covered through workers' compensation claims and/or other insurance and can also be utilized to provide services through the South Carolina Law Enforcement Assistance Program. The State Law Enforcement Division shall distribute fifty percent to the South Carolina State Firefighters Association for the South Carolina Firefighter Assistance Support Team to reimburse firefighters and emergency medical technicians who incur mental injury as a result of a critical incident during the scope of employment for actual out of pocket expenses not covered through workers' compensation claims and/or other insurance and can also be utilized to provide services through the South Carolina Firefighter Assistance Support Team. The State Law Enforcement Division shall promulgate any administrative regulations necessary to carry out the provisions of this section.	
(37) R440 Department of Revenue	
Taxpayer Rebate	\$ 6,000,000;
(38) P200 Clemson PSA	
Facility Renovation for Water Research	\$ 1;

**PROVISO SUBCOMMITTEE
CONSTITUTIONAL
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

- ~~(39) R360 – Department of Labor, Licensing & Regulation

 - ~~(a) – Urban Search and Rescue – SC Task Force 1 Equipment..... \$ – 150,593;~~
 - ~~(b) – Local Fire Department Grants \$ – 280,000;~~~~
 - ~~(40) D500 – Department of Administration

 - ~~State Owned Building Deferred Maintenance \$ – 800,000;~~~~
 - ~~(41) H910 – Arts Commission

 - ~~(a) – Greenville Cultural and Arts Center \$ – 7,000,000;~~
 - ~~(b) – Cultural Arts & Theater Center Renovation \$ – 450,000;~~~~
 - ~~(42) P240 – Department of Natural Resources

 - ~~(a) – Ft. Johnson Boat Slip Renovations \$ – 2,000,000;~~
 - ~~(b) – Watercraft Registration Conversion – Act 233 \$ – 1,795,680;~~
 - ~~(c) – Hunter Education – Sporting Event Range \$ – 750,000;~~
 - ~~(d) – Law Enforcement Officer Class – Equipment..... \$ – 1;~~
 - ~~(e) – State Water Planning \$ – 1,350,000;~~~~
 - ~~(42.1) – Of the funds appropriated to the Department of Natural Resources in Item (42)(e) for State Water Planning, the department shall designate \$400,000 to complete the Edisto River Basin Study.~~
 - ~~(43) P400 – Conservation Bank

 - ~~Conservation Grants \$ – 3,431,954;~~~~
 - ~~(44) H710 – Wil Lou Gray Opportunity School

 - ~~(a) – Infrastructure Upgrades \$ – 100,000;~~
 - ~~(b) – HVAC Upgrade \$ – 100,000;~~~~
 - ~~(45) P360 – Patriots Point Development Authority

 - ~~USS Clamagore Veteran Memorial Reef..... \$ – 1,700,000;~~~~
 - ~~(46) H730 – Vocational Rehabilitation

 - ~~(a) – Information Technology/Security – Computer Purchases ... \$ – 659,000; and~~
 - ~~(b) – VR Center Capital Improvements – State Match..... \$ – 808,509.~~~~
- ~~(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.~~