

LEGISLATIVE OVERSIGHT COMMITTEE MEETING

Tuesday, June 26, 2018

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AGENDA

South Carolina House of Representatives



Legislative Oversight Committee

*Tuesday, June 26, 2018
10:30 a.m.
Blatt Building - Room 110*

Pursuant to Committee Rule 4.9, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.

AGENDA

I. Approval of minutes

II. Discussion of the following:

- Law Enforcement and Criminal Justice Subcommittee's Study of the Department of Natural Resources;
- Executive Subcommittee's Study of the Adjutant General's Office;
- Education and Cultural Affairs Subcommittee's Study of Patriots Point Development Authority;
- Education and Cultural Affairs Subcommittee's Study of the John de la Howe School; and
- Economic Development, Transportation, and Natural Resources Subcommittee's Study of the Commission for Minority Affairs.

III. Discussion of administrative matters

IV. Adjournment

MINUTES FROM PREVIOUS MEETING

First Vice-Chair:
Laurie Slade Funderburk

Chair Wm. Weston J. Newton

Legislative Oversight Committee

Katherine E. "Katie" Arrington
Gary E. Clary
Chandra E. Dillard
MaryGail K. Douglas
Phyllis J. Henderson
Joseph H. Jefferson Jr.
Robert L. Ridgeway, III
Tommy M. Stringer
Bill Taylor

Jennifer L. Dobson
Research Director

Cathy A. Greer
Administration Coordinator



Bruce W. Bannister
William K. "Bill" Bowers
Neal Collins
Raye Felder
William M. "Bill" Hixon
Jeffrey E. "Jeff" Johnson
Mandy Powers Norrell
Edward R. Tallon Sr.
Robert Q. Williams

South Carolina House of Representatives

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Research Analyst/Auditor

Kendra H. Wilkerson
Fiscal/Research Analyst

Legislative Oversight Committee Meeting

Thursday, May 3, 2018
Blatt Building Room 110
1:00 p.m.

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. The House Legislative Oversight Committee is called to order by Chair Wm. Weston J. Newton on Thursday, May 3, 2018, in Room 110 of the Blatt Building. All members of the Committee are present for all or a portion of the meeting, except: Representative Douglas, Representative Henderson, Representative Norrell, Representative Stringer, and Representative West.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings.

II. Chairman Weston Newton calls the meeting to order.

III. Representative Johnson moves to approve the minutes from the Committee's meeting on March 1, 2018. A roll call vote is held, and the motion passes.

Representative Clary's motion to approve the minutes from the March 1, 2018 meeting:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson	✓			
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor	✓			
John T. West				✓
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

IV. Representative Arrington moves to approve the minutes from the Committee's meeting on April 26, 2018. A roll call vote is held, and the motion passes.

Representative Arrington's motion to approve the minutes from the April 26, 2018 meeting:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			

William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson	✓			
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor	✓			
John T. West				✓
Robert Q. Williams	✓			
Wm. Weston J. Newton			✓	

Discussion of Recommendations to the Speaker for Agencies to Schedule for Study in 2018

- I. The Chairman explains that the Committee is considering additional agencies to schedule for study in 2018. Selection of these agencies now and the gathering of initial information from them, and the public, during the summer and fall allows the Committee to remain on pace to complete the seven-year review schedule established in statute. He expresses appreciation for Committee members' dedication to the year-round work of this Committee.

- II. Chairman Newton announces that Committee staff have made recommendations for agencies to study, taking into consideration input from Committee members and other House members as well as Committee resources. He states that he and all Subcommittee chairs concur with the recommendations, which are:
 - a. For the Education and Cultural Subcommittee: Will Lou Gray Opportunity School
 - b. For the Executive Subcommittee: Aeronautics Commission
 - c. For the Health Care and Regulatory Subcommittee: Department of Mental Health

- d. For the Law Enforcement and Criminal Justice Subcommittee: Department of Corrections
- e. For the Economic Development, Transportation, and Natural Resources Subcommittee: Department of Motor Vehicles.

Motions

- I. Representative Clary moves that the various Subcommittees study the following agencies: Wil Lou Gray Opportunity School; Aeronautics Commission; Department of Mental Health; Department of Corrections; and Department of Motor Vehicles. A roll call vote is held, and the motion passes.

Representative Clary's motion that the various Subcommittees study the following agencies: Wil Lou Gray Opportunity School; Aeronautics Commission; Department of Mental Health; Department of Corrections; and Department of Motor Vehicles	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins	✓			
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson	✓			
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor	✓			
John T. West				✓
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

II. Representative Williams moves to request the Legislative Audit Council conduct an audit of the Department of Corrections, specifically regarding internal controls.

Representative Williams' motion to request the Legislative Audit Council conduct an audit of the Department of Corrections, specifically regarding internal controls:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington	✓			
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary				✓
Neal Collins	✓			
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson	✓			
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor	✓			
John T. West				✓
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Administrative Matters

I. Chairman Newton thanks the members for their time and contributions to this Committee. He announces that examples of outcomes for constituents can be found in input received from agencies about internal changes made during 2017. Also, forty bills implementing recommendations from House Legislative Oversight Studies have been introduced in the 122nd General Assembly, of which three have been enacted into law this session and two have been ratified.

II. There being no further business, the meeting is adjourned.

COMMITTEE ADMINISTRATIVE MATTERS

10. INITIAL COLLECTION AND REVIEW OF INFORMATION

In recognizing the importance of fairness in the legislative oversight process, every legislative oversight study and investigation shall begin the same way. The initial step involves Committee staff obtaining and reviewing information.

Information from Agencies - Program Evaluation Report

10.1 Committee staff may request the agency complete a Program Evaluation Report (“PER”) pursuant to Sections 2-2-50(D) and 2-2-60, within forty five days of receiving the guidelines for the PER; and

10.1.1 A state agency that is vested with revenue bonding authority may submit annual reports and annual external audit reports conducted by a third party in lieu of a program evaluation report pursuant to Section 2-2-60(E).

Failure to Provide Responses to All Questions in PER

10.1.2 The Chairman may require any agency that has submitted a Program Evaluation Report which does not include responses to all questions to amend its submission so as to provide responses to all questions. The Chairman may provide the agency with a list of questions that do not have responses. The agency will determine the response it would like to make, but the agency will need to provide some type of response to all questions.

Extensions for PER

10.1.3 The Chairman may, for reasons he determines as good cause, provide an agency an extension and new deadline to submit its Program Evaluation Report (“New Deadline”). ~~The Chairman will not provide more than one, thirty day extension without unanimous consent from the full committee.~~

10.1.4. Before the Chairman will consider granting an extension, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency is requesting the extension and the number of days it is requesting, not to exceed thirty.

10.1.5 Until the agency receives a response, it should continue to complete the report to the best of its ability as if it is due on the original deadline.

Amended PER Submitted Prior to Online Publication

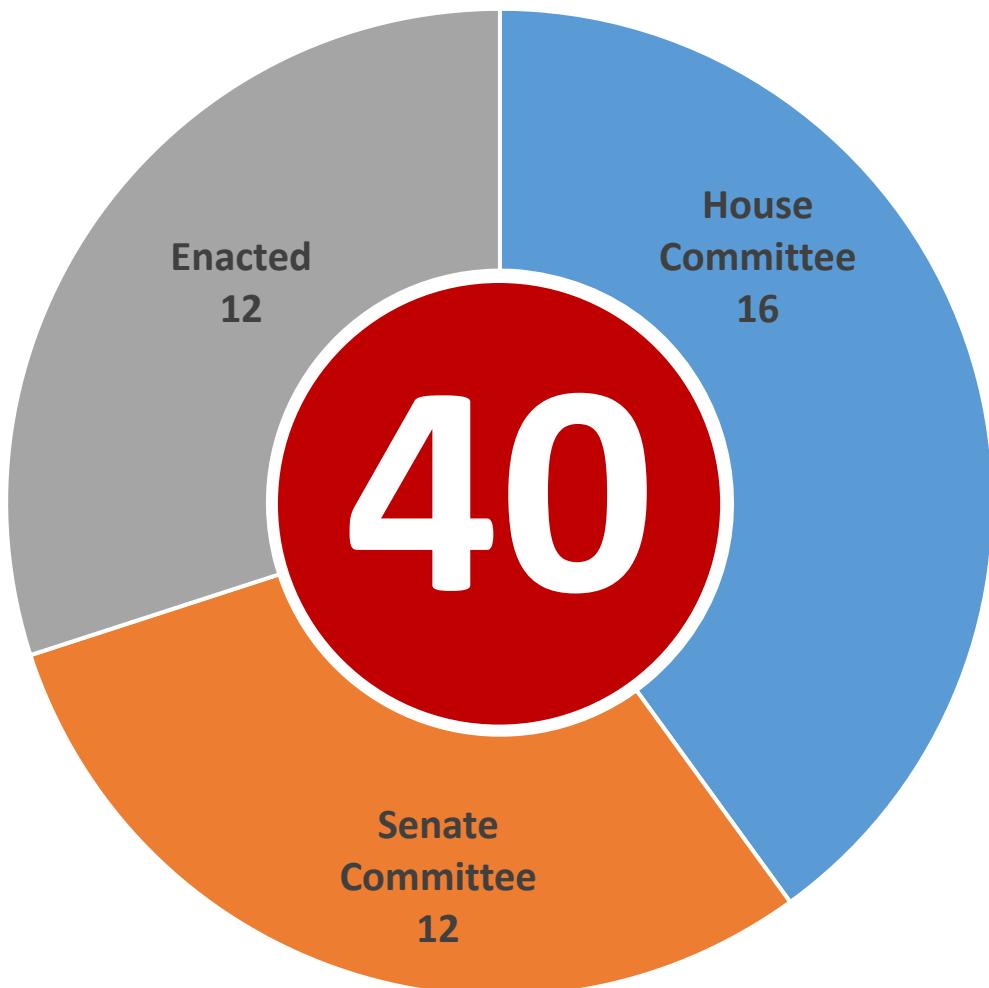
10.1.6 The Chairman may, for reasons he determines as good cause, allow an agency to provide an amended version of its Performance Evaluation Report (“Amended Report”) prior to online publication.

10.1.7 If an agency makes a request to submit an Amended Report, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency wishes to submit the Amended Report, and a bullet point list of the sections revised in the Amended Report.

Proposed
change to allow
for extensions
when General
Assembly is not
in session and
full Committee
meets less
often.



Bills Implementing House Legislative Oversight Committee's Recommendations



Legislation Enacting LOC Recommendations

STUDY	RECOMMENDATION	ENACTED
Commission for the Blind	Change the visual acuity requirements for three Commission for the Blind Members from 20/200 to the legal definition of blindness as stated in Section 43-25-10. <i>Recommendation 3</i>	Act 239 of 2018 (H.3440)
	Remove the requirement that the Commission for the Blind assist in furtherance of now deleted statutory provisions. <i>Recommendation 4</i>	Act 239 of 2018 (H.3440)
	Change the term "itinerant teacher" to "itinerant counselor." <i>Recommendation 5</i>	Act 239 of 2018 (H.3440)
Department of Agriculture	Remove statutory reference to the Department of Agriculture's involvement with the "cottage law," which is regulated by the Department of Health and Environmental Control (i.e., remove an exemption registration burden from small home-based food producers that distribute non-potentially hazardous baked-goods and candy to the end consumer.) <i>Recommendation 7</i>	Act 231 of 2018 (H.5063)
Department of Health and Environmental Control	Modernize the cotton warehouse receipt law (i.e., accept permanent bale identification from a cotton gin as a universal warehouse receipt number.) <i>Recommendation 8</i>	Act 232 of 2018 (H.5152)
Department of Health and Environmental Control	Eliminate reference to Coastal Zone Appellate Panel, which codifies a budget proviso. <i>Recommendation 49</i>	Act 167 of 2018 (H.4411)
	Revise Solid Waste Policy Management Act with regards to construction and demolition debris, zoning, and permittee demonstration of need. <i>Recommendation 2</i>	Act 170 of 2018 (H.4644)
	Modify the definition of "Investigative Review Committee," with regards to the Emergency Medical Services Act, to indicate that the agency may convene the committee regarding an official investigation that may warrant suspension or revocation of a license or certification. <i>Recommendation 19</i>	Act 248 of 2018 (H.4486)
Department of Natural Resources*	Authorize agency to become a member of the Recognition of Emergency Management Services Personnel Licensure Interstate Compact with other states. <i>Recommendation 20</i>	Act 248 of 2018 (H.4486)
	Improve drug inspections and create efficiencies in the scheduling of controlled substance, including allowing for the emergency scheduling of a substance, after consultation with the State Law Enforcement Division. <i>Recommendation 22</i>	Act 216 of 2018 (H.4487)
	Revise procedures relating to assessments and payments of property taxes/certification for watercrafts. Process for watercrafts is now the same as it is for automobiles (i.e. annual renewal, etc.) <i>Recommendation 16</i>	Act 223 of 2018 (H.4715)
Department of Public Safety	Transfer grant programs unrelated to highway safety from the Department of Public Safety to another agency. This legislation transfers administration of Victims of Crime Act grants, the Violence Against Women Act grants, and the State Victim Assistant Program grants to the Attorney General's Office from the Department of Public Safety. <i>Recommendation 19</i>	Act 96 of 2017 (S.289)
Election Commission	Hold nonpartisan primaries on a different day than partisan primaries. During the study, it was noted that Kershaw County School District held a non-partisan primary on the same day as the statewide primaries (i.e., the second Tuesday in June of even numbered years.) Among other things, this legislation removes language about non-partisan primaries for the Kershaw County School District. <i>Recommendation 7</i>	S.1126
Law Enforcement Training Council and Criminal Justice Academy	Update laws relating to the officer misconduct hearing process. <i>Recommendation 14</i>	Act 215 of 2018 (H.4479)
Treasurer's Office	Clarify the multiple roles of the Treasurer's Office. As a concept recommendation, the Committee did not take a position on the specific roles and duties of the entity, only that the duties and authority should be clearly defined for the public, agencies, and all entities with whom the agency interacts. Among other things, this legislation provides that the Treasurer makes an appointment to the Retirement System Investment Commission and provides that the Public Employee Benefit Authority is the custodian of retirement system assets. <i>Recommendation 2</i>	Act 13 of 2017 (H.3726)

Table Note: An asterisk () denotes the subcommittee's study has not been presented to the full committee yet.*

DEPARTMENT OF NATURAL RESOURCES

Legislative Oversight Committee
South Carolina House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811



Notification of the Law Enforcement and Criminal Justice Subcommittee's Study of the Department of Natural Resources

March 2, 2018

In accordance with Standard Practice 12.5, notice is hereby provided that the Law Enforcement and Criminal Justice Subcommittee's oversight study of the Department of Natural Resources is available for consideration by the full committee.

The Honorable Edward R. Tallon Sr.
Law Enforcement and Criminal Justice Subcommittee Chair

cc: The Honorable Katherine E. Arrington
The Honorable William M. Hixon
The Honorable Jeffrey E. Johnson

Please note: this report's appendices are not included in the meeting packet.

You may view the full report, including appendices, at

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Subcommittee%20Study%20of%20DNR.pdf>

Legislative Oversight Committee

Subcommittee Study of the Department of Natural Resources

March 2, 2018



FULL COMMITTEE OPTIONS STANDARD PRACTICE 13	FULL COMMITTEE ACTION(S)		DATE(S) OF FULL COMMITTEE ACTION(S)
(1) Refer the study and investigation back to the subcommittee or an ad hoc committee for further evaluation; (2) Approve the subcommittee's study; or (3) further evaluate the agency as a full committee, utilizing any of the available tools of legislative oversight available			

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AGENCY SNAPSHOT

Department of Natural Resources

State Constitution

Declares conservation of the state's natural resources is a matter of public concern
Declares citizens of this state have the right to hunt, fish, and harvest wildlife

Executive

Provides support and programs, including legal services, human resources, audit management, legislative support, environmental review for impact, engineering, and media and outreach

Land, Water, and Conservation

Develops and implements programs to study, manage, and conserve the state's land and water resources through planning, research, technical assistance, public education, and the development of a comprehensive natural resources database

Wildlife and Freshwater Fisheries

Monitors and protects wildlife and inland aquatic species and their habitats, and provides recreational hunting and fishing opportunities to the public

FY 17-18 Resources

675 FTEs
101 Temp/Grant Employees
\$123.8M Appropriated and Authorized

Marine Resources

Works to sustain the state's living marine resources for the cultural, recreational, commercial and economic benefit of the state's citizens and visitors

Law Enforcement

Develops public support through outreach, education and safety programs; preserves the peace and protects human lives and property; and enforces the state's criminal laws

Office of Support Services

Supports administrative and business processes including boat titling and licenses

SUCCESES

- Focus on the public (e.g., maintaining over one million acres accessible to the public for hunting and fishing)

- Focus on the economy (e.g., return on investment based solely on striped bass and cold water trout fisheries is \$111 for each \$1 spent operating the hatchery system)

- Focus on the staff (e.g., career path for Law Enforcement Division; pay plan for Wildlife and Freshwater Fisheries Division and Marine Resources Division)

CHALLENGES

- Accessing stable, recurring state funding to match federal grants
- Increasing accessibility to the entire department for the public (e.g., boating customer service area fronting a busy street with very limited parking in downtown Columbia, SC)
- Implementing succession planning and competitive salaries

Figure 1. Snapshot of state constitution natural resource provisions, agency functional organizational units, fiscal year 2017-18 resources, successes, and issues.¹

EXECUTIVE SUMMARY

Purpose of Oversight Study

As stated in S.C. Code Ann. § 2-2-20(B), “[t]he **purpose of these oversight studies** and investigations is to **determine if agency laws and programs** within the subject matter jurisdiction of a standing committee: (1) are being implemented and carried out in accordance with the intent of the General Assembly; and (2) **should be continued, curtailed, or eliminated.**” In making these determinations, the Subcommittee evaluates (1) the application, administration, execution, and effectiveness of the agency’s laws and programs, (2) the organization and operation of the agency, and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.²

Study Process

The House Legislative Oversight Committee’s (Committee) process for studying the Department of Natural Resources (DNR, SCDNR, agency, or department) includes actions by the full Committee; the Law Enforcement and Criminal Justice Subcommittee (Subcommittee); the agency; and the public. A summary of the key dates and actions are listed below in Figure 2.

Legislative Oversight Committee Actions

- May 10, 2017 - Prioritizes the agency for study
- May 19, 2017 - Provides agency with notice about the oversight process
- June 27 - July 28, 2017 - Solicits input about the agency in the form of an online public survey
- October 16, 2017 - Holds **Meeting #4** to obtain public input about the agency
- November 13, 2017 - Holds **Meeting #8** to allow the agency director to respond to public input received during the October 16, 2017 meeting

Law Enforcement and Criminal Justice Subcommittee Actions

- September 25, 2017 - Holds **entry meeting** with agency to discuss the agency's history; legal directives; mission and vision; general information about employees; and agency organization
- October 4, 2017 - Holds **Meeting #2** with agency to discuss its Office of Media and Outreach; Office of Support Services; and recommendations relating to the agency
- October 9, 2017 - Holds **Meeting #3** with agency to discuss and tour its Marine Resource Division in Fort Johnson, Charleston
- October 17, 2017 - Holds **Meeting #5** with agency to discuss its Land, Water, and Conservation Division
- October 23, 2017 - Holds **Meeting #6** with agency to discuss its Wildlife and Freshwater Fisheries Division
- November 6, 2017 - Holds **Meeting #7** with agency to further discuss its Office of Environmental Programs/Boating Access and Engineering Section and its Law Enforcement Division

- November 30, 2017 - Holds **Meeting #9** with agency to discuss materials received from the agency in response to Subcommittee inquiry and to provide entities potentially impacted by the agency's recommendations for revisions to laws an opportunity to testify
- February 12, 2018 - Holds **Meeting #10** with agency to discuss public input and agency information received after the Subcommittee's November 30, 2017 meeting

Department of Natural Resources Actions

- March 11, 2015 - Submits its Annual Restructuring and Seven-Year Plan Report
- January 8, 2016 - Submits its 2016 Annual Restructuring Report
- September 2016 - Submits its 2015-16 Accountability Report
- August 30, 2017 - Submits its Program Evaluation Report
- May, 2017 - February, 2018 - Responds to Committee's inquiries

Public's Actions

- June 27 - July 28, 2017 - Provides input about agency via online public survey
- October 16, 2017 - Provides testimony to the full Committee
- November 30, 2017 - Provides testimony to the Subcommittee
- Ongoing - Submits written comments on the Oversight Committee's webpage on the General Assembly's website (www.scstatehouse.gov)

Figure 2. Summary of key dates and actions of the study process.

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Finding

The Subcommittee finds **South Carolina's current migratory bird permitting practices may detrimentally impact the federal harvest information program for migratory birds**, which utilizes the number of permits issued across states as part of the information it collects for scientific purposes. Utilization of the number of permits may not be an accurate indicator for South Carolina as many obtain a free permit and do not use it. Some other states are addressing this issue by charging a nominal fee to encourage requests for permits from only those individuals who intend to use the permit.

Recommendations

The **Subcommittee has 114 recommendations for revisions.**³ The Subcommittee's recommendations for the agency relate to four categories: (1) agency strategic planning and performance; (2) agency policies; (3) state resources; and (4) consumer services. The Subcommittee recommendations for modernization of laws relate to six categories: (1) expired directives; (2) inactive entities; (3) agency terminology; (4) agency practices; (5) additional information obtained by the agency since initial passage of the law; and (6) agency efficiency. The Subcommittee's recommendations for all state agencies pertain to agency policies, and state and consumer resources.

Table 1. Summary of recommendations arising from the study process for the agency as well as all state agencies.

RECOMMENDATIONS FOR DEPARTMENT OF NATURAL RESOURCES	
Topic	Agency Strategic Planning and Performance
Outcomes	<ol style="list-style-type: none">1. Track at least two outcome performance measures for each agency division.2. Adjust performance measure target values annually.
Internal audit	<ol style="list-style-type: none">3. Create an auditor manual.4. Hire an internal auditor.5. Open a direct communication line between audit manager and agency board.
Employee climate survey	<ol style="list-style-type: none">6. Contract for an employee morale/leadership survey every three years.7. Provide the results of the recent employee climate survey to the Committee when the results are available.
Topic	Agency Policies
Internal affairs	<ol style="list-style-type: none">8. Create a written policy explaining how complaints against agency deputy directors and the agency director are handled. (The agency implemented this recommendation during the study via internal changes.⁴)9. Update accident review panel policy and provide a copy of it to the Committee.

Hires and promotions	10. Update the hiring and promotion policies to allow a measure of anonymity in reporting the scoring of candidates by individual interview panel members.
Topic	State Resources
Financial savings and other efficiencies	<p>11. Review turkey tags processes with an eye toward avoiding any unnecessary costs (e.g., printing and mailing).</p> <p>12. Research cost savings, if any, of purchasing boats written off by insurance companies.</p> <p>13. Exempt agency repairs of dikes from capital project requirements to avoid increased damages and costs from delays.*, \$a</p> <p>14. Add a fee for horseshoe crab harvest permits.*</p> <p>15. Research costs and potential benefits of utilizing global positioning system (GPS) devices on agency vehicles.</p> <p>16. Review taxation of boats to determine if efficiency may be gained by using the same process to tax boats that is utilized to tax automobiles.</p>
Public involvement	<p>17. Continue expansion of agency's technical advisory committee for the state water plan.</p> <p>18. Increase opportunities for involvement on Drought Response Committee, which currently has half of its positions vacant.*</p>
Topic	Consumer Services
Additional information to, and safety of, consumers	<p>19. Email municipalities geographic information system data whenever updated.</p> <p>20. Notify tax assessors and applicable property owners when there are changes to flood plain designations.*</p> <p>21. Research ways to make license renewal easier for consumers.</p> <p>22. Disclose online information related to an individual's chance of selection in a public lottery hunt.</p> <p>23. Disclose online how the agency utilizes funds collected from consumers (e.g., fees and licenses).</p> <p>24. Publish training statistics on law enforcement agencies across the state annually.</p> <p>25. Analyze boater safety education requirements.</p>
RECOMMENDATIONS FOR ALL STATE AGENCIES	
Topic	Agency Policies
Regular Review	26. Review and update agency policies on a regular basis (e.g., every three years).
Topic	State Resources and Consumer Services
Funds to agency mission	27. Authorize state agencies to recoup credit card fees to utilize toward agency mission.*, \$b

Training before purchases	28. Require annual procurement training.*
Employee climate surveys	29. Conduct employee climate survey every two years as part of the performance evaluation of agency division heads.

Table Note:

* Denotes the recommendation requires revision(s) to existing law.

§ Denotes the recommendation includes potential cost savings:

§^a Avoidance of increased damages (e.g., damages related to one past situation, Springfield Cut at Bear Island Wildlife

Management Area, increased by more than \$50,000 during the capital project process.)

§^b Over \$100,000 in merchant fee expenditures for DNR from fiscal year 2015 - fiscal year 2017.

Table 2. Summary of recommendations arising from the study process for modernization of laws.

RECOMMENDATIONS FOR MODERNIZATION OF LAWS	
Topic	Expired Directives
Transition occurred	<p>30. S.C. Code Ann. 48-22-20. Powers, duties, property, devolved upon Department of Natural Resources.</p> <p>31. S.C. Code Ann. 50-3-10. Former Wildlife and Marine Resources Department transferred to Department of Natural Resources.</p> <p>32. S.C. Code Ann. 48-9-40. Department of Natural Resources; change of name.</p> <p>33. S.C. Code Ann. 49-3-30. Transfer of former Water Resources Commission to Water Resources Division of Department of Natural Resources; transfer of regulatory powers to Department of Health and Environmental Control.</p> <p>34. S.C. Code Ann. 50-3-150. Use of present uniforms and motor vehicles.</p>
Study ended	<p>35. S.C. Code Ann. 50-19-1935. Department of Health and Environmental Control and Department of Natural Resources to monitor bass fishery in Wateree-Santee riverine system.</p> <p>36. S.C. Code Ann. 50-5-17. Flounder Population Study Program.</p>
Bond retired	<p>37. S.C. Code Ann. 51-17-310 through 51-17-360</p> <ul style="list-style-type: none"> a. Section 51-17-310. Definitions b. Section 51-17-320. Power to issue bonds; purpose. c. Section 51-17-330. Income from bonds exempt from state taxes; investment by fiduciaries. d. Section 51-17-340. State pledge relating to alteration of rights of trustees and holders of bonds. e. Section 51-17-350. Annual reports. f. Section 51-17-360. Expiration of authority to issue Heritage Trust Revenue Bonds.
Expired	<p>38. S.C. Code Ann. 50-5-2545. Prior points and suspensions.</p> <p>39. S.C. Code Ann. 50-19-710. Temporary use of nongame fishing devices on the Little Pee Dee River.</p> <p>40. S.C. Code Ann. 48-4-30. Governing board; composition; removal; terms; filling vacancies; oath.</p>
Topic	Inactive Entities
Statute referenced does not exist	41. S.C. Code Ann. 50-1-220. Application of Sections 50-1-180 to 50-1-220 to other federal or state lands.

	<p>42. S.C. Code Ann. 50-21-860. Restrictions on use of airboats.</p>
Board, commission, authority does not exist	<p>43. S.C. Code Ann. 11-37-200. Water Resources Coordinating Council established.</p> <p>44. S.C. Code Ann. 13-11-20. Members of board; terms; vacancies.</p> <p>45. S.C. Code Ann. 50-19-10. Creation of Cherokee Fish and Game Club; purpose; duties of officers.</p> <p>46. S.C. Code Ann. 50-19-110 through 50-19-130.</p> <ol style="list-style-type: none"> Section 50-19-110. Creation of Darlington County Advisory Fish and Game Commission; membership; terms of office; vacancies. Section 50-19-120. Officers of Commission; meetings. Section 50-19-130. Powers and duties of Commission. <p>47. S.C. Code Ann. 50-19-210 through 50-19-240</p> <ol style="list-style-type: none"> Section 50-19-210. Creation of Prestwood Lake Wildlife Refuge Board; membership; terms of office. Section 50-19-220. Organization and meetings of Board; compensation of members. Section 50-19-230. Powers and duties of Board. Section 50-19-240. Rules and regulations of Board as to means of taking nongame fish. <p>48. S.C. Code Ann. 50-19-1110 to 50-19-1180</p> <ol style="list-style-type: none"> Section 50-19-1110. Creation of Marion County Fish and Game Commission; appointment and qualifications of members. Section 50-19-1120. Terms of commissioners; vacancies. Section 50-19-1130. Organization of Commission; meetings. Section 50-19-1140. General powers and duties of Commission. Section 50-19-1150. Commission to recommend changes in laws. Section 50-19-1160. Nomination of enforcement officers. Section 50-19-1170. Determination of enforcement officers' salaries. Section 50-19-1180. Report on enforcement officers; recommendation of suspension or discharge. <p>49. S.C. Code Ann. 50-19-1190. Shelly Lake fish sanctuary.</p> <p>50. S.C. Code Ann. 50-19-1710 to 50-19-1730</p> <ol style="list-style-type: none"> Section 50-19-1710. Creation of Catawba-Wateree Fish and Game Commission; membership. Section 50-19-1720. Meetings of Commission; compensation of members; records. Section 50-19-1730. Powers and duties of Commission. <p>51. S.C. Code Ann. 51-13-2010. Board of directors; indemnification; appointments; compensation.</p>
Never functioned or funded	<p>52. S.C. Code Ann. 48-9-230. Advisors to the division.</p> <p>53. S.C. Code Ann. 50-3-1110 through 50-3-1160</p> <ol style="list-style-type: none"> Section 50-3-1110. Conservation Grant Fund established. Section 50-3-1120. Board; administration of fund. Section 50-3-1130. Funding. Section 50-3-1140. Qualification for tax credit as requirement for real property to be subject of grant. Section 50-3-1150. Uses of Fund revenues and grants; restrictions.

	<p>f. Section 50-3-1160. Grants; establishment of criteria for awarding; procedures.</p>
Topic	Agency Terminology
Division name updated	<p>54. S.C. Code Ann. 48-11-10 through 48-11-15</p> <p>a. Section 48-11-10. Definitions.</p> <p>b. Section 48-9-15. Definitions.</p> <p>55. S.C. Code Ann. 48-9-220. Geographic areas for selection of members of Commission.</p> <p>56. S.C. Code Ann. 48-9-45. Land, Resources and Conservation Districts Division.</p>
Agency name updated	<p>57. S.C. Code Ann. 48-9-1320. Information to be furnished to State Land Resources Conservation Commission.</p> <p>58. S.C. Code Ann. 51-17-40 and 70</p> <p>a. Section 51-17-40. Powers and duties of Wildlife and Marine Resources Commission.</p> <p>b. Section 51-17-70. Powers and duties of Wildlife and Marine Resources Department.</p>
Conservation name updated and DNR Board responsibility clarified	59. S.C. Code Ann. 48-9-30. Definitions.
Topic	Agency Practices
Codified in statute or ability exists elsewhere in statute	<p>60. S.C. Code of Regulations 123-2 through 123-9</p> <p>a. 123-2 Accident Reports.</p> <p>b. 123-3 Lights.</p> <p>c. 123-4 Rule and Regulation Adopting Certain Federal Rules and Regulations.</p> <p>d. 123-5 Renewal of Certificates of Numbers.</p> <p>e. 123-6 How Vessel to be Numbered.</p> <p>f. 123-7 Vessel Registration.</p> <p>g. 123-9 Display of Decals Bearing Title Number.</p> <p>61. S.C. Code of Regulations 123-20 through 123-34 and 123-35</p> <p>a. 123-20 Fishing With a Channel Net.</p> <p>b. 123-21 Operation of Crab Pots.</p> <p>c. 123-23 Tags on Submerged Traps.</p> <p>d. 123-24 Master of a Vessel Licensed by the Division of Commercial Fisheries.</p> <p>e. 123-25 Numbering of All Vessels Used for Harvesting Shellfish Commercially in South Carolina.</p> <p>f. 123-26 Point of Juncture of Bull Creek and Waccamaw River Established.</p> <p>g. 123-28 License for Selling Shad.</p> <p>h. 123-29 One Quarter Mile Off Shore Line.</p> <p>i. 123-30 Penalties.</p> <p>j. 123-31 Dumping of Trash Fish.</p> <p>k. 123-32 Affixing Tax Tags to Shad.</p> <p>l. 123-33 Taking American Eels and Catfish in Certain Waters.</p> <p>m. 123-35 Turtle Excluder Devices Required in Channel Nets.</p>

	<p>62. S.C. Code Ann. 50-11-851. Shooting, killing, or maiming of "carrier pigeon" prohibited; penalties.</p> <p>63. S.C. Code Ann. 50-19-1310 through 1330</p> <ol style="list-style-type: none"> Section 50-19-1310. Department may acquire land in Marlboro County for fish and wildlife projects. Section 50-19-1320. Power of condemnation; procedure. Section 50-19-1330. Expenditure of funds. <p>64. S.C. Code Ann. 50-19-2330. Removal and control of nongame fish.</p> <p>65. S.C. Code Ann. 50-11-1110 through 50-11-1120</p> <ol style="list-style-type: none"> Section 50-11-1110. Authority of department to close or shorten open season upon request of county legislative delegation; procedures; penalties. Section 50-11-1120. Authority of department to declare open season on foxes upon request of county legislative delegation. <p>66. S.C. Code Ann. 50-19-1010 through 50-19-1020</p> <ol style="list-style-type: none"> Section 50-19-1010. Recommendations as to laws and closed seasons. Section 50-19-1020. Cooperation with and reports to Division of Game. <p>67. S.C. Code of Regulations 123-10 through 123-19.31</p> <ol style="list-style-type: none"> 123-10 Restriction of Watercraft in Certain Areas. 123-11 Garden City Canal (Murrell's Inlet Area) Restriction of Watercraft. 123-12 Orange Canal, French Quarter Creek Restriction of Watercraft. 123-13 Saluda Lake (Jerry's Cove) Restriction of Watercraft. 123-14 Lake Marion (Cantey Bay) Restriction of Watercraft. 123-15 Ashepoo River. 123-16 Lake Hartwell or or Lake Thurmond. 123-18 Lake Marion (Pine Island Unit) (Cantey Bay). 123-19 No Wake Zones. 123-19.1 Lake Moultrie (Lions Beach) Restriction of Watercraft. 123-19.2 Restrictions on Use of Watercraft in Certain Portions of Waters of Lake Murray, Lexington County, South Carolina. 123-19.3 Restrictions on Use of Watercraft in Certain Portions of Waters of Shem Creek, Charleston County, South Carolina. 123-19.4 Restrictions on Use of Watercraft in Certain Portions of Waters of Lake Murray, Lexington County, South Carolina. 123-19.6 Restrictions on Use of Watercraft in Certain Portions of the Waters of Lake Marion, Orangeburg County, South Carolina. 123-19.7 Restrictions on the Use of Watercraft in the Waters of a Certain Portion of Goose Creek, Berkeley County, South Carolina. 123-19.8 Restrictions on Use of Watercraft in a Certain Portion of the Water of Wappoo Creek, Charleston County, South Carolina. 123-19.9 Modification of a No Wake Zone in the Lake Murray Marina Area, Lake Murray, Richland County, South Carolina. 123-19.10 Restrictions on the Use of Watercraft in Certain Portions of the Waters of Black River, Williamsburg County, South Carolina. 123-19.11 Restrictions as to Use of Watercraft Within Certain Areas of South Carolina Electric & Gas Company Public Park No. 1.
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	<ul style="list-style-type: none"> t. 123-19.12 Restrictions as to Use of Watercraft Within Boat Launching Ramp at Dreher Island State Park. u. 123-19.13 Restrictions as to Use of Watercraft in Certain Areas of Durham Creek. v. 123-19.14 Restriction as to Use of Watercraft Within Swimming Area of Dreher Island State Park. w. 123-19.15 Restrictions as to Use of Watercraft Within Certain Areas of South Carolina Electric & Gas Company Public Park No. 3. x. 123-19.16 Restrictions on Use of Watercraft in Certain Portions of the Waters of Lake Marion, Clarendon County, South Carolina. y. 123-19.17 Restrictions on Use of Watercraft in Certain Portion of Waters of Ashley River, Charleston County, South Carolina. z. 123-19.18 Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Wylie, Near Commodore Yacht Club, York County, South Carolina. aa. 123-19.19 Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Keowee called Lake Keowee Marina, Oconee County, South Carolina. bb. 123-19.20 Restrictions on Use of Watercraft on Certain Portion of Wappoo Creek, Charleston County, South Carolina. cc. 123-19.21 Restrictions on Use of Watercraft in Certain Portion of Lake Russell and Savannah River, Abbeville County, South Carolina. dd. 123-19.22 Restrictions on Use of Watercraft in Certain Portion of Kiawah River, Charleston, South Carolina. ee. 123-19.23 Pack's Landing Area of Waters of Lake Marion, Sumter County, Declared No Wake Zone. ff. 123-19.24 Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Marion, Orangeburg County, South Carolina. gg. 123-19.25 Restrictions on Use of Watercraft in Certain Portion of Waters on Lake Keowee, Pickens County, South Carolina. hh. 123-19.26 Restrictions on Use of Watercraft in Certain Portion of Lake Murray, Newberry County, South Carolina. ii. 123-19.27 Restrictions on Use of Watercraft in Certain Portions of Scott Creek, Colleton County, South Carolina. jj. 123-19.28 Restrictions on Use of Watercraft in Certain Portion of Battery Creek, Beaufort County, South Carolina kk. 123-19.29 Restriction on Use of Watercraft in Certain Portion of Parsonage Creek, Murrells Inlet, Georgetown County, South Carolina. ll. 123-19.30 Restriction on Use of Watercraft in Certain Portion of Morgan Creek, Charleston County, South Carolina. mm. 123-19.31 Restrictions on Use of Watercraft in a Certain Portion of Stono River, Charleston County, South Carolina. <p>68. S.C. Code Ann. 48-9-310. Estimates of financial needs.</p>
Administrative Procedures Act now utilized	<p>69. S.C. Code Ann. 50-9-1160. Review by circuit judge.</p> <p>70. S.C. Code Ann. 50-9-1150. Notice of suspension; review by department.</p>
Geology Unit	<p>71. S.C. Code Ann. 48-22-40. Duties of unit.</p> <p>72. S.C. Code Ann. 48-22-30. Powers and duties of State Geologist.</p>

	73. S.C. Code Ann. 48-22-10. Creation of State Geological Survey Unit; appointment of State Geologist; qualifications.
Oyster permits	<p>74. S.C. Code Ann. 50-3-110. Supervision of enforcement officers; enforcement of laws.</p> <p>75. S.C. Code Ann. 3-5-100 and 3-5-170</p> <ul style="list-style-type: none"> a. Section 3-5-100. Areas leased for cultivation and gathering of oysters; rights of lessees. b. Section 3-5-170. Removal of cultivated oysters which might be damaged to different leased area.
Practices may be more appropriate for another entity	<p>76. S.C. Code Ann. 47-3-510 through 520 and 47-3-550</p> <ul style="list-style-type: none"> a. Section 47-3-510. Owner may register dog; fee. b. Section 47-3-520. Availability of registration file. c. Section 47-3-550. Promulgation of regulations. <p>77. S.C. Code Ann. 10-9-320. Lease of development rights to geothermal resources underlying surface lands owned by State.</p> <p>78. S.C. Code Ann. 48-9-1220. Nomination and election of commissioners.</p>
Director responsible for day to day activities; duties of agency	<p>79. S.C. Code Ann. 50-3-90. Conducting game and fish cultural operations and investigations; sampling fish populations.</p> <p>80. S.C. Code Ann. 50-3-130. Uniforms and emblems of enforcement officers of Natural Resources Law Enforcement Division.</p> <p>81. S.C. Code Ann. 50-15-10 through 50-15-40</p> <ul style="list-style-type: none"> a. Section 50-15-10. Definitions. b. Section 50-15-30. Endangered species listed; review and amendment of list; unlawful to take, deal in, or transport species on lists. c. Section 50-15-40. Establishing and carrying out programs for management of nongame and endangered wildlife; removal, capture, or destruction of wildlife. <p>82. S.C. Code Ann. 1-30-75 and 48-4-10</p> <ul style="list-style-type: none"> a. Section 1-30-75. Department of Natural Resources. b. Section 48-4-10. Department created; composition; transfer of powers, from predecessor agencies; certain commissions abolished. <p>83. S.C. Code Ann. 49-3-40 through 50</p> <ul style="list-style-type: none"> a. Section 49-3-40. Powers and duties of department. b. Section 49-3-50. Matters to be considered by department in exercising responsibilities.
Bond issued for all employees, not individual bonds for each employee	<p>84. S.C. Code Ann. 50-3-320. Transmittal and delivery of commissions of enforcement officers.</p> <p>85. S.C. Code Ann. 48-4-70. General duties of board.</p>
Law enforcement practices	<p>86. S.C. Code of Regulations 123-601. Use of Warning Tickets.</p> <p>87. S.C. Code Ann. 50-3-395. Enforcement officers may issue warning tickets.</p> <p>88. S.C. Code Ann. 50-3-315. Deputy enforcement officers.</p> <p>89. S.C. Code Ann. 50-3-350. Official badge.</p>
Fishing and fishery practices	<p>90. S.C. Code Ann. 49-30-40 through 49-30-90.</p> <ul style="list-style-type: none"> a. Section 49-30-40. Public Waters Nuisance Abatement Fund. b. Section 49-30-50. Permit to maintain existing structure.

	<ul style="list-style-type: none"> c. Section 49-30-60. Permit application; fee; conditions; time for filing; grounds for revocation. d. Section 49-30-80. Removal of unpermitted structures; FERC licensees; recovery of costs. <p>91. S.C. Code Ann. 50-19-1610 through 50-19-1630</p> <ul style="list-style-type: none"> a. Section 50-19-1610. Establishment of Catawba Lake Fishing Area. b. Section 50-19-1620. Fishing near India Hook Dam. c. Section 50-19-1630. Appropriation and taxes. <p>92. S.C. Code Ann. 50-13-1936. Fees for operation of Walhalla Fish Hatchery.</p> <p>93. S.C. Code Ann. 50-19-450. Promulgation of regulations.</p> <p>94. S.C. Code Ann. 17-22-50. Persons not to be considered for intervention.</p>
Land use practices	<p>95. S.C. Code Ann. 50-3-510. Authorization to contract; required findings; approval by State Forester.</p> <p>96. S.C. Code Ann. 51-17-140. Maximum acreage to be acquired; prior approval by county delegation.</p> <p>97. S.C. Code Ann. 48-9-50. Agencies operating public lands shall cooperate and observe regulations.</p>
Commission practices	<p>98. S.C. Code Ann. 48-9-1250. Use of county agricultural agents; other agents and employees; legal services.</p> <p>99. S.C. Code Ann. 48-9-1510 through 1870</p> <ul style="list-style-type: none"> a. Section 48-9-1510. Formulation of land-use regulations b. Section 48-9-1520. Referendum before adoption of regulations. c. Section 48-9-1530. Conduct of referendum on regulations. d. Section 48-9-1540. Two-thirds vote prerequisite to adoption of regulations. e. Section 48-9-1550. Regulations shall have force and effect of law. f. Section 48-9-1560. Amendment, supplementation, or repeal of regulations. g. Section 48-9-1570. Subjects which regulations may include. h. Section 48-9-1580. Uniformity of regulations; exceptions. i. Section 48-9-1590. Printing of copies of regulations. j. Section 48-9-1600. Entry on lands to check observance. k. Section 48-9-1610. Petition to court for enforcement. l. Section 48-9-1620. Hearing and order of court on petition for enforcement. m. Section 48-9-1630. Judgment for commission's expenses after completion of work; costs and attorney fees. n. Section 48-9-1810. Establishment and appointment of members of board of adjustment. o. Section 48-9-1820. Eligibility and compensation of members; expenses. p. Section 48-9-1830. Chairman; rules; quorum; meetings; records. q. Section 48-9-1840. Hardship petitions. r. Section 48-9-1850. Hearing and action on hardship petition. s. Section 48-9-1860. Petition for court review. t. Section 48-9-1870. Hearing and order of court on petition for review.
Eliminate one fund and deposit in another fund	<p>100. S.C. Code Ann. 50-5-25 and 50-9-960</p> <ul style="list-style-type: none"> a. Section 50-5-25. Powers and duties; deposit of revenues. b. Section 50-9-960. Marine Resources Fund.

Update map	101. S.C. Code Ann. 50-11-980. Certain lands and waters in Charleston Harbor and adjacent estuarine system designated wildlife sanctuary.
Topic	Additional information obtained by the agency since initial passage of the law
Duplicative statutes	102. S.C. Code Ann. 50-1-310. Mitigation Trust Fund and S.C. Code Ann. 50-3-180. Mitigation Trust Fund.
Dealer boats	103. S.C. Code Ann. 50-23-11. Dealer demonstration numbers; unauthorized use; penalties.
Fishing	104. S.C. Code Ann. 50-13-675. Nongame fishing devices or gear permitted in certain bodies of freshwater. 105. S.C. Code Ann. 50-19-250. Night fishing prohibited. 106. S.C. Code Ann. 50-19-2310. Open and closed seasons on striped bass in Lake Greenwood and Boyd's Mill.
Dogs	107. S.C. Code Ann. 47-3-310 through 47-3-320 <ul style="list-style-type: none"> a. Section 47-3-310. Disposal or removal of feral dogs from certain property. b. Section 47-3-320. Training of conservation officers to remove dogs; liability of officers.
Birds	108. S.C. Code Ann. 50-19-1510. License unnecessary for hunting crows in York County. 109. S.C. Code Ann. 50-11-1350 to 1430 <ul style="list-style-type: none"> a. Section 50-11-1350. "Pen raised quail" defined. b. Section 50-11-1360. Authorization to engage in business of propagating pen-raised quail. c. Section 50-11-1370. Commercial quail breeder's license. d. Section 50-11-1380. Pen-raised quail for consumption on hotel, restaurant, boardinghouse, or club premises. e. Section 50-11-1390. Revocation of or refusal to issue breeders license. f. Section 50-11-1400. Sale of pen-raised quail. g. Section 50-11-1410. Information required on package of pen-raised quail shipped out of state; records. h. Section 50-11-1420. Copy of invoice of pen-raised quail sold or shipped in State. i. Section 50-11-1430. Killing of pen-raised quail.
Other species	110. S.C. Code Ann. 50-13-1415. Importation, possession, or placing water hyacinth and hydrilla in waters of State. 111. S.C. Code Ann. 50-16-20. Importation of wildlife for certain purposes prohibited; investigation; permit.
Topic	Agency Efficiency
Return receipt requested requirement	112. S.C. Code Ann. 50-5-2510. Suspension of saltwater privileges for accumulation of points. 113. S.C. Code Ann. 50-5-2515. Notice of suspension; request for review. 114. S.C. Code Ann. 50-9-1140. Suspension of hunting and fishing privileges.

There are no specific recommendations with regards to continuance of agency programs or elimination of agency programs.

Internal Changes Implemented by Agency Related to Study Process

In January 2018, the DNR Board implemented a study recommendation through its creation of a new policy outlining complaint procedures for any alleged wrongdoing by agency leadership (e.g., board members, director, and deputy directors).⁵

Additional Information

The Subcommittee's study includes two of the agency's recommendations for information purposes only: (1) agency law recommendation #45, which relates to dissolving the Saltwater Recreational Fisheries Advisory Committee as it may be duplicative; and (2) agency law recommendation #82, which relates to eliminating the planned five year acquisition notification.⁶

Also, the agency provided twenty recommendations for internal changes, which are in Appendix A.

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AGENCY OVERVIEW

History

DNR has provided the Committee with the below overview of the agency's history.⁷ In addition, Committee staff has confirmed the accuracy of any assertion of legislative action.

- 1726
 - The first wildlife protection legislation was written. Under colonial law, the use of poisons to take "great quantit[ies] of fish" became illegal.⁸
- 1825
 - The earliest state-sponsored work of a geologic nature in South Carolina was a one-year "Geological and Mineralogical Survey of South Carolina" made in 1825-1826 by Lardner Vanuxem by order of the legislature.⁹
- 1843
 - Governor James Henry Hammond commissioned Michael Toumey to make a "Geological and Agricultural Survey of the State." Mr. Toumey submitted a report on the geology of South Carolina in 1846. The report was published in 1848.
- 1878
 - Legislation authorizing the governor to appoint a "suitable person" to act as fish commissioner was enacted.¹⁰ Fish wardens were appointed in every county.
- 1892
 - The first non-resident hunting license was issued.
- 1900
 - The Lacey Act passed, which was the first federal law regulating the importation of birds and animals and interstate traffic of game.
- 1904
 - Earle Sloan began service as State Geologist, a position he served in until 1910.
- 1905
 - Provisions were made for each of the state's 46 counties to have game wardens. The game wardens drew no salary, but they received half of the fines collected and half of the fees of any non-resident licenses sold.
- 1906
 - The State Board of Fisheries was created and charged with the general supervision of fishing in state waters.¹¹
- 1907
 - The South Carolina Audubon Society, precursor to the Wildlife Department, was incorporated, bringing game wardens under statewide coordination.¹²
- 1910
 - Act No. 293 of 1910 provided that South Carolina's bird, game, and non-migratory fish laws would be administered by a Chief Game Warden. James Henry Rice served as Chief Game Warden from 1910-1913.

- 1913
 - A. "Chief" Richardson becomes Chief Game Warden, and later the first State Director, a position he served in until 1958.
- 1926
 - Legislation authorized creation of game sanctuaries; within five years, more than 160,000 acres were set aside so that game, birds, and animals could breed unmolested.¹³
- 1927
 - A hunting license law was established.¹⁴
- 1931
 - The Cleveland Fish Hatchery, the first state fish hatchery in South Carolina, opened in Greenville County to raise rainbow and brook trout.
- 1935
 - The State Game and Fish Commission was created.¹⁵
 - Cohen Campbell Fish Hatchery was constructed in West Columbia, SC.
- 1936
 - Stevens Fish Hatchery was constructed in Heath Springs, SC.
- 1937
 - President Franklin D. Roosevelt urged states to address soil erosion by creating local conservation districts. The Soil Conservation Districts Law, Act 182, provided for the creation of South Carolina's soil conservation districts and a state agency, the State Soil Conservation Committee.¹⁶
 - Cheraw Fish Hatchery was constructed.
 - The Pittman-Robertson Wildlife Restoration Act provided federal funding for the selection, restoration, rehabilitation and improvement of wildlife habitat, wildlife management research, and the distribution of information produced by the projects.
- 1938
 - The first conservation district farm plan in the nation was initiated in Oconee County.
- 1941
 - The S.C. Wildlife Department purchased its first property, 5,866 acres in Hampton County. This acreage is now part of the James W. Webb Wildlife Center and Management Area.
- 1947
 - The first biologist was hired by the S.C. Wildlife Department.
- 1949
 - South Carolina's deer stocking projects began.
- 1951
 - The Dingell-Johnson Sport Fish Restoration Act provided federal financial assistance for state fish restoration and management plans and projects. This act and the later Wallop-Breaux (1984) Amendment allowed development of the freshwater fisheries section of the department.
- 1952
 - The South Carolina Wildlife Resources Department was created. It incorporated the State Board of Fisheries, the State Game and Fish Commission, and the office of Chief Game Warden. The department was supervised by a seven-member Wildlife Resources Commission.¹⁷

- 1954
 - *South Carolina Wildlife* magazine, a free quarterly communicating to the public the mission and programs of the Wildlife Resources Commission, published its first issue.
- 1957
 - Henry Johnson, Jr., was hired to head the new Division of Geology.
- 1959
 - State Director James W. Webb became the Director of the South Carolina Wildlife Resources Department, a position he served in until 1974.
 - South Carolina boating law was enacted requiring the registration of powered boats.¹⁸
- 1961
 - The first documented production of striped bass in the country was accomplished at the striped bass hatchery in Moncks Corner.
- 1962
 - The department acquired its first airplane, a Cessna 180.
- 1963
 - The hunter safety program began.
- 1967
 - The S.C. Water Resources Planning and Coordination Act of 1967 established the S.C. Water Resources Committee.¹⁹
- 1969
 - The S.C. Water Resources Planning and Coordination Act was amended to change the Committee to the S.C. Water Resources Commission, which subsequently merged into DNR.²⁰
 - Wildlife Resources Commission approved a final report titled “A Plan for Marine Resources Research and Development in South Carolina,” which noted the essential need to establish a comprehensive research and development program for marine resources.
- 1970
 - In March, James A. Timmerman, Jr., was named the first director of the newly established Marine Resources Division. Construction started on the Marine Center at Fort Johnson in Charleston to provide a facility for marine research and management.
 - The Pittman-Robertson Wildlife Restoration Act was amended October 23, 1970, to include funding for hunter training programs and the development, operation and maintenance of public target ranges.
- 1971
 - The SC Constitution was amended to state “the conservation of its natural resources are matters of public concern.”²¹
 - The Game Management Area (GMA), now Wildlife Management Area (WMA), program began with department-owned tracts and leases. Fees were required for a permit.
- 1972
 - The S.C. Wildlife Resources Department was renamed the S.C. Wildlife and Marine Resources Department.²²
 - The State Soil and Water Conservation Commission was designated the State Land Resources Conservation Commission,²³ which later merged into DNR.²⁴
 - The boating education program began.

- 1974
 - State Director James A. Timmerman, Jr., became Director of the S.C. Wildlife and Marine Resources Department, a position he served in until 1997.
 - The Heritage Trust program was created. The first of its kind in the nation, the program's purpose was to inventory, evaluate, and protect the elements considered the most outstanding representatives of our state's heritage.
 - The enabling legislation for the South Carolina Geological Survey was signed into law.²⁵
- 1978
 - The Small Game and Fur Resources projects were established to provide for research, survey, and management efforts for animals like bobwhite quail, doves, raccoons, and beavers.
- 1980
 - The Aquatic Plant Management Council was established to provide statewide coordination of aquatic plant management efforts in public waters.
- 1983
 - Groundbreaking ceremonies were held in Bluffton for the Waddell Mariculture Research and Development Center for the research and development of techniques to culture saltwater plants and animals.
- 1984
 - The Operation Game Thief program was established to assist game wardens in apprehending natural resource law violators by offering rewards for information leading to the arrest and conviction of violators.
- 1986
 - The Office of State Climatologist Act authorized the State Climatology Office to serve as the "climatological focal point for state government and its agencies."²⁶
 - The General Assembly designated revenue from an increase in the real estate document stamp tax to support the Heritage Land Trust Fund, which supports the protection of critical wildlife habitat.²⁷
- 1988
 - The ACE (Ashepoo, Combahee, and Edisto) Basin Project was launched in partnership with nonprofit organizations, the U.S. Fish and Wildlife Service, and private landowners as an effort to protect and maintain the natural character of the area through voluntary conservation measures including conservation easements and fee title acquisitions of important properties for public benefits while maintaining traditional natural resource uses such as hunting, fishing (commercial and recreational), forest management, and farming.
- 1989
 - The agency assisted with the response to Hurricane Hugo.
- 1990
 - The S.C. Aquatic Plant Management Program and Trust Fund were established.²⁸
- 1992
 - The ACE Basin National Estuarine Research Reserve was dedicated in 1992 to increase knowledge and awareness of estuarine habitats through research, monitoring activities, and public education in the Ashepoo, Combahee, and Edisto River drainage.

- 1994
 - As a result of the Restructuring Act of 1993, the Department of Natural Resources was formed, consisting of the former Wildlife and Marine Resources Department, Water Resources Commission, Land Resources Conservation Commission, Geological Mapping Division of the Budget and Control Board, and Migratory Waterfowl Committee.²⁹
- 1997
 - State Director Paul Sandifer becomes Director of the Department of Natural Resources, a position he served in until 2003.
 - The Water Resources Division, Land Resources Division, and Geological Survey were formally combined into one division - Land, Water and Conservation.
- 1998
 - DNR, with the help of Duke Energy, the Richard King Mellon Foundation, and The Conservation Fund, purchased the 32,000-acre Jocassee Gorges tract in the upstate.
 - Established the Safe Harbor Program as an effort to encourage landowners to provide habitat for the federally-endangered red-cockaded woodpecker.
 - First edition of the state water plan was published.
- 1999
 - The agency assisted with the response to Hurricane Floyd.
- 2001
 - The Hollings Marine Laboratory, a 103,000 square foot cooperative research facility operated by the National Oceanic & Atmospheric Administration, opens at the Marine Resources Center in Charleston.
- 2002
 - DNR began investigations to improve the techniques for growing cobia in mariculture operations.
- 2003
 - State Director John E. Frampton became Director, a position he served in until 2012.
- 2004
 - Second Edition of the state water plan was published.
- 2005
 - The purchase of the 10,000-plus-acre Bonneau Ferry tract in Berkeley County was completed.
- 2006
 - Bonded Heritage Trust funds allowed for the acquisition of Woodbury WMA, a 25,668 acre property in Marion County, and Hamilton Ridge Tract, a 13,281 acre property in Hampton County.
- 2008
 - Over a span of three fiscal years, beginning with FY2008-09 and ending with FY2010-11, the agency implemented a voluntary retirement incentive plan and a voluntary separation plan on five occasions to address budget shortfalls. The agency also implemented a reduction in force on two occasions in FY 2008-09 and FY 2010-11. These were in addition to other cost-cutting measures (e.g., travel restrictions, gas consumption reductions, and hiring freezes). During this time period, the department lost a total of 90 employees as a result of budget reductions.
- 2011
 - The Right to Hunt amendment was added to the South Carolina Constitution.³⁰

- 2012
 - State Director Alvin A. Taylor became Director, a position in which he currently serves.
 - Interstate Wildlife Violator Compact became law.³¹
- 2013
 - The Violations, Licensing, and Titling computer system was launched.
- 2014
 - Interstate Boating Violator Compact signed into law.³²
 - The agency initiated the surface water assessment project to consolidate hydrologic information and create computer models for the eight major river basins, the first step in updating the state water plan.
- 2015
 - The Wateree River Heritage Preserve was acquired as partial mitigation for the Haile Gold Mine project in Lancaster County. Wateree is a 3,677 acre tract of land including Cook's Mountain and Goodwill Plantation, providing cultural and ecological land preservation in Richland County. There were approximately 698 acres added to Forty-Acre Rock Heritage Preserve in Lancaster County as well.
 - DNR provided assistance in flood recovery efforts from the October 2015 flood.
 - Game zone restructuring was implemented, creating four game zones in South Carolina.³³
- 2016
 - DNR provided assistance in Hurricane Matthew recovery efforts.
 - DNR acquired, with assistance from Duke Energy, Liberty Hill WMA, an 8,000 acre property located on the line between Kershaw and Lancaster counties.
 - Red-cockaded woodpeckers released onto Donnelley WMA in Colleton County as part of an effort to re-establish populations in the ACE Basin.
- 2017
 - Wateree Rifle Range and Twin Ponds Rifle Range opened to the public, offering public shooting opportunities in Richland and Charleston Counties.
 - DNR worked with the oyster mariculture industry to develop protocols and procedures for the production of maricultured oysters. The General Assembly approved these measures, which authorized sale of SC-grown maricultured oysters year-round.³⁴
 - Implemented a new approach to deer management by requiring that all harvested deer be tagged and establishing limits on issuance of antlered deer tags.³⁵
 - The agency completed the surface water assessment project in support of updating the state water plan.

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Purpose, Mission, and Vision

The importance of conserving natural resources, as well as the traditions of hunting and fishing, are outlined in the following sections of the **South Carolina Constitution**:

Article I. Declaration of Rights,
Section 25. Hunting and fishing. (added in 2011)

The traditions of hunting and fishing are valuable parts of the state's heritage, important for conservation, and a protected means of managing non-threatened wildlife. The citizens of this State have the right to hunt, fish, and harvest wildlife traditionally pursued, subject to laws and regulations promoting sound wildlife conservation and management as prescribed by the General Assembly. Nothing in this section shall be construed to abrogate any private property rights, existing state laws or regulations, or the state's sovereignty over its natural resources.

Article XII. Functions of Government
Section 1. Matters of public concern; General Assembly to provide appropriate agencies. (added in 1971)

The health, welfare, and safety of the lives and property of the people of this State and the **conservation of its natural resources** are matters of public concern. The General Assembly shall provide appropriate agencies to function in these areas of public concern and determine the activities, powers, and duties of such agencies. (emphasis added)

The South Carolina Department of Natural Resources administers and enforces state laws relating to wildlife, marine resources, and natural resources.³⁶

Mission and Vision

DNR's **mission** is to serve as the principal advocate for and steward of South Carolina's natural resources.³⁷

DNR's **vision** is to be a trusted and respected leader in natural resources protection and management, by consistently making wise and balanced decisions for the benefit of the state's natural resources and its people.³⁸

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Agency Organization

Governing Body

In the Program Evaluation Report, the Committee asks the agency to provide information about the agency's governing body. The **governing body of the agency is the DNR Board**. While the board sets policy for the agency, it has no duty or authority concerning the management, control over, or administration of the day-to-day affairs of the agency.³⁹

Members of the board are appointed by the Governor with the advice and consent of the Senate. One member must be appointed from each of the seven congressional districts of the state. Terms of the board members are four years and until the successors are appointed and qualify.⁴⁰ There are no limits as to the number of terms a board member can serve, or how many consecutive terms a board member may serve.

Table 3 lists the current agency board members, congressional district represented, and date the member's term expires.

Table 3. Agency board members, congressional district represented, and date term expires as of August 2017.

Board Members	Congressional District	Date Term Expires
Chairman Mr. Cary L. Chastain	Sixth	July 1, 2020
Vice Chairman Mr. Norman Pulliam	Fourth	July 1, 2020
Mrs. Elizabeth Hood Willis	First	July 1, 2018
Mr. Michael E. Hutchins	Second	July 1, 2018
Mr. Larry L. Yonce	Third	July 1, 2018
Mr. D. Glenn McFadden	Fifth	July 1, 2018
Mr. Keith C. Hinson	Seventh	July 1, 2018

The board appoints a director, upon advice and consent of the Senate. The **director serves at the pleasure of the board and is the administrative head of the agency**.⁴¹

Agency Organizational Units

Every agency has an organization or hierarchy that is reflected in the agency's organizational chart. Within the organization are separate units. An agency may refer to these units as departments, divisions, functional areas, cost centers, etc. Each unit is responsible for contributing to the agency's ability to provide services and products.

During the study process the agency is asked about its organization and major operating programs.⁴² DNR has six major organizational units, which the agency refers to as divisions. The divisions are described in Tables 4-9. The organization of the agency is shown in Figure 3.

Executive Division is one of the agency's organizational units. This unit includes the Legal Office, Office of Human Resources, Audits Manager, Legislative Liaison, Special Assistant to Director, Office of Media and Outreach, Office of Environmental Programs, and Boating Access/Engineering Section. It provides legal services, human resources, audit management, legislative support, environmental review for impact, engineering, and media and outreach.⁴³ Table 4 provides additional information about the unit. Further information about human resources, Office of Environmental Programs and Boating Access and Engineering Section, and Office of Media and Outreach is in Appendices B through D.

Table 4. Executive Division - turnover rate, employee satisfaction, and employee certification.⁴⁴

Details	2014-15	2015-16	2016-17
What is the turnover rate?	19.17%	6.97%	4.65%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

Office of Support Services Division is one of the agency's organizational units. This unit continuously evaluates and improves administrative and business processes; and the efficiency and effectiveness of internal and external service delivery with a focus on transparency, communication, accountability and the integration of new technologies.⁴⁵ Table 5 provides additional information about the unit. Further details about the Office of Support Services are in Appendix E. Internal changes recommended by the agency which relate to this unit are in Appendix A, numbers six through sixteen and twenty.

Table 5. Office of Support Services Division - turnover rate, employee satisfaction, and employee certification.⁴⁶

Details	2014-15	2015-16	2016-17
What is the turnover rate?	10.45%	19.58%	18.18%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	No	No	No
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	N/A	N/A	N/A

Law Enforcement Division is one of the agency's organizational units. This unit conserves and protects the state's natural resources for social, economic, recreational and commercial benefit while providing maximum human utilization through: (1) the development of public support through outreach, education and safety programs; (2) the preservation of the peace and protection of human lives, and property; and (3) the enforcement of the state's criminal laws through the detection, apprehension, and prosecution of persons who violate those laws.⁴⁷ Table 6 provides additional information about the unit. Further details about the Law Enforcement Division are in Appendix F. Internal changes recommended by the agency which relate to this unit are in Appendix A, numbers 17 through 19.

Table 6. Law Enforcement Division - turnover rate, employee satisfaction, and employee certification.⁴⁸

Details	2014-15	2015-16	2016-17
What is the turnover rate?	4.02%	4.77%	5.59%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

Marine Resources Division is one of the agency's organizational units. This unit works to sustain living marine resources for the cultural, recreational, commercial and economic benefit of the state's citizens and visitors.⁴⁹ Table 7 provides additional information about the unit. Further information about the Marine Resources Division are in Appendix G. Internal changes recommended by the agency which relate to this unit are in Appendix A, numbers four and five.

Table 7. Marine Resources Division - turnover rate, employee satisfaction, and employee certification.⁵⁰

Details	2014-15	2015-16	2016-17
What is the turnover rate?	7.05%	10.28%	9.03%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

Wildlife and Freshwater Fisheries Division is one of the agency's organizational units. This unit monitors and protects wildlife species and inland aquatic species and their habitats throughout the state and provides recreational hunting and fishing opportunities to the public.⁵¹ Table 8 provides additional information about the unit. Further details about the Wildlife and Freshwater Fisheries Division are in Appendix H. Internal changes recommended by the agency which relate to this unit are in Appendix A, numbers one and two.

Table 8. Wildlife and Freshwater Fisheries Division - turnover rate, employee satisfaction, and employee certification.⁵²

Details	2014-15	2015-16	2016-17
What is the turnover rate?	6.19%	9.43%	10.95%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

Land, Water, and Conservation Division is one of the agency's organizational units. This unit develops and implements programs that study, manage, and conserve the state's land and water resources through planning, research, technical assistance, public education, and the development of a comprehensive natural resources database.⁵³ Table 9 provides additional information about the unit. Further details about the Land, Water, and Conservation Division are in Appendix I. Internal changes recommended by the agency which relate to this unit are in Appendix A, number three.

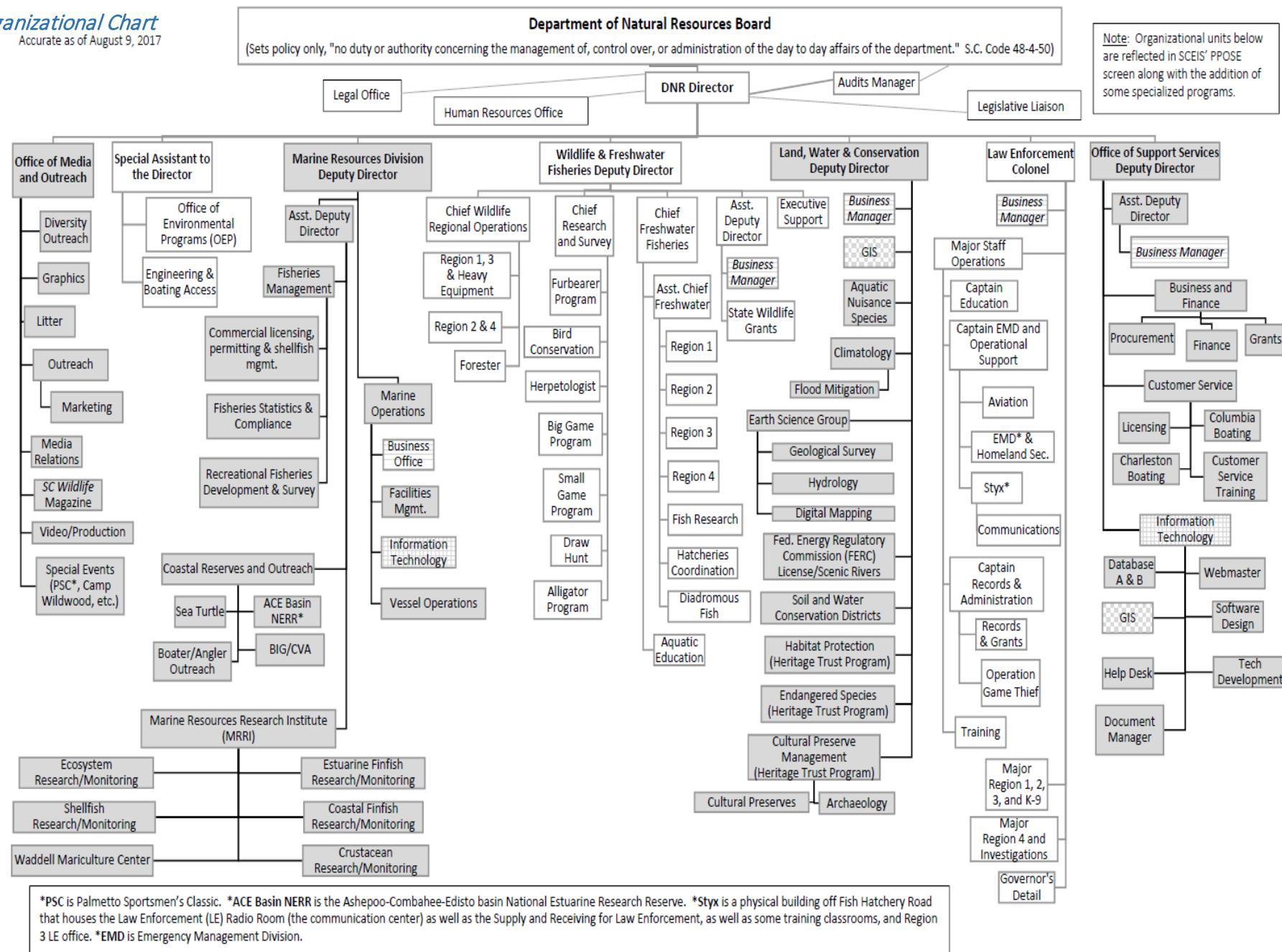
Table 9. Land, Water, and Conservation Division - turnover rate, employee satisfaction, and employee certification.⁵⁴

Details	2014-15	2015-16	2016-17
What is the turnover rate?	2.94%	0.00%	5.40%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

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Organizational Chart

Accurate as of August 9, 2017



*PSC is Palmetto Sportsmen's Classic. *ACE Basin NERR is the Ashepoo-Combahee-Edisto basin National Estuarine Research Reserve. *Styx is a physical building off Fish Hatchery Road that houses the Law Enforcement (LE) Radio Room (the communication center) as well as the Supply and Receiving for Law Enforcement, as well as some training classrooms, and Region 3 LE office. *EMD is Emergency Management Division.

Figure 3. Organizational chart provided by the agency. (Current as of August 9, 2017).⁵⁵

Internal Audit

In the Program Evaluation Report, the Committee asks the agency to provide information about its internal audit process, if the agency has one.⁵⁶

From 1998 to 2002, the agency had an audit department which conducted internal audits. Currently, the agency has an audits manager that reports to the agency director and the board, either of which may request an audit. The audits manager's primary duties include consulting with staff wanting to create or change programs, policies, processes and/or systems. The audits manager serves as the agency's liaison for disaster recovery claims from federal Emergency Management Agency (FEMA); the agency incurred extensive damages as a result of the 2014 Winter Storm, 2015 Flood, and 2016 Hurricane Matthew.

The audits manager serves as the agency's liaison for external audits by various state and federal entities. In the last five years, the agency has undergone three external audits by federal entities as part of cyclical reviews conducted approximately every five years; as of July 2017, the agency had just over \$109 million in active federal grant awards. In 2014, the United States Fish and Wildlife Service conducted a civil rights review to ensure equal access to the agency's programs and facilities on the basis of race, color, national origin, age, sex, language, and disability. In 2015, FEMA conducted a programmatic review of the agency's management of federal funds received as a part of their cooperating technical partners program. In 2016, the United States Department of the Interior's Office of the Inspector General conducted a programmatic review of the agency's management of federal funds received as a part of their Wildlife and Sport Fish Restoration program. The agency has also undergone annual external agreed upon procedures audits and statewide single audits conducted by the Office of the State Auditor and/or a firm under contract with the Office of the State Auditor (i.e., CliftonLarsonAllen, LLP).

The audits manager has conducted an annual inventory audit to verify the inventory balances reported in the agency's fiscal year end closing packages, as well as seven audits of monthly credit card purchases.⁵⁷ Also, the audits manager assists agency program managers with programmatic reviews (e.g., assists the agency's Procurement Director with periodic Materials Management Office reviews).

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Products, Services, and Customers

The Department of Natural Resources protects and manages South Carolina's natural resources. To fulfill this purpose, DNR provides a variety of products and services.⁵⁸

In 2015-2016, the General Assembly and Governor's Office begin requesting an agency provide information on the services and products it provides as part of the combined Accountability Report and Annual Restructuring Report. Table 10 lists the different agency divisions, examples of products and services provided by the division.⁵⁹

Table 10. Agency divisions, examples of products/services provided by the division.

Division	Examples of Products/Services
Office of Environmental Affairs; Boating Access and Engineering	Environmental permitting; Federal Energy Regulation Commission (FERC) hydroelectric projects; dredging projects; shooting ranges; equipment depot; and boat lifts ⁶⁰
Office of Media and Outreach	SC Wildlife Magazine; website (English and Spanish versions); and annual regulations book ⁶¹
Office of Support Services	Boat titling; and fishing and hunting licenses ⁶²
Law Enforcement Division	Operation game thief programs; hunter and boater education; enforcement of laws; issuance of permits; and investigation of marine thefts ⁶³
Marine Resources Division	Research, surveys, and investigations related to marine resources; protection of salt waters and habitats; development of saltwater fisheries/mariculture; and regulation of marine species ⁶⁴
Wildlife and Freshwater Fisheries Division	Fisheries survey and inventory studies; technical guidance pond consultations; habitat improvement; hatcheries; aquatic education; Wildlife Management Areas; wildlife research, inventory, and monitoring; lottery hunt program; and landowner workshops ⁶⁵
Land, Water, and Conservation Division	State water plan; surface-water and groundwater availability assessment; water-demand forecasts; FERC relicensing; drought assessments; geological mapping; GIS; climatology; flood mitigation and floodplain mapping; aquatic nuisance species program; Heritage Trust program; endangered species; and archaeology center ⁶⁶

Figure 4 includes a map of locations around the state where some of the agency's products and services are provided (e.g., lakes, fish hatcheries, and Wildlife Management Areas). Table 11 includes additional data about products and services the agency provides.

The agency maintains Wildlife Management Areas (WMA) it owns and leases. During the study process agency representatives testify the average monthly fee per acre for WMA property it leases is as follows⁶⁷:

- Leased from private individuals
 - The amount is based on a formula which takes into account the amount of revenue the agency receives from WMA permits.⁶⁸ It varies yearly based on the amount of revenue from WMA permit sales, but in the past couple of years it has been between \$6 and \$8 per acre.⁶⁹ In fiscal year 2016-17 it was \$7.96 per acre.⁷⁰

- Leased from other state agencies
 - The amount varies by agency with some agency's providing the land for free and other agencies receiving pre-negotiated amounts.⁷¹
- Leased from the federal government
 - The largest group DNR leases from is the U.S. Forest Services, from which it leases over 600,000 acres. On average DNR pays \$0.34 per acre.⁷²

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South Carolina Department of Natural Resources

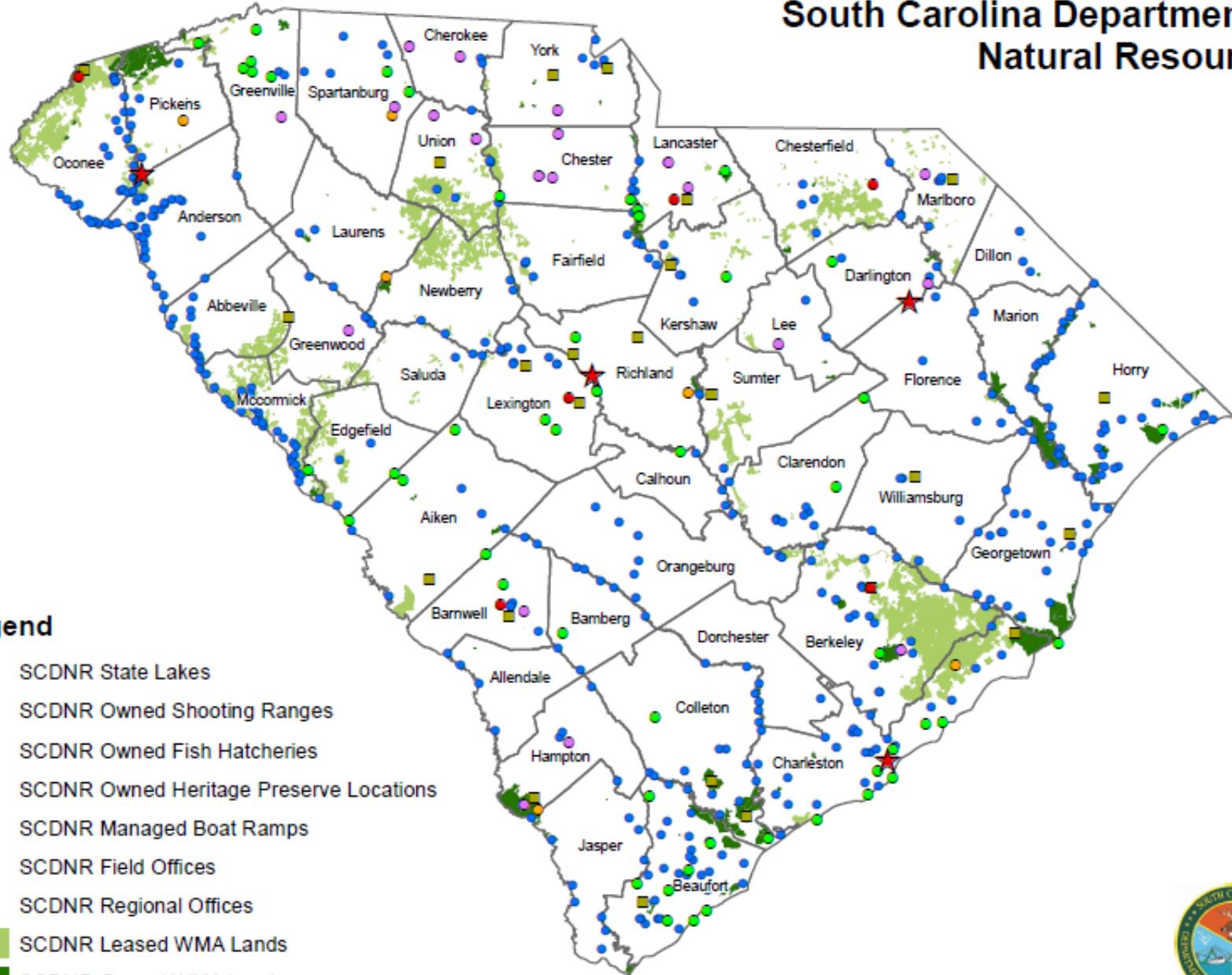


Figure 4. DNR locations and properties managed.⁷³

Table 11. Agency products, services, and customers.⁷⁴

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?	
Land, Water, and Conservation Division	The DNR Hydrology Section shall advise the Governor and General Assembly on formulating and establishing a comprehensive water resources policy to assure adequate supplies of surface and groundwater of suitable quality are available. (See below for deliverable components.)	Require/Allow	<i>See below for deliverable components.</i>					
	<i>Formulate and establish a comprehensive water resources policy.</i>	Require	No	No	No	No	No	
	<i>Develop and establish policies and proposals designed to meet and resolve special problems of water resources use and control.</i>	Require	No	No	No	No	No	
	<i>Review actions and policies of State agencies and US Army Corps of Engineers with water resource responsibilities to determine consistency with the comprehensive water policy.</i>	Require	No	No	No	No	No	
	<i>Conduct/arrange for studies, inquires, surveys, or analyses relevant in the implementation of policy and in developing recommendations to the General Assembly.</i>	Require	No	No	No	No	No	
	<i>Consult with other government agencies relating to the use and control of water resources of the State.</i>	Require	No	No	No	No	No	
	<i>Authority to appoint interdepartmental and public advisory boards to advise in developing policies.</i>	Allow	No	No	No	No	No	
	<i>Encourage, assist, and advise other State agencies responsible for water planning.</i>	Require	No	No	No	No	No	

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
Land, Water, and Conservation Division	<i>Determine if adequate supplies of surface and groundwater of suitable quality for domestic, municipal, agricultural, and industrial uses are available.</i>	Require	No	No	No	No	No
	<i>Publish reports, including the results of studies, inquiries, surveys, and analyses.</i>	Allow	No	Yes	No	Yes	Yes
	The agency is authorized through the geological survey to provide field and laboratory studies in geology to provide advice and assistance to other state and local governmental agencies. <i>(See below for deliverable components.)</i>	Require	<i>See below for deliverable components.</i>				
	<i>Field and laboratory studies in geology mapping and related gathering of surface and subsurface data.</i>	Require	Yes	Yes	Yes	Yes	Yes
	<i>Advice and assistance on geology.</i>	Require	Yes	Yes	Yes	Yes	No
	<i>Encourage economic development by disseminating published geologic information as bulletins, maps, economic reports, and open-file reports.</i>	Require	Yes	Yes	Yes	Yes	Yes
	<i>Provide unsolicited advice, when appropriate, to Mining Council.</i>	Require	No	No	Yes	No	No
	<i>Operate and maintain statewide repository for rock cores, well cutting, and related subsurface samples and all associated supplemental data.</i>	Require	Yes	No	Yes	Yes	No

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?	
	<p>The agency must monitor for drought, create a drought plan and inform the public and require compliance with the law. Also, the agency must archive and disseminate climate information.</p> <p>(See below for deliverable components.)</p>	Require	<p><i>See below for deliverable components.</i></p>					
Land, Water, and Conservation Division	<i>The agency must monitor for drought, create a drought plan, inform the public, and require compliance with the law.</i>	Require	No	No	Yes	Yes	Yes	
	<i>Evaluate the significance of natural, manmade, deliberate and inadvertent changes in the climate and weather affecting the state.</i>	Require	Yes	Yes	Yes	Yes	Yes	
	<i>State Climatologist may certify copies as being authentic reproductions of weather records held in the state.</i>	Require	Yes	Yes	Yes	Yes	Yes	
	<p>The agency is the designated state coordinating agency for the national flood insurance program.</p> <p>(See below for deliverable components.)</p>	Allow	<p><i>See below for deliverable components.</i></p>					
	<i>Recommend, whenever necessary, legislation enabling counties and municipalities to regulate and development within flood-prone areas.</i>	Allow	Yes	Yes	No	No	No	
	<i>Encourage and assist communities in qualifying for participation in the program.</i>	Allow	Yes	Yes	No	No	No	
	<i>Guide and assist county and municipal public bodies and agencies in developing, implementing, and maintaining local flood plain management regulations.</i>	Allow	Yes	Yes	No	No	No	

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers?	Does agency know the annual number of customers served?	Does the agency evaluate customer satisfaction?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
	<i>Provide local governments and the general public with program information on the coordination of local activities with federal and state requirements for managing flood-prone areas.</i>	Allow	Yes	Yes	No	No	No
	<i>Assist communities in disseminating information on minimum elevation requirements for development within flood-prone areas.</i>	Allow	Yes	Yes	No	No	No
Land, Water, and Conservation Division	<i>Assist in the delineation of riverine and coastal flood-prone areas, whenever possible, and provide all relevant technical information to the federal Insurance Administrator.</i>	Allow	Yes	Yes	No	No	No
	<i>Recommend priorities for federal flood plain management activities in relation to the needs of county and municipal localities within the state.</i>	Allow	Yes	Yes	No	No	No
	<i>Provide notification to the federal insurance administrator in the event of apparent irreconcilable differences between a community's local flood plain management program and the minimum requirements of the program.</i>	Allow	Yes	Yes	No	No	No
	<i>Establish minimum state flood plain management regulatory standards consistent with those established in this part and in conformance with other federal and state environmental and water pollution standards for the prevention of pollution during periods of flooding.</i>	Allow	Yes	Yes	No	No	No
	<i>Assure coordination and consistency of flood plain management activities with other state, area wide, and local planning and enforcement agencies.</i>	Allow	Yes	Yes	No	No	No

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
	<i>Assist in the identification and implementation of flood hazard mitigation recommendations which are consistent with the minimum flood plain management criteria for the program.</i>	Allow	Yes	Yes	No	No	No
	<i>Participate in flood plain management training opportunities and other flood hazard preparedness programs whenever practicable.</i>	Allow	Yes	Yes	No	No	No
Land, Water, and Conservation Division	<i>Other duties and responsibilities, which may be deemed appropriate by the state and which are to be officially designated as being conducted in the capacity of the state coordinating agency for the program, may be carried out with prior notification of the federal insurance administrator.</i>	Allow	Yes	Yes	No	No	No
	<i>The agency must administer the aquatic plant management program - identify, prioritize, and treat problem aquatic vegetation in SC public waters.</i> <i>*Cost share is provided to municipal, state, and federal stakeholders.</i>	Require	No	No	No	Yes	Yes*
	<i>The agency shall manage heritage trust properties and the Heritage Trust Fund in accordance with the statute. Also, the agency shall conduct biological inventories of outstanding or unique natural areas, flora, and fauna.</i> <i>(See below for deliverable components.)</i>	Require	<i>See below for deliverable components.</i>				
	<i>Inventory, conduct research and assess properties for cultural resources.</i>	Require	No	No	No	No	No
	<i>Manage cultural heritage trust properties.</i>	Require	No	No	No	No	No

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
Land, Water, and Conservation Division	<p><i>Conduct biological inventories of outstanding or unique natural areas, flora, and fauna. The deputy director receives ecological and habitat information concerning public and private parcels of property and recommends to the Heritage Trust Advisory Board conservation measures agreeable to all parties.</i></p> <p><i>*Data is made available without charge under the Freedom of Information Act.</i></p>	Require	No	No	No	No	No*
	<p>The agency must assist soil and water conservation districts.</p> <p><i>(See below for deliverable components.)</i></p>	Require	<i>See below for deliverable components.</i>				
	<p><i>Offer such assistance as may be appropriate to the commissioners of soil and water conservation districts in the carrying out of any of their powers and programs and to coordinate the programs of districts organized under this chapter so far as this may be done by advice and consultation.</i></p>	Require	Yes	Yes	Yes	No	No
	<p><i>Keep the commissioners of each of the several districts organized under the provisions of this chapter informed of the activities and experience of all other districts; facilitate an interchange of advice and experience between such districts and cooperation between them; and disseminate information throughout the state concerning the activities and programs of districts.</i></p>	Require	Yes	Yes	Yes	No	No

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
Land, Water, and Conservation Division	<i>Receive gifts, appropriations, materials, equipment, lands, and facilities and manage, operate and disburse them for the benefit of the soil and water conservation districts; secure the cooperation and assistance of the United States and any of its agencies and of agencies and counties of this state, in the work of such districts.</i>	Require	Yes	Yes	Yes	No	No
	<i>Assist commissioners of conservation districts and directors of watershed districts with the organization and function of watershed conservation districts.</i>	Require	Yes	Yes	No	Yes	No
	<i>The agency must designate and administer the scenic rivers program - inventory rivers and administer the program.</i> <i>*No charge for services and thus no customers.</i>	Require	No*	No*	No	No	No
Law Enforcement Division	The agency must administer the operation game thief/property watch program. <i>*The agency charges two dollars per sign of ten identification cards.</i>	Require	No	Yes	No	No	Yes*
	The agency must administer the hunter education programs. <i>*14,288 students were taught in 2016.</i>	Require	Yes	Yes*	Yes	No	No

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
Law Enforcement Division	<p>The agency must enforce laws related to marine, wildlife, boating, and natural resources.</p> <p><u>Note:</u> DNR officers have statewide authority to enforce all state laws. In addition, they hold two federal law enforcement commissions from the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to enforce federal game and fish laws. Not all laws that they enforce are included in the deliverables, as the core mission is natural resources law.</p> <p>Officers documented violations by issuing 8,336 summons and 22,644 warnings. Conducting 52,253 hours of boating patrols resulting in 96,211 boats being inspected. Land based patrols resulted in 141,590 hunters and fishermen being checked.</p>	Require	No	No	No	No	No
	<p>The agency must issue marine event permits and marine dealer permits.</p> <p>*629 marine event permits were approved in 2016.</p>	Require	No	Yes*	No	Yes	No
	<p>The agency must investigate marine theft.</p> <p>*930 investigations resulted in examination of 618 boats and 539 motors.</p>	Require	No	Yes*	No	No	No
	<p>The agency must offer boater education.</p> <p><u>Note:</u> 4,613 students receive boater education in 2016.</p>	Require	No	No	No	No	No

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
Marine Resources Division	Conduct research, surveys, and other investigations to manage fish and marine resources; to provide for protection of the salt waters and the marine habitat upon which these resources are dependent; and to provide for the development of saltwater fisheries and mariculture. The agency shall collect and analyze data pertinent to protection, propagation, promotion, and management of marine resources	Require	No	No	No	No	No
	Regulates marine species	Require	No	No	Yes	No	No
	Issues saltwater commercial licenses and permits related to harvest of marine species.	Require	Yes	No	No	Yes	Yes
Wildlife and Freshwater Fisheries Division	Conduct continuous investigations regarding the game and fish conditions of the state. *Customers are all citizens and natural resources.	Require	No*	No*	No	No	No
	Restore and stock wildlife, and operate fish hatcheries. *Can calculate and provide hatchery program costs upon request.	Require	No	No	No	Yes*	No
	Manage and regulate wildlife and freshwater fisheries. *Can calculate and provide specific management costs upon request.	Require	No	No	No	Yes*	No
	Provide public access for hunting and fishing. *Agency is permitted to charge for Wildlife Management Area (WMA) permits to hunt on WMAs and an additional fee for lottery hunts.	Require	No	Yes	No	No	Yes*

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
Wildlife and Freshwater Fisheries Division	Issue permits related to wildlife and freshwater fisheries. *Agency is allowed to charge for some permits but not others (e.g., scientific permits [bird banding, migratory bird, nongame, and game], special use, aquaculture, public water stocking, etc.). ⁷⁵ Agency is working to enhance permit tracking capabilities.	Require	No	Yes	No	No	Yes*
Office of Support Services	Issues boat and motor titles and boat registrations. *Beyond material cost, cost per unit has multiple variables.	Require	Yes	Yes	No	No*	Yes
	Issues saltwater recreational fishing licenses, freshwater fishing licenses, and hunting licenses. *Beyond material cost, cost per unit has multiple variables. Number of customers can be derived through annual averages.	Require	Yes*	Yes*	No	Yes*	Yes

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
Office of Environmental Affairs / Boating Access and Engineering	<p>Perform environmental review and assist with mitigation for loss of natural resources.</p> <p>*Customer satisfaction is evaluated through continuous communication with regulatory agencies and other partners. Workload is not driven by the agency but rather by the number of permit and license applications that warrant review and comment. Regulatory agencies served each of the last three fiscal years include: US Army Corps of Engineers, Department of Health and Environmental Control, Environmental Protection Agency, federal Energy Regulatory Commission, National Marine Fisheries Service, and the U.S. Fish and Wildlife Service.⁷⁶ Appendix J includes example activities for which permit applications are reviewed.</p>	Require	No*	No	Yes*	No*	No
	<p>Administer the water recreational use fund grants.</p> <p>*Customer satisfaction is evaluated through continuous communication with county engineers during project construction and design. Cost per unit varies with scope of each project. Workload is driven by county demand and limited by DNR engineering manpower.</p>	Require	No	No	Yes*	Yes*	No
Office of Media and	<p>Print stamps/prints/license plates.</p> <p>*Costs per unit is paid for by private vehicle owner. 7,611 active agency license plates as of July 21, 2017. Stamps are also paid for by individual.</p>	Require	No	Yes*	No	No*	No

Org. Unit	Product or Service	Does law require, allow, or not address it?	Does agency know the annual number of potential customers ?	Does agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
	<p>Produce informational, educational and marketing outreach materials.</p> <p>*The agency is only authorized to charge for South Carolina wildlife and associated products.</p>	Require	Yes	Yes	No	Yes	Yes*
All	The agency serves on advisory boards or commissions.	Require	No	No	No	No	No

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Strategic Resource Allocation and Performance

Annually, each agency submits a strategic plan.⁷⁷ Of interest to the oversight process is how an agency's human and financial resources are allocated to the goals and objectives in the agency's strategic plan.

Personnel

In regards to personnel, Appendix B provides the following information: (1) number of filled full time equivalent employee positions for fiscal year 2000-01 through fiscal year 2016-17; (2) agency turnover compared to state government turnover for fiscal year 2000-2001 through fiscal year 2016-17; (3) reason for employee separations at the agency for fiscal year 2014-15 through fiscal year 2016-17; (4) status and salary actions at the agency for fiscal year 2014-15 through fiscal year 2016-17; (5) bonuses, rewards, and recognition provided to agency employees in fiscal year 2015-16 and fiscal year 2016-17; and (6) vacancies in each division of the agency as of October 16, 2017.

The agency credits part of its low turnover to development of career paths and pay plans in some of its divisions. Information about these pay plans is included in Appendix N. Information on starting salaries for wildlife law enforcement officers in other states and the cost to train and outfit a new wildlife law enforcement officer is included in Appendices O and P.

Funding

Table 12 includes information on agency operations funded by fees as opposed to the general fund in fiscal year 2016-17. Appendix Q includes information the agency gathered five years ago about fees, and Appendix R has license and permit descriptions and costs.

*Table 12. Agency operations funded by fees versus the general fund in fiscal year 2016-17.*⁷⁸

<u>Division</u>	FY 2016-17 Agency Funds			
	<u>Fees / Revenue</u>	<u>General Fund</u>	<u>Federal</u>	<u>Mitigation / Pass through</u>
Support Services/Executive	52.90%	39.40%	7.60%	0.00%
Wildlife and Freshwater Fisheries	47.10%	5.00%	42.80%	5.10%
Marine Resources	41.80%	13.00%	45.20%	0.00%
Law Enforcement	27.10%	55.10%	17.80%	0.00%
Land, Water, and Conservation	22.10%	44.80%	27.30%	5.70%
Agency Wide	38.80%	30.50%	28.90%	1.90%

Figure 5 illustrates a history of general funds appropriations to the agency from fiscal year 2000 through fiscal year 2018.

General Funds Appropriations History

FY	General Funds Recurring
2000	28,667,654
2001	30,179,075
2002	27,112,250
2003	26,218,873
2004	20,345,591
2005	18,290,560
2006	22,003,384
2007	24,452,952
2008	26,227,381
2009	26,023,956
2010	18,860,741
2011	14,684,685
2012	14,517,799
2013	15,754,782
2014	18,799,309
2015	21,695,343
2016	23,400,322
2017	24,098,671
2018	28,563,858
Avg	23,883,177

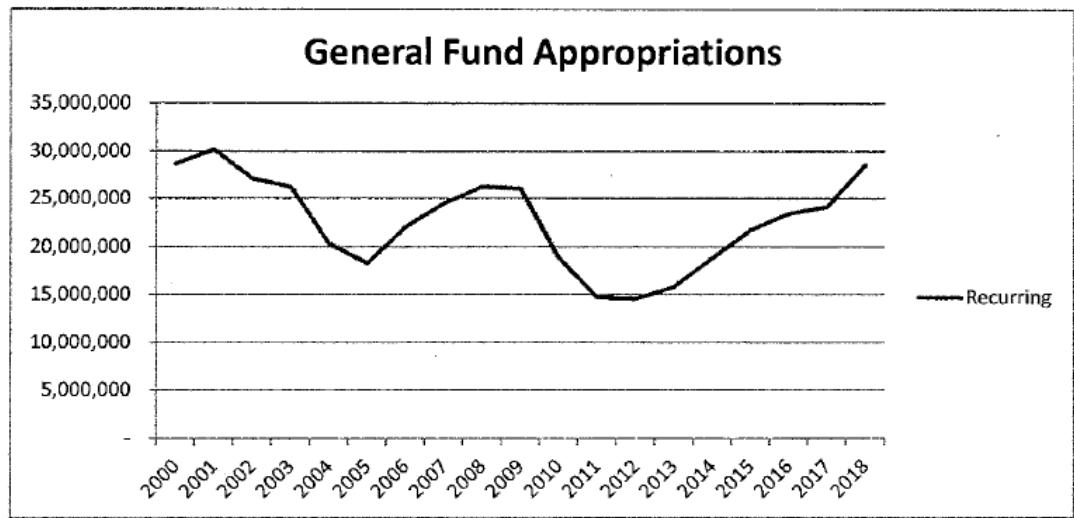


Figure 5. General funds appropriations to the agency from fiscal year 2000 through fiscal year 2018.⁷⁹

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Table 13 summarizes the types of funds utilized by the agency in fiscal year 2016-2017 and budgeted in fiscal year 2017-2018.

Table 13. Types of funds utilized by the agency during FY 2016-17 and 2017-18.⁸⁰

Type of Funds Used	FY 2016-17		FY 2017-18 (budgeted)	
	Amount	% of Total	Amount	% of Total
Federal				
One-time federal	\$3,255,869	3.0%	\$3,632,154	3.2%
Recurring federal	\$27,624,286	25.6%	\$30,905,805	27.2%
Federal total	\$30,880,154	28.6%	\$34,537,959	30.4%
State				
One-time state	\$4,232,472	3.9%	\$3,821,238	3.4%
Recurring state	\$24,897,373	23.1%	\$28,579,400	25.1%
State total	\$29,129,845	27.0%	\$32,400,638	28.5%
Other				
One-time other	\$7,387,516	6.8%	\$5,517,307	4.8%
Recurring other*	\$40,600,553	37.6%	\$41,314,436*	36.3%
Other total	\$47,988,069	44.4%	\$46,831,743	41.2%
GRAND TOTAL	\$107,998,068	100.0%	\$113,770,341	100.0%

*Table Note: *The totals for the recurring other category include \$887,877 in FY 2016-17 and \$2,208,245 in FY 2017-18 that were cash transfers from the S.C. Conservation Bank. The total for the FY 2016-17 recurring other category includes a heritage trust bond payment of \$1,835,850 that was not spent toward the agency's strategic plan.*

Table 14 provides a summary of the amount the agency spent on each goal or strategy as a percentage of the total amount the agency was appropriated and authorized to spend, along with the agency organizational unit associated with each applicable goal or strategy. The information is grouped by agency organizational unit and in order based on percentage of total agency resources allocated.

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Table 14. Strategic Plan Summary

Organizational Unit	Associated Goal or Strategy	2016-17		2017-18	
		FTE equivalents utilized*	Amount spent (% of total)	FTE equivalents utilized*	Amount budgeted (% of total)
Land, Water, and Conservation Division	<i>Goal 1</i> - Develop and Implement programs that study, manage and conserve the state's land and water resources through planning, research, technical assistance, public education, and the development of a comprehensive natural resources database.	44.85 FTE 8.00 TG	\$8,609,428 (6.65%)	44.85 FTE 8.00 TG	\$8,577,633 (6.73%)
Law Enforcement Division	<i>Goal 2</i> - Conserve and protect the state's natural resources for social, economic, recreational, and commercial benefit while providing maximum human utilization through: (1) the development of public support through outreach, education, and safety programs; (2) the preservation of the peace and protection of human lives and property; and (3) the enforcement of the state's criminal laws through the detection, apprehension, and prosecution of persons who violate those laws.	303.00 FTE 12.00 TG	\$29,220,547 (22.58%)	303.00 FTE 13.00 TG	\$32,409,527 (25.05%)
Marine Resources Division	<i>Goal 3</i> - To sustain the state's living marine resources for the cultural, recreational, commercial, and economic benefit of the state's citizens and visitors.	98.00 FTE 90.99 TG	\$18,561,268 (14.35%)	98.00 FTE 90.99 TG	\$19,972,121 (15.44%)
Wildlife and Freshwater Fisheries Division	<i>Goal 4</i> - Monitor and protect wildlife species and inland aquatic species and their habitats throughout the state and provide recreational hunting and fishing opportunities to the public.	186.00 FTE 34.00 TG	\$35,348,145 (26.19%)	188.00 FTE 54.90 TG	\$39,340,152 (29.16%)
Office of Support Services	<i>Strategy 5.1</i> - Issue all required documents to lawfully operate and show ownership of boats and motors in South Carolina and to legally hunt and fish in the state. <i>Strategy 5.2</i> - Review the development, utilization and deployment of agency's internal resources to deliver the best service possible in meeting the changing business needs of DNR, our customers and the citizens of the state.	107.45 FTE	\$10,156,294 (7.85%)	111.45 FTE	\$8,874,345 (6.86%)
Office of Environmental Affairs / Boating Access and Engineering	<i>Strategy 5.3</i> - Review and comment on proposed environmental impacts as published in the regulatory arena to provide reliable, science-based information to decision makers and the public. <i>Strategy 5.4</i> - Provide professional engineering services to external and internal customers to insure safe and high quality access for fishing, boating, shooting and other natural resource related activities, and to maintain agency infrastructure and assets.	5.90 FTE	\$2,046,672 (1.58)	13.90 FTE	\$2,131,375 (1.65%)
Office of Media and Outreach	<i>Strategy 5.5</i> - Serve as the principle source of marketing and information for the natural resources of South Carolina, giving accurate and timely facts on license, seasons, and regulations along with outdoor recreation as it pertains to the state resources.	19.00 FTE	\$2,219,864 (1.72)	20.00 FTE	\$2,465,187 (1.91)

Table Note: The agency does not budget or allocate full-time equivalents (FTEs) at the goal/strategy/objective level; however, the amounts provided are reasonable estimates. TG refers to temporary/grant employee.

Allocation and Performance

Tables 15, 17, 19, 21, and 23 provide further details regarding the agency's allocation of its financial resources among each of the objectives in the agency's comprehensive strategic plan in fiscal year 2016-17 and budgeted for fiscal year 2017-18.

Also of interest during the study process is how the agency measures its performance in implementing each of the goals, strategies, and objectives. Tables 16, 18, 20, 22, and 24 explain the performance measures associated with each goal, if the measure is selected by the agency and/or required by the state or federal government, the entity the agency believes is the best in the nation in the measure, and the agency's target and actual results for the measure in each of the last five time periods in which the measure was tracked.

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Table 15. Strategies and objectives for Goal 1 - Develop and implement programs that study, manage and conserve the state's land and water resources through planning, research, technical assistance, public education, and the development of a comprehensive natural resources database.

Goal 1 - Develop and implement programs that study, manage and conserve the state's land and water resources through planning, research, technical assistance, public education, and the development of a comprehensive natural resources database.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Strategy 1.1 - Water resource management and earth science research, as well as review of proposed environmental impacts as published in the regulatory arena to provide reliable, science-based information to decision makers and the public.				
<ul style="list-style-type: none"> • Objective 1.1.1 - Conduct or arrange for studies, inquiries, surveys, or analysis; prepare reports; review actions; and appoint advisory boards as may be relevant in implementation of water policy. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal and state government; higher education institutions; private individuals; and other • Objective 1.1.2 - Produce reliable geologic maps and information in support of economic development, environmental protection, and land-use planning. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal and state government; higher education institutions; and other • Objective 1.1.3 - Expand digital capabilities and uses for the dissemination of information. <ul style="list-style-type: none"> ○ Partner(s), by segment: other 	11.75 FTE 5.85 FTE 1.25 FTE	\$1,725,645 (2.33%) \$1,343,219 (1.82%) \$109,911 (0.15%)	11.75 FTE 5.85 FTE 1.25 FTE	\$1,663,833 (2.35%) \$1,053,565 (1.49%) \$105,154 (0.15%)

Goal 1 - Develop and implement programs that study, manage and conserve the state's land and water resources through planning, research, technical assistance, public education, and the development of a comprehensive natural resources database.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Strategy 1.2 - State Climate Office/flood mitigation activities provide reliable information for the protection of lives and property.				
<ul style="list-style-type: none"> Objective 1.2.1 - Monitor, conduct and report on studies of climate and weather events of environmental and economic importance to the state. <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; higher education institutions; private individuals; and other Objective 1.2.2 - Administer the Federal Emergency Management Agency, flood mitigation assistance, cooperating technical partners, community assistance-state support services element programs. <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; and other 	3.05 FTE 3.00 TG	\$305,498 (0.41%)	3.05 FTE 3.00 TG	\$292,258 (0.40%) \$1,747,965 (2.36%)
Strategy 1.3 - Aquatic nuisance species control activities support healthy habitat for recreation, fish, wildlife, and citizens.				
<ul style="list-style-type: none"> Objective 1.3.1 - Reduce the footprint of invasive species to provide high quality habitat for hunting, fishing, and recreational activities by utilizing prevention, new and existing technologies, biocontrol, and selective herbicides to improve habitat, provide navigability, and keep water supply sources accessible. <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; higher education institutions; private individuals; and other 	3.25 FTE	\$700,284 (0.95%)	3.25 FTE	\$698,380 (0.94%)

Goal 1 - Develop and implement programs that study, manage and conserve the state's land and water resources through planning, research, technical assistance, public education, and the development of a comprehensive natural resources database.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Strategy 1.4 - Heritage trust cultural resources/habitat protection monitors and protects cultural and other resources throughout the state on heritage trust properties, and provides culturally related recreational/educational opportunities.	8.30 FTE	\$799,733 (1.08%)	8.30 FTE	\$798,626 (1.08%)
<ul style="list-style-type: none"> Objective 1.4.1 - Survey, research, outreach, education, and management activities for cultural heritage trust preserves and programs as well as meeting with the Heritage Trust Advisory Board for board action as required by statute. <ul style="list-style-type: none"> Partner(s), by segment: state and local government; higher education institutions; and other Objective 1.4.2 - Update inventory of rare, threatened and endangered species in South Carolina. <ul style="list-style-type: none"> Partner(s), by segment: state and local government; higher education institutions; private individuals; and other 	4.30 FTE	\$331,426 (0.45%)	4.30 FTE	\$330,318 (0.45%)
Strategy 1.5 - Conservation districts program assists farmers, ranchers, and landowners with conservation planning and facilitates access to Farm Bill programs through a partnership with the United State Department of Agriculture.				
<ul style="list-style-type: none"> Objective 1.5.1 - Provide increased technical assistance and administrative support to conservation district commissioners, district staff and partner agencies. <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; higher education institutions; private individuals; and other 	4.30 FTE 4.00 TG	\$1,481,250 (2.00%)	4.30 FTE 4.00 TG	\$1,566,392 (2.12%)

Goal 1 - Develop and implement programs that study, manage and conserve the state's land and water resources through planning, research, technical assistance, public education, and the development of a comprehensive natural resources database.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Strategy 1.6 - Conservation of the state's river heritage and protection of the unique or outstanding scenic, recreational, geologic, botanical, fish, wildlife, historic, and cultural values of selected rivers and river segments of the state. <ul style="list-style-type: none"> Objective 1.6.1 - Provide increased technical assistance and administrative support to conservation district commissioners, district staff and partner agencies. <ul style="list-style-type: none"> Partner(s), by segment: state government and other 	1.25 FTE	\$64,498 (0.09%)	1.25 FTE	\$56,132 (0.08%)

Table Note: The agency does not budget or allocate full-time equivalents (FTEs) at the goal/strategy/objective level; however, the amounts provided are reasonable estimates. TG refers to temporary/grant employee.

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Table 16. Performance measures associated with Goal 1 - Develop and implement programs that study, manage and conserve the state's land and water resources through planning, research, technical assistance, public education, and the development of a comprehensive natural resources database.⁸¹

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Use hydrology information to develop plans to ensure surface and groundwater of suitable quality is available for all uses <u>Required by:</u> state government <u>Best in the country:</u> Texas	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Updated state water plan
Develop surface-water quantity models for each of the state's eight major river basins for regional water planning <u>Additional notes:</u> Models have been completed, will be used in the future for water planning, and will be updated as new data becomes available. <u>Required by:</u> state government <u>Best in the country:</u> CDM Smith, Inc. (private)	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 2 models <u>Actual:</u> 0 models	<u>Target:</u> 4 models <u>Actual:</u> 4 models	<u>Target:</u> 4 models <u>Actual:</u> 4 models	<u>Target:</u> No longer tracked
Develop a groundwater-quantity model and a groundwater-recharge model of the coastal plain for regional water planning <u>Required by:</u> state government <u>Best in the country:</u> U.S. Geological Survey (USGS) /DNR	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 3-year project with the USGS begins February 2016	<u>Target:</u> On schedule <u>Actual:</u> On schedule	<u>Target:</u> Both models scheduled to be completed by February 2019
Develop water-demand forecasts for each of the state's eight major river basins for regional water planning <u>Required by:</u> state government <u>Best in the country:</u> Private consultants	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1½-year project with the U.S. Army Corps of Engineers begins May 2016 for one forecast	<u>Target:</u> Final report due for the Savannah River basin

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Meet and consult with agricultural, industrial, and municipal interest groups to propose policies for developing water-demand forecasts for regional water planning</p> <p><u>Additional notes:</u> Meetings were used to gather input from stakeholders on how forecast water-demand, which will be included in the water plan.</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> DNR</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 5 meetings <u>Actual:</u> 5 meetings	<u>Target:</u> No longer tracked
<p>Develop a groundwater-quantity model and a groundwater-recharge model for Aiken County to determine groundwater availability</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> USGS/DNR</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 4-year project with the USGS begins December 2014	<u>Target:</u> On schedule <u>Actual:</u> Delays in project due to funding	<u>Target:</u> On schedule <u>Actual:</u> Project extended 6 months to include 2016 water-use data	<u>Target:</u> Both models scheduled to be completed by June 2019
<p>Meet and consult with stakeholders, government agencies, water utilities, and other water-user groups to discuss water plans, policies, programs, and projects</p> <p><u>Additional notes:</u> Some meetings were not relevant to the section.</p> <p><u>Required by:</u> state government</p> <p><u>Best in the Country:</u> DNR</p>	Output	<u>Target:</u> 100% of requested <u>Actual:</u> 85% (37 meetings)	<u>Target:</u> 100% of requested <u>Actual:</u> 85% (82 meetings)	<u>Target:</u> 100% of requested <u>Actual:</u> 85% (161 meetings)	<u>Target:</u> 100% of requested <u>Actual:</u> 85% (148 meetings)	<u>Target:</u> 100% of requested

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Add 105 stream gages to the state's surface water monitoring network as a result of recommendations made at the workshops</p> <p><u>Additional notes:</u> New gages cost approximately \$16,000/year, the USGS has agreed to pay for installation if DNR maintains the gage for five years.</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> USGS</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 105 gages <u>Actual:</u> 20 gages (SCDOT funded)	<u>Target:</u> 85 gages
<p>Produce potentiometric maps of the three major aquifers in the state to determine changes in groundwater availability</p> <p><u>Additional notes:</u> DNR typically makes one map per year, but last year made maps of all three aquifers as the information was needed to assist DNR in calibrating the groundwater model, which is used for water planning. DNR would like to add more wells to the network before making an additional map.</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> DNR</p>	Output	<u>Target:</u> 1 map <u>Actual:</u> 1 map	<u>Target:</u> 1 map <u>Actual:</u> 1 map	<u>Target:</u> 1 map <u>Actual:</u> 1 map	<u>Target:</u> 1 map <u>Actual:</u> 3 maps	<u>Target:</u> 0 <p><u>Note:</u> DNR would like to add more wells to the network before making an additional map.</p>

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Add 233 wells to the DNR groundwater monitoring network as required to produce accurate potentiometric maps</p> <p><u>Additional notes:</u> Adding wells to the DNR groundwater network depends on the availability of the well (i.e., is the owner willing to turn it over to the state) and on its location, depth, and condition. When DNR has funding available, it contracts well drilling out to a company to drill new wells on DNR or state-owned properties. If there is not money for drilling new wells, DNR tries to recruit wells that are being abandoned by their owners, which saves the state money.</p> <p><u>Required by:</u> state government <u>Best in the country:</u> DNR</p>	Output	<u>Target:</u> 228 wells <u>Actual:</u> 11 wells	<u>Target:</u> 217 wells <u>Actual:</u> 28 wells	<u>Target:</u> 189 wells <u>Actual:</u> 2 wells	<u>Target:</u> 187 wells <u>Actual:</u> 6 wells	<u>Target:</u> 181 wells
<p>Visit sites of the statewide DNR groundwater monitoring network, currently 137 sites and 169 wells, to measure groundwater levels and download water-level data from data recorders</p> <p><u>Required by:</u> state government <u>Best in the country:</u> DNR</p>	Output	<u>Target:</u> 660 site visits <u>Actual:</u> 660 site visits	<u>Target:</u> 810 site visits <u>Actual:</u> 810 site visits	<u>Target:</u> 792 site visits <u>Actual:</u> 792 site visits	<u>Target:</u> 822 site visits <u>Actual:</u> 822 site visits	<u>Target:</u> 822 site visits
<p>Conduct geophysical surveys of water wells to determine groundwater availability</p> <p><u>Additional notes:</u> Determined by the number of requests.</p> <p><u>Required by:</u> state government <u>Best in the country:</u> DNR</p>	Output	<u>Target:</u> 100% of requested <u>Actual:</u> 100% (26 wells surveyed)	<u>Target:</u> 100% of requested <u>Actual:</u> 100% (7 wells surveyed)	<u>Target:</u> 100% of requested <u>Actual:</u> 100% (9 wells surveyed)	<u>Target:</u> 100% of requested <u>Actual:</u> 100% (26 wells surveyed)	<u>Target:</u> 100% of requested

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Review water permits, policies, programs, plans, and projects <u>Additional notes:</u> Determined by the number of permits submitted. <u>Required by:</u> state government <u>Best in the country:</u> DNR	Output	<u>Target:</u> 100% of requested <u>Actual:</u> 100% (24 reviews)	<u>Target:</u> 100% of requested <u>Actual:</u> 100% (28 reviews)	<u>Target:</u> 100% of requested <u>Actual:</u> 100% (38 reviews)	<u>Target:</u> 100% of requested <u>Actual:</u> 100% (55 reviews)	<u>Target:</u> 100% of requested
Add groundwater data and wells to the DNR groundwater database <u>Required by:</u> state government <u>Best in the country:</u> DNR	Output	<u>Target:</u> 100% of available <u>Actual:</u> 100% (2,634 wells)	<u>Target:</u> 100% of available <u>Actual:</u> 100% (3,117 wells)	<u>Target:</u> 100% of available <u>Actual:</u> 100% (3,202 wells)	<u>Target:</u> 100% of available <u>Actual:</u> 100% (2,912 wells added)	<u>Target:</u> 100% of available
Provide water-related technical assistance and information to citizens, government entities, water managers, well drillers, engineers, and others <u>Additional notes:</u> Determined by the number of requests. <u>Required by:</u> state government <u>Best in the country:</u> DNR	Output	<u>Target:</u> 100 % of requested <u>Actual:</u> 85% (198 requests)	<u>Target:</u> 100% of requested <u>Actual:</u> 85% (199 requests)	<u>Target:</u> 100% of requested <u>Actual:</u> 85% (227 requests)	<u>Target:</u> 100% of requested <u>Actual:</u> 85% (213 requests)	<u>Target:</u> 100% of requested
Develop a network of 25 wells along the coast to monitor for saltwater intrusion of coastal aquifers <u>Additional notes:</u> Determined by the number of well owners who are willing to participate and by the availability of funds needed to drill new wells <u>Required by:</u> state government <u>Best in the country:</u> DNR	Output	<u>Target:</u> 25 <u>Actual:</u> 5	<u>Target:</u> 20 <u>Actual:</u> 3	<u>Target:</u> 17 <u>Actual:</u> 2	<u>Target:</u> 15 <u>Actual:</u> 0	<u>Target:</u> 15

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Prepare technical/scientific reports that document results from water-related investigations</p> <p><u>Additional notes:</u> 2017-18 target is not an optimal target and is limited because of staff shortage</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> DNR</p>	Output	<u>Target:</u> 1 report <u>Actual:</u> 0 report	<u>Target:</u> 1 report <u>Actual:</u> 1 report	<u>Target:</u> 1 report <u>Actual:</u> 0 report	<u>Target:</u> 1 report <u>Actual:</u> 4 reports	<u>Target:</u> 1 report
<p>Organize eight basin advisory councils to help develop regional water plans</p> <p><u>Additional notes:</u> Pilot-project in the Savannah River basin done in cooperation with Clemson and funded by Duke Energy Mitigation Funding from Federal Energy Regulatory Commission relicensing.</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> DNR</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 council
<p>Promote the extraction and conservation of South Carolina's earth raw materials and their manufacture to the economic improvement of the state by disseminating published geologic information to appropriate governmental agencies and private industry</p> <p><u>Additional note:</u> Reliable geologic information of the 566 quadrangles covering the state in digital format</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> DNR</p>	Outcome	<u>Target:</u> 410 quadrangles <u>Actual:</u> 156 quadrangles	<u>Target:</u> 403 quadrangles <u>Actual:</u> 163 quadrangles	<u>Target:</u> 397 quadrangles <u>Actual:</u> 169 quadrangles	<u>Target:</u> 391 quadrangles <u>Actual:</u> 175 quadrangles	<u>Target:</u> 386 quadrangles

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Map 1:24,000-scale quadrangles in the Coastal Plain region and make information available digitally to public in open-file report form <u>Required by:</u> federal government <u>Best in the country:</u> Delaware Geological Survey	Output	<u>Target:</u> 4 maps <u>Actual:</u> 7 maps	<u>Target:</u> 4 maps <u>Actual:</u> 6 maps	<u>Target:</u> 4 maps <u>Actual:</u> 6 maps	<u>Target:</u> 5 maps <u>Actual:</u> 5 maps	<u>Target:</u> 4 maps
Field check 1:24,000-scale quadrangles in Inner Piedmont (Spartanburg County) to verify mapped relations <u>Additional note:</u> 2017-18 target is not an optimal target and is limited because of staff shortage <u>Required by:</u> state government <u>Best in the country:</u> USGS	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 2 quadrangles <u>Actual:</u> 2 quadrangles	<u>Target:</u> 2 quadrangles <u>Actual:</u> 1 quadrangle	<u>Target:</u> 1 quadrangle
Complete 10 percent of regional compilation of Carolina terrane and field check relations to verify map reliability <u>Required by:</u> state government <u>Best in the country:</u> USGS	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 10% digitized <u>Actual:</u> 75% digitized	<u>Target:</u> 25% digitized
Compile available information to produce offshore map of South Carolina waters of Long Bay area (North Island to Little River) <u>Required by:</u> state government <u>Best in the country:</u> Coastal Carolina University (higher education)	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Compile map <u>Actual:</u> Map completed	<u>Target:</u> No longer tracked

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Finish digitization of 6 sets of coastal aerial photographs from Capers Island to Murrells Inlet and start Analyzing Moving Boundaries Using R (AMBUR) analysis of physical change <u>Required by:</u> agency selected <u>Best in the country:</u> Georgia Southern (higher education)	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 6 sets digitized <u>Actual:</u> 3 sets digitized	<u>Target:</u> 3 sets digitized <u>Actual:</u> 1 set digitized	<u>Target:</u> 2 sets digitized
Finish digitization of pilot project in ACE (Ashepoo-Combahee-Edisto) Basin and do AMBUR program analysis of physical change <u>Required by:</u> agency selected <u>Best in the country:</u> Georgia Southern (higher education)	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 5 shorelines <u>Actual:</u> 5 shorelines	<u>Target:</u> 100% analysis <u>Actual:</u> 100% analysis	<u>Target:</u> No longer tracked
Measure surface elevation table network along coast quarterly to determine occurrence of positive or negative vertical crustal movements <u>Required by:</u> agency selected <u>Best in the country:</u> USGS	Output	<u>Target:</u> 4 times <u>Actual:</u> 4 times	<u>Target:</u> 4 times <u>Actual:</u> 4 times	<u>Target:</u> 4 times <u>Actual:</u> 4 times	<u>Target:</u> 4 times <u>Actual:</u> 3 times	<u>Target:</u> 4 times
Conduct multi-year Bureau of Ocean Energy Management project to evaluate offshore sand resources <u>Additional note:</u> This is a two-year project which will be completed this year. <u>Required by:</u> agency selected <u>Best in the country:</u> DNR	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 30% <u>Actual:</u> 30%	<u>Target:</u> 70%

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Maintain core repository by obtaining core samples from private companies and institutions</p> <p><u>Additional Note:</u> The target level is beyond agency control. Depends on acquiring donations.</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> Texas Geological Survey</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 100% of amount donated accepted <u>Actual:</u> 100% (1,616 Feet)	<u>Target:</u> 100% of amount donated accepted
<p>Expand use of digital-mapping in field work done by DNR Land, Water, and Conservation Division</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> Kentucky Geological Survey</p>	Efficiency	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 in use <u>Actual:</u> 1 in use	<u>Target:</u> 2 in use <u>Actual:</u> 2 in use	<u>Target:</u> 3 in use
<p>Improve the preservation and accessibility of spatial data from and for land, water, and conservation programs with new and existing geographic information system databases</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> Florida Geological Survey</p>	Efficiency	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Improve existing or develop a new database for land, water, and conservation program that benefits program operations. <u>Actual:</u> Database of river access, data used for new GoPaddleSC.com website	<u>Target:</u> Improve state geological survey databases of geologic map information

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Expand information available from Land, Water, and Conservation Division webpages with use of story maps to disseminate natural resource information <u>Required by:</u> agency selected <u>Best in the country:</u> Delaware Geological Survey	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 page <u>Actual:</u> 2 page	<u>Target:</u> 1 page
Increase use of digitally interactive maps to provide additional information to support aspects of natural resource information <u>Required by:</u> agency selected <u>Best in the country:</u> Texas Parks and Wildlife	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 map <u>Actual:</u> 1 map	<u>Target:</u> 1 map
Evaluate uses of drones to digitally collect natural resource information <u>Required by:</u> agency selected <u>Best in the country:</u> College of Charleston (higher education)	Input/Activity	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 25% evaluated <u>Actual:</u> 25% evaluated	<u>Target:</u> 25% evaluated
Begin to integrate available onshore maps with offshore information of Long Bay area to produce composite working map <u>Required by:</u> agency selected <u>Best in the country:</u> New Jersey Geological Survey	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 20% integration <u>Actual:</u> 15% integration	<u>Target:</u> 20% integration

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Continue soliciting community collaborative rain, hail, and snow network volunteer observers: recruit three observers in counties with minimal participation <u>Required by:</u> state government <u>Best in the country:</u> North Carolina	Outcome	<u>Target:</u> 92 <u>Actual:</u> 71	<u>Target:</u> 92 <u>Actual:</u> 98	<u>Target:</u> 92 <u>Actual:</u> 48	<u>Target:</u> 92 <u>Actual:</u> 55	<u>Target:</u> 92
Retain community collaborative rain, hail, and snow network observers <u>Required by:</u> state government <u>Best in the country:</u> Kansas and Nebraska	Outcome	<u>Target:</u> 20% <u>Actual:</u> 32%	<u>Target:</u> 20% <u>Actual:</u> 40%	<u>Target:</u> 20% <u>Actual:</u> 48%	<u>Target:</u> 20% <u>Actual:</u> 53%	<u>Target:</u> 20%
Conduct drought and water shortage table-top exercise <u>Required by:</u> agency selected <u>Best in the country:</u> Washington Metropolitan drought exercises organized and conducted by the Interstate Commission on the Potomac River Basin	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1 table top exercise (scheduled September 2017)
Give presentations on climate <u>Required by:</u> agency selected <u>Best in the country:</u> DNR	Output	<u>Target:</u> DNE <u>Actual:</u> 40	<u>Target:</u> DNE <u>Actual:</u> 40	<u>Target:</u> DNE <u>Actual:</u> 45	<u>Target:</u> As requested <u>Actual:</u> 37	<u>Target:</u> As requested
Conduct pre-season and in-season tropical, severe, and winter weather briefings to state and county officials <u>Required by:</u> state government <u>Best in the country:</u> DNR	Output	<u>Target:</u> Weather Dependent <u>Actual:</u> DNE	<u>Target:</u> Weather Dependent <u>Actual:</u> 42 conference calls, 8-12 pre-season exercises	<u>Target:</u> Weather Dependent <u>Actual:</u> 34 conference calls, 8-12 pre-season exercises	<u>Target:</u> Weather Dependent <u>Actual:</u> 18 conference calls, 8-12 pre-season exercises	<u>Target:</u> Weather Dependent

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Expand the Severe weather alert listserve <u>Required by:</u> state government <u>Best in the country:</u> DNR	Output	<u>Target:</u> 1,675 <u>Actual:</u> 1,903	<u>Target:</u> 2,200 <u>Actual:</u> 2,092	<u>Target:</u> 2,400 <u>Actual:</u> 2,374	<u>Target:</u> 2,600 <u>Actual:</u> 2,937	<u>Target:</u> 3,137
Complete weekly and annual report on climatological data <u>Required by:</u> state government <u>Best in the country:</u> DNR	Output	<u>Target:</u> 53 <u>Actual:</u> 53	<u>Target:</u> 53 <u>Actual:</u> 53	<u>Target:</u> 53 <u>Actual:</u> 53	<u>Target:</u> 53 <u>Actual:</u> 53	<u>Target:</u> 53
Complete special weather summaries about significant weather events <u>Required by:</u> state government <u>Best in the country:</u> DNR	Output	<u>Target:</u> 20-25 <u>Actual:</u> 22	<u>Target:</u> 20-25 <u>Actual:</u> 19	<u>Target:</u> 20-25 <u>Actual:</u> 17	<u>Target:</u> 20-25 <u>Actual:</u> 17	<u>Target:</u> 20-25
Staff assists DNR Law Enforcement, Highway Patrol, and County Solicitor's Offices with weather and climate information pertaining to watercraft, vehicle and criminal investigations <u>Required by:</u> state government <u>Best in the country:</u> DNR	Output	<u>Target:</u> As requested <u>Actual:</u> Approximately 40 requests	<u>Target:</u> As requested <u>Actual:</u> Approximately 30 requests	<u>Target:</u> As requested <u>Actual:</u> Approximately 40 requests	<u>Target:</u> As requested <u>Actual:</u> Approximately 45 requests	<u>Target:</u> As requested
Conduct applied climatological research and produce decision-support products and tools important to the state <u>Required by:</u> state government <u>Best in the country:</u> unknown	Output	<u>Target:</u> 2-3 reports and products <u>Actual:</u> 3 reports and products	<u>Target:</u> 2-3 reports and products <u>Actual:</u> 3 reports and products	<u>Target:</u> 2-3 reports and products <u>Actual:</u> 4 reports and products	<u>Target:</u> 2-3 reports and products <u>Actual:</u> 2 reports and products	<u>Target:</u> 2-3 reports and products

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Provides weather and climate information as requested</p> <p><u>Additional notes:</u> Staff also participates in approximately 5-6 depositions a year, and provides certified weather data.</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> DNR</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Not agency dependent, depends on number of requests <u>Actual:</u> Approximately 360 requests	<u>Target:</u> Not agency dependent, depends on number of requests
<p>Continue to assist communities with substantial damage post-disaster for the next six months</p> <p><u>Required by:</u> federal government</p> <p><u>Best in the country:</u> federal government</p>	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Continue to assist communities with substantial damage post-disaster for the next six months <u>Actual:</u> Assisting communities with substantial damage post-disaster for the next six months	<u>Target:</u> Continue to assist communities with substantial damage post-disaster <u>Actual:</u> Assisting communities with substantial damage post-disaster for the next six months	<u>Target:</u> Continue to assist communities with substantial damage post-disaster for the next six months
<p>Outreach to 235 communities with selection of projects and preparing flood mitigation assistance (FMA) applications</p> <p><u>Required by:</u> federal government quarterly and annually</p> <p><u>Best in the country:</u> federal government</p>	Outcome	<u>Target:</u> Outreach to 231 communities <u>Actual:</u> Outreach to 231 communities	<u>Target:</u> Outreach to 231 communities <u>Actual:</u> Outreach to 231 communities	<u>Target:</u> Outreach to 231 communities with selection of projects and preparing FMA applications <u>Actual:</u> 231 communities	<u>Target:</u> Outreach to 233 communities with selection of projects and preparing FMA applications <u>Actual:</u> 235 communities	<u>Target:</u> Provide outreach to 235 communities with selection of projects and preparing FMA applications

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Conduct 20 community assistance visits and community assistance contacts</p> <p><u>Required by:</u> federal government <u>Best in the country:</u> federal government</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Conduct 20 community assistance visits (CAVs) and community assistance contacts <u>Actual:</u> Renegotiated grant after flood event; Only 9 CAVs have to be conducted	<u>Target:</u> 9 CAVs to be conducted <u>Actual:</u> Renegotiated grant because of the flood event 9 CAVs have been conducted	<u>Target:</u> 9 CAVs to be conducted
<p>Conduct five workshops and field deploy 1 L273 course (i.e., managing floodplain development through the national flood insurance program)</p> <p><u>Required by:</u> federal government <u>Best in the country:</u> federal government</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Conduct 5 workshops and field deploy 1 L273 course <u>Actual:</u> Renegotiated grant and conducted 10 workshops	<u>Target:</u> Conduct 5 workshops and field deploy 1 L273 course <u>Actual:</u> 14 workshops and field deploy 1 L273 course	<u>Target:</u> Conduct 5 workshops and field deploy 1 L273 course
<p>Provide ordinance assistance to communities in seven watersheds and five counties where preliminary federal Emergency Management Agency (FEMA) flood insurance rate maps are released</p> <p><u>Required by:</u> federal government <u>Best in the country:</u> federal government</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Provide ordinance assistance in 7 watersheds and 5 counties where preliminary FEMA flood insurance rate maps are released <u>Actual:</u> 7 watersheds and 5 counties	<u>Target:</u> Communities in 4 watersheds and 3 counties <u>Actual:</u> Communities in 5 watersheds and 6 counties	<u>Target:</u> Provide ordinance assistance to communities in 3 watersheds and 5 counties where preliminary FEMA flood insurance rate maps are released

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Conduct two discovery meetings for new flood insurance rate map mapping projects</p> <p><u>Required by:</u> federal government</p> <p><u>Best in the country:</u> federal government</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Conduct 2 discovery meetings for new flood insurance rate map mapping projects <u>Actual:</u> Conducted 1 discovery meeting for the Tyger Watershed; Postponed the Black Watershed to evaluate impacts of the flood event	<u>Target:</u> Conduct 3 discovery meetings for new flood insurance rate map mapping projects <u>Actual:</u> Conducted 2 discovery meetings for new flood insurance rate map mapping projects; Delay in funding from FEMA delayed other discovery meetings	<u>Target:</u> Conduct 2 discovery meetings for new flood insurance rate map mapping projects
<p>Release preliminary FEMA flood insurance rate maps</p> <p><u>Required by:</u> federal government</p> <p><u>Best in the country:</u> federal government</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Release 5 preliminary FEMA Flood Insurance Rate Maps <u>Actual:</u> Released 5 preliminary FEMA flood insurance rate maps	<u>Target:</u> Release 3 preliminary FEMA flood insurance rate maps <u>Actual:</u> Released 3 preliminary FEMA flood insurance rate maps	<u>Target:</u> Release 1 preliminary FEMA flood insurance rate map
<p>Conduct two preliminary digital flood insurance rate map (DFIRM) community coordination meetings, four open house meetings, and five resilience meetings</p> <p><u>Required by:</u> federal government</p> <p><u>Best in the country:</u> federal government</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Conduct 8 preliminary DFIRM community coordination meetings and 11 open house meetings <u>Actual:</u> 8 DFIRM meetings and 11 open house meetings	<u>Target:</u> Conduct 6 preliminary DFIRM community coordination meetings and 11 open house meetings <u>Actual:</u> 5 DFIRM meetings and 7 open house meetings	<u>Target:</u> Conduct 2 preliminary DFIRM community coordination meetings, 4 open house meetings and 5 resilience meetings

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Create and submit to Department of Health and Environmental Control (DHEC) for approval a plan for nuisance species control on water supply lakes to limit herbicide use and budget by utilizing biocontrol and herbicides approved for use in drinking water supply waters <u>Required by:</u> Required by state - DHEC requires prior written documentation of herbicides utilized in drinking water supply lakes <u>Best in the country:</u> DNR	Outcome	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year
Control more than 80% of nuisance, invasive species that impact public waters across the state <u>Required by:</u> state government <u>Best in the country:</u> DNR	Outcome	<u>Target:</u> 80% <u>Actual:</u> 1,387 acres treated (90 % efficacy)	<u>Target:</u> 2,000 acres (80% efficacy) <u>Actual:</u> 2,764 acres <td><u>Target:</u> 2,000 acres (80% efficacy) <u>Actual:</u> 2,769 acres</td> <td><u>Target:</u> 2,000 acres (80% efficacy) <u>Actual:</u> 3,656 acres<br (>90%="" efficacy)<="" td=""/><td><u>Target:</u> 2,000 acres (80% efficacy)</td></td>	<u>Target:</u> 2,000 acres (80% efficacy) <u>Actual:</u> 2,769 acres	<u>Target:</u> 2,000 acres (80% efficacy) <u>Actual:</u> 3,656 acres <td><u>Target:</u> 2,000 acres (80% efficacy)</td>	<u>Target:</u> 2,000 acres (80% efficacy)
Web site information is routinely updated with current educational information <u>Required by:</u> agency selected <u>Best in the country:</u> U.S. Fish and Wildlife Service	Outcome	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance
Attend and distribute educational materials at the two largest wildlife oriented events in the state (i.e., Palmetto Sportsman's Classic and Southeastern Wildlife Expo) <u>Required by:</u> agency selected <u>Best in the country:</u> DNR	Outcome	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 100% compliance <u>Actual:</u> 100% compliance	<u>Target:</u> 2

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Attend Gulf and South Atlantic Regional panel meetings on invasive species and maintain open lines of communication with border states and Santee Cooper staff <u>Required by:</u> agency selected <u>Best in the country:</u> DNR	Outcome	<u>Target:</u> 3 meetings/year <u>Actual:</u> 3 meetings/year	<u>Target:</u> 3 meetings/year <u>Actual:</u> 3 meetings/year	<u>Target:</u> 3 meetings/year <u>Actual:</u> 3 meetings/year	<u>Target:</u> 3 meetings/year <u>Actual:</u> 3 meetings/year	<u>Target:</u> 3 meetings/year
Create annual South Carolina Aquatic Plant Management Plan <u>Required by:</u> state government <u>Best in the country:</u> DNR	Outcome	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year <u>Actual:</u> 1 per year	<u>Target:</u> 1 per year
Maintain 100% accuracy of record system for scheduled treatments and surveys utilizing GIS technology <u>Required by:</u> state government <u>Best in the country:</u> DNR	Outcome	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
Conduct archaeological investigation on heritage trust preserves (HTP) and wild life management areas (WMA). Investigation may be implemented for management purposes (MP), compliance with state or federal regulations (CO), scientific research (SR) and or public outreach (PO) <u>Additional notes:</u> Measured by acreage, projects and/or by number of properties. <u>Required by:</u> federal government, state government, and agency selected <u>Best in the country:</u> DNR and private	Outcome	<u>Target:</u> 1 HTP, 100% Cultural Resource Management (CRM), 1 SR/PO <u>Actual:</u> 1HTP (Bear Branch HP), 100% CO, 1 SR/PO.	<u>Target:</u> Same as previous year <u>Actual:</u> 1HTP (Fort Frederick HP), 100% CO (boating infrastructure grants), 1 SR/PO (Johannes Kolb Archaeology and Public Education Project).	<u>Target:</u> Same as previous year <u>Actual:</u> 0 HTP (Oct 2015 flood), 100% CO (boating infrastructure grants), 1 SR/PO (Johannes Kolb Archaeology and Public Education Project).	<u>Target:</u> Same as previous year <u>Actual:</u> 0 HTP, 100% CO (boating infrastructure grant, 2 individual projects and 50 acres of Hail Gold Mine mitigation Tract Wateree River HP/WMA), 0 SR/PO (archaeological research facility consumed year).	<u>Target:</u> Same as previous year <u>Actual:</u> 1HTP (planned Fort Lamar HP Dec 2017/Jan 2018), 100% CO (Continuing Hail Gold Mine mitigation Tract Wateree River HP/WMA), 1 SR/PO (Pockoy Island Shell Ring Investigation July 2017).

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Conduct Public Outreach Archaeology Program</p> <p><u>Additional notes:</u> Measured by programs and presentations given and attendance to public archaeological investigations.</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> DNR</p>	Outcome	<p><u>Target:</u> 1 Program (Johannes Kolb archaeology and public education project).</p> <p><u>Actual:</u> 1 Program (Johannes Kolb archaeology and public education project), public attendance approximately 300</p>	<p><u>Target:</u> 2 Programs (Johannes Kolb archaeology and public education project and Fort Frederick archaeology program).</p> <p><u>Actual:</u> 2 Programs (Johannes Kolb archaeology and public education project and Fort Frederick archaeology program), attendance approximately 300 per program</p>	<p><u>Target:</u> 1 Program (Johannes Kolb Archaeology and Public Education Project).</p> <p><u>Actual:</u> 1 Program (Johannes Kolb archaeology and public education project), public attendance approximately 300</p>	<p><u>Target:</u> 0, Planning for new projects</p> <p><u>Actual:</u> 0</p>	<p><u>Target:</u> Develop new programs with education interns, Boy Scouts archaeology merit badge, project archaeology teacher recertification program, and conduct public archaeological investigation</p>
<p>Manage historic structures and ruins (e.g., Poinsett Bridge - circa 1820, Fort Frederick - circa 1734)</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> DNR</p>	Outcome	<p><u>Target:</u> 2 structures</p> <p><u>Actual:</u> 2 structures (Poinsett Bridge and Fort Frederick)</p>	<p><u>Target:</u> 2 structures</p> <p><u>Actual:</u> 2 structures (Poinsett Bridge and Fort Frederick)</p>	<p><u>Target:</u> 2 structures</p> <p><u>Actual:</u> 2 structures (Poinsett Bridge and Fort Frederick Tabby)</p>	<p><u>Target:</u> 2 Structures</p> <p><u>Actual:</u> 3 Structures (Poinsett Bridge and Fort Frederick visually inspected for damage, Botany Bay Tabby preservation project completed)</p>	<p><u>Target:</u> 2 (Develop Poinsett Bridge Preservation Plan and inspect Fort Frederick)</p>

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Annually monitor 24 properties listed on the National Register of Historic Places and report to Department of Archives and History (DAH) per the programmatic agreement between the DNR and the DAH regarding the management of state owned or leased national register listed properties <u>Required by:</u> state government <u>Best in the country:</u> DNR	Outcome	<u>Target:</u> 24 Properties <u>Actual:</u> 24 Properties	<u>Target:</u> 24 Properties <u>Actual:</u> 24 Properties	<u>Target:</u> 24 Properties <u>Actual:</u> 24 Properties	<u>Target:</u> 24 Properties <u>Actual:</u> 24 Properties	<u>Target:</u> 24 Properties
Maintain and inspect walking trails, parking lots, property lines, and grassed acres on 17 cultural heritage preserves <u>Required by:</u> state government <u>Best in the country:</u> DNR	Outcome	<u>Target:</u> 10 miles walking trails, 11 parking lots, 30 miles property lines, 20 acres grass <u>Actual:</u> Same as target	<u>Target:</u> Same as previous year <u>Actual:</u> Same as previous year	<u>Target:</u> Same as previous year <u>Actual:</u> Same as previous year	<u>Target:</u> Same as previous year <u>Actual:</u> Same as previous year	<u>Target:</u> Same as previous year
Manage forest resources on 17 cultural heritage preserves (HP) to improve wildlife habitat <u>Additional notes:</u> Dependent upon completion of archaeological inventory of property, future desired condition and cruise and sale of timber <u>Required by:</u> state government <u>Best in the country:</u> DNR	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Harvest 40 acres at Bear Branch HP <u>Actual:</u> 40 acres harvested	<u>Target:</u> Cruise Congaree Creek HP Timber, burn or spray 40 acre harvest at Bear Branch HP, install fire breaks at Bear Branch HP. Eradicate 10 acres of kudzu at Poinsett Bridge HP Eradicate 5 acres of private at Fort Lamar HP.

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Develop new features on 17 cultural heritage preserves (e.g., trails, interpretive panels, and guard rails)</p> <p><u>Required by:</u> state government <u>Best in the country:</u> DNR</p>	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> Develop interpretive materials for panels at Fort Frederick and Poinsett Bridge HPs. Design new trail markers for Congaree Creek HP <u>Actual:</u> materials 75% developed, trail markers design and procured for Congaree Creek HP.	<u>Target:</u> Complete approval process for Fort Frederick HP Boat Landing. Install interpretive panels at Fort Frederick & Poinsett Bridge HPs, Construct new trail at Poinsett Bridge HP. Install new trail markers at Congaree Creek HP. Install guard rail on dock at Chidisbury Towne HP. Install guardrail at Altamaha Towne HP. Install flag pole and split rail fence at Fort Lamar HP.

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Inventory significant tracts of DNR properties. In addition, inform public agencies, private land trusts, and the general public of the significance of their properties as areas of high or unique biodiversity or special habitats</p> <p><u>Required by:</u> federal: U.S. Fish and Wildlife Service tracks plants and animal species data collected by or managed by DNR, particularly on state and federal properties</p> <p><u>Best in the country:</u> Virginia Natural Heritage Program</p>	Outcome	<p><u>Target:</u> Rare plant and animal records entered into database</p> <p><u>Actual:</u> 17 plants; 1 animal entered into heritage database; data reviews totaled 166 requests filled; online herbarium voucher specimen queries totaled 917</p>	<p><u>Target:</u> Plant records were compiled for data entry that are housed at University of South Carolina (USC) and Clemson University</p> <p><u>Actual:</u> 3 plants, 6 animals; 2 natural communities entered into heritage database; data reviews totaled 225 data requests filled; online herbarium specimen queries totaled 1,045</p>	<p><u>Target:</u> Evaluate Peach Tree Rock, Wateree River, and Woodbury Heritage preserves for rare plant species; enter into database rarest tracked species housed at academic institutions (i.e., USC and Clemson University)</p> <p><u>Actual:</u> 307 species occurrences for 27 different plant species considered most in need of conservation</p>	<p><u>Target:</u> Continue evaluation of heritage trust preserves and future acquisitions; collected 90% of voucher specimen information at Furman University and USC UpState</p> <p><u>Actual:</u> 109 species added to the tracked list; 283 new/updated observations added to the occurrence database; 301 information requests answered</p>	<p><u>Target:</u> Continue evaluation of heritage trust preserves and future acquisitions; complete collection of voucher specimen information from Furman University and USC UpState; begin collection of voucher specimen information from Francis Marion University, Newberry College, USC Salkahatchie, and Winthrop University</p>

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Hire three new state-funded staff positions to assist conservation districts and watershed district boards <u>Required by:</u> state <u>Best in the country:</u> Missouri DNR - Soil and Water Program	Outcome	<u>Target:</u> Create 1 new state-funded FTE to assist districts and boards <u>Actual:</u> Funds appropriated by legislature; vetoed by the Governor.	<u>Target:</u> Same as previous year <u>Actual:</u> Funds appropriated by legislature-hired in August 2014	<u>Target:</u> Create 3 new state-funded staff positions to assist conservation districts and watershed boards <u>Actual:</u> No funds appropriated for these positions	<u>Target:</u> Same as previous year <u>Actual:</u> No funds appropriated for these positions	<u>Target:</u> Same as previous year
Seek additional \$150,000 of federal grant funds to hire two new grant-funded positions to provide increased technical assistance <u>Required by:</u> state <u>Best in the country:</u> Missouri DNR - Soil and Water Program	Outcome	<u>Target:</u> Obtain \$150,000 in federal grant agreements <u>Actual:</u> Received \$215,000	<u>Target:</u> Obtain \$150,000 in federal grant agreements <u>Actual:</u> Received \$223,540	<u>Target:</u> Obtain \$150,000 in federal grant agreements <u>Actual:</u> Received \$223,540	<u>Target:</u> \$200,000 <u>Actual:</u> Received \$276,082	<u>Target:</u> \$200,000
Seek increase in state funding for aid to conservation districts to \$1 million <u>Required by:</u> state <u>Best in the country:</u> Missouri DNR - Soil and Water Program <u>Additional notes:</u> Currently, aid to districts is funded at \$690,000 with each of the 46 districts receiving \$15,000. With the increase requested, each district would receive \$21,739.13 annually, which is for operating costs of the district offices.	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> \$1,000,000 <u>Actual:</u> No increase	<u>Target:</u> \$1,000,000 <u>Actual:</u> No increase	<u>Target:</u> \$1,000,000

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Increase participation by 20% by promoting Envirothon at schools and at statewide educational events</p> <p><u>Required by:</u> agency selected <u>Best in the country:</u> Pennsylvania Envirothon.org</p>	Outcome	<u>Target:</u> 144 in attendance <u>Actual:</u> 144 in attendance	<u>Target:</u> 160 in attendance <u>Actual:</u> 156 in attendance	<u>Target:</u> 192 in attendance <u>Actual:</u> 126 in attendance	<u>Target:</u> 144 in attendance <u>Actual:</u> 126 in attendance	<u>Target:</u> 144 in attendance
<p>Increase conservation plans serviced by 50</p> <p><u>Required by:</u> state <u>Best in the country:</u> Missouri DNR - Soil and Water Program</p>	Output	<u>Target:</u> 300 plans <u>Actual:</u> 400 plans	<u>Target:</u> 450 plans <u>Actual:</u> 600 plans	<u>Target:</u> 600 plans <u>Actual:</u> 600 plans	<u>Target:</u> 600 plans <u>Actual:</u> 876 plans	<u>Target:</u> 850 plans
<p>Conduct five demonstration workshops using the rainfall simulator</p> <p><u>Required by:</u> state <u>Best in the country:</u> Iowa Learning Farms - Iowa State University <u>Additional notes:</u> The grant that supports this program will expire in December 2017</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 5 demonstration workshops <u>Actual:</u> 14 demonstration workshops	<u>Target:</u> 10 demonstration workshops <u>Actual:</u> 14 demonstration workshops	<u>Target:</u> 8 demonstration workshops

Performance Measures	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Manage the state scenic rivers program, and provide related technical assistance and support to project partners and the public statewide</p> <p><u>Required by:</u> agency selected <u>Best in the country:</u> Virginia Scenic Rivers Program</p>	Outcome	<p><u>Target:</u> Provide 3 active river projects, 1 information product, 100 consultations, and 3,000 Beach Sweep River Sweep (BSRS) participants per year. Note, this is not an optimal target and is limited because of staff shortage.</p> <p><u>Actual:</u> 3 active projects; 5,253 participants in BSRS statewide.</p>	<p><u>Target:</u> Same as previous year</p> <p><u>Actual:</u> 3 active projects; 3,910 participants in BSRS statewide</p>	<p><u>Target:</u> Same as previous year</p> <p><u>Actual:</u> 3 active projects; 4,500 participants in BSRS statewide</p>	<p><u>Target:</u> Same as previous year</p> <p><u>Actual:</u> 3 active projects; 4,750 participants in BSRS statewide</p>	<p><u>Target:</u> Same as previous year. (Note, this is not an optimal target and is limited because of staff shortage.)</p>

Table Note: For each measure, the agency identified the entity the performance measure is "required by," the entity that is "best in the country," which "type of measure" it considered the performance measure, and the target and actual values. "DNE" means did not exist.

Table 17. Strategies and objectives for Goal 2 - Conserve and protect the state's natural resources for social, economic, recreational, and commercial benefit while providing maximum human utilization through: (1) the development of public support through outreach, education, and safety programs; (2) the preservation of the peace and protection of human lives and property; and (3) the enforcement of the state's criminal laws through the detection, apprehension, and prosecution of persons who violate those laws.

Goal 2 - Conserve and protect the state's natural resources for social, economic, recreational, and commercial benefit while providing maximum human utilization through: (1) the development of public support through outreach, education, and safety programs; (2) the preservation of the peace and protection of human lives and property; and (3) the enforcement of the state's criminal laws through the detection, apprehension, and prosecution of persons who violate those laws.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Strategy 2.1 - Provide for a safe hunting, fishing, and boating environment through outreach.				
<ul style="list-style-type: none"> Objective 2.1.1 - Provide for a safe hunting, fishing, and boating environment through outreach. <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; higher education institutes; private; and other Objective 2.1.2 - Administer the state's hunter and boater safety certification programs. 	11.00 FTE 3.00 TG	\$3,138,682 (3.25%)	15.00 FTE 2.00 TG	\$3,938,185 (4.08%)
Strategy 2.2 - Provide for protection of lives and property.				
<ul style="list-style-type: none"> Objective 2.2.1 - Continue as the primary investigator of hunting and boating related accidents and fatalities. <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; higher education institutes; private; and other Objective 2.2.2 - Continue as the primary first responder in statewide disaster response as related to search and rescue, inclement weather, flooding, and homeland security mission. <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; higher education institutes; private; and other 	12.00 FTE 3.00 TG	\$612,243 (0.63%)	13.00 FTE 3.00 TG	\$810,000 (0.84%)
	2.00 FTE	\$199,221 (0.21%)	2.00 FTE	\$178,172 (0.18%)

Goal 2 - Conserve and protect the state's natural resources for social, economic, recreational, and commercial benefit while providing maximum human utilization through: (1) the development of public support through outreach, education, and safety programs; (2) the preservation of the peace and protection of human lives and property; and (3) the enforcement of the state's criminal laws through the detection, apprehension, and prosecution of persons who violate those laws.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
<p>Strategy 2.3 - Enforce the state's criminal codes through detection, apprehension, and prosecution.</p> <ul style="list-style-type: none"> • Objective 2.3.1 - Encourage a proactive approach to patrolling to enforce the state's hunting, fishing, environmental, boating, and general criminal laws. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal, state, and local government; higher education institutes; private; and other • Objective 2.3.2 - Continue with providing advanced training opportunities to law enforcement staff and officers to enhance their abilities in violation detection, case preparation, officer safety, and prosecution. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal, state, and local government; higher education institutes; private; and other • Objective 2.3.3 - Administration of the law enforcement program and staff. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal, state, and local government; higher education institutes; private; and other 	240.00 FTE	\$22,104,323 (22.90%)	235.00 FTE	\$23,382,708 (24.22%)
	3.00 FTE	\$158,897 (0.16%)	3.00 FTE	\$285,363 (0.30%)
	30.00 FTE	\$1,354,219 (1.40%)	30.00 FTE	\$2,063,318 (2.14%)

Table Note: The agency does not budget or allocate FTEs at the Goal/Strategy/Objective level. However, the amounts provided are reasonable estimates.

Table 18. Performance measures associated with Goal 2 - Conserve and protect the state's natural resources for social, economic, recreational, and commercial benefit while providing maximum human utilization through: (1) the development of public support through outreach, education, and safety programs; (2) the preservation of the peace and protection of human lives and property; and (3) the enforcement of the state's criminal laws through the detection, apprehension, and prosecution of persons who violate those laws.⁸²

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Grow the scholastic clay target sports program <u>Required by:</u> agency selected <u>Best in the country:</u> DNR	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 400 youth shooters <u>Actual:</u> 440 youth shooters	<u>Target:</u> 400 youth shooters <u>Actual:</u> 520 youth shooters	<u>Target:</u> 400 youth shooters <u>Actual:</u> 593 youth shooters	<u>Target:</u> 400 youth shooters
Grow the archery in schools program <u>Required by:</u> agency selected <u>Best in the country:</u> DNR	Output	<u>Target:</u> 20,000 students <u>Actual:</u> 22,000 students	<u>Target:</u> 20,000 students <u>Actual:</u> 27,000 students	<u>Target:</u> 20,000 students <u>Actual:</u> 44,000 students	<u>Target:</u> 20,000 students <u>Actual:</u> 50,000 students	<u>Target:</u> 20,000 students
Grow the take one make one program <u>Required by:</u> agency selected <u>Best in the country:</u> DNR	Output	<u>Target:</u> 50 hunts <u>Actual:</u> 56 hunts	<u>Target:</u> 60 hunts <u>Actual:</u> 74 hunts	<u>Target:</u> 60 hunts <u>Actual:</u> 71 hunts	<u>Target:</u> 60 hunts <u>Actual:</u> 67 hunts	<u>Target:</u> 60 hunts
Grow the law enforcement regional youth fishing rodeos <u>Required by:</u> agency selected <u>Best in the country:</u> DNR	Output	<u>Target:</u> 10 rodeos <u>Actual:</u> 17 rodeos	<u>Target:</u> 10 rodeos <u>Actual:</u> 20 rodeos	<u>Target:</u> 10 rodeos <u>Actual:</u> 20 rodeos	<u>Target:</u> 20 rodeos <u>Actual:</u> 26 rodeos	<u>Target:</u> 20 rodeos
Administer hunter education <u>Required by:</u> federal <u>Best in the country:</u> DNR	Output	<u>Target:</u> 15,000 students <u>Actual:</u> 15,660 students	<u>Target:</u> 15,000 students <u>Actual:</u> 19,573 students	<u>Target:</u> 15,000 students <u>Actual:</u> 15,576 students	<u>Target:</u> 15,000 students <u>Actual:</u> 14,288 students	<u>Target:</u> 12,000 students

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Offer boater education <u>Required by:</u> federal <u>Best in the country:</u> DNR	Output	<u>Target:</u> 3,500 students <u>Actual:</u> 3,325 students	<u>Target:</u> 3,500 students <u>Actual:</u> 4,011 students	<u>Target:</u> 3,500 students <u>Actual:</u> 4,350 students	<u>Target:</u> 3,500 students <u>Actual:</u> 4,613 students	<u>Target:</u> 3,500 students
Document natural resource, boating, and criminal violations <u>Required by:</u> state government <u>Best in the country:</u> DNR <u>Additional notes:</u> number includes all documented violations.	Input/Activity	<u>Target:</u> All violations <u>Actual:</u> 37,559 contacts	<u>Target:</u> All violations <u>Actual:</u> 39,340 contacts	<u>Target:</u> All violations <u>Actual:</u> 38,544 contacts	<u>Target:</u> All violations <u>Actual:</u> 30,980 contacts	<u>Target:</u> All violations
Maintain leadership role in search and rescue missions, and disaster response <u>Required by:</u> state government <u>Best in the country:</u> DNR	Input/Activity	<u>Target:</u> All requests <u>Actual:</u> 4,415 hours	<u>Target:</u> All requests <u>Actual:</u> 3,444 hours	<u>Target:</u> All requests <u>Actual:</u> 8,671 hours	<u>Target:</u> All requests <u>Actual:</u> 11,644 hours	<u>Target:</u> All requests
Continue internal efforts and partnerships with federal, state, and local partners conducting missions related to Homeland Security <u>Required by:</u> state government <u>Best in the country:</u> DNR	Input/Activity	<u>Target:</u> 0 threats <u>Actual:</u> 4,492 hours	<u>Target:</u> 0 threats <u>Actual:</u> 4,938 hours	<u>Target:</u> 0 threats <u>Actual:</u> 6,508 hours	<u>Target:</u> 0 threats <u>Actual:</u> 5,510 hours	<u>Target:</u> 0 threats
Daily patrols check hunters and fisherman for compliance <u>Required by:</u> state government <u>Best in the country:</u> DNR	Efficiency	<u>Target:</u> 22,000 checked <u>Actual:</u> 53,443 checked	<u>Target:</u> 22,000 checked <u>Actual:</u> 182,516 checked	<u>Target:</u> 22,000 checked <u>Actual:</u> 175,461 checked	<u>Target:</u> 22,000 checked <u>Actual:</u> 141,590 checked	<u>Target:</u> 22,000 checked

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Offer training to ensure a professional force of law enforcement officers</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> South Carolina Criminal Justice Academy, FBI Academy, federal Law Enforcement Training Center</p> <p><u>Additional Notes:</u> These are actual classroom hours, does not reflect number in attendance.</p>	Input/Activity	<u>Target:</u> 500 hours <u>Actual:</u> 1,336 hours	<u>Target:</u> 500 hours <u>Actual:</u> 1,529 hours	<u>Target:</u> 500 hours <u>Actual:</u> 991 hours	<u>Target:</u> 500 hours <u>Actual:</u> 1,137 hours	<u>Target:</u> 500 hours
<p>DNR radio room effectively and efficiently handling calls for service</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> DNR</p>	Output	<u>Target:</u> All calls <u>Actual:</u> 16,868 calls	<u>Target:</u> All calls <u>Actual:</u> 14,192 calls	<u>Target:</u> All calls <u>Actual:</u> 13,862 calls	<u>Target:</u> All calls <u>Actual:</u> 14,661 calls	<u>Target:</u> All calls
<p>Enforce inland fish and game laws in all 46 counties</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> DNR</p>	Input/Activity	<u>Target:</u> All violations <u>Actual:</u> 17,375 contacts	<u>Target:</u> All violations <u>Actual:</u> 18,144 contacts	<u>Target:</u> All violations <u>Actual:</u> 19,114 contacts	<u>Target:</u> All violations <u>Actual:</u> 15,715 contacts	<u>Target:</u> All violations
<p>Saltwater recreational and commercial fishing enforcement of over 3,000 miles of coastal waters to prevent illegal harvest of marine species</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> DNR</p>	Outcome	<u>Target:</u> All violations <u>Actual:</u> 1,259 contacts	<u>Target:</u> All violations <u>Actual:</u> 1,443 contacts	<u>Target:</u> All violations <u>Actual:</u> 1,291 contacts	<u>Target:</u> All violations <u>Actual:</u> 1,122 contacts	<u>Target:</u> All violations

Table Note: For each measure, the agency identified the entity the performance measure is “required by,” the entity that is “best in the country,” which “type of measure” it considered the performance measure, and the target and actual values. “DNE” means did not exist.

Table 19. Strategies and objectives for Goal 3 - To sustain the state's living marine resources for the cultural, recreational, commercial and economic benefit of the state's citizens and visitors.

		2016-17		2017-18	
		FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Goal 3 - To sustain the state's living marine resources for the cultural, recreational, commercial and economic benefit of the state's citizens and visitors.					
Strategy 3.1 - Conduct research on and monitor marine species.					
<ul style="list-style-type: none"> Objective 3.1.1 - Determine the biology, ecological relationships, threat, and critical needs of living marine resources of the state. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; higher education institutes; non-profit entities; and private individuals Objective 3.1.2 - Monitor population status and trends of living marine resources. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; and private individuals Objective 3.1.3 - Examine the social and economic importance of marine resources to SC. <ul style="list-style-type: none"> Partner(s), by segment: private business Objective 3.1.4 - Quantify and monitor marine habitats and water quality. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; and private individuals 	8.55 FTE 17.70 TG	\$2,529,547 (3.08%)	8.55 FTE 17.70 TG	\$2,726,795 (3.32%)	
		13.00 FTE 18.70 TG	\$3,243,976 (3.95%)	13.00 FTE 18.70 TG	\$3,500,257 (4.26%)
		0.60 FTE	\$74,850 (0.09%)	0.60 FTE	77,033\$ (0.09%)
		2.30 FTE 4.90 TG	\$1,031,307 (1.25%)	2.30 FTE 4.90 TG	\$1,54,133 (1.28%)

		2016-17		2017-18	
		FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Goal 3 - To sustain the state's living marine resources for the cultural, recreational, commercial and economic benefit of the state's citizens and visitors.					
Strategy 3.2 - Manage the harvest of marine resources.					
<ul style="list-style-type: none"> Objective 3.2.1 - Open and close fishing seasons, as specified by code and provide commercial licenses and permits as required. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; and private individuals Objective 3.2.2 - Determine fishery harvest totals, harvest rates, and fishing effort. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; and private individuals Objective 3.2.3 - Work collaboratively with the regional fishery management councils and Atlantic States Marine Fisheries Commission to manage migratory marine species. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; and private individuals 	6.25 FTE 9.15 FTE 8.00 TG	\$516,139 (0.63%) \$1,202,604 (1.46%)	6.25 FTE 9.15 FTE 8.00 TG	\$748,958 (0.91%) \$1,245,423 (1.51%)	
		3.10 FTE 1.00 TG	\$520,510 (0.63%)	3.10 FTE 1.00 TG	\$553,817 (0.67%)

		2016-17		2017-18	
		FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Goal 3 - To sustain the state's living marine resources for the cultural, recreational, commercial and economic benefit of the state's citizens and visitors.					
Strategy 3.3 - Enhance marine fisheries stocks.					
<ul style="list-style-type: none"> • Objective 3.3.1 - Stock resource as needed to replenish resources. <ul style="list-style-type: none"> ○ Partner(s), by segment: state government; private individuals; and non-profit entities • Objective 3.3.2 - Work to ensure artificial reefs continue to sustain marine species and fishing success. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal and local government; private individuals; and non-profit entities • Objective 3.3.3 - Ensure the commercial and recreational oyster beds are replenished with shell substrate. <ul style="list-style-type: none"> ○ Partner(s), by segment: non-profit entities; private business; and private individuals 	4.40 FTE 8.15 TG	\$2,123,996 (2.58%)	4.40 FTE 8.15 TG	\$1,409,372 (1.71%)	
		1.20 FTE 2.45 TG	\$474,700 (0.58%)	1.20 FTE 2.45 TG	\$505,283 (0.61%)
		1.65 FTE 4.25 TG	\$466,374 (0.57%)	1.65 FTE 4.25 TG	\$518,608 (0.63%)

Goal 3 - To sustain the state's living marine resources for the cultural, recreational, commercial and economic benefit of the state's citizens and visitors.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Strategy 3.4 - Engage the general public in protecting and sustaining marine resources through knowledge and personal actions.				
<ul style="list-style-type: none"> Objective 3.4.1 - Work to ensure school children and teachers are informed about the marine environment. <ul style="list-style-type: none"> Partner(s), by segment: K-12 and higher education institutes; and state Objective 3.4.2 - Teach adults and community leaders about cooperative research, sustainable harvesting practices, habitat protection, and understanding marine management. <ul style="list-style-type: none"> Partner(s), by segment: private individuals Objective 3.4.3 - Provide paper and electronic information and literature on marine resources to the public. <ul style="list-style-type: none"> Partner(s), by segment: non-profit entities; and private businesses Objective 3.4.4 - Provide the general public with access to high quality recreational opportunities related to marine/coastal natural resources. <ul style="list-style-type: none"> Partner(s), by segment: non-profit entities, and private businesses 	1.40 FTE 0.63 TG	\$217,421 (0.26%)	1.40 FTE 0.63 TG	\$220,183 (0.27%)
Strategy 3.5 - Provide operational support for marine resources research, monitoring, stewardship, and outreach efforts.				
<ul style="list-style-type: none"> Objective 3.5.1 - Ensure the Marine Resources Division programs safely and effectively carry out their mission. <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; higher education institute; and private business 	34.00 FTE	\$3,903,501 (4.75%)	34.00 FTE	\$5,007,934 (6.09%)

Table Note: The agency does not budget or allocate full-time equivalents (FTEs) at the goal/strategy/objective level; however, the amounts provided are reasonable estimates. TG refers to temporary/grant employee.

Table 20. Performance measures associated with Goal 3 - To sustain the state's living marine resources for the cultural, recreational, commercial and economic benefit of the state's citizens and visitors.⁸³

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Increase loggerhead sea turtle nesting by requiring and enforcing turtle excluder devices on commercial fishing vessels, protecting turtle nests during breeding season from predators and humans, collecting and analyzing data on nests to determine viability and causes of fatality, with the goal of eventually delisting the species from the endangered species list</p> <p><u>Required by:</u> federal government <u>Best in the country:</u> DNR <u>Additional notes:</u> The recovery plan for the loggerhead sea turtle specifies a recovered population as that indicated by approximately 30,000 nests annually. It is estimated, based on habitat, SC's portion would be 9,200 nests, so that is our target. Nesting numbers have been known to fluctuate as adult female turtles nest once every three years.</p>	Outcome	<u>Target:</u> Increase turtle nests <u>Actual:</u> 5,193 turtle nests	<u>Target:</u> Increase turtle nests <u>Actual:</u> 2,086 turtle nests	<u>Target:</u> Increase turtle nests <u>Actual:</u> 5,104 turtle nests	<u>Target:</u> Increase turtle nests <u>Actual:</u> 6,444 turtle nests	<u>Target:</u> Increase turtle nests
<p>Number of research grants awarded to Marine Division</p> <p><u>Required by:</u> agency selected <u>Best in the country:</u> There are only a couple of other states with a comparable state laboratory. In many aspects (e.g., genetics, stock assessment, fish aging, and fish culture) our lab is superior to others. Florida Fish & Wildlife Research Institute/Florida Fish & Wildlife Conservation Commission is probably the most appropriate analog to our research lab. <u>Additional notes:</u> 60 grants annually support the existing staff such that personnel are fully subscribed.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 60 research grants awarded to Marine Division <u>Actual:</u> 50 research grants awarded to Marine Division	<u>Target:</u> 60 research grants awarded to Marine Division <u>Actual:</u> 58 research grants awarded to Marine Division	<u>Target:</u> 60 research grants awarded to Marine Division <u>Actual:</u> 61 research grants awarded to Marine Division	<u>Target:</u> 60 research grants awarded to Marine Division

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Number of man days sampling marine fauna</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> The DNR lab exceeds all other southeastern states in the amount of effort devoted to monitoring key species (e.g., red drum, sea trout, shrimp, and blue crab)</p>	Output	<u>Target:</u> DNE <u>Actual:</u> 3,477 man days	<u>Target:</u> 3,900 man days <u>Actual:</u> 3,910 man days	<u>Target:</u> 3,900 man days <u>Actual:</u> 4,020 man days	<u>Target:</u> 3,900 man days <u>Actual:</u> 4,411 man days	<u>Target:</u> 3,900 man days
<p>Number of social and economic surveys related to marine resources</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> No data exists on surveys conducted by other states, but DNR believes SC probably exceeds other states in surveying its customers because DNR's substantial outreach program is larger than that of other states.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 3 social and economic surveys <u>Actual:</u> 4 social and economic surveys	<u>Target:</u> 3 social and economic surveys <u>Actual:</u> 5 social and economic surveys	<u>Target:</u> 3 social and economic surveys
<p>Number of samples for South Carolina estuarine and coastal assessment programs</p> <p><u>Required by:</u> Sample collection and processing is reported to the federal National Oceanic and Atmospheric Administration</p> <p><u>Best in the country:</u> DNR is not aware of any other states that conduct a comprehensive ecological assessment program</p>	Output	<u>Target:</u> DNE <u>Actual:</u> 299 samples	<u>Target:</u> 270 samples <u>Actual:</u> 299 samples	<u>Target:</u> 270 samples <u>Actual:</u> 300 samples	<u>Target:</u> 270 samples <u>Actual:</u> 270 samples	<u>Target:</u> 270 samples
<p>Percentage of marine fisheries harvest reports processed within 90 days of end of month</p> <p><u>Required by:</u> federal government</p> <p><u>Best in the country:</u> DNR rank is equal to the best in the country.</p>	Efficiency	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
<p>Percentage of 15 required Atlantic States Marine Fisheries commission species reports submitted on time</p> <p><u>Required by:</u> federal government</p> <p><u>Best in the country:</u> DNR's rank is equal to the best on the Atlantic coast and DNR thinks the quality of our reports exceeds other states</p>	Efficiency	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Number of man days sampling marine fauna</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> The DNR lab exceeds all other southeastern states in the amount of effort devoted to monitoring key species (e.g., red drum, sea trout, shrimp, and blue crab)</p>	Output	<u>Target:</u> DNE <u>Actual:</u> 3,477 man days	<u>Target:</u> 3,900 man days <u>Actual:</u> 3,910 man days	<u>Target:</u> 3,900 man days <u>Actual:</u> 4,020 man days	<u>Target:</u> 3,900 man days <u>Actual:</u> 4,411 man days	<u>Target:</u> 3,900 man days
<p>Number of commercial marine permits issued</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> Permit numbers are reflective of the size of a state's coastal zone, and the diversity of species it manages. Given SC has a relatively long coastline, and a relatively high diversity of species, DNR thinks SC has more than the average number of permits.</p> <p><u>Additional notes:</u> Permits are not controlled by the agency, but based on the number requested.</p>	Activity Measure	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> 1,812 commercial permits issued	<u>Target:</u> 1,500 commercial permits issued <u>Actual:</u> 1,626 commercial permits issued	<u>Target:</u> 1,500 commercial permits issued <u>Actual:</u> 1,511 commercial permits issued	<u>Target:</u> 1,500 commercial permits issued
<p>Number of marine game fish stocked in coastal waters</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> Only three other state resource agencies stock marine fish (i.e., Mississippi, Texas and California). Mississippi's program is small, releasing only one species. Texas and California have relatively large stocking programs. Given SC's size relative to Texas and California, SC stocks proportionally more fish than all other states and DNR believes its methods are superior.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> 1,595,570 fish stocked	<u>Target:</u> 1,200,000 fish stocked <u>Actual:</u> 954,577 fish stocked	<u>Target:</u> 1,200,000 fish stocked <u>Actual:</u> 1,370,169 fish stocked	<u>Target:</u> 1,200,000 fish stocked <u>Actual:</u> 2,042,690 fish stocked	<u>Target:</u> 1,500,000 fish stocked
<p>Cubic feet of marine habitat created annually on artificial reefs</p> <p><u>Required by:</u> agency selected, but federal permits are required for deployment areas</p> <p><u>Best in the country:</u> South Carolina began the country's artificial reef building and remains a leader in the field with respect to new techniques and materials</p>	Output	<u>Target:</u> <u>Actual:</u> 812,000 cubic feet	<u>Target:</u> 100,000 cubic feet <u>Actual:</u> 85,000 cubic feet	<u>Target:</u> 100,000 cubic feet <u>Actual:</u> 110,000 cubic feet	<u>Target:</u> 100,000 cubic feet <u>Actual:</u> 95,000 cubic feet	<u>Target:</u> 100,000 cubic feet

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Number of bushels of oyster shucked shell collected</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> DNR is aware of only two other shell recycling programs - Chesapeake Bay and Louisiana. DNR is about equal with these two states in bushels recycled but because DNR spends much less on its program, DNR's efficiency is much greater.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> 24,552 bushels collected	<u>Target:</u> 30,000 bushels collected (BC) <u>Actual:</u> 28,547 BC	<u>Target:</u> 30,000 BC <u>Actual:</u> 27,434 BC	<u>Target:</u> 30,000 BC <u>Actual:</u> 29,008 BC	<u>Target:</u> 30,000 BC
<p>Number of school children and teachers informed about the marine environment</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> DNR educational efforts are designed in response to needs assessments that it conducts with school teachers. These teachers have consistently told DNR their needs to provide hand-on field experiences and applications in the use of data in a real-world setting. DNR's programs provide that, and DNR believes that it is best-equipped to meet these needs.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 4,500 school children and teachers informed (SCTI) <u>Actual:</u> 5,469 SCTI	<u>Target:</u> 4,500 SCTI <u>Actual:</u> 5,337 SCTI	<u>Target:</u> 4,500 SCTI
<p>Number of anglers in public marine fish tagging program</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> This volunteer program was the first state-sponsored public tagging program in the country and is currently the largest of its kind in terms of participation</p>	Output	<u>Target:</u> DNE <u>Actual:</u> 442 anglers	<u>Target:</u> 400 anglers <u>Actual:</u> 506 anglers	<u>Target:</u> 475 anglers <u>Actual:</u> 568 anglers	<u>Target:</u> 475 anglers <u>Actual:</u> 687 anglers	<u>Target:</u> 500 anglers
<p>Number of coastal vendors who receive Marine Resources Division (MRD) resource related literature</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> DNR is unaware of any comparable program that any other state has related to creation and distribution of marine resources related literature.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> 116 coastal vendors receive MRD literature (CVRML)	<u>Target:</u> 110 CVRML <u>Actual:</u> 119 CVRML	<u>Target:</u> 110 CVRML <u>Actual:</u> 114 CVRML	<u>Target:</u> 110 CVRML <u>Actual:</u> 113 CVRML	<u>Target:</u> 110 CVRML

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Number of print, digital, and broadcast media stories that reference Marine Division programs</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> There is no source of information on output of media stories by marine resource agencies in other states. However, DNR believes the quality and quantity of its informational stories are equal to or superior to those of other states.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 180 media stories reference division programs. (MSRFDP) <u>Actual:</u> 240 MSRFDP	<u>Target:</u> 180 MSRFDP <u>Actual:</u> 304 MSRFDP	<u>Target:</u> 220 MSRFDP
<p>Number of individuals permitted for primitive camping on Capers Island</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> Access to free camping on isolated, undeveloped coastal barrier islands is rare on the Atlantic and Gulf coasts. DNR believes SC is unique in this regard.</p>	Output	<u>Target:</u> 3,500 <u>Actual:</u> 3,807	<u>Target:</u> 3,500 <u>Actual:</u> 3,809	<u>Target:</u> 3,500 <u>Actual:</u> 3,857	<u>Target:</u> 3,500 <u>Actual:</u> 3,514	<u>Target:</u> 3,500
<p>Percentage of scheduled vessel days that are accomplished by the Marine Division</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> DNR</p> <p>Additional Notes: Vessel days are dependent on weather.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 80% <u>Actual:</u> 71.1%	<u>Target:</u> 80% <u>Actual:</u> 75.1%	<u>Target:</u> 80%

Table Note: For each measure, the agency identified the entity the performance measure is “required by,” the entity that is “best in the country,” which “type of measure” it considered the performance measure, and the target and actual values. “DNE” means did not exist.

Table 21. Strategies and objectives for Goal 4 - Monitor and protect wildlife species and inland aquatic species and their habitats throughout the state and provide recreational hunting and fishing opportunities to the public.

		2016-17		2017-18	
		FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Goal 4 - Monitor and protect wildlife species and inland aquatic species and their habitats throughout the state and provide recreational hunting and fishing opportunities to the public.					
Strategy 4.1 - Conserve freshwater fish and wildlife species in the state.					
• Objective 4.1.1 - Conduct research and monitoring activates of wildlife and freshwater fish.	35.49 FTE 11.78 TG	\$4,605,850 (4.16%)	35.99 FTE 12.78 TG	\$5,354,473 (4.84%)	
○ Partner(s), by segment: federal and state government; and higher education institutions					
• Objective 4.1.2 - Provide and enhance habitats for wildlife and freshwater fish.	57.77 FTE 7.49 TG	\$13,135,565 (11.88%)	57.77 FTE 8.49 TG	\$14,965,499 (13.53%)	
○ Partner(s), by segment: federal government					
• Objective 4.1.3 - Protect and manage at risk, threatened and endangered species.	7.22 FTE 5.83 TG	\$1,092,487 (0.99%)	7.22 FTE 5.16 TG	\$1,275,072 (1.15%)	
○ Partner(s), by segment: federal government					
• Objective 4.1.4 - Provide technical assistance and educational workshops to private landowners.	18.99 FTE 2.40 TG	\$2,016,907 (1.82%)	18.99 FTE 5.17 TG	\$3,457,530 (3.13%)	
○ Partner(s), by segment: state government					

		2016-17		2017-18	
		FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Goal 4 - Monitor and protect wildlife species and inland aquatic species and their habitats throughout the state and provide recreational hunting and fishing opportunities to the public.					
Strategy 4.2 - Produce freshwater fish and stock in public waters.	<ul style="list-style-type: none"> Objective 4.2.1 - Operate, restore and upgrade freshwater fish hatchery production facilities. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; and private businesses Objective 4.2.2 - Produce adequate species and amounts to meet standard stocking needs. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; and private businesses 	11.87 FTE 1 .00 TG	\$1,426,837 (1.29%)	12.37 FTE 1.00 TG	\$2,749,328 (2.49%)
		11.87 FTE 1 .00 TG	\$1,462,291 (1.32%)	12.37 FTE 1.00 TG	\$1,614,398 (1.46%)

Goal 4 - Monitor and protect wildlife species and inland aquatic species and their habitats throughout the state and provide recreational hunting and fishing opportunities to the public.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Strategy 4.3 - Administration of hunting and freshwater fishing opportunities.				
<ul style="list-style-type: none"> Objective 4.3.1 - Provide hunting opportunities to the public through the Wildlife Management Area Program. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; private businesses; and individuals Objective 4.3.2 - Provide freshwater fishing opportunities on public water bodies and through the state lakes program <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; private businesses; and individuals Objective 4.3.3 - Provide wildlife harvest and associated hunting opportunities on public and private lands through permits, tags and public lottery hunts. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government; and private businesses Objective 4.3.4 - Provide recruitment and retention activities for hunting and freshwater fishing. <ul style="list-style-type: none"> Partner(s), by segment: state government; and K-12 education institutions 	27.39 FTE 4.30 TG	\$9,904,982 (8.96%)	27.39 FTE 4.40 TG	\$8,211,119 (7.42%)
	8.95 FTE	\$962,578 (0.87%)	8.95 FTE	\$820,698 (0.74%)
	2.80 FTE	\$322,005 (0.29%)	3.30 FTE	\$438,690 (0.40%)
	3.65 FTE 0.20 TG	\$418,644 (0.38%)	3.65 FTE	\$453,345 (0.41%)

Table Note: The agency does not budget or allocate full-time equivalents (FTEs) at the goal/strategy/objective level; however, the amounts provided are reasonable estimates. TG refers to temporary/grant employee.

Table 22. Performance measures associated with Goal 4 - Monitor and protect wildlife species and inland aquatic species and their habitats throughout the state and provide recreational hunting and fishing opportunities to the public.⁸⁴

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Species identified, sufficient funding obtained and field work conducted to report on required information <u>Required by</u> ⁸⁵ : federal and state government <u>Best in the country</u> : unknown	Output	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : 35 active research projects <u>Actual</u> : 33 active research projects with funding obtained and field work conducted	<u>Target</u> : 35 active research projects <u>Actual</u> : 33 active research projects	<u>Target</u> : 33 active research projects driven by grant funding
Acres of habitats owned by DNR and managed to promote species diversity and richness (e.g., acres planted, burned, roads mowed and maintained, and wetlands enhanced) <u>Required by</u> : federal and state government <u>Best in the country</u> : unknown	Output	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : 274,727 owned acres of habitats managed (OAHM) <u>Actual</u> : 274,727 OAHM	<u>Target</u> : 280,000 OAHM (includes potential acquisitions) <u>Actual</u> : 275,001 OAHM	<u>Target</u> : 280,000 OAHM
At-risk, threatened and endangered species protected, monitored and managed following state and/or federal law <u>Required by</u> : federal and state government <u>Best in the country</u> : unknown	Outcome	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : 122 species protected <u>Actual</u> : 122 species protected	<u>Target</u> : 122 species protected <u>Actual</u> : 122 species protected	<u>Target</u> : 122 species protected
Number of constituents who attended organized public presentations and workshops to enhance awareness and conservation of natural resources <u>Required by</u> : agency selected <u>Best in the country</u> : unknown	Output	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : 12,451 at 245 workshops / events	<u>Target</u> : 11,000 at 240 workshops / events

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Number of contacts for technical guidance including, but not limited to, nuisance wildlife issues, wildlife species information, and management advice <u>Required by:</u> federal government and agency selected <u>Best in the country:</u> unknown	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> 8,300	<u>Target:</u> Based on number of requests received
Operate and maintain facilities at a level to meet management demands <u>Required by:</u> federal government and agency selected <u>Best in the country:</u> unknown	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 6 facilities maintained <u>Actual:</u> 5.5 facilities maintained	<u>Target:</u> 6 facilities maintained <u>Actual:</u> 5.5 facilities maintained	<u>Target:</u> 6 facilities maintained
Number of fish needed to meet demand for public water stocking; appropriate species provided <u>Required by:</u> federal government and agency selected <u>Best in the country:</u> unknown	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 9,000,000 fish <u>Actual:</u> 10,587,758 fish	<u>Target:</u> 9,000,000 fish <u>Actual:</u> 11,006,142 fish	<u>Target:</u> 10,000,000 fish
Maintain and provide public access to lands through the Wildlife Management Area program for public hunting and compatible recreational use opportunities <u>Required by:</u> federal government and agency selected <u>Best in the country:</u> unknown	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1,000,000 acres <u>Actual:</u> 1,095,607 acres	<u>Target:</u> 1,200,000 acres <u>Actual:</u> 1,095,746 acres	<u>Target:</u> 1,098,000 acres
Availability of state lakes open to public fishing <u>Required by:</u> federal government and agency selected <u>Best in the country:</u> unknown	Outcome	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 18 lakes providing public access <u>Actual:</u> 16 lakes available	<u>Target:</u> 18 lakes available <u>Actual:</u> 14 lakes available	<u>Target:</u> 15 lakes available

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Number of deer quota cooperators, specialty permits issued, and lottery hunt participants</p> <p><u>Required by:</u> federal government and agency selected</p> <p><u>Best in the country:</u> unknown</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 5,100 customers <u>Actual:</u> 5,077 customers (This report did not include all permits issued. Increase in FY 17 is a result of a more comprehensive list.)	<u>Target:</u> 5,100 customers <u>Actual:</u> 5,635 customers	<u>Target:</u> 5,500 customers
<p>Public participation in Wildlife and Freshwater Fisheries Division provided programs calculated through number of events and participants</p> <p><u>Required by:</u> federal government and agency selected</p> <p><u>Best in the country:</u> unknown</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 160 events <u>Actual:</u> 162 events (Prior to FY 2017, DNR only calculated the number of events.)	<u>Target:</u> 170 events <u>Actual:</u> 333 events serving 13,794 participants	<u>Target:</u> 325 events reaching 13,500 participants

Table Note: For each measure, the agency identified the entity the performance measure is "required by," the entity that is "best in the country," which "type of measure" it considered the performance measure, and the target and actual values. "DNE" means did not exist.

Table 23. Strategies and objectives for Goal 5 - Continuously evaluate and improve administrative and business processes, efficiency, effectiveness, and internal and external service delivery with a focus on transparency, communication, accountability, and the integration of new technologies.

Goal 5 - Continuously evaluate and improve administrative and business processes, efficiency, effectiveness, and internal and external service delivery with a focus on transparency, communication, accountability, and the integration of new technologies.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Strategy 5.1 - Issue all required documents to lawfully operate and show ownership of boats and motors in South Carolina and to legally hunt and fish in the state.				
<ul style="list-style-type: none"> • Objective 5.1.1 - Issue titles and registration for new boats and motors; process transfers of boats and motors, duplicate titles, decals, registration cards, and lien satisfactions in the most accurate and timely manner. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal, state, and local government; private businesses; non-profits; and individuals • Objective 5.1.2 - Issue the licenses, permits, tags that are required to hunt and/or fishing in South Carolina. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal and state government; private businesses; and individuals 	26.00 FTE 11.00 FTE	\$1,320,163 (1.14%) \$993,057 (0.86%)	28.00 FTE 13.00 FTE	\$996,927 (0.86%) \$1,280,415 (1.11%)

Goal 5 - Continuously evaluate and improve administrative and business processes, efficiency, effectiveness, and internal and external service delivery with a focus on transparency, communication, accountability, and the integration of new technologies.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
<p>Strategy 5.2 - Review the development, utilization, and deployment of agency's internal resources to deliver the best service possible in meeting the changing business needs of DNR, our customers and the citizens of the state.</p> <ul style="list-style-type: none"> • Objective 5.2.1 - Expand and promote the use of technology, online and contracted call centers, and regional locations to better educate customers and simplify customer service interaction for boating, hunting and fishing related inquiries and transactions; and use technology to improve and/or redesign internal and external processes to support all sections of the agency. <ul style="list-style-type: none"> ○ Partner(s), by segment: state and local government; private businesses; non-profits; and individuals • Objective 5.2.2 - Support the agency's core mission by providing quality and efficient support for all agency sections and programs, including, but not limited to, legal services, human resources support, business and finance, audit management, and legislative support. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal, state, and local government; higher education and K-12 institutes; private businesses; non-profits; and individuals 	27.00 FTE	\$3,642,751 (3.15%)	27.00 FTE	\$3,359,371 (2.90%)
	43.45 FTE	\$4,200,323 (3.63%)	43.45 FTE	\$3,237,633 (2.80%)

Goal 5 - Continuously evaluate and improve administrative and business processes, efficiency, effectiveness, and internal and external service delivery with a focus on transparency, communication, accountability, and the integration of new technologies.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
<p>Strategy 5.3 - Review and comment on proposed environmental impacts as published in the regulatory arena to provide reliable, science-based information to decision makers and the public.</p> <ul style="list-style-type: none"> • Objective 5.3.1 - Participate in comprehensive reviews of Federal Energy Regulatory Commission hydroelectric project proposals on licensed projects. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal and state government; private businesses; and non-profits • Objective 5.3.2 - Monitor and review public notices of permit applications submitted to state and federal agencies. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal and state government; private businesses; and non-profits • Objective 5.3.3 - Review proposed wetland mitigation banks and participate on the interagency review team providing input and guidance in the process of permitting mitigation banks. <ul style="list-style-type: none"> ○ Partner(s), by segment: federal and state government; private businesses; and non-profits 	0.97 FTE	\$72,478 (0.06%)	0.98 FTE	\$95,450 (0.07%)

Goal 5 - Continuously evaluate and improve administrative and business processes, efficiency, effectiveness, and internal and external service delivery with a focus on transparency, communication, accountability, and the integration of new technologies.	2016-17		2017-18	
	FTE equivalents utilized*	Total spent (% of agency expenditures)	FTE equivalents utilized*	Total budgeted (% of agency budget)
Strategy 5.4 - Provide professional engineering services to external and internal customers to insure safe and high quality access for fishing, boating, shooting and other natural resource related activities, and to maintain agency infrastructure and assets.				
<ul style="list-style-type: none"> Objective 5.4.1 - Design and oversee major maintenance and renovation of existing, as well as construction of new boating access facilities, shooting facilities, and other agency infrastructure and assets statewide. <ul style="list-style-type: none"> Partner(s), by segment: federal, state, and local government; private businesses; non-profits; and individuals 	8.00 FTE	\$1,386,039 (1.07%)	8.00 FTE	\$1,556,375 (1.20%)
Strategy 5.5 - Serve as the principle source of marketing and information for the natural resources of South Carolina, giving accurate and timely facts on license, seasons, and regulations along with outdoor recreation as it pertains to the state resources.				
<ul style="list-style-type: none"> Objective 5.5.1 - Publish and distribute the South Carolina Wildlife magazine, serving as the voice of natural resources in the state. (First published in 1954) <ul style="list-style-type: none"> Partner(s), by segment: non-profit entity Objective 5.5.2 - Accurately disseminate information on hunting, fishing, and boating regulations and new laws as they pertain to the natural resources of South Carolina; inform citizens on the opportunities that are available in the states outdoors, communicate information during natural disasters and emergencies to the citizens of South Carolina. <ul style="list-style-type: none"> Partner(s), by segment: federal and state government, private business, non-profit, media, other 	4.00 FTE	\$563,025 (0.44%)	4.00 FTE	\$667,569 (0.54%)
	15.00 FTE	\$1,656,839 (1.28%)	16.00 FTE	\$1,797,618 (1.45%)

Table Note: The agency does not budget or allocate full-time equivalents (FTEs) at the goal/strategy/objective level; however, the amounts provided are reasonable estimates. TG refers to temporary/grant employee.

Table 24. Performance measures associated with Goal 5 - Continuously evaluate and improve administrative and business processes, efficiency, effectiveness, and internal and external service delivery with a focus on transparency, communication, accountability, and the integration of new technologies.⁸⁶

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Reducing the number of incomplete boating applications returned to customers by mail</p> <p><u>Required by</u>⁸⁷: agency selected</p> <p><u>Best in the country</u>: Data collected from July 2016 through June 2017 will aid in the establishment of measures for comparisons with similar entities.</p> <p><u>Additional Notes</u>: This performance input measure is needed in order to analyze the process to identify ways to reduce returns thus increasing process & staff efficiency.</p>	Input	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : 18.4%	<u>Target</u> : 10% - Identify the key causes for mail to be returned and examine which causes the agency might be able to address (i.e., form modifications, online tools, and public information clarification campaigns.
<p>Fully develop, implement and deploy technology tools/solutions as necessary to support the agencies programs</p> <p><u>Required by</u>: agency selected</p> <p><u>Best in the country</u>: These are tailored in-house agency technology solutions for DNR specific needs</p> <p><u>Additional Notes</u>: Current solutions in development: (1) electronic financial ticket data exchange; (2) grant real-time data program; (3) detailed information management system - internal financial system; and (4) procurement contract expiration notification system.</p>	Output	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : DNE <u>Actual</u> : DNE	<u>Target</u> : Target will vary based on solutions needs requested by agency programs. <u>Actual</u> : 7	<u>Target</u> : 4

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Number of boats registered</p> <p><u>Required by:</u> federal government</p> <p><u>Best in the country:</u> unknown</p> <p><u>Additional Notes:</u> Target not controlled by the agency; ** Agency must know the number of boats, in order to calculate the number/percent of returns, to establish measurable improvement measures to reduce the return rates.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> 465,805	<u>Target:</u> DNE <u>Actual:</u> 485,253	<u>Target:</u> DNE <u>Actual:</u> 494,787	<u>Target:</u> DNE <u>Actual:</u> 503,743	<u>Target:</u> DNE
<p>Number of hunting and fishing licenses sold</p> <p><u>Required by:</u> federal government</p> <p><u>Best in the country:</u> unknown</p> <p><u>Additional Notes:</u> Target not controlled by the agency; ** As of 2015, licenses are no longer on a fiscal year basis, now licenses sold on a 365 basis. Agency must know the number of licenses, in order to calculate the number/percent of returns, to establish measurable improvement measures to reduce the return rates.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> 779,429	<u>Target:</u> DNE <u>Actual:</u> 724,050	<u>Target:</u> DNE
<p>Increase the percentage of on-line transactions completed</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> unknown</p>	Input	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> 27%	<u>Target:</u> Customer service sought to increase traffic through promotion. Increased 11% in 2 years <u>Actual:</u> 38%	<u>Target:</u> 43%

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Number of Federal Energy Regulatory Commission (FERC) hydroelectric project proposals reviews</p> <p><u>Required by:</u> state government</p> <p><u>Best in the country:</u> There is no one model for environmental review processes for comparison - DNR does an exemplary job in this area with minimal resources.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 60 <u>Actual:</u> 54	<u>Target:</u> 60 <u>Actual:</u> 60	<u>Target:</u> 60 <u>Actual:</u> 64	<u>Target:</u> 64
<p>Number of state and federal environmental reviews (including site visits, permit applications, and other state/federal environmental documents)</p> <p><u>Required by:</u> federal and state government</p> <p><u>Best in the country:</u> There is no one model for environmental review processes for comparison - DNR does an exemplary job in this area with minimal resources.</p> <p><u>Additional Notes:</u> Targets not controlled by the agency - depends on the number of permit applications</p>	Output	<u>Target:</u> N/A <u>Actual:</u> DNE	<u>Target:</u> N/A <u>Actual:</u> 1,200	<u>Target:</u> N/A <u>Actual:</u> 1,200	<u>Target:</u> N/A <u>Actual:</u> 1,075	<u>Target:</u> N/A
<p>Number of mitigation bank applications reviewed (including site visits)</p> <p><u>Required by:</u> federal and state government</p> <p><u>Best in the country:</u> There is no one model for environmental review processes for comparison - DNR does an exemplary job in this area with minimal resources.</p> <p><u>Additional Notes:</u> Targets not controlled by the agency - depends on the number of mitigation bank applications.</p>	Output	<u>Target:</u> N/A <u>Actual:</u> DNE	<u>Target:</u> N/A <u>Actual:</u> 55	<u>Target:</u> N/A <u>Actual:</u> 76	<u>Target:</u> N/A <u>Actual:</u> 100	<u>Target:</u> N/A

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Number of public boating access facilities renovated, initiated or completed <u>Required by:</u> agency selected <u>Best in the country:</u> DNR because the agency has in-house engineering and design expertise providing for cost and time efficiency.	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 2-4 <u>Actual:</u> 2	<u>Target:</u> 2-4 <u>Actual:</u> 2	<u>Target:</u> 2-4 <u>Actual:</u> 3	<u>Target:</u> 2-4
Large, highly impactful projects are offset with meaningful landscape-scale mitigation, enabling economic development and creating jobs for the state, while protecting natural resources and providing outdoor recreational opportunities for SC citizens <u>Required by:</u> agency selected <u>Additional Notes:</u> DNR does not control the applications filed each year.	Outcome	<u>Target:</u> N/A <u>Actual:</u> DNE	<u>Target:</u> N/A <u>Actual:</u> DNE	<u>Target:</u> N/A <u>Actual:</u> DNE	<u>Target:</u> N/A <u>Actual:</u> 108,017	<u>Target:</u> N/A
Number of migratory waterfowl prints sold <u>Required by:</u> agency selected <u>Best in the country:</u> The federal waterfowl stamp and print program because it has been in existence for so long, but all programs are struggling due to the saturation of the wildlife art market. <u>Additional Notes:</u> Print sales are driven by consumer demand so there are no annual targets other than "as many as possible".	Output	<u>Target:</u> N/A <u>Actual:</u> 377	<u>Target:</u> N/A <u>Actual:</u> 231	<u>Target:</u> N/A <u>Actual:</u> 315	<u>Target:</u> N/A <u>Actual:</u> 262	<u>Target:</u> N/A
Number of interagency review team meetings attended <u>Required by:</u> agency selected <u>Best in the country:</u> There is no one model for environmental review processes for comparison - DNR does an exemplary job in this area with minimal resources.	Output	<u>Target:</u> 12 <u>Actual:</u> 12	<u>Target:</u> 12 <u>Actual:</u> 12	<u>Target:</u> 12 <u>Actual:</u> 12	<u>Target:</u> 12 <u>Actual:</u> 11	<u>Target:</u> 12

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Annual subscribers to South Carolina Wildlife magazine <u>Required by:</u> agency selected <u>Best in the country:</u> Missouri, which has the greatest circulation, but the publication is free. <u>Additional Notes:</u> The trend of lost subscribers has slowed and begun to level out, and a slight up-tick has been seen.	Output	<u>Target:</u> 35,000 <u>Actual:</u> 38,111	<u>Target:</u> 35,000 <u>Actual:</u> 33,188	<u>Target:</u> 35,000 <u>Actual:</u> 36,303	<u>Target:</u> 35,000 <u>Actual:</u> 30,090	<u>Target:</u> 35,000
South Carolina Wildlife - successful page opens SCWildlife.com <u>Required by:</u> agency selected <u>Best in the country:</u> Missouri	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 100,000 <u>Actual:</u> 105,164	<u>Target:</u> 25% continual growth from previous year
Diversity outreach--translated website successful page opens <u>Required by:</u> agency selected <u>Best in the country:</u> South Carolina, which was the first and remains one of a small handful of states that have dedicated staff to reaching minority populations.	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 60,000 (5,000/month) <u>Actual:</u> 108,017	<u>Target:</u> 25% continual growth from previous year
Diversity outreach-social media followers <u>Required by:</u> agency selected <u>Best in the country:</u> South Carolina	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 1,500 <u>Actual:</u> 1,909	<u>Target:</u> 2,000 <u>Actual:</u> reached on 8/15/17
DNR social media followers <u>Required by:</u> agency selected <u>Best in the country:</u> Missouri/Texas. Based on search of number of Facebook followers to general DNR pages.	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 60,000 (5,000/month) <u>Actual:</u> 124,446	<u>Target:</u> 25% continual growth from previous year
DNR Publications-completed number of delivered publications <u>Required by:</u> agency selected <u>Best in the country:</u> unknown <u>Additional Notes:</u> The target is dependent on number of requested projects by DNR staff.	Output	<u>Target:</u> Upon Request <u>Actual:</u> 538	<u>Target:</u> Upon Request <u>Actual:</u> 495	<u>Target:</u> Upon Request <u>Actual:</u> 505	<u>Target:</u> Upon Request <u>Actual:</u> 386	<u>Target:</u> Upon Request

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>DNR Official state Regulation Guide Publication</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> unknown. South Carolina is currently under contract with JF Griffin to print DNR's Rules and Regulations publications. JF Griffin contracts with a large number of other states to provide the same service.</p> <p><u>Additional Notes:</u> Request for Proposal for next five year contract will be released this year. The number for target and <u>Actual</u> will be evaluated at that time.</p>	Output	<u>Target:</u> 410,000 <u>Actual:</u> 410,000	<u>Target:</u> 410,000 <u>Actual:</u> 410,000	<u>Target:</u> 410,000 <u>Actual:</u> 410,000	<u>Target:</u> 410,000 <u>Actual:</u> 410,000	<u>Target:</u> 410,000
<p>Number of GovDelivery subscribers¹</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> unknown as the number of GovDelivery subscribers and number of successful emails is greatly dependent on when a state began using GovDelivery.</p> <p><u>Additional Notes:</u> DNR has 173,423 individual subscribers. Many have signed up for multiple topics resulting in 575,760 topic subscribers.</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 100,000 <u>Actual</u> reached at 173,423
<p>Successful delivery of mass email</p> <p><u>Required by:</u> agency selected</p> <p><u>Best in the country:</u> unknown</p> <p><u>Additional Notes:</u> Emails have been successfully received 1,917,915 times by all subscribers (i.e., sum of number of emails times the number of subscribers to topic which email was sent).</p>	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 120 (10/month)

¹ GovDelivery is a web-based e-mail subscription management system that allows a member of the public (user) to subscribe to news and information on DNR websites. The GovDelivery user selects specific topics that interest them. Whenever information on that topic is made available by the Department, the user that has subscribed to that topic receives an email.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Litter Prevention--website successful opens <u>Required by:</u> agency selected <u>Best in the country:</u> unknown as there is no uniform way in which states address the litter issue.	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 25% continual growth from prior year <u>Actual:</u> 12,373	<u>Target:</u> 25% annual growth from prior year <u>Actual:</u> 16,165	<u>Target:</u> 25% continual growth from prior year
Palmetto Sportsmen's Classic attendance <u>Required by:</u> agency selected <u>Best in the country:</u> unknown <u>Additional Notes:</u> DNR made attempts to get a more accurate count through use of laser counters and limited access to vendor gates.	Output	<u>Target:</u> 32,500 <u>Actual:</u> 32,260	<u>Target:</u> 32,500 <u>Actual:</u> 32,250	<u>Target:</u> 32,500 <u>Actual:</u> 31,500	<u>Target:</u> 32,500 <u>Actual:</u> 33,700	<u>Target:</u> 32,500
Agency Website (i.e., total number of successful page open requests) <u>Required by:</u> agency selected <u>Best in the country:</u> Texas <u>Additional Notes:</u> Year to date represents the highest in agency website history.	Output	<u>Target:</u> DNE <u>Actual:</u> DNE	<u>Target:</u> 5% growth from previous year <u>Actual:</u> 15,507,771	<u>Target:</u> 5% growth from previous year <u>Actual:</u> 14,184,379	<u>Target:</u> 5% growth from previous year <u>Actual:</u> 14,208,183	<u>Target:</u> 5 % growth from previous year
Video productions (i.e., public service announcement, educational, informational, and paid media) <u>Required by:</u> agency selected <u>Best in the country:</u> Missouri/Texas. Missouri and Texas are consistently awarded tops in video production by the Association of Conservation Information. <u>Additional Notes:</u> The target is dependent on number of requested projects by DNR staff.	Output	<u>Target:</u> Upon request <u>Actual:</u> 56	<u>Target:</u> Upon request <u>Actual:</u> 27	<u>Target:</u> Upon request <u>Actual:</u> 38	<u>Target:</u> Upon request <u>Actual:</u> 52	<u>Target:</u> Upon request

Table Note: For each measure, the agency identified the entity the performance measure is "required by," the entity that is "best in the country," which "type of measure" it considered the performance measure, and the target and actual values. "DNE" means did not exist.

STUDY PROCESS

Agency Selection

The Department of Natural Resources is an agency subject to legislative oversight.⁸⁸ During the 122nd General Assembly, the Committee prioritizes the agency for study by the Law Enforcement and Criminal Justice Subcommittee on May 10, 2017.⁸⁹

As the Committee encourages **collaboration in its legislative oversight process**, the Speaker, standing committee chairs in the House, members of the House, Clerk of the Senate, and Governor are also notified about the agency study.

Subcommittee Membership

The **Law Enforcement and Criminal Justice Subcommittee of the House Legislative Oversight Committee is studying the agency.**⁹⁰ Throughout the study, the Honorable Edward R. Tallon, Sr., serves as chair. Other Subcommittee members are listed below:

- The Honorable Edward R. Tallon, Sr.;
- The Honorable Katherine E. Arrington;
- The Honorable William M. Hixon;
- The Honorable Jeffrey E. Johnson (appointed on November 28, 2017); and
- The Honorable J. Todd Rutherford (resigned on November 20, 2017).

Agency Reports to Legislative Oversight Committee

During the legislative oversight process, the **Committee asks the agency to conduct self-analysis** by requiring it to complete and submit annual Restructuring Reports, a Seven-Year Plan for cost savings and increased efficiencies, and a Program Evaluation Report. Each report is posted on the agency page of the Committee's website.

Restructuring Report

The Annual Restructuring Report fulfills the requirement in SC Code §1-30-10(G)(1) that annually each agency report to the General Assembly "detailed and comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs, or personnel within each department to provide a more efficient administration of government services." The report, at a minimum, includes information in the following areas - history, mission and vision, laws strategic plan, human and financial resources, performance measures, and restructuring recommendations.

The Department of Natural Resources submits its Annual Restructuring Reports on March 11, 2015, and January 8, 2016.⁹¹ The agency's fiscal year 2015-16 and fiscal year 2016-17 Annual Accountability Reports to the Governor and General Assembly serve as its Annual Restructuring Reports for those years.⁹²

Seven-Year Plan for Cost Savings and Increased Efficiencies

S.C. Code Ann. § 1-30-10 requires agencies to submit “a seven-year plan that provides initiatives and/or planned actions that implement cost savings and increased efficiencies of services and responsibilities within the projected seven-year period.” The Department of Natural Resources submits its plan on March 11, 2015.⁹³

Program Evaluation Report

When an agency is selected for study, the Committee may acquire evidence or information by any lawful means, including, but not limited to, “requiring the agency to prepare and submit to the investigating committee a program evaluation report by a date specified by the investigating committee.” SC Code §2-2-60 outlines what an investigating committee’s request for a program evaluation report must contain. Also it provides a list of information an investigating committee may request. The Committee sends guidelines for DNR’s Program Evaluation Report (PER) on June 27, 2017. The agency submits the report on August 30, 2017.

The PER includes information in the following areas: (1) agency snapshot; (2) agency legal directives, plan and resources; (3) performance; and (4) agency ideas/recommendations. The **Program Evaluation Report** serves as the base document for the Subcommittee’s study of the agency.

Information from the Public

Public input is a cornerstone of the House Legislative Oversight Committee’s process.⁹⁴ There are a variety of opportunities for public input during the legislative oversight process. Members of the public have an opportunity to participate anonymously in a public survey, provide comments anonymously via a link on the Committee’s website, and appear in person before the Subcommittee.⁹⁵

Public Survey

From June 27, 2017 to July 28, 2017, the Committee posts an **online survey to solicit comments from the public about DNR** and four other agencies. Communication about this survey is sent to all House members to forward to their constituents. In an effort to communicate this public input opportunity widely, a statewide media release is issued.⁹⁶

There are 148 responses to the survey, with at least one response coming from 20 of South Carolina’s 46 counties.⁹⁷ These comments are not considered testimony.⁹⁸ As the survey notes, “input and observations from those citizens who [chose] to provide responses are very important . . . because they may help direct the Committee to potential areas for improvement with these agencies.”⁹⁹ The survey results are posted on the Committee’s website. The **public is informed it may continue to submit written comments about agencies online** after the public survey closes.¹⁰⁰

Of those survey participants that respond to questions related to DNR, 66% have a positive or very positive opinion of the agency.¹⁰¹ Over 70% of the July 2017 public survey respondents base their opinions on personal experience with the agency. Respondents that provide comments refer to the

agency's Law Enforcement Division, Office of Support Services, and boating and licensing, among other topics.¹⁰²

Public Input via Committee Website

Throughout the course of the study, people are able to submit comments anonymously on the Committee website. Those comments are posted to the website verbatim but are not the comment or expression of the House Legislative Oversight Committee, any of its Subcommittees, or the House of Representatives.¹⁰³ The Committee receives 47 comments about the agency via the Committee website between June 6, 2017, and November 27, 2017. Topics addressed in comments include, but are not limited to: employees, Human Resources Office, Law Enforcement Division, leadership, and Office of Support Services.

Public Input via In-Person Testimony

The Committee offers the opportunity for the public to appear and provide sworn testimony.¹⁰⁴ A meeting dedicated to public input is held on October 16, 2017.¹⁰⁵ A press release announcing this opportunity is sent to media outlets statewide on October 2, 2017.¹⁰⁶ Also, members of the public provide testimony to the Subcommittee about the state water plan and Drought Response Committee on November 30, 2017. Further detail on the testimony the Committee receives is in the meetings section of this report.

Meetings Regarding the Agency

The Committee meets with, or about, the agency on two occasions, and the Subcommittee meets with, or about, the agency on eight occasions. All meetings are open to the public and stream live online; also, the videos are archived and the minutes are available online. A timeline of meetings is set forth in Figure 2 beginning on page 10.

May 2017

On **May 10, 2017**, the full Committee selects the Department of Natural Resources for study.

September 2017

On **September 25, 2017**, the Subcommittee holds **Meeting # 1** with the agency. The Subcommittee receives testimony from Director Alvin Taylor about the agency: overview, including the agency's history; legal directives; mission and vision; and governing body.

Next, Ms. Terri McGee, Human Resources Director, provides the Subcommittee information on the following topics via a PowerPoint presentation:

- a. Number of filled positions (FTE; Grant, Time Limited; Temporary) for Fiscal Years 2000-01 through 2016-17;
- b. Comparison of the agency's turnover to statewide turnover for Fiscal Years 2000-01 through 2016-17;
- c. Agency turnover by reason for Fiscal Years 2014-15 through 2016-17;

- d. Agency turnover by organizational unit for Fiscal Years 2014-15 through 2016-17, including details about the number of individuals separating in the Executive Organizational Unit and reason for the separations; and
- e. Status and salary action information for Fiscal Years 2014-15 through 2016-17, including information on two pay plans (one for Marine Resources Division and one for Wildlife and Freshwater Fisheries Division) which were developed by agency personnel to provide opportunities for salary increases outside of the general increases in the General Appropriations Act; and promotional policies.

Lastly, Ms. Angie Casella, the agency's audits manager, provides the Subcommittee information on her position and responsibilities. The meeting packet and documents provided to the Subcommittee during the meeting are available on the Committee website.

October 2017

On **October 4, 2017**, the Subcommittee holds **Meeting # 2** with the agency. Subcommittee members ask questions about the topics listed below which were presented during the Subcommittee's previous meeting. Various agency personnel provide responses to the questions on topics including:

- a. Audits and how the audit manager fits within the agency's organizational structure;
- b. Employees eligible for, and enrolled in, the Police Officer's Retirement System;
- c. Agency's board, including term limits, training, and evaluation;
- d. Director's experience;
- e. Whether agency has fully recovered, in terms of the number of employees and budget, since the 2008 recession;
- f. Turnover;
- g. Exit interviews;
- h. Hiring practices and processes;
- i. Salaries; bonuses; career paths; and pay plans;
- j. Promotion practices and processes, including management training for those promoted; and
- k. Employee morale/satisfaction.

Next, Captain Robert McCullough, Deputy Director of the agency's Office of Media and Outreach (OMO) provides information on the following topics related to OMO:

- a. Organization of the division;
- b. Products and services;
- c. Portions of the agency's strategic plan related to the division;
- d. Strategic resource allocation; and
- e. Performance measures.

Then, Ms. Carole Collins, Deputy Director for Office of Support Services (OSS); Mr. Scott Speares, Assistant Deputy Director for OSS; and Mr. Mark Litz, Information Technology Director, provide information on the following topics related to OSS:

- a. Organization of the division;
- b. Products and services;
- c. Portions of the agency's strategic plan related to the division;
- d. Strategic resource allocation;
- e. Performance measures; and
- f. Agency recommendations related to the division.

Finally, Ms. Shannon Bobertz, Chief Counsel for DNR, presents the agency's recommendations for law changes. Subcommittee members ask questions which Ms. Bobertz answers. The meeting packet and documents provided to the Subcommittee during the meeting are available on the Committee website.

On **October 9, 2017**, the Subcommittee holds **Meeting # 3** with the agency at DNR facilities located in Fort Johnson, Charleston. Subcommittee members make motions related to information received during previous meetings. Subcommittee members then tour the facility.

After the tour, Mr. Robert Boyles, Deputy Director of the agency's Marine Resource Division, provides information on the following topics related to this division:

- a. Organization of the division;
- b. Products and services;
- c. Portions of the agency's strategic plan related to the division;
- d. Strategic resource allocation; and
- e. Performance measures.

The meeting packet and documents provided to the Subcommittee during the meeting are available on the Committee website.

On **October 16, 2017**, the full Committee holds **Meeting # 4** with the agency. Committee Chairman Wm. Weston J. Newton states the purpose of this meeting is to hear public testimony regarding the Department of Natural Resources and other agencies.¹⁰⁷ Nine individuals provide testimony about the agency. A synopsis of their testimony is available in the meeting minutes on the Committee website.¹⁰⁸ The meeting packet and documents provided to the Subcommittee during the meeting are available on the Committee website.

On **October 17, 2017**, the Subcommittee holds **Meeting # 5** with the agency. Subcommittee members make motions based on information received during the last meeting. Mr. Ken Rentiers, Deputy Director of the agency's Land, Water, and Conservation Division (LWC) provides information on the following topics related to this division:

- a. Organization of the division;
- b. Products and services;
- c. Portions of the agency's strategic plan related to the division;
- d. Strategic resource allocation; and
- e. Performance measures.

Subcommittee members ask questions which Mr. Rentiers and other agency representatives answer. The meeting packet and documents provided to the Subcommittee during the meeting are available on the Committee website.

On **October 23, 2017**, the Subcommittee holds **Meeting # 6** with the agency. Subcommittee members make motions based on information received during the last meeting. Ms. Emily Cope, Deputy Director of the agency's Wildlife and Freshwater Fisheries Division provides information on the following topics related to this division:

- a. Organization of the division;
- b. Products and services;
- c. Portions of the agency's strategic plan related to the division;

- d. Strategic resource allocation; and
- e. Performance measures.

Subcommittee members ask questions which Ms. Emily Cope and other agency representatives answer. The meeting packet and documents provided to the Subcommittee during the meeting are available on the Committee website.

November 2017

On **November 6, 2017**, the Subcommittee holds **Meeting # 7** with the agency. Mr. Breck Carmichael, Special Assistant to the Director, presents about its Office of Environmental Programs as well as the Boating Access and Engineering Section. The details for each division include:

- a. Division's organizational chart;
- b. Products, services, and customers related to the division;
- c. Resources available to the division and methodology the division utilizes to allocate its resources to its objectives;
- d. The portion of the agency's strategic plan applicable to the division; and
- e. Agency recommendations related to the division

Subcommittee members ask questions which Mr. Carmichael and other agency representatives answer.

Subcommittee members ask questions related to Information Technology and the Rules and Regulations publication which Mr. Mark Litz, Information Technology Director, and Mr. Scott Speares, Assistant Deputy Director for Office of Support Services, answer.

Chairman Tallon recognizes Mr. Norman F. Pulliam, DNR Board Member, to make brief remarks.

Colonel Chisolm Frampton, Law Enforcement Division, presents details about the agency's Law Enforcement Division. The details for the division includes:

- a. Division's organizational chart;
- b. Products, services, and customers related to the division;
- c. Resources available to the division and methodology the division utilizes to allocate its resources to its objectives;
- d. The portion of the agency's strategic plan applicable to the division; and
- e. Agency recommendations related to the division

Subcommittee members ask questions which Colonel Frampton and other agency representatives answer.

Ms. Shannon Bobertz, Chief Counsel for DNR, presents some of the Law Enforcement Division's recommendations for changes in law. The meeting packet and documents provided to the Subcommittee during the meeting are available on the Committee website.

On **November 13, 2017**, the full Committee holds **Meeting # 8** to provide the agency director an opportunity to respond to the public testimony received during the October 16, 2017, meeting. Director Taylor provides brief testimony. The meeting packet is available on the Committee website.

On November 30, 2017, the Subcommittee holds **Meeting # 9** with the agency. Testimony about the state water plan is provided by representatives of DNR, representatives of DHEC, Mr. Mike Caston, and Mr. Clay Duffie. Subcommittee members ask questions of all individuals, which are answered.

Ms. Shannon Bobertz, General Counsel for DNR, presents information on law recommendations. There is testimony from DNR representatives and questions from members, which the DNR representatives answer, about various law recommendations.

Chairman Tallon explains the agency has provided information responsive to the Subcommittee's follow-up questions related to Human Resources, Office of Media and Outreach, Office of Support Services, Marine Resources Division, Land, Water, and Conservation Division, Wildlife and Freshwater Fisheries Division, Office of Environmental Programs, and Law Enforcement Division. Chairman Tallon asks if members have any additional questions or motions related to the information or agency divisions. Members ask questions, which applicable DNR personnel answer. Members also make numerous motions.

Subcommittee members note some best practices observed during the study of the agency. Mr. Pulliam, DNR Board Chairman, and DNR Director Taylor, testify about the oversight process and work of agency employees.

February 2018

On February 12, 2018, the Subcommittee holds **Meeting # 10** with the agency. Subcommittee chair recognizes Representative Kirkman Finlay, III, who provides brief remarks. Chairman Tallon explains the agency has provided information responsive to the Subcommittee's follow-up questions related to agency policies and the information is grouped into the following topics for discussion during the meeting:

- a. State Vehicles;
- b. In-service training and firearm qualification;
- c. Issuance of tickets;
- d. Discipline and Internal investigations;
- e. Hiring, promotions, and bonuses; and
- f. External communication.

Subcommittee members ask questions which Director Taylor answers. The meeting packet is available on the Committee website.

Study Process Completion

Pursuant to Committee Standard Practice 12.4, **Subcommittee members may provide a separate written statement for inclusion with the Subcommittee's Study**. After receipt of any written statements from Subcommittee members, the Subcommittee Chair, pursuant to Committee Standard Practice 12.5, shall notify the Committee Chair in writing that a Subcommittee Study is available for consideration by the full Committee.

Once the Committee Chair receives written notice from the Subcommittee chair, the Committee chair shall, pursuant to Committee Standard Practice 13.1, include the Subcommittee Study on the agenda for a full committee meeting. During a full Committee meeting at which the Subcommittee Study is discussed, the Committee may vote, pursuant to Committee Standard Practice 13.2, to (1) refer the study and investigation back to the Subcommittee for further evaluation; (2) approve the Subcommittee's study; or (3) further evaluate the agency as a full Committee, utilizing any of the resources of legislative oversight available.

When the Committee approves a study, **any member of the Committee may provide a written statement for inclusion with the study.** The study, and written statements, are published online and the agency, as well as all House Standing Committees, receive a copy. The Committee shall offer at least one briefing to members of the House about the contents of the final oversight study approved by the Committee.¹⁰⁹ The Committee Chair may provide briefings to the public about the final oversight study.¹¹⁰

To support the Committee's ongoing oversight by maintaining current information about DNR, the agency receives an annual Request for Information.

FINDING

The Subcommittee finds **South Carolina's current migratory bird permitting practices may detrimentally impact the federal harvest information program for migratory birds**, which utilizes the number of permits issued across states as part of the **information it collects for scientific purposes**. Utilization of the number of permits may not be an accurate indicator for South Carolina as many obtain a free permit and do not use it. Some other states are addressing this issue by charging a nominal fee to encourage requests for permits from only those individuals who intend to use the permit.

RECOMMENDATIONS

General Information

The following recommendations include areas identified for potential improvement by the Subcommittee. The Subcommittee recognizes these recommendations will not satisfy everyone nor address every issue or potential area of improvement at the agency. These recommendations are based on the agency's self-analysis requested by the full Committee, discussions with the agency during multiple meetings, and analysis of the information obtained by the Subcommittee. This information, including, but not limited to, the Program Evaluation Report, Accountability Report, Restructuring Report and videos of meetings with the agency, is available on the Committee's website.

Continue

The Subcommittee does not have any specific recommendations with regards to continuance of agency programs.

Curtail (i.e. Revise)

The **Subcommittee has 114 recommendations for revisions.**¹¹¹ The Subcommittee's recommendations for the agency relate to four categories: (1) agency strategic planning and performance; (2) agency policies; (3) state resources; and (4) consumer services. The Subcommittee recommendations for modernization of laws relate to six categories: (1) expired directives; (2) inactive entities; (3) agency terminology; (4) agency practices; (5) additional information obtained by the agency since initial passage of the law; and (6) agency efficiency. The Subcommittee's recommendations for all state agencies pertain to agency policies, and state and consumer resources.

Recommendations for the Department of Natural Resources

Agency Strategic Planning and Performance

The Subcommittee has eight recommendations related to agency strategic planning and performance, and a summary is set forth in Table 25.

Table 25. Summary of recommendations related to agency strategic planning and performance.

RECOMMENDATIONS FOR THE DEPARTMENT OF NATURAL RESOURCES	
Agency Strategic Planning and Performance	
1.	Track at least two outcome performance measures for each agency division.
2.	Adjust performance measure target values annually.
3.	Create an auditor manual.
4.	Hire an internal auditor.
5.	Open a direct communication line between audit manager and agency board.
6.	Contract for an employee morale/leadership survey every three years.
7.	Provide the results of the recent employee climate survey to the Committee when the results are available.

1. Track at least two outcome performance measures per agency division. The Subcommittee recommends each agency division have (1) at least one outcome performance measure by December 2017 to include in its Fiscal Year 2017-18 Accountability Report, and (2) at least two outcome performance measures in future Accountability Reports.¹¹² In the agency's Program Evaluation Report, there are a number of output measures, but there are few outcome measures.¹¹³ Focusing on outcome measures demonstrates the impact of the agency's work.

2. Adjust performance measure target values annually. The Subcommittee recommends the agency adjust annually the target value of each of its performance measures based on analysis of actual performance during previous years and conditions which may impact performance in the upcoming year (i.e., seek to challenge itself in strategic planning using realistic targets).¹¹⁴

In the agency's Program Evaluation Report, there are multiple performance measures with the same target value for the last three to four years (e.g., annual subscribers to South Carolina Wildlife, number of research grants awarded to Marine Resources Division, and number of coastal vendors who receive Marine Resources Division resource related literature).¹¹⁵

3. Create an auditor manual. The Subcommittee recommends the agency audit manager create a manual to assist with succession planning.¹¹⁶ The one employee in the audit department serves as the liaison for the agency during audits conducted by those from whom the agency receives several hundred grants.¹¹⁷ While this employee coordinates and works with the external auditors, there are no written procedure others may follow if necessary (i.e., employee separates from the agency or is on leave).¹¹⁸

4. Hire an internal auditor. The Subcommittee recommends the agency hire an internal auditor, subject to funding from the General Assembly.¹¹⁹ According to the current audits manager at the agency, "When I was hired on as the senior auditor, I did the internal audits, but because of budget cuts, when the Director of Audits left many years ago, we just have not had the funding or opportunity to replace that

position. I have kind of migrated through the years taking on those managerial responsibilities and not being able to have the time to do the internal audits because I am a staff of one.”¹²⁰ When asked about this issue during the study process, the agency director acknowledges there is a need for an internal auditor.¹²¹

5. Open a direct communication line between internal audit manager and agency board. The Subcommittee recommends the head of the agency’s audit team (1) provide an annual audit plan for approval by the agency board; (2) make requests for audits directly to the board; and (3) discuss the status and results of any audits directly with the board, which allows the auditor to report on inefficiencies resulting from the agency director’s office, if any.¹²² An agency board member was present during the discussion of an internal auditor on October 4, 2017. The Board member agrees with the concept of having an internal auditor reporting directly to the board rather than the agency director.¹²³

6. Contract for an employee morale/leadership survey every three years. The Subcommittee recommends the agency have an outside independent entity perform an employee morale/leadership survey once every three years.¹²⁴

7. Provide the results of the recent employee climate survey to the Committee when the results are available. The Subcommittee recommends the agency provide the Committee: (1) the results of the employee morale survey, which is in progress, when available; (2) a synopsis of the issues identified in the survey, if any, and (3) the agency’s timeline for addressing any identified issues.¹²⁵

Agency Policies

The Subcommittee has three recommendations related to agency strategic planning and performance, and a summary is set forth in Table 26.

Table 26. Summary of recommendations related to agency policies.

RECOMMENDATIONS FOR THE DEPARTMENT OF NATURAL RESOURCES	
Agency Policies	
8. Create a written policy explaining how complaints against agency deputy directors and the agency director are handled. (The agency implements this recommendation during the study via internal changes. ¹²⁶) 9. Update accident review panel policy and provide a copy of it to the Committee. 10. Update the hiring and promotion policies to allow a measure of anonymity in reporting the scoring of candidates by individual interview panel members.	

8. Create a written policy explaining how complaints against agency deputy directors and the agency director are handled. The Subcommittee recommends the agency research and create a policy for handling complaints against agency deputy directors and the agency director.¹²⁷ In response to a request during the study process, the agency provides its internal affairs policy, DNR Directive 321.¹²⁸ The policy places the Law Enforcement Division Deputy Director as the lead personnel, but it does not explain how complaints against that deputy director, any of the other deputy directors, or the agency director are handled.¹²⁹ The agency implements this recommendation during the study via internal changes.¹³⁰

9. **Update accident review panel policy and provide a copy of it to the Committee.** The Subcommittee recommends the agency continue updating its accident review panel policy and, when available, provide a copy to the Committee.¹³¹ Agency personnel testify their current practice is for DNR employees to recuse themselves from the review of any accidents involving DNR, and they are currently in the process of updating this policy and other policies.¹³² Agency personnel testify they intend to include the provision regarding recusal in the updated policy.¹³³

10. **Update the hiring and promotion policies to allow a measure of anonymity in reporting the scoring of candidates by individual interview panel members.** The Subcommittee recommends the agency revise its policies to prevent higher ranking officers, including, but not limited to division deputy directors and agency director, from having access to the score individual members of an interview panel give a candidate applying for a new hire position or a promotion.¹³⁴ This may help avoid any potential appearance that those on interview panels may be pressured by higher ranking officers to give certain applicants high or low scores.¹³⁵

State Resources

The Subcommittee has **eight recommendations related to state resources**, and a summary is set forth in Table 27.

Table 27. Summary of recommendations related to state resources.

RECOMMENDATIONS FOR THE DEPARTMENT OF NATURAL RESOURCES	
State Resources	
11. Review turkey tags processes with an eye toward avoiding any unnecessary costs (e.g., printing and mailing).	
12. Research cost savings, if any, of purchasing boats written off by insurance companies.	
13. Exempt agency repairs of dikes from capital project requirements to avoid increased damages and costs from delays.*, \$ ^a	
14. Add a fee for horseshoe crab harvest permits.*	
15. Research costs and potential benefits of utilizing global positioning system (GPS) devices on agency vehicles.	
16. Review taxation of boats to determine if efficiency may be gained by using the same process to tax boats and is utilized to tax automobiles.	
17. Continue expansion of agency's technical advisory committee for the state water plan.	
18. Increase opportunities for involvement on Drought Response Committee, which currently has half its positions vacant.*	

Table Notes:

* Denotes the recommendation requires revision(s) to existing law.

\$ Potential cost savings:

^a Avoidance of increased damages (e.g., damages related to one past situation, Springfield Cut at Bear Island Wildlife Management Area, increased by more than \$50,000 during the capital project process).

11. **Review turkey tags processes with an eye toward avoiding any unnecessary costs (e.g., printing and mailing).** The Subcommittee recommends the agency review its process relating to turkey tags with an eye toward avoiding incurring costs for printing and mailing these tags.¹³⁶ When registering to obtain hunting licenses, an individual can click to obtain a turkey tag free of charge. While the turkey tag is free

to the consumer, the agency incurs costs in printing and mailing the tags. There is a concern the current process may incentivize individuals who are not going to use the turkey tag to request the tags anyway as the tags are free.¹³⁷ Charging a nominal fee for turkey tags, like other states, may de-incentivize those who are not planning to go turkey hunting from requesting a turkey tag.¹³⁸ Since the agency does not currently have authority to charge for turkey tags, the Subcommittee is recommending the agency review its processes to determine if there are other ways for the state to avoid the cost of printing and mailing tags, before authorizing a fee for turkey tags.¹³⁹

12. Research cost savings, if any, of purchasing boats written off by insurance companies. The Subcommittee recommends the agency research the costs of purchasing boats written off by insurance companies in Texas and Florida after recent natural disasters in those areas.¹⁴⁰ Further, the Subcommittee recommends the agency provide an analysis as to when additional boats will be needed and the cost, if the boats are not purchased now.¹⁴¹ During the tour of the Marine Resources Division in Charleston, Subcommittee members learned of the expense associated with boats utilized by the agency.¹⁴² Subcommittee members also learned the agency obtained a cost savings in the past when it purchased drug boats from the State Law Enforcement Division.¹⁴³

13. Exempt agency repairs of dikes from capital project requirements to avoid increased damages and costs from delays. The Subcommittee recommends the General Assembly exempt the agency's dike repair and maintenance from capital project process.¹⁴⁴ During the time required for the agency to go through the capital project requirements before repairing dikes, there is the potential of damages increasing. According to the agency, obtaining necessary approvals delayed one project four months, during which time, the breach increased by 30 feet, costing the agency an additional \$55,500.¹⁴⁵

14. Add a fee for horseshoe crab harvest permits. The Subcommittee recommends the General Assembly revise state statute so as to include a fee for permitting the harvesting of horseshoe crabs for biomedical purposes.¹⁴⁶ The Subcommittee further recommends the House Agriculture, Natural Resources, and Environmental Affairs Committee consider further analyzing the issue to determine what may be a reasonable fee.¹⁴⁷

According to testimony from agency representatives, horseshoe crab blood is utilized in biomedical testing, and there are no-kill bleeding methods. As background, to harvest horseshoe crabs for biomedical purposes, an individual must have a commercial fisherman license, which costs \$25, and a permit to harvest horseshoe crabs for biomedical purposes, which is free.¹⁴⁸ The agency expends time and resources sampling crabs at the bleeding facility weekly to make estimates of average size and sex of crabs being bleed.¹⁴⁹

15. Research costs and potential benefits of utilizing global positioning system (GPS) devices on agency vehicles. The Subcommittee recommends the agency research the cost of placing GPS devices on state vehicles utilized by the agency and potential benefits including, but not limited to, the ability to automatically track data for use in management and potential cost savings of employees only using vehicles for official state purposes.¹⁵⁰ Installation of GPS devices on vehicles utilized by businesses in the private sector has sometimes decreased gas costs for those businesses.¹⁵¹ Agency personnel testify the agency can work with state fleet management and other law enforcement entities in performing the research.¹⁵² The Subcommittee states if the research shows it will be beneficial for state agencies, then have the devices placed on state vehicles at all agencies, not just DNR.¹⁵³ The Subcommittee emphasizes GPS may also assist with the safety of the agency's officers as these officers are often in remote locations

in a forest, field, or body of water.¹⁵⁴ Agency personnel testify the agency is currently experimenting with tracking of officer cell phones for safety reasons.¹⁵⁵

16. Review taxation of boats to determine if efficiency may be gained by using the same process to tax boats and is utilized to tax automobiles. The Subcommittee recommends the SC House Tax Policy Review Committee consider reviewing the taxation of boats to determine if, for uniformity and efficiency, boat taxes should follow the individual in a similar manner as taxes on automobiles.¹⁵⁶ During the study process agency representatives explain issues arise when individuals are registering boats due to the current tax structure for boats.¹⁵⁷ As a boat is registered for three years the registration may remain current in year two and three, even if the individual did not pay taxes.¹⁵⁸ When the boat is sold and a purchaser attempts to register the boat, the purchaser is unable to do so if there are back taxes owed on the boat.¹⁵⁹ According to agency representatives, there is no way of checking whether the taxes are paid on the boat.¹⁶⁰ The agency believes utilization of the taxation model for automobiles may address this issue.¹⁶¹

17. Continue expansion of agency's technical advisory committee for the state water plan. The Subcommittee recommends the agency continue its expansion of membership on the technical advisory committee and its focus on making the process more stakeholder driven.¹⁶² Further, the Subcommittee recommends the House Oversight Committee follow up on this issue in six months.¹⁶³

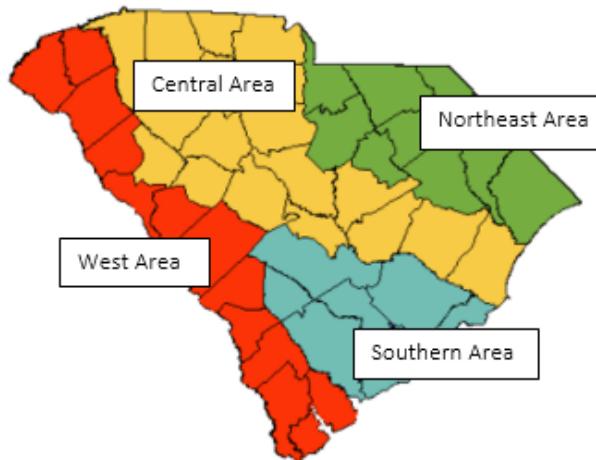
During the study process, constituents testify about the perceived lack of full stakeholder involvement in the process of developing the state water plan.¹⁶⁴ The constituents explain while the agency has expertise, the agency is not the entity actually providing water to citizens throughout the state.¹⁶⁵ Agency representatives express their desire to hear comments and suggestions.¹⁶⁶ Also, agency representatives are in the process of expanding membership on the agency's technical advisory committee.¹⁶⁷

18. Increase opportunities for involvement on drought response committee, which currently has fifty percent of its positions vacant. The Subcommittee recommends the General Assembly provide a preference to individuals seeking to participate in the drought response committee who are from a county that does not already have two members on the local committee, but remove the limitation that there may not be more than two members on a local committee from each county within the drought management area to increase the number of people available for the Governor to appoint.¹⁶⁸ Current law limits no more than two members on a local committee from each county within the drought management area.¹⁶⁹

The state Drought Response Committee is comprised of four separate areas and, within each of these areas, 50% or more of the positions are vacant.¹⁷⁰ The representative of industry is vacant in all four of the areas.¹⁷¹ Below are additional details about the vacancies. Figure 6 provides information about the vacancies on the Drought Response Committee.

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SC Drought Response Committee Members



<u>Group</u>	<u>West Area</u>	<u>Northeast Area</u>	<u>Central Area</u>	<u>Southern Area</u>
Agriculture	Reg Williams (Edgefield)	Vacant	Vacant	James Traywick (Orangeburg)
Commission of Public Works	Vacant	Vacant	John Westcott (Spartanburg)	Andy Fairy (Charleston)
Counties	Pickens Williams, Jr. (Barnwell)	Vacant	Vacant	Vacant
Domestic User	Dennis Chastain (Pickens)	Vacant	Vacant	Vacant
Industry	Vacant	Vacant	Vacant	Vacant
Municipalities	Vacant	Vacant	James Bagley (York)	Eric Odom (Orangeburg)
Power Generation Facilities	Vacant	Stuart Ames (Florence)	Vacant	Vacant
Private Water Supplier	Scott Wilett (Anderson)	Robert Brock (Marlboro)	Brad Powers (Spartanburg)	Vacant
Public Service District	Vacant	Elbert Warren (Darlington)	Vacant	Vacant
Regional Council of Gov.	Chris Bickley, Jr. (Colleton)	Not listed	Vacant	Ronald Mitchum (Charleston)
Soil and Water Conservation District	Brenda Nettles (Barnwell)	Theron DeWitt (Darlington)	John Rivers (Sumter)	Marion Rizer (Colleton)
Special Purpose District	Vacant	Michael Hancock (Kershaw)	Mike Caston (Saluda)	Vacant

**According to Section 49-23-60. South Carolina Drought Response Act there can be no more than two members on a local committee from each county within the drought management area.

Figure 6. SC Drought Response Committee membership compiled by House Legislative Oversight Committee staff based on information from the South Carolina Department of Resources website.¹⁷²

Consumer Services

The Subcommittee has **five recommendations related to consumer services**, and a summary is in Table 28.

Table 28. Summary of recommendations related to consumer services.

RECOMMENDATIONS FOR THE DEPARTMENT OF NATURAL RESOURCES	
Consumer Services	
19.	Email municipalities geographic information system (GIS) data whenever updated.
20.	Notify tax assessors, and applicable property owners, when there are changes to flood plain designations.*
21.	Research ways to make license renewal easier for consumers.
22.	Disclose online information related to an individual's chance of selection in a public lottery hunt.
23.	Disclose online how the agency utilizes funds collected from consumers (e.g., fees and licenses).
24.	Publish training statistics on law enforcement agencies across the state annually.
25.	Analyze boater safety education requirements.

Table Note: An asterisk () indicates items which require action by the General Assembly.*

19. Email municipalities geographic information system data whenever updated. The Subcommittee recommends the agency email municipalities a link whenever geographic information system data related to the agency's Land, Water, and Conservation Division's Hydrology or Geology department is updated.¹⁷³ While larger counties may have their own GIS units, many municipalities do not have these resources.¹⁷⁴ Agency representatives testify to the agency's willingness to provide GIS information to any municipality requesting the information.¹⁷⁵

20. Notify tax assessors, and applicable property owners, when there are changes to flood plain designations. The Subcommittee recommends the General Assembly require the agency to notify county tax assessors, as appropriate, whenever a property is deemed to be in a flood plain and county tax assessors provide notice to these property owners (e.g., via the owners tax assessment notice).¹⁷⁶

Flood plain areas are subject to change as development may change the hydraulics and hydrology of a particular area.¹⁷⁷ Impacted individuals may receive notice through the agency's outreach and discovery process, community visits, and distribution of bulletins.¹⁷⁸ However, the agency representatives acknowledge all individuals may not receive notice.¹⁷⁹

21. Research ways to make license renewal easier for consumers. The Subcommittee recommends the agency research the feasibility, including costs, of making it easier for individuals to annually renew licenses (e.g., adding a one button auto-fill option for online hunting license renewals that automatically fills in the licenses requested by the individual the previous year).¹⁸⁰

22. Disclose online information related to an individual's chance of selection in a lottery hunt. The Subcommittee recommends the agency include information online as to an individual's chance of selection in a lottery hunt, including information on the points system and the percentage of individuals who received a permit through each of the lottery hunts for wildlife managed areas.¹⁸¹ During the study process, agency representatives testify the agency's website has some information online about the point system, but it is a good idea to have additional information about the percentage of individuals drawn for hunts each year.¹⁸²

23. **Disclose online how the agency utilizes funds collected from consumers (e.g., fees and licenses).** To provide additional transparency to the public regarding fees and licenses, the Subcommittee recommends the agency create and publish on its website a current list of all natural resource related licenses, permits, and fees, along with the following information related to each: amount to purchase, statute or regulation in which the amount is set, year the amount was last changed, number purchased, and a brief explanation of how the agency utilizes the funds.¹⁸³

24. **Publish training statistics on law enforcement agencies across the state annually.** The Subcommittee recommends the Law Enforcement Training Council, of which the DNR director is a member, produce a brief report, sent to the General Assembly and statewide media outlets, which lists law enforcement entities across the state in the following areas for the previous year, and provides this data for the past three years: (1) percentage of graduates from Criminal Justice Academy basic training; (2) number of advanced hours of training; (3) percentage of law enforcement officers leaving the entity; (4) percentage of new officers that transferred from another SC law enforcement entity; (5) retention rate for past five years; and (6) retention rate for past ten years.¹⁸⁴

25. **Analyze boater safety education requirements.** The Subcommittee recommends the House Agriculture, Natural Resources, and Environmental Affairs Committee's Wildlife Subcommittee consider analyzing the sufficiency of current boater safety education requirements.¹⁸⁵ Under current law, boater safety classes are required for minors under the age of sixteen operating certain vessels without adult supervision.¹⁸⁶ However, operators of motorized watercraft sixteen years of age or older are not required to complete a boater safety class to operate a motorized watercraft or device in SC waters.¹⁸⁷ According to data received from the National Association of State Boating Law Administrators there are ten Southeastern states, including Georgia and North Carolina, with a mandatory boater safety course requirement.¹⁸⁸ DNR public meetings indicate support for a boater safety education requirement.¹⁸⁹ Boater education is available in two forms, a free DNR instructor lead course or an online course which is nationally recognized.¹⁹⁰ According to agency representatives, several different groups offer boater safety courses online, some free and some paid, that are approved by the National Association of State Boating and Law Administrators.¹⁹¹

Recommendations for All State Agencies

The Subcommittee has seven recommendations for all state agencies, and a summary is set forth in Table 29.

Table 29. Summary of recommendations for all state agencies.

RECOMMENDATIONS FOR ALL STATE AGENCIES
Agency Policies
26. Review and update agency policies on a regular basis (e.g., every three years).
State Resources and Consumer Services
27. Authorize state agencies to recoup credit card fees to utilize toward agency mission.*,\$b 28. Require annual procurement training.* 29. Conduct employee climate survey every two years as part of the performance evaluation of agency division heads.

Table Notes:

* Denotes the recommendation requires revision(s) to existing law.

\$b Potential cost savings of over \$100,000 for DNR alone

26. Review and update agency policies on a regular basis (e.g., every three years). The Subcommittee recommends this agency, and all other agencies that come under study by the House Legislative Oversight Committee, regularly review their policies (e.g., every three years) and (1) revise any which do not clearly explain if the policy applies to the agency director, head of agency divisions, or other agency management personnel, to ensure it is clear how the policy applies to those personnel; (2) revise any which may allow for a potential conflict with employees investigating matters involving their direct supervisors or the heads of the division in which they work; and (3) revise any which no longer match with current agency practices.¹⁹² During the Subcommittee meeting in which this recommendation is adopted, agency representatives testify the agency already has a meeting scheduled in which the agency's human resources director, legal staff, and other agency staff from around the state plan to review agency policies and directives and update as necessary.¹⁹³ Agency representatives further testify that the agency will incorporate this recommendation as part of their review process.¹⁹⁴

27. Authorize state agencies to recoup credit card fees to utilize toward agency mission. The Subcommittee recommends the General Assembly consider authorizing state agencies to include the costs imposed on the state agency by a consumer's credit card or other financial institution, to the cost of the transaction, if the consumer has the opportunity to choose a payment method that does not impose an additional cost to the state agency.¹⁹⁵

This shift has the potential of allowing state agencies to utilize additional monies towards their missions. Table 30 illustrates the potential additional monies DNR may have utilized toward its mission to conserve the state's natural resources during the last three years.¹⁹⁶

Table 30. Summary of merchant fee expenditures for fiscal year 2015 through fiscal year 2017.

DNR Merchant Fee Expenditures	
Year	Fees charged to agency
FY 2015	\$33,268.59
FY 2016	\$40,603.72
FY 2017	\$45,099.57
TOTAL	\$118,971.88

28. Require annual procurement training. The Subcommittee recommends the General Assembly require agency employees involved in procurement of products or services over \$2,500 to successfully complete an annual curriculum of training approved by the state's Division Director of Procurement Services subject to reasonable extensions (e.g., insufficient space available in approved classes). The State Fiscal Accountability Authority Division Director of Procurement Services does not oppose this recommendation.¹⁹⁷

29. Conduct employee climate survey every two years as part of the performance evaluation of agency division heads. The Subcommittee recommends the Department of Administration's State Division of Human Resources research the cost of adding an employee climate survey score, every two years, as part of the employee performance management system results of individuals, at every agency, who are in charge of an agency's division, as well as an overall score as part of the results of the agency head.¹⁹⁸ During the study process, the agency director agrees it may have been helpful to have an employee climate survey when he was first appointed as Director, to gauge the satisfaction of the employees and determine areas in which improvements may have been made.¹⁹⁹ Also, the agency director agrees it may

be helpful when evaluating the performance of those in charge of each division.²⁰⁰ The agency director prefers having the survey every two years, as opposed to annually, to allow the agency time to address any issues discovered through the survey and then review the effectiveness of the strategy.²⁰¹

Recommendations for Modernization of Laws

The Subcommittee recommends the modernization of 85 laws relating to six categories: (1) expired directives; (2) inactive entities; (3) agency terminology; (4) agency practices; (5) additional information obtained by the agency since initial passage of the law; and (6) agency efficiency. An overview of these recommendations is provided in Table 2 on page 13.

[Expired Directives](#)

There are eleven laws the Subcommittee recommends the General Assembly repeal and/or amend because they reference expired directives. During the study process, input on the recommendations is solicited from others identified by the agency as potentially impacted. Unless otherwise noted, no opposition was received. An explanation of the suggested revisions and recommended language are provided in Table 31.

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Table 31. Recommendations for modernization of laws - expired directives.

Transition Occurred

Law	S.C. CODE ANN. 48-22-20. Powers, duties, property, devolved upon Department of Natural Resources.
Agency's Rationale for Revision	Repeal. This change occurred in 1993, and it is no longer required in statute.
Agency's Law Number from PER	24
Agency's Recommended Language	<p>SECTION 48-22-20. Powers, duties, property, devolved upon Department of Natural Resources.</p> <p>The powers and duties provided for the South Carolina Geological Survey of the Division of Research and Statistical Services of the Budget and Control Board are devolved upon the Department of Natural Resources. All equipment and personal services monies, including all employee contributions and other fringe benefits used by the Geological Survey within the Division of Research and Statistical Services of the Budget and Control Board before this section takes effect are transferred to the Department of Natural Resources. The South Carolina Geodetic Survey must remain with the Division of Research and Statistical Services as the South Carolina Geodetic Survey. All property, equipment, and personal services monies, including all employee contributions and other fringe benefits used by the Geodetic Survey, must remain with the Division of Research and Statistical Services.</p>
Others potentially impacted	Department of Administration; State Fiscal Accountability Authority

Law	S.C. CODE ANN. 50-3-10. Former Wildlife and Marine Resources Department transferred to Department of Natural Resources.
Agency's Rationale for Revision	Repeal. This transfer occurred in 1993, and the statute is no longer necessary.
Agency's Law Number from PER	31
Agency's Recommended Language	<p>SECTION 50-3-10. Former Wildlife and Marine Resources Department transferred to Department of Natural Resources.</p> <p>The head and governing board of the former South Carolina Wildlife and Marine Resources Department as it was constituted before the effective date of this section shall become the board of the Department of Natural Resources until the terms of its current members expire and until their successors are appointed and qualify pursuant to the provisions of Chapter 4 of Title 48.</p>

Law	S.C. CODE ANN. 48-9-40. Department of Natural Resources; change of name.
Agency's Rationale for Revision	Repeal. This has already occurred during restructuring, and it is no longer necessary.
Agency's Law Number from PER	13

Agency's Recommended Language	<p>SECTION 48-9-40. Department of Natural Resources; change of name The name of the State Land Resources Conservation Commission is hereby changed to the Department of Natural Resources.</p>
Law	S.C. CODE ANN. 49-3-30. Transfer of former Water Resources Commission to Water Resources Division of Department of Natural Resources; transfer of regulatory powers to Department of Health and Environmental Control.
Agency's Rationale for Revision	Repeal. This transfer to Department of Health and Environmental Control and DNR already occurred, so the statute is no longer necessary.
Agency's Law Number from PER	27
Agency's Recommended Language	<p>SECTION 49-3-30. Transfer of former Water Resources Commission to Water Resources Division of Department of Natural Resources; transfer of regulatory powers to Department of Health and Environmental Control. The former Water Resources Commission without its regulatory functions is hereby transferred to the Water Resources Division of the Department of Natural Resources and is directly accountable to and subject to the board of the Department of Natural Resources. The Water Resources Division shall be directly accountable to and subject to the Department of Natural Resources. The regulatory functions of the former Water Resources Commission are transferred to the Department of Health and Environmental Control.</p>
Others potentially impacted	Department of Health and Environmental Control
Law	S.C. CODE ANN. 50-3-150. Use of present uniforms and motor vehicles.
Agency's Rationale for Revision	Repeal. This was a transitional statute has now passed, and it is no longer necessary.
Agency's Law Number from PER	35
Agency's Recommended Language	<p>SECTION 50-3-150. Use of present uniforms and motor vehicles. In order to carry out the provisions of Sections 50-3-120 to 50-3-160 in an orderly and economical manner it is intended that all serviceable uniforms be continued in use until such time as the board deems it necessary for them to be replaced. These provisions shall also apply to the emblems for motor vehicles.</p>

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Study Ended

Law	S.C. CODE ANN. 50-19-1935. Department of Health and Environmental Control and Department of Natural Resources to monitor bass fishery in Wateree-Santee riverine system.
Agency's Rationale for Revision	Repeal. This study was completed in the late 1980s, and the statute is no longer necessary.
Agency's Law Number from PER	74
Agency's Recommended Language	<p>SECTION 50-19-1935. Department of Health and Environmental Control and Department of Natural Resources to monitor bass fishery in Wateree-Santee riverine system.</p> <p>The Department of Health and Environmental Control, in conjunction with the Department of Natural Resources shall, from the funds appropriated in the General Appropriations Act, monitor the striped bass fishery in the Wateree-Santee riverine system.</p> <p>Both departments shall have oversight responsibility for any studies which may be required as a condition of a DHEC permit.</p>
Others potentially impacted	Department of Health and Environmental Control
Law	S.C. CODE ANN. 50-5-17. Flounder Population Study Program.
Agency's Rationale for Revision	Repeal. The Study ended in 2014 per the statute.
Agency's Law Number from PER	43
Agency's Recommended Language	<p>SECTION 50-5-17. Flounder Population Study Program.</p> <p>(A) There is established the Flounder Population Study Program to be administered by the Department of Natural Resources. The program shall study the effects of flounder catch limits and the prohibition of artificial illumination produced by motor fuel powered generators on flounder (<i>Paralichthys</i> species), located in the waters of Pawleys Inlet north to the northern terminus of Main Creek at Garden City Beach. For purposes of this resolution, "gigging" means using a prong, spear, or similar device, including a bow and arrow to spear a fish.</p> <p>(B) During the term of the program in the area defined in subsection (A):</p> <p>(1) the lawful flounder gigging and fishing catch limit is ten per day for any individual, not to exceed twenty flounder in any one day on any boat;</p> <p>(2) it is unlawful to use any type of artificial illumination produced by motor fuel powered generators while gigging or fishing for flounder from a boat or while wading in the water.</p> <p>(C) The program shall run for five years, beginning January 1, 2010, and ending June 30, 2014.</p> <p>(D) For purposes of this section, "motor fuel" has the same meaning as defined in Section 12-28-110(39).</p>

Bond Retired

Law	<p>S.C. CODE ANN. 51-17-310 through 51-17-360</p> <ul style="list-style-type: none">• SECTION 51-17-310. Definitions• SECTION 51-17-320. Power to issue bonds; purpose.• SECTION 51-17-330. Income from bonds exempt from state taxes; investment by fiduciaries.• SECTION 51-17-340. State pledge relating to alteration of rights of trustees and holders of bonds.• SECTION 51-17-350. Annual reports.• SECTION 51-17-360. Expiration of authority to issue Heritage Trust Revenue Bonds.
Agency's Rationale for Revision	Repeal. The Heritage Trust Revenue Bond has been retired, and the statute has expired.
Agency's Law Number from PER	83
Agency's Recommended Language	<p><u>SECTION 51-17-310. Definitions</u></p> <p><u>As used in this article:</u></p> <p class="list-item-l1">(1) "Board" means the governing board of the Department of Natural Resources which serves as the trustees of the South Carolina Heritage Trust.</p> <p class="list-item-l1">(2) "Bond" or "bonds" means a note, bond, installment contract, or other evidence of indebtedness issued pursuant to this article.</p> <p class="list-item-l1">(3) "Bond Reserve Fund" means the special fund that may be established by the board pursuant to this article, which must be in the custody of the State Treasurer or a corporate trust department of a financial institution selected by the State Treasurer and which is established primarily for the purpose of providing a reserve with which to meet the payment of the principal of and interest on bonds if payments otherwise required from the debt service fund are insufficient to meet the payment of the principal and interest as and when they are due and payable.</p> <p class="list-item-l1">(4) "Department" means the South Carolina Department of Natural Resources.</p> <p class="list-item-l1">(5) "Heritage Land Trust Fund" means the fund established and administered pursuant to Section 51-17-115 of the 1976 Code.</p> <p class="list-item-l1">(6) "Heritage Land Trust portion of the state deed recording fee" means that portion of the state deed recording fee credited to the Heritage Land Trust Fund pursuant to Section 12-24-90(B)(1) of the 1976 Code.</p> <p class="list-item-l1">(7) "Heritage Preserve" has the meaning provided in Section 51-17-10(7) of the 1976 Code.</p> <p class="list-item-l1">(8) "The Heritage Trust Program" has the meaning provided in Section 51-17-10(12) of the 1976 Code.</p> <p class="list-item-l1">(9) "State" or "this State" means the State of South Carolina.</p> <p class="list-item-l1">(10) "State deed recording fee" means that portion of the deed recording fee imposed by Chapter 24 of Title 12 of the 1976 Code designated as the "state fee" in Section 12-24-90 of the 1976 Code.</p> <p class="list-item-l1">(11) "State Treasurer" means the State Treasurer of South Carolina.</p> <p class="list-item-l1">(12) "Trustees" means the trustee of the South Carolina Heritage Trust which is</p>

~~the board of the Department of Natural Resources.~~

~~HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.~~

~~SECTION 51 17 320. Power to issue bonds; purpose.~~

~~(A) The board may issue bonds in the name of the trustees for the purposes and in the manner provided in this section. The title of the bonds shall be designated by the board acting as the trustees.~~

~~(B) All bonds must be secured by and payable from only the Heritage Land Trust portion of the state deed recording fee, or that portion as the board determines to pledge for payment.~~

~~(C) The trustees or a person executing the bonds or notes are not liable personally on the bonds or notes and are not subject to personal liability or accountability by reason of the issuance of the bonds.~~

~~(D) The board acting as the trustees may not pledge the faith, credit, or taxing power of this State or its political subdivisions in connection with the issuance of the bonds, and each bond must recite on its face that it is a special source bond of the trustees issued pursuant to and in accordance with this article and Article X, Section 13(9) of the Constitution of this State, that it is secured by and payable from only the Heritage Land Trust portion of the state deed recording fee, that it is neither a general, legal, nor moral obligation of the State or its political subdivisions, and that it is not backed by the full faith, credit, or taxing power of this State or any of its political subdivisions. Failure to include this language on the face of a bond does not cause the bond to become a general, legal, or moral obligation of the State or its political subdivisions or a pledge of the full faith, credit, or taxing power of this State or its political subdivisions.~~

~~(E) A pledge of the Heritage Land Trust portion of the state deed recording fee made by the board acting as the trustees is valid and binding from the time the pledge is made. The trust portion of the state deed recording fee received by the Heritage Land Trust Fund is immediately subject to the lien of the pledge without physical delivery of the receipt or further act. The lien of the pledge is valid and binding against all parties having claims of any kind in tort, contract, or otherwise against the trustees, whether or not the parties have notice of them. The resolution of the board or other instrument by which a pledge is created must not be recorded or filed to perfect the pledge. In the resolution of the board authorizing the issuance of a bond pursuant to this article, the board shall provide for the priority of payment of the bond from all monies received by the Heritage Land Trust Fund as its portion of the state deed recording fee.~~

~~(F) The trustees may not issue a bond with a scheduled maturity later than thirty years after the date of issuance.~~

~~(G) When issuing bonds for the purpose described in this article, the trustees may sell bonds either in a negotiated transaction with one or more lead underwriters selected by the board acting as the trustees on the basis of criteria established by the board acting as the trustees, or through a competitive bidding process in accordance with procedures established by the board. The determination of whether to sell bonds through negotiation or through competitive bidding must be made by the board.~~

~~(H) The trustees may not issue a bond unless the board has first adopted its resolution authorizing the issuance, finding that the issuance and the proposed~~

use of the bond proceeds is in accordance with this chapter, and setting out the terms and conditions of the bond and the covenants of the trustees with respect to the bond. These terms must include the issuance date or dates, the maturity date or dates, the principal amount, the interest rate or the means of determining it, whether fixed or variable, the time, manner, and currency for paying interest and principal, the negotiability of the bond, and restrictions relating to the registration of the bond. The covenants may include, without limitation, the establishment and maintenance of dedicated reserve funds for the payment of debt service on a bond if the Heritage Land Trust portion of the state deed recording fee is inadequate in any year, restrictions on the later issuance of additional bonds or making the later issuance subject to certain conditions relating to available debt service coverage or otherwise, or other matter that the board considers appropriate, subject to subsection (l) of this section. A bond of the trustees must be approved also by the State Fiscal Accountability Authority, after review by the Joint Bond Review Committee pursuant to Section 2-47-30 of the 1976 Code, before it is delivered.

(f) The board may not authorize or cause the trustees to enter into a covenant that purports to create a general, legal, or moral obligation of this State or its political subdivisions or to pledge the full faith, credit, or taxing power of the State or its political subdivisions. A covenant in violation of this subsection is void and of no effect.

(g) Subject to the requirements of this section, the board acting as the trustees may authorize the issuance of bonds of the trustees for the purpose of:

(1) refunding, on a current or advance refunding basis, outstanding bonds of the trustees; or

(2) obtaining funds for delivery to the Heritage Land Trust Fund. Proceeds of bonds issued for this purpose must be delivered promptly to the Heritage Land Trust Fund and used only for the purposes provided in Section 51-17-115 of the 1976 Code, except as needed to defray the costs of issuance of the bonds or to establish a reserve fund for the bonds.

(h) The bonds and the issuance of the bonds pursuant to this article are subject to the provisions of Sections 11-15-20 and 11-15-30 of the 1976 Code and any successor provisions.

HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.

Code Commissioner's Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

SECTION 51-17-330. Income from bonds exempt from state taxes; investment by fiduciaries.

(A) A bond provided for in this article and the income from a bond is exempt from all taxation in the State except for inheritance, estate, or transfer taxes, regardless of the federal income tax treatment of the interest from the bond.

(B) The exercise of the powers granted by this chapter is in all respects for the

~~benefit of the citizens of the State and for the promotion of their welfare, convenience, and prosperity. Property, whether real or personal, tangible or intangible, of the department or the trustees and the income and operations of the department and the Heritage Trust Program are exempt from taxation or assessment by the State or its political subdivisions.~~

~~(C) It is lawful for executors, administrators, guardians, committees, and other fiduciaries to invest monies in their hands in a bond provided for in this article. This section does not relieve a person from the duty of exercising reasonable care in selecting investments.~~

~~HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.~~

SECTION 51-17-340. State pledge relating to alteration of rights of trustees and holders of bonds.

~~The State pledges and agrees with the trustees, and the holders of the bonds in which the trustees have included the pledge and agreement, that the State may not limit or alter the rights of the trustees to fulfill the terms of its agreements with the holders, and may not impair the rights and remedies of the holders or the security for the bonds until the bonds, together with the interest on them and all costs and expenses in connection with any action or proceeding by or on behalf of the holders, are fully paid and discharged. While bonds issued pursuant to the authorizations contained in this article are outstanding, the State shall impose and maintain the state deed recording fee and the Heritage Land Trust portion of the state deed recording fee at a rate sufficient to produce all revenues to discharge all covenants, agreements, and obligations of the department and the trustees with respect to the bonds.~~

~~HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.~~

SECTION 51-17-350. Annual reports.

~~In each year that bonds issued pursuant to this article are outstanding, the trustees, not later than December 1 of such year, shall submit a written report to the State Fiscal Accountability Authority as to whether, based on revenues of the Heritage Land Trust portion of the state deed recording fee received by the Heritage Land Trust Fund as of July 1 of that year, the revenues are projected to be sufficient to discharge all covenants, agreements, and obligations of the department and the trustees with respect to all outstanding bonds in the calendar year immediately following.~~

~~HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.~~

Code Commissioner's Note

~~At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.~~

SECTION 51-17-360. Expiration of authority to issue Heritage Trust Revenue Bonds.

~~The authority to issue Heritage Trust Revenue Bonds under this article shall~~

	<p>expire two years after the effective date of this article; provided, however, this two-year limitation does not apply to bonds issued to retire bond anticipation notes, bonds issued to refund any bonds issued hereunder, and any bonds issued before this two year limitation takes effect shall continue in full force and effect as provided in this article.</p> <p>HISTORY: 2006 Act No. 251, Section 2.B, eff March 28, 2006.</p>
Others potentially impacted	Department of Administration; Governor's Office; State Fiscal Accountability Authority; SC Treasurer

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Expired

Law	S.C. CODE ANN. 50-5-2545. Prior points and suspensions.
Agency's Rationale for Revision	Repeal. The points received prior to the Marine Resources Act of 2000 would have expired. This statute is no longer necessary.
Agency's Law Number from PER	48
Agency's Recommended Language	SECTION 50-5-2545. Prior points and suspensions. All points received prior to the effective date of the Marine Resources Act of 2000 shall be assigned under the "commercial category" and remain effective until the validity of these points no longer exists. All suspensions and actions prior to the Marine Resources Act of 2000 remain in effect under the previous mandates until expired.

Law	S.C. CODE ANN. 50-19-710. Temporary use of nongame fishing devices on the Little Pee Dee River.
Agency's Rationale for Revision	Repeal. This statute expired in 2015.
Agency's Law Number from PER	66
Agency's Recommended Language	SECTION 50-19-710. Temporary use of nongame fishing devices on the Little Pee Dee River. Beginning on July 1, 2012, and for three years thereafter on the Little Pee Dee River, the following nongame devices are permitted: (1) Hoop nets: (i) recreational license one; (ii) commercial license twenty five; (2) Traps: (i) recreational license two; (ii) commercial license twenty five. To fish these devices only in the Little Pee Dee River the department will issue special tags valid for three years at no cost.

Law	S.C. CODE ANN. 48-4-30. Governing board; composition; removal; terms; filling vacancies; oath.
Agency's Rationale for Revision	Amend. As the at-large board member position on the board has expired, this language is no longer necessary.
Agency's Law Number from PER	9
Agency's Recommended Language	SECTION 48-4-30. Governing board; composition; removal; terms; filling vacancies; oath. (C) Notwithstanding subsection (B), membership on the board also shall include the at-large board member serving on the board on March 1, 2012. The at-large board member may continue to serve on the board until that board member's term expires, he is removed from the board as provided by law, or he resigns from the board. At the expiration of the at-large board member's term, or upon

~~his removal from or resignation from the board, the provisions of this subsection no longer apply to the composition of the membership of the board.~~

....

(H) Notwithstanding subsection (E), ~~the terms of members representing congressional districts serving on the board on March 1, 2012, shall terminate on the dates provided in this subsection~~ The terms of the members representing the Fourth and the Sixth Congressional Districts shall expire July 1, 2012. The terms of the members representing the First, Second, Third, and Fifth Congressional Districts shall expire on July 1, 2014.

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Inactive entities

There are fourteen laws the Subcommittee recommends the General Assembly repeal and/or amend because they reference inactive entities. An explanation of the suggested revisions and recommended language are provided in Table 32.

Table 32. Recommendations for modernization of laws - references to inactive entities.

Statute referenced does not exist

Law	S.C. CODE ANN. 50-1-220. Application of Sections 50-1-180 to 50-1-220 to other federal or state lands.
Agency's Rationale for Revision	Amend. Statute referred to no longer exists (50-1-230).
Agency's Law Number from PER	30
Agency's Recommended Language	SECTION 50-1-220. Application of Sections 50-1-180 <u>to 50-1-220 to 50-1-230</u> to other federal or state lands. The provisions of Sections 50-1-180 to 50-1-2230 shall also apply to (a) other properties of the United States Government, (b) any other properties acquired or to be acquired from the United States Government by the State or (c) any other lands or waters purchased by the United States or the State. But hunting and fishing shall not be allowed on any lands under the control or ownership of the State Commission of Forestry except by written agreement with that Commission. Nothing contained in such sections shall interfere in any manner with the use and management of lands by a state agency in charge of such lands in the functions of such agency as authorized by law.
Others potentially impacted	SC Forestry Commission

Law	S.C. CODE ANN. 50-21-860. Restrictions on use of airboats.
Agency's Rationale for Revision	Amend. Chapter 17 of Title 50 no longer exists, so the reference is incorrect.
Agency's Law Number from PER	77
Agency's Recommended Language	SECTION 50-21-860. Restrictions on use of airboats. (A) It is unlawful for a person to operate an airboat on the public waters of this State from the freshwater-saltwater dividing line, established by Section 50-17-305-80 seaward.

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Board, commission, authority does not exist

Law	S.C. CODE ANN. 11-37-200. Water Resources Coordinating Council established.
Agency's Rationale for Revision	Repeal. This Council does not currently exist.
Agency's Law Number from PER	4
Agency's Recommended Language	<p>SECTION 11-37-200. Water Resources Coordinating Council established.</p> <p>(A) There is established by this section the Water Resources Coordinating Council which shall establish the priorities for all sewer, wastewater treatment, and water supply facility projects addressed in this chapter, except as otherwise established by Section 48-6-40. The council shall consist of a representative of the Governor, the Director of the Department of Health and Environmental Control, the Director of the South Carolina Department of Natural Resources, the Director of the Rural Infrastructure Authority, the Secretary of Commerce, the Chairman of the Jobs Economic Development Authority, and the Chairman of the Joint Bond Review Committee. These representatives may designate a person to serve in their place on the council, and the Governor shall appoint the chairman from among the membership of the council for a one year term. The council shall establish criteria for the review of applications for projects. Not less often than annually, the council shall determine its priorities for projects. The council after evaluating applications shall notify the authority of the priority projects. The South Carolina Jobs Economic Development Authority shall provide the staff to receive, research, investigate, and process applications for projects made to the coordinating council and assist in the formulating of priorities. Upon notification by the council, the authority shall proceed under the provisions of this chapter. The authority may consider applications for projects based upon the existence of a documented emergency consistent with regulations that may be promulgated by the authority. In determining which local governments are to receive grants, the local governments shall provide not less than a fifty percent match for any project. The authority may provide financing for the local matching funds on terms and conditions determined by the authority.</p> <p>(B) The duties of the Water Resources Coordinating Council are:</p> <p>(1) establish procedures for receipt of applications;</p> <p>(2) in cooperation with the authority, establish criteria for funding priorities. These criteria, in compliance with the provisions of Chapter 23, Title 1, must include, but are not limited to, the following factors:</p> <p>(a) regional development—the need for multijurisdictional projects and the cooperation and coordination for regional economic development projects;</p> <p>(b) development potential—the degree to which economic development activity can be stimulated in any given area and infrastructure used as a proactive economic development tool;</p> <p>(c) economic impact—the degree to which jobs and income can be generated if the infrastructure improvements were made;</p> <p>(d) local commitment and initiative—the availability of the local fifty percent match and local recognition of complimentary infrastructure needs including, but not limited to, such needs as transportation;</p> <p>(e) infrastructure need—the degree to which specific infrastructure problems</p>

	<p>can be addressed and solved;</p> <p>(f) area economic need—the degree of local "distress" and need for economic assistance, particularly in less developed or rural areas of the State;</p> <p>(g) creditworthiness—the financial soundness of the infrastructure project, including the availability or lack of other funds to finance the infrastructure project;</p> <p>(h) public health and welfare—to meet public health and welfare requirements within the local area;</p> <p>(3) provide to the authority, on an as needed basis, technical assistance from their respective agencies for purposes of screening funding applications;</p> <p>(4) establish the funding priorities. The authority may not deviate from the priorities established by the council except for emergency projects as previously described. When setting its priorities, the council shall establish a set aside of not less than ten percent of available funds approved in that year to meet unforeseen needs. After having set its priorities, the council shall review the priorities as necessary but not less than once during the year, and the council may adjust the priorities as they consider necessary.</p>
Others potentially impacted	Governor's Office; Department of Health and Environmental Control; Rural Infrastructure Authority; Department of Commerce; Jobs Economic Development Authority; Joint Bond Review Committee

Law	S.C. CODE ANN. 13-11-20. Members of board; terms; vacancies.
Agency's Rationale for Revision	Repeal. The New Horizon Development Authority does not exist.
Agency's Law Number from PER	5
Agency's Recommended Language	<p>SECTION 13-11-20. Members of board; terms; vacancies.</p> <p>Members of the board shall be appointed by the Governor as follows: two members upon nomination of the Director of the South Carolina Department of Parks, Recreation and Tourism; one member upon nomination of the Department of Natural Resources; two members upon nomination of the Director of the Department of Commerce or his designee; one member upon nomination of the Fairfield County Council; one member upon nomination of the Fairfield County Development Board; and one member appointed by the Governor, who shall be the chairman. In addition, the Director of the South Carolina Department of Parks, Recreation and Tourism, the Director of the Department of Commerce or his designee, the Executive Director of the State Housing Authority, the Executive Director of the Central Midlands Regional Planning Council, the Transportation Commissioner representing Fairfield County, the Mayor of the city of Winnsboro, the member of the House of Representatives from District No. 41 and any Senators from Senatorial District No. 7 who are residents of Fairfield County, and the Executive Director of the South Carolina Department of Archives and History shall serve as ex officio members of the board. Terms of office of the appointed members shall be five years and until their successors are appointed and qualified. Vacancies shall be filled in the manner of original appointment for the unexpired term.</p>

Others potentially impacted	Governor's Office; Department of Parks, Recreation, and Tourism; Department of Commerce; Fairfield County Council; Fairfield County Development Board; State Housing Authority; Central Midlands Regional Planning Council; City of Winnsboro; SC House of Representatives; SC Senate; Department of Archives and History
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Law	S.C. CODE ANN. 50-19-10. Creation of Cherokee Fish and Game Club; purpose; duties of officers.
Agency's Rationale for Revision	Repeal. This entity does not exist.
Agency's Law Number from PER	61
Agency's Recommended Language	<p>SECTION 50-19-10. Creation of Cherokee Fish and Game Club; purpose; duties of officers.</p> <p>There is created hereby a fish and game club for Cherokee County, to be known as Cherokee Fish and Game Club. The purpose of said Club shall be to conserve and propagate game fish and game birds in said county, and to cooperate and assist in the enforcement of all local and State laws to this end. The president of the Club, subject to the rules and bylaws of the Club, shall procure from government and other available sources necessary stock for propagating game fish in the streams of the county and for propagating wild game in the county and shall further such measures as are necessary for acquiring preserves and for otherwise propagating and protecting such fish and game from unlawful destruction. The secretary of the Club shall perform such duties as are prescribed by the bylaws and the constitution of the Club and shall keep an accurate and permanent record of all the meetings of the Club. The Club shall be governed in all respects other than herein set out by the bylaws and constitution of the Club.</p>

Law	S.C. CODE ANN. 50-19-110 through 50-19-130. <ul style="list-style-type: none"> • SECTION 50-19-110. Creation of Darlington County Advisory Fish and Game Commission; membership; terms of office; vacancies. • SECTION 50-19-120. Officers of Commission; meetings. • SECTION 50-19-130. Powers and duties of Commission.
Agency's Rationale for Revision	Repeal. This Commission does not exist.
Agency's Law Number from PER	62
Agency's Recommended Language	<p>SECTION 50-19-110. Creation of Darlington County Advisory Fish and Game Commission; membership; terms of office; vacancies.</p> <p>There is hereby created the Darlington County Advisory Fish and Game Commission to be composed of seven members who shall be appointed by a majority of the Darlington County legislative delegation. The members of the Commission shall be qualified electors of Darlington County, and not more than one commissioner shall be appointed from any one township. The terms of the commissioners shall be for three years and until their successors are elected and</p>

~~qualify, except that of the members first appointed two were appointed to serve for a term of one year, two for a term of two years and three for a term of three years. Any vacancy shall be filled in the manner of the original appointment.~~

~~HISTORY: 1962 Code Section 28-1091; 1959 (51) 517; 1993 Act No. 181, Section 1267.~~

SECTION 50-19-120. Officers of Commission; meetings.

~~The Commission shall organize by electing one of its members chairman and one of its members secretary, and the commissioners shall meet at such time and place as may be designated by the chairman.~~

~~HISTORY: 1962 Code Section 28-1092; 1959 (51) 517; 1993 Act No. 181, Section 1267.~~

SECTION 50-19-130. Powers and duties of Commission.

~~The Commission shall make studies and recommendations to the department pertaining to the supervision of fish and game in Darlington County, except Prestwood Lake. It shall cooperate with the department in supervising the opening and closing of all fish and game seasons in the county and regulations in connection therewith and control thereof, insofar as consistent with the statutory laws of the State. The Commission shall advise and confer with the county legislative delegation and shall recommend such changes as appear to be necessary in the fish and game laws.~~

Law	S.C. CODE ANN. 50-19-210 through 50-19-240 <ul style="list-style-type: none">• SECTION 50-19-210. Creation of Prestwood Lake Wildlife Refuge Board; membership; terms of office.• SECTION 50-19-220. Organization and meetings of Board; compensation of members.• SECTION 50-19-230. Powers and duties of Board.• SECTION 50-19-240. Rules and regulations of Board as to means of taking nongame fish.
Agency's Rationale for Revision	Repeal. This Board does not exist.
Agency's Law Number from PER	63
Agency's Recommended Language	<p>SECTION 50-19-210. Creation of Prestwood Lake Wildlife Refuge Board; membership; terms of office.</p> <p>There is hereby created a board to be known as the Prestwood Lake Wildlife Refuge Board. The Board shall be composed of seven members who shall be appointed by the Governor upon the recommendation of a majority of the Darlington County legislative delegation. Three members having been appointed for an initial term of two years and four having been appointed for an initial term of four years, thereafter their successors have been and shall be appointed to serve for regular terms of four years each.</p> <p>HISTORY: 1962 Code Section 28-1095; 1957 (50) 177; 1993 Act No. 181, Section 1267.</p>

~~SECTION 50-19-220. Organization and meetings of Board; compensation of members.~~

~~After their appointments, the members of the Board shall meet immediately and organize and from among themselves shall select one of their members as chairman and one as secretary. The Board shall meet at the call of the chairman or upon the request of a majority of its members. The members shall serve without compensation.~~

~~HISTORY: 1962 Code Section 28-1096; 1957 (50) 177; 1993 Act No. 181, Section 1267.~~

~~SECTION 50-19-230. Powers and duties of Board.~~

~~The Board shall have the following powers and duties:~~

- ~~(1) To govern and manage the Prestwood Lake Wildlife Refuge and to do all things incidental thereto;~~
- ~~(2) To accept and receive donations, gifts or grants on behalf of the refuge and to use such funds as the Board deems best for the propagation and protection of wildlife in the area;~~
- ~~(3) To take charge of the refuge and to make recommendations relative to the propagation and protection of wildlife therein, particularly including the posting of signs within this area;~~
- ~~(4) To report and prosecute all persons trespassing in the area or breaking the game laws relative thereto; and~~
- ~~(5) To plant and distribute food for wildlife in the area and to encourage and assist other individuals to do likewise in or on property adjacent thereto.~~

~~HISTORY: 1962 Code Section 28-1097; 1957 (50) 177; 1993 Act No. 181, Section 1267.~~

~~SECTION 50-19-240. Rules and regulations of Board as to means of taking nongame fish.~~

~~In addition to the powers and duties set forth in Section 50-19-230, the Board may adopt and promulgate such rules and regulations relating to the use of baskets, nets, trotlines and other means of taking nongame fish as it may deem advisable. No such rule or regulation shall take effect until approved by the department, and notice of such rule or regulation has been published at least once in a newspaper of general circulation in Darlington County. When any such rule or regulation becomes effective it shall have the force and effect of law. Any person convicted of a violation of a rule or regulation adopted pursuant to this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.~~

Others potentially impacted
Governor's Office

Law	<p>S.C. CODE ANN. 50-19-1110 to 50-19-1180</p> <ul style="list-style-type: none"> • SECTION 50-19-1110. Creation of Marion County Fish and Game Commission; appointment and qualifications of members. • SECTION 50-19-1120. Terms of commissioners; vacancies. • SECTION 50-19-1130. Organization of Commission; meetings. • SECTION 50-19-1140. General powers and duties of Commission. • SECTION 50-19-1150. Commission to recommend changes in laws. • SECTION 50-19-1160. Nomination of enforcement officers. • SECTION 50-19-1170. Determination of enforcement officers' salaries. • SECTION 50-19-1180. Report on enforcement officers; recommendation of suspension or discharge.
Agency's Rationale for Revision	Repeal. The Commission does not exist or perform any of these functions.
Agency's Law Number from PER	68
Agency's Recommended Language	<p>SECTION 50-19-1110. Creation of Marion County Fish and Game Commission; appointment and qualifications of members.</p> <p>There shall be a board known as the Marion County Fish and Game Commission which shall be composed of seven members. The members of the Commission shall be qualified electors not less than twenty five years of age. Not more than one commissioner shall be appointed from any one township. The members shall be appointed by a majority of the Marion County legislative delegation.</p> <p>HISTORY: 1962 Code Section 28-1121; 1952 Code Section 28-1121; 1949 (46) 229; 1950 (46) 1977; 1993 Act No. 181, Section 1267.</p> <p>SECTION 50-19-1120. Terms of commissioners; vacancies.</p> <p>Of the seven commissioners first appointed two having served for a term of one year, two for a term of two years and three for a term of three years, their successors have been and shall hereafter be appointed for terms of three years. In case of a vacancy, such vacancy shall be filled in the manner above provided.</p> <p>HISTORY: 1962 Code Section 28-1122; 1952 Code Section 28-1122; 1949 (46) 229; 1993 Act No. 181, Section 1267.</p> <p>SECTION 50-19-1130. Organization of Commission; meetings.</p> <p>The Commission shall organize by electing one of its members chairman and one of its members secretary. The commissioners shall meet at least once each quarter, at such time and place as may be designated by the chairman, and at such other meeting or meetings as emergencies may necessitate.</p> <p>HISTORY: 1962 Code Section 28-1123; 1952 Code Section 28-1123; 1949 (46) 229; 1993 Act No. 181, Section 1267.</p> <p>SECTION 50-19-1140. General powers and duties of Commission.</p> <p>The Commission shall have general supervision over fish and game in Marion County. It shall cooperate with the department in supervision over the opening and closing of all fish and game seasons in Marion County and regulations in connection therewith and control thereof, in so far as is consistent with the</p>

~~statutory laws of the State.~~

~~HISTORY: 1962 Code Section 28-1124; 1952 Code Section 28-1124; 1949 (46) 229; 1952 (47) 2890; 1957 (50) 279; 1993 Act No. 181, Section 1267.~~

~~SECTION 50-19-1150. Commission to recommend changes in laws.~~

~~The Commission shall advise and confer with the county legislative delegation and shall recommend such change or changes as appear to it to be necessary in the fish and game laws in effect in Marion County.~~

~~HISTORY: 1962 Code Section 28-1125; 1952 Code Section 28-1125; 1949 (46) 229; 1993 Act No. 181, Section 1267.~~

~~SECTION 50-19-1160. Nomination of enforcement officers.~~

~~The Commission shall nominate enforcement officers for the county by forwarding the name and address of the persons nominated to the county legislative delegation. If a majority of the delegation shall be agreeable to such nomination or nominations, they shall forward the name of the prospective enforcement officer or officers to the director for approval. The enforcement officer or officers so appointed shall devote their entire time to the enforcement of the laws relating to wildlife, marine resources, and natural resources.~~

~~HISTORY: 1962 Code Section 28-1126; 1952 Code Section 28-1126; 1949 (46) 229; 1952 (47) 2890; 1957 (50) 279; 1993 Act No. 181, Section 1267.~~

~~SECTION 50-19-1170. Determination of enforcement officers' salaries.~~

~~The Commission shall recommend to the department the salaries to be paid to such enforcement officers from funds apportioned or allotted to Marion County for enforcement of the game and fish laws.~~

~~HISTORY: 1962 Code Section 28-1127; 1952 Code Section 28-1127; 1949 (46) 229; 1952 (47) 2890; 1957 (50) 279; 1993 Act No. 181, Section 1267.~~

~~SECTION 50-19-1180. Report on enforcement officers; recommendation of suspension or discharge.~~

~~The Commission shall report to the department the actions of any enforcement officer in Marion County and may recommend suspension or discharge of any enforcement officer.~~

~~HISTORY: 1962 Code Section 28-1128; 1952 Code Section 28-1128; 1949 (46) 229; 1952 (47) 2890; 1957 (50) 279; 1993 Act No. 181, Section 1267.~~

Law	S.C. CODE ANN. 50-19-1190. Shelly Lake fish sanctuary.
Agency's Rationale for Revision	Repeal. This sanctuary does not exist, and the lake has been renamed.
Agency's Law Number from PER	69
Agency's Recommended Language	<p>SECTION 50-19-1190. Shelly Lake fish sanctuary.</p> <p>(A) There is created a fish sanctuary in Marion County to be known as Shelly Lake.</p> <p>(B) It is unlawful for a person to fish, seine, net, or otherwise enter upon Shelly Lake in Marion County, located one half mile south of Red Bluff Landing on the</p>

~~west side of the Little Pee Dee River. A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty five dollars or more than one hundred dollars or imprisoned not less than fifteen days or more than thirty days.~~

~~HISTORY: 2010 Act No. 200, Section 14, eff May 28, 2010.~~

Law	<p>S.C. CODE ANN. 50-19-1710 to 50-19-1730</p> <ul style="list-style-type: none">• SECTION 50-19-1710. Creation of Catawba-Wateree Fish and Game Commission; membership.• SECTION 50-19-1720. Meetings of Commission; compensation of members; records.• SECTION 50-19-1730. Powers and duties of Commission.
Agency's Rationale for Revision	Repeal. The Commission no longer exists.
Agency's Law Number from PER	73
Agency's Recommended Language	<p>SECTION 50-19-1710. Creation of Catawba-Wateree Fish and Game Commission; membership.</p> <p>There is hereby created the Catawba-Wateree Fish and Game Commission which shall be composed of four members, one of whom shall be appointed by each of the respective county legislative delegations of Chester, Fairfield, Kershaw and Lancaster Counties. The members shall serve at the will of the respective county legislative delegations.</p> <p>HISTORY: 1962 Code Section 28-1011; 1952 Code Section 28-1011; 1949 (46) 335; 1993 Act No. 181, Section 1267.</p> <p>SECTION 50-19-1720. Meetings of Commission; compensation of members; records.</p> <p>The Commission shall meet once each month if necessary, and each member in attendance shall be paid the sum of ten dollars per day, plus mileage at the rate of five cents per mile. The Commission shall keep records of all business transacted at such meetings and designate the time and place of meetings.</p> <p>HISTORY: 1962 Code Section 28-1012; 1952 Code Section 28-1012; 1949 (46) 335; 1993 Act No. 181, Section 1267.</p> <p>SECTION 50-19-1730. Powers and duties of Commission.</p> <p>The Commission shall cooperate with the department in the enforcement of all fishing laws and regulations within such counties and shall work under the direction of the department in the enforcement of all rules and regulations provided in this article. The Commission shall cooperate with the department in the control of all fishing in the waters, including all backwaters, of the Catawba and Wateree Rivers within said counties, except waters lying more than one hundred yards south of the Wateree Dam in Kershaw County.</p> <p>HISTORY: 1962 Code Section 28-1013; 1952 Code Section 28-1013; 1949 (46) 335; 1952 (47) 2890; 1972 (57) 2431; 1993 Act No. 181, Section 1267.</p>

Law	S.C. CODE ANN. 51-13-2010. Board of directors; indemnification; appointments; compensation.
Agency's Rationale for Revision	Repeal. The Enoree River Greenway Commission does not currently exist. There are other statutes in Article 23, but this is the only one that mentions SCDNR.
Agency's Law Number from PER	79
Agency's Recommended Language	<p>SECTION 51-13-2010. Board of directors; indemnification; appointments; compensation.</p> <p>(A) The management of the commission is vested in the Board of Directors (board). The directors shall be indemnified by the commission in all civil actions for actions taken within the scope of their authority toward achieving the purposes of this article.</p> <p>The fifteen members shall serve three year terms and must be appointed in the following manner:</p> <p>(1) one director appointed by each of the respective county councils in Laurens, Newberry, Union, and Spartanburg;</p> <p>(2) one director appointed by the U.S. Forest Service;</p> <p>(3) one director appointed by the S.C. Department of Parks, Recreation and Tourism;</p> <p>(4) one director appointed by the South Carolina Department of Natural Resources; and</p> <p>(5) two directors appointed by each of the respective Laurens, Newberry, Union, and Spartanburg county legislative delegations.</p> <p>The board may appoint individuals as nonvoting ex officio members by a majority vote.</p> <p>(B) Vacancies shall be filled in the same manner as original appointment for the remaining portion of the unexpired term. Upon expiration of a term, a director may continue to serve until a successor is appointed and qualified.</p> <p>(C) Directors shall not be compensated for service, but may receive, at the discretion of the board, reasonable reimbursement for services rendered in performance of the commission's purposes.</p> <p>HISTORY: 1998 Act No. 273, Section 1, eff April 7, 1998.</p>
Others potentially impacted	U.S. Forest Service (did not contact); SC Department of Parks, Recreation, and Tourism

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Never functioned or funded

Law	S.C. CODE ANN. 48-9-230. Advisors to the division.
Agency's Rationale for Revision	Repeal. This advisory board has never functioned, and the SCDNR Board voted to request the General Assembly to repeal the statute in November 2013.
Agency's Law Number from PER	17
Agency's Recommended Language	SECTION 48-9-230. Advisors to the division. The following shall serve ex officio in an advisory capacity to the Land Resources and Conservation Districts Division of the Department of Natural Resources: The Director of the State Agricultural Extension Service, the Director of the South Carolina Agricultural Experiment Station, the president of Clemson University, the State Forester, the State Supervisor of the State Department of Vocational Agriculture, the Secretary of Commerce, the Commissioner of Agriculture and, with the concurrence of the Secretary of the United States Department of Agriculture, the State Conservationist of the Soil and Water Conservation Service, the chairman of the Purchasing and Marketing Administration State Committee and the Director of the Farmers' Home Administration.
Others potentially impacted	SC Department of Agriculture; Clemson University (did not contact); Forestry Commission; Department of Commerce; U.S. Department of Agriculture (did not contact); SC Soil and Water District Commissioners; Farmers' Home Administration, Purchasing and Marketing Administration State Committee (did not contact)

Law	S.C. CODE ANN. 50-3-1110 through 50-3-1160 <ul style="list-style-type: none"> SECTION 50-3-1110. Conservation Grant Fund established. SECTION 50-3-1120. Board; administration of fund. SECTION 50-3-1130. Funding. SECTION 50-3-1140. Qualification for tax credit as requirement for real property to be subject of grant. SECTION 50-3-1150. Uses of Fund revenues and grants; restrictions. SECTION 50-3-1160. Grants; establishment of criteria for awarding; procedures.
Agency's Rationale for Revision	Repeal. The Conservation Grant Fund has never been funded, and no grants have ever been awarded. Therefore, the agency requests that the statute be repealed.
Agency's Law Number from PER	42
Agency's Recommended Language	SECTION 50-3-1110. Conservation Grant Fund established. There is created in the state treasury a fund separate and distinct from the general fund of the State and all other funds styled the "Conservation Grant Fund". The income and principal of the fund must be used only to stimulate the use of conservation easements and fee simple gifts of land for conservation to qualified conservation organizations to improve the capacity of private nonprofit land trusts successfully to accomplish conservation projects and to provide an opportunity to leverage private and public monies for conservation easements. HISTORY: 2000 Act No. 283, Section 1(D).

~~SECTION 50-3-1120. Board; administration of fund.~~

~~The board of the Department of Natural Resources serves ex officio as the Conservation Grant Fund Board with full authority over the administration of the fund.~~

~~HISTORY: 2000 Act No. 283, Section 1(D).~~

~~SECTION 50-3-1130. Funding.~~

~~The Conservation Grant Fund shall consist of any monies appropriated to it by the General Assembly and other monies received from public or private sources.~~

~~HISTORY: 2000 Act No. 283, Section 1(D).~~

~~SECTION 50-3-1140. Qualification for tax credit as requirement for real property to be subject of grant.~~

~~In order for real property to be the subject of a grant under this article, the land must qualify for the tax credit allowed pursuant to Section 12-6-3515.~~

~~HISTORY: 2000 Act No. 283, Section 1(D).~~

~~SECTION 50-3-1150. Uses of Fund revenues and grants; restrictions.~~

~~(A) Revenues in the Conservation Grant Fund may be used by the department only to:~~

~~(1) defray the administrative costs of the department in administering the grant purpose provided for by this article;~~

~~(2) provide education on conservation easements and fee simple gifts of land for conservation, including information material intended for landowners and education for staff and volunteers; and~~

~~(3) make conservation grants.~~

~~(B) A grant from the Conservation Grant Fund may be used only to pay for one or more of the following costs:~~

~~(1) reimbursement for total or partial transaction costs for donations that otherwise would not be made because of insufficient financial revenues;~~

~~(2) management support, including initial baseline inventory and planning;~~

~~(3) monitoring compliance with conservation easements;~~

~~(4) education on conservation easements and fee simple gifts of land for conservation, including information materials intended for landowners, and education for staff and volunteers.~~

~~(C) Fund proceeds may not be used to pay the purchase price of any interest in real property.~~

~~HISTORY: 2000 Act No. 283, Section 1(D).~~

~~SECTION 50-3-1160. Grants; establishment of criteria for awarding; procedures.~~

~~The board shall establish the procedures and criteria for awarding grants under this article. The criteria shall focus grants on those areas, approaches, and~~

~~techniques that are likely to provide the optimum positive effect on~~

~~conservation. The board shall make recommendations to the General Assembly~~

~~on the award of grants. Upon approval by the General Assembly by concurrent resolution, the board shall award the grants and provide public notice of the award.~~

Agency terminology

There are six laws the Subcommittee recommends the General Assembly modernize to reflect current agency terminology. An explanation of the suggested revisions and recommended language are provided in Table 33.

Table 33. Recommendations for modernization of laws - reflect agency terminology.

Division name updated

Law	S.C. CODE ANN. 48-11-10 through 48-11-15 <ul style="list-style-type: none">• SECTION 48-11-10. Definitions.• SECTION 48-9-15. Definitions.
Agency's Rationale for Revision	Amend. The division name is corrected to reflect the current name of the Division.
Agency's Law Number from PER	11
Agency's Recommended Language	SECTION 48-11-10. Definitions. (13) "Division" means <u>Land, Water and Resources</u> and Conservation Districts Division. SECTION 48-9-15. Definitions. As used in this chapter: (2) "Division" means <u>Land, Water Resources</u> and Conservation Districts Division of the Department of Natural Resources.

Law	S.C. CODE ANN. 48-9-220. Geographic areas for selection of members of Commission.
Agency's Rationale for Revision	Amend. This would update the name of the division and the title of the advisory committee.
Agency's Law Number from PER	16
Agency's Recommended Language	SECTION 48-9-220. Geographic areas for selection of members of <u>Commission</u> <u>Advisory Committee</u> . For the purpose of selecting the five soil and water conservation district commissioners to serve as members of the <u>State Land Resources Conservation Commission</u> <u>Land, Water and Conservation Division Advisory Committee</u> , the State is divided into five areas, to wit: (1) Area 1, the counties of Abbeville, Anderson, Cherokee, Greenville, Laurens, Oconee, Pickens, Spartanburg and Union; (2) Area 2, the counties of Aiken, Calhoun, Edgefield, Greenwood, Lexington, McCormick, Newberry, Richland and Saluda; (3) Area 3, the counties of Chester, Chesterfield, Darlington, Fairfield, Kershaw, Lancaster, Lee, Marlboro and York; (4) Area 4, the counties of Berkeley, Clarendon, Dillon, Florence, Georgetown, Horry, Marion, Sumter and Williamsburg; and

(5) Area 5, the counties of Allendale, Bamberg, Barnwell, Beaufort, Charleston, Colleton, Dorchester, Hampton, Jasper and Orangeburg.

Law	S.C. CODE ANN. 48-9-45. Land, Resources and Conservation Districts Division
Agency's Rationale for Revision	Amend. This change would update the name of the division.
Agency's Law Number from PER	14
Agency's Recommended Language	SECTION 48-9-45. Land, Resources and Conservation Districts <ins>Water and Conservation</ins> Division accountable to director of department. The Land, Resources and Conservation Districts <ins>Water and Conservation</ins> Division, shall be directly accountable to and subject to the director of the department.

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Agency name updated

Law	S.C. CODE ANN. 48-9-1320. Information to be furnished to State Land Resources Conservation Commission.
Agency's Rationale for Revision	Amend. Corrects the name of the agency.
Agency's Law Number from PER	21
Agency's Recommended Language	SECTION 48-9-1320. Information to be furnished to State Land Resources Conservation Commission <u>Department of Natural Resources</u>
Law	S.C. CODE ANN. 51-17-40 and 70 <ul style="list-style-type: none">• SECTION 51-17-40. Powers and duties of Wildlife and Marine Resources Commission.• SECTION 51-17-70. Powers and duties of Wildlife and Marine Resources Department.
Agency's Rationale for Revision	Amend. Former agency name is listed in the title provisions.
Agency's Law Number from PER	80
Agency's Recommended Language	SECTION 51-17-40. Powers and duties of <u>Department of Natural Resources</u> Wildlife and Marine Resources Commission SECTION 51-17-70. Powers and duties of Wildlife and Marine Resources Department <u>Department of Natural Resources</u>

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Conservation name updated and DNR Board responsibility clarified

Law	S.C. CODE ANN. 48-9-30. Definitions.
Agency's Rationale for Revision	Amend. Clarifies the DNR Board is the governing body from the Soil and Water Conservation Boards. Also updates the name of the conservation service.
Agency's Law Number from PER	12
Agency's Recommended Language	<p>SECTION 48-9-30. Definitions.</p> <p>Whenever used or referred to in this chapter, unless a different meaning clearly appears from the context:</p> <p>.....</p> <p>(3) <u>"Board"</u> means the governing body of the Department of Natural Resources;</p> <p>.....</p> <p>(8) "United States" or "agencies of the United States" includes the United States of America, the <u>Natural Resources Conservation Service, soil and water conservation service</u> of the United States Department of Agriculture, <u>and its successors</u>, and any other agency or instrumentality, corporate or otherwise, of the United States of America;</p>
Others potentially impacted	U.S. Department of Agriculture - Did not contact

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Agency practices

There are 42 laws the Subcommittee recommends the General Assembly modernize to reflect current agency practices. An explanation of the suggested revisions and recommended language are provided in Table 34.

Table 34. Recommendations for modernization of laws - reflect agency practices.

Codified in statute or ability exists elsewhere in statute

Law	S.C. CODE OF REGULATIONS 123-2 through 123-9 <ul style="list-style-type: none">• 123-2 Accident Reports.• 123-3 Lights.• 123-4 Rule and Regulation Adopting Certain federal Rules and Regulations.• 123-5 Renewal of Certificates of Numbers.• 123-6 How Vessel to be Numbered.• 123-7 Vessel Registration.• 123-9 Display of Decals Bearing Title Number.
Agency's Rationale for Revision	Repeal. These are no longer used by the agency and have been codified in statute.
Agency's Law Number from PER	84
Agency's Recommended Language	<p><u>123-2 Accident Reports.</u> The operator of every vessel involved in a boating accident shall file a report in writing whenever the accident results in loss of life, loss of consciousness, medical treatment or disability in excess of 24 hours, or property damage in excess of two hundred (200.00) dollars. Reports in death and injury cases shall be submitted within forty-eight (48) hours; reports in other cases are required within five (5) days. In the case of a reportable accident the operator of any vessel involved shall file the report with the S.C. Wildlife and Marine Resources Department, Division of Boating. Those having to file accident reports may obtain forms from Division of Boating, S.C.W.M.R.D.</p> <p><u>123-3 Lights.</u> Every vessel at anchor, whether occupied or not, shall display anchor lights between official sunset and sunrise. Except, that anchor lights do not have to be displayed on a vessel anchored in a "special anchorage area" designated as such by the U. S. Army Corps of Engineers, the U. S. Coast Guard or the S. C. Wildlife and Marine Resources Department.</p> <p><u>123-4 Rule and Regulation Adopting Certain Federal Rules and Regulations.</u> All aids to navigation and regulatory markers erected by the Corps of Engineers on the Atlantic Intra-coastal Waterway pursuant to Federal Law are hereby declared to be S.C.W.M.R.D. aids to navigation and regulatory markers pursuant</p>

~~to Section 50-21-710 of the 1976 Code, and are hereby declared to be the law of this State.~~

123-5 Renewal of Certificates of Numbers.

~~Certificates of Number are void after the dates of expiration thereon.~~

~~A number not renewed as prescribed by Section 50-21-370 of the 1976 Code, may be renewed after the expiration date of the Certificate of Number if the renewal application is received within one year from the date of expiration as shown on the Certificate of Number.~~

~~Each renewal Certificate of Number shall be valid for a period ending three years from the date of expiration of the certificate renewed.~~

~~A renewal application received more than a year after the date of expiration of the Certificate of Number shall be treated in the same manner as an application for an original number.~~

123-6 How Vessel to be Numbered.

~~1. No person may use a vessel unless it has a number issued on a certificate of number and the number displayed must:~~

~~(1) Be painted on or permanently attached to each side of the forward half of the vessel except as allowed by paragraph 2 or required by paragraph 3 of this rule;~~

~~(2) Be in plain vertical block characters of not less than 3 inches in height;~~

~~(3) Contrast with the color of the background and be distinctly visible and legible;~~

~~(4) Have spaces or hyphens that are equal to the width of a letter other than "I" or a number other than "1" between the letter and number groupings (Example: DC-5678 EF or DC 5678 EF, and~~

~~(5) Read from left to right.~~

~~2. When a vessel is used by a manufacturer or by a dealer for testing or demonstrating, the number may be painted on or attached to removable plates that are temporarily but firmly attached to each side of the forward half of the vessel.~~

~~3. On vessels so configured that a number on the hull or superstructure would not be easily visible, the number shall be painted on or attached to a backing plate that is attached to the forward half of the vessel so that the number is visible from each side of the vessel.~~

123-7 Vessel Registration.

~~1. In order to operate on waters of this state a vessel shall be registered and numbered in the owner's name within thirty (30) days from the date it was purchased.~~

~~2. In order to operate a vessel on the waters of this State during such thirty (30) day period the operator shall have in his possession the Bill of Sale or the Certificate of Title for the vessel.~~

123-9 Display of Decals Bearing Title Number.

~~1. A decal issued by the S.C.W.M.R.D., Division of Administrative Services, when the outboard motor is titled pursuant to Title 50, Chapter 23, of the 1976 Code,~~

~~bearing the title number of the outboard motor, shall be affixed to the starboard side of the outboard motor cover.~~

~~2. A decal issued by the South Carolina Wildlife and Marine Resources Department, Division of Administrative Services, when the watercraft is titled pursuant to Title 50, Chapter 23, of the 1976 Code, bearing the title number of the unregistered watercraft, shall be affixed to the right starboard outboard side of the transom within six inches of the top of the transom right above the waterline, or if there is no transom then affixed to the starboard outboard side of hull, aft, within one foot of the stern and within six inches of the top of the hull side, gunwale or hull/deck joint, whichever is lowest. On catamarans and pontoon boats with replaceable hulls, to the aft crossbeam, within eighteen (18) inches of the starboard hull attachment. Decal should not cover the hull identification number.~~

Law	<p>S.C. CODE OF REGULATIONS 123-20 through 123-34 and 123-35</p> <ul style="list-style-type: none"> • 123-20 Fishing With a Channel Net. • 123-21 Operation of Crab Pots. • 123-23 Tags on Submerged Traps. • 123-24 Master of a Vessel Licensed by the Division of Commercial Fisheries. • 123-25 Numbering of All Vessels Used for Harvesting Shellfish Commercially in South Carolina. • 123-26 Point of Juncture of Bull Creek and Waccamaw River Established. • 123-28 License for Selling Shad. • 123-29 One Quarter Mile Off Shore Line. • 123-30 Penalties. • 123-31 Dumping of Trash Fish. • 123-32 Affixing Tax Tags to Shad. • 123-33 Taking American Eels and Catfish in Certain Waters. • 123-35 Turtle Excluder Devices Required in Channel Nets.
Agency's Rationale for Revision	Repeal. Marine Regulations have been replaced by Code and are no longer valid. These Regulations refer to Chapter 17, which no longer exists in Title 50 SC Code of Laws.
Agency's Law Number from PER	85
Agency's Recommended Language	<p>123-20 Fishing With a Channel Net. (Statutory Authority: 1976 Code Section Section 50-5-110, 50-17-1020, 50-17-1590)</p> <p>The following requirements shall apply to all fixed or stationary nets having a mesh size of less than two and one half inches stretch mesh used in coastal waters and shall include, but not be limited to, shrimp channel or set nets (defined as conical bag shaped nets similar in design to a trawl net, which is attached to poles, stakes, buoys or other fixed objects and which is not pulled by a boat), butterfly nets, frame nets, bag nets, trawl nets and any other conical or bag shaped nets which are attached to poles, stakes, buoys anchored vessels or other fixed objects; provided, however, that shrimp or crab drop nets, and elver fyke nets, shall not be subject to these regulations:</p>

1. Any person using a channel net as defined by S. C. Wildlife and Marine Resources Department Regulation 123-20 or other fixed or stationary net described above in any of the saltwaters of this State shall first obtain and have in possession a valid permit issued by the Marine Resources Division;
2. Each net used under the provisions of this rule and regulation must have a valid license as required under Section 50-17-130;
3. The width and mesh size of any channel net or other stationary net included under this rule and regulation must conform to the provisions of this Section 50-17-420, S. C. Code of Laws;
4. No channel or set net may be operated from a shrimp trawler or any other boat under a duly issued channel net permit;
5. No channel net or other stationary net used under authority of this rule and regulation may be set within two hundred (200) feet of a net previously set as provided in Section 50-17-450, S. C. Code of Laws.
6. Any channel net or other stationary net included under this rule and regulation left unattended must be marked with a sign or buoy having the name, address and permit number of the owner thereon;
7. Any channel net set at night must be marked by a white light clearly visible from a distance of one quarter of a mile.
8. Any person who obtains a permit under the provisions of this rule and regulation is required to keep a daily catch record on forms prescribed and provided by the Division.
9. The issuance of channel net or other stationary net permits hereunder is subject to the regulations of the S. C. Department of Highways and Public Transportation, U. S. Coast Guard and U. S. Army Corps of Engineers.
10. Channel nets or other stationary nets may be used only in those areas and at those times prescribed by the Marine Resources Division and the operation of such nets in any area or at any time not so authorized is illegal.
11. The penalty for violation of the provisions of this rule and regulation or the statutes upon which it was promulgated shall be as prescribed in Section 50-17-450, S. C. Code of Laws as Amended, and in addition the permit issued said violation may be suspended or revoked by the Marine Resources Division.
12. Except as specifically modified or changed hereby, all prevailing laws, rules and regulations concerning fishing and boating in South Carolina shall remain in full force and effect.

123-21 Operation of Crab Pots.

1. Every crab pot, trap, float or buoy shall be marked with the license number issued by the Division.
2. No crab pot or trap shall be placed in any stream, creek or river within one hundred (100) yards of a public boat ramp or launching area.
3. No crab pot or trap shall be so set so as to be left dry at low water.
4. No glass bottles, jugs or metal cans shall be used as floats or buoys for crab traps or pots.
5. No crab pot or trap shall be abandoned, or left unattended, in coastal waters for more than five (5) days. The finding of any crab pot or trap with dead or decomposing crabs, or the finding of excessive marine growth on the trap, line or buoy shall be sufficient grounds for confiscation.

6. Any crab trap or pot found in violation of these regulations shall be confiscated.

7. The penalty for the violation of this Rule and Regulation shall be as prescribed by Section 50-17-130 of the 1976 Code.

123-23 Tags on Submerged Traps.

All submerged traps licensed under Section 50-17-360(3) shall have affixed to the trap a tag showing the number of the license issued for such trap. An untagged trap is subject to confiscation.

123-24 Master of a Vessel Licensed by the Division of Commercial Fisheries.
Section 50-17-410 of the 1976 Code provides that at the time of securing boat licenses the owner of the boat shall file with the Division of Marine Resources a sworn statement giving the name and address of the master or captain of the boat.

No person under the age of sixteen (16) years shall be named in such statement as the master or captain of the boat.

123-25 Numbering of All Vessels Used for Harvesting Shellfish Commercially in South Carolina.

1. "Vessel" shall mean every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.
2. Each vessel used to take shellfish for market shall display a number issued by the S.C. Wildlife and Marine Resources Department, Division of Marine Resources. The number shall be issued to all commercial operators holding shellfish leases or permits for harvesting shellfish in this State and the number shall be valid only for harvesting shellfish on the lease or area for which it is issued.
3. The penalty for violation of this Rule and Regulation shall be as prescribed by Section 50-17-100 of the 1976 Code.

123-26 Point of Juncture of Bull Creek and Waccamaw River Established.
The point of junction of Bull Creek and Waccamaw River is the 40-mile limit referred to in subsection (1) of Section 50-17-240, Code of Laws of South Carolina, 1976, relating to the open and closed seasons on shad.

123-28 License for Selling Shad.

Section 50-17-390, Code of Laws of South Carolina, 1976, shall not apply to persons, firms, or corporations selling shad strictly at retail.

123-29 One Quarter Mile Off Shore Line.

If the place from which the one quarter mile off shore line is not designated by law it shall be measured from the mean low tide mark.

HISTORY: Amended by State Register Volume 17, Issue No. 5, Part 3, eff May 28, 1993.

123-30 Penalties.

~~Where penalties are not provided under the Commercial Fisheries Laws, in the event of a violation, any provisions of such laws for punishment or penalty shall be as provided for in Section 50-17-130, Code of Laws of South Carolina, 1976.~~

~~123-31 Dumping of Trash Fish.~~

~~The dumping of trash fish or waste fisheries products from commercial trawlers within one quarter mile of any South Carolina resort beach is prohibited.~~

~~123-32 Affixing Tax Tags to Shad.~~

~~All shad on which a tax is required by Section 50-17-310, Code of Laws of South Carolina, (1976), and offered for sale or shipped from any point within or without the State and all shad imported into the State shall have affixed thereto a Division of Marine Resources' tag evidencing the fact that the required tax has been paid.~~

~~123-33 Taking American Eels and Catfish in Certain Waters.~~

~~1. This rule and regulation regulates the taking of American eels (*anguilla rostrata*) in the following waters of this State: In the Cooper River and its tributaries from the Seaboard Coastline Railroad Bridge located three thousand three hundred (3,300') feet downstream from the lock and deck of the Jeffries Hydro Plant seaward to the point of the confluence of the Cooper River and the Wando River at a line running from the tip of Daniel Island westerly to the Old Coal Tipple Site.~~

~~2. There shall be no limit on the number of eels taken.~~

~~3. All persons actively engaged in the taking of eels in such waters shall be required to have a valid statewide fishing license as provided under Section 50-9-450 or 50-9-460. In addition all such persons shall be required to have a valid land and sea license as provided under Section 50-17-180, and any vessel used shall be required to be licensed under Section 50-17-210.~~

~~4. Eels may be taken legally from those waters subject to its rule and regulation only with the following equipment and gear:~~

~~a. Pots and baskets not to exceed two (2') feet in diameter and four (4') feet in length with bar mesh of not less than one-half (1/2") inch square and throat opening not to exceed two (2") inches in any direction. Each such pot or basket shall be tagged and marked in accordance with Section 50-5-110, Section 50-19-2910, and Section 50-19-2920, with the cost of each tag being one (\$1.00) dollar.~~

~~That records shall be maintained in accordance with the provisions of Section 50-5-80(3).~~

~~Provided, that pots and baskets may be set or used only from Stoney Landing seaward in the Cooper River and its tributaries; and that the use of any pot or basket at any time in the Cooper River from the Seaboard Coastline Railroad Bridge located three thousand three hundred (3,300') feet downstream from the lock and deck of the Jeffries Hydro Plant to Stoney Landing shall be a violation of this Rule and Regulation. Pots and baskets shall be allowed to be set or used twenty-four (24) hours a day and seven (7) days a week in all of the authorized areas of such use.~~

b. Fyke nets with wings not exceeding ten (10') feet in length and fourteen (14') feet in depth; with the distance from throat to cod end not to exceed twenty (20') feet. Maximum bar mesh for any portion of the nets shall not exceed one eighth (1/8") inch square; and all fyke nets must be set with the cod end upstream from the wings. Fyke nets shall be set only between sunset and sunrise, and all such nets shall be removed from such waters between sunrise and sunset. A license as required under the provisions of Section 50-17-360 shall be required for each fyke net used for the taking of eels from such waters.

c. Hand operated dip nets not to exceed two (2') feet in diameter.

5. Those types of equipment and gear authorized for use in taking eels from such waters shall be used only where fishing is legal; and any eel basket or pot, fyke net or dip net which is used in any manner in violation of this rule and regulation and any device or equipment which is used in such waters for the taking of eels which is not authorized herein, shall be confiscated by the South Carolina Wildlife and Marine Resources Department; and the Department shall dispose of such equipment and any catch found therein in the manner it deems appropriate.

6. Any game fish taken by use of eel pots and baskets, fyke nets or dip nets in such waters shall be returned immediately to the waters from whence they came.

7. All of the provisions of this rule and regulation shall be applicable in full to the taking of catfish from such waters.

8. The penalty for the violation of this Rule and Regulation shall be that prescribed by Section 50-17-100 or Section 50-19-2960, whichever the Court shall deem most applicable to the offense involved.

HISTORY: Amended by State Register Volume 17, Issue No. 5, Part 3, eff May 28, 1993.

123-35 Turtle Excluder Devices Required in Channel Nets.

A. The following regulations apply to fishing gears known as channel (set) nets as defined in Sections 50-17-130, 50-17-421, and 50-17-450, and regulation

123-20, SC Code of Laws:

- (1) Functional "soft" or "hard" Turtle Excluder Devices (TEDs) must be correctly installed in all channel (set) nets used in the state waters of South Carolina, except in areas specifically exempted by these regulations.
- (2) "Soft" TEDs must conform to the following specifications:
 - (a) Webbing must be polypropylene or polyethylene
 - (b) Stretched mesh size may not exceed 6 inches
 - (c) Horizontal, taut length of the panel may not exceed 120 inches (10 feet)
 - (d) Panel width at the leading edge may not exceed 229 inches (19 feet)
 - (e) The escape opening may not be less than 72 inches (6 feet)
 - (f) The TED panel must form a complete barrier inside the net forward of the codend
 - (g) The TED must slope upwards with the escape opening being on the top of the net just forward of the panel's attachment to the top of the net
 - (h) An optional, rectangular flap may be installed over the escape opening, provided it is attached only on its forward edge, does not extend more than 4

~~inches aft of the escape opening, is no wider than 36 inches (3 feet), and the mesh size is no larger than 2 inches stretch.~~

(3) "Hard" TEDs must conform to the following specifications:

(a) The TED must be a single, rigid, oval deflector grid which is made of steel rod or pipe not less than 1/3 inch diameter, aluminum rod or pipe not less than 1/2 inch diameter, or fiberglass rod of comparable strength

(b) The TED must be installed such that it is at a 30 degree to 45 degree angle from the horizontal when in use

(c) The minimum inside diameter may not be less than 30 inches

(d) The minimum (slit) escape opening is 35 inches

(e) The maximum spacing between the bars is 4 inches; there is no minimum spacing

(f) All "hard" TEDs must be top exiting only

(g) An optional, rectangular flap may be installed over the escape opening, provided it is attached only on its forward edge, does not extend more than 4 inches aft of the escape opening, is no wider than 36 inches (3 feet), and the mesh size is no larger than 2 inches stretch.

(4) Channel (set) nets will not require Turtle Excluder Devices if they are fished east of a line in Winyah Bay from the front range on Big Marsh Island, running southeast to Day Marker No. 18, thence running south southeast to red Nun Buoy No.16. All channel nets west of this line must use approved Turtle Excluder Devices. Channel nets in North Santee Bay will not be required to have Turtle Excluder Devices. However, the Department may require TEDs in additional or all open areas if a significant threat to sea turtles is determined.

(5) Any sea turtle accidentally taken must be immediately released unless it is apparent that resuscitation is required. If resuscitation is required, the fisherman must retain the turtle until such time that the turtle has sufficiently recovered and is capable of swimming. At that time, the turtle must be released.

HISTORY: Added by State Register Volume 21, Issue No. 6, Part 2, eff June 27, 1997.

Law	S.C. CODE ANN. 50-11-851. Shooting, killing, or maiming of "carrier pigeon" prohibited; penalties.
Agency's Rationale for Revision	Repeal. This is already covered in S.C. Code Ann. 50-11-853, so it is unnecessary.
Agency's Law Number from PER	52
Agency's Recommended Language	<p>SECTION 50-11-851. Shooting, killing, or maiming of "carrier pigeon" prohibited; penalties.</p> <p>The shooting, killing, or maiming of an Antwerp or homing pigeon, commonly known as a "carrier pigeon", is prohibited. Any person violating the provisions of this section is guilty of a misdemeanor and must be punished by a fine not exceeding ten dollars or imprisonment not exceeding ten days.</p>

Law	<p>S.C. CODE ANN. 50-19-1310 through 1330</p> <ul style="list-style-type: none"> • SECTION 50-19-1310. Department may acquire land in Marlboro County for fish and wildlife projects. • SECTION 50-19-1320. Power of condemnation; procedure. • SECTION 50-19-1330. Expenditure of funds.
Agency's Rationale for Revision	Repeal. The agency has this ability elsewhere in the Title (50-11-2200), and it does not need specific ability here, which is limited to Marlboro County.
Agency's Law Number from PER	70
Agency's Recommended Language	<p>SECTION 50-19-1310. Department may acquire land in Marlboro County for fish and wildlife projects.</p> <p>The department, in addition to the authority and powers granted it pursuant to Section 50-13-1920, may acquire land in Marlboro County for the purpose of creating artificial public fishing lakes, establishing fish hatcheries and fish nurseries, establishing wildlife management areas in conjunction with the Federal Government, or otherwise, and engaging in any other approved wildlife restoration projects.</p> <p>HISTORY: 1962 Code Section 28-1131; 1955 (49) 17; 1972 (57) 2431; 1993 Act No. 181, Section 1267.</p> <p>SECTION 50-19-1320. Power of condemnation; procedure.</p> <p>In order to carry out the purposes of this article the power of condemnation is conferred upon the board. The power must be exercised to condemn only property necessary, useful, or convenient for the purposes of this article. All land acquired must be in fee simple and just compensation must be paid for it.</p> <p>HISTORY: 1962 Code Section 28-1132; 1955 (49) 17; 1972 (57) 2431; 1987 Act No. 173, Section 32; 1993 Act No. 181, Section 1267.</p> <p>SECTION 50-19-1330. Expenditure of funds.</p> <p>To carry out the provisions of this article the Department may expend any funds under its control and available for such purposes.</p> <p>HISTORY: 1962 Code Section 28-1133; 1955 (49) 17; 1993 Act No. 181, Section 1267.</p>

Law	S.C. CODE ANN. 50-19-2330. Removal and control of nongame fish.
Agency's Rationale for Revision	Repeal. The agency has the authority elsewhere in the code to control nongame fish.
Agency's Law Number from PER	76
Agency's Recommended Language	<p>SECTION 50-19-2330. Removal and control of nongame fish.</p> <p>The Department may use whatever methods are deemed wise and expedient to remove and control nongame fish in the waters of Lake Greenwood and its immediate tributaries and Boyd's Mill, provided that such methods are conducted under the supervision of personnel of the Department.</p>

Law	<p>S.C. CODE ANN. 50-11-1110 through 50-11-1120</p> <ul style="list-style-type: none"> • SECTION 50-11-1110. Authority of department to close or shorten open season upon request of county legislative delegation; procedures; penalties. • SECTION 50-11-1120. Authority of department to declare open season on foxes upon request of county legislative delegation.
Agency's Rationale for Revision	Repeal. These statutes are antiquated. The agency has the authority to close seasons based on environmental conditions.
Agency's Law Number from PER	54
Agency's Recommended Language	<p>SECTION 50 11 1110. Authority of department to close or shorten open season upon request of county legislative delegation; procedures; penalties.</p> <p>When in any county of the State there exist abnormal conditions that might affect the supply of game or there is an abnormal scarcity of game, the department, upon the written request of a majority of the legislative delegation, including the Senator, from such county, may shorten or close the open season for hunting in any such county. The department shall give notice of the closed or shortened season by publication in at least two daily newspapers and in a newspaper of the county in which the closed or shortened season is declared, stating the length of the closed or shortened season. Any person found hunting with gun or dog within the restricted territory during a closed season so declared, is guilty of a violation of the provisions of this section, regardless of whether he has killed any game or not. The penalty for violation of the provisions of this section is a fine of not less than twenty five dollars nor more than one hundred dollars or imprisonment for not less than thirty days.</p> <p>HISTORY: [Derived from former Section 50 11 370 (1962 Code Section 28 360; 1954 (48) 1428); 50 11 840 (1962 Code Section 28 361; 1958 (50) 1669; 1972 (57) 2431)]; 1988 Act No. 561, Section 1; 1993 Act No. 181, Section 1262.</p> <p>SECTION 50 11 1120. Authority of department to declare open season on foxes upon request of county legislative delegation.</p> <p>Whenever it appears that foxes are destroying birds, poultry, pigs, lambs, or other property in any county in this State or there is an apparent epidemic of rabies in any county, the department, upon the written request of a majority of the legislative delegation of any such county, shall declare an open season on foxes, with the use of firearms, in the county suffering from the destruction and for so long as the delegation considers desirable.</p>

Law	<p>S.C. CODE ANN. 50-19-1010 through 50-19-1020</p> <ul style="list-style-type: none"> • SECTION 50-19-1010. Recommendations as to laws and closed seasons. • SECTION 50-19-1020. Cooperation with and reports to Division of Game.
Agency's Rationale for Revision	Repeal. These statutes are antiquated as we now have a state wide system which oversees officers.
Agency's Law Number from PER	67
Agency's Recommended Language	<p>SECTION 50 19 1010. Recommendations as to laws and closed seasons.</p> <p>The Lee County legislative delegation shall recommend such change or changes as they deem necessary for the proper protection of the fish and game in Lee</p>

~~County and may recommend closed seasons in case of emergencies.~~
~~HISTORY: 1962 Code Section 28-1102; 1952 Code Section 28-1102; 1949 (46) 408; 1951 (47) 389; 1993 Act No. 181, Section 1267.~~

~~SECTION 50-19-1020. Cooperation with and reports to Division of Game.~~
~~The county legislative delegation shall cooperate with the department and shall report semiannually to the department the actions of all enforcement officers in Lee County.~~

Law	<p>S.C. CODE OF REGULATIONS 123-10 through 123-19.31</p> <ul style="list-style-type: none">• 123-10 Restriction of Watercraft in Certain Areas.• 123-11 Garden City Canal (Murrel's Inlet Area) Restriction of Watercraft.• 123-12 Orange Canal, French Quarter Creek Restriction of Watercraft.• 123-13 Saluda Lake (Jerry's Cove) Restriction of Watercraft.• 123-14 Lake Marion (Cantey Bay) Restriction of Watercraft.• 123-15 Ashepoo River.• 123-16 Lake Hartwell or or Lake Thurmond.• 123-18 Lake Marion (Pine Island Unit) (Cantey Bay).• 123-19 No Wake Zones.• 123-19.1 Lake Moultrie (Lions Beach) Restriction of Watercraft.• 123-19.2 Restrictions on Use of Watercraft in Certain Portions of Waters of Lake Murray, Lexington County, South Carolina.• 123-19.3 Restrictions on Use of Watercraft in Certain Portions of Waters of Shem Creek, Charleston County, South Carolina.• 123-19.4 Restrictions on Use of Watercraft in Certain Portions of Waters of Lake Murray, Lexington County, South Carolina.• 123-19.6 Restrictions on Use of Watercraft in Certain Portions of the Waters of Lake Marion, Orangeburg County, South Carolina.• 123-19.7 Restrictions on the Use of Watercraft in the Waters of a Certain Portion of Goose Creek, Berkeley County, South Carolina.• 123-19.8 Restrictions on Use of Watercraft in a Certain Portion of the Water of Wappoo Creek, Charleston County, South Carolina.• 123-19.9 Modification of a No Wake Zone in the Lake Murray Marina Area, Lake Murray, Richland County, South Carolina.• 123-19.10 Restrictions on the Use of Watercraft in Certain Portions of the Waters of Black River, Williamsburg County, South Carolina.• 123-19.11 Restrictions as to Use of Watercraft Within Certain Areas of South Carolina Electric & Gas Company Public Park No. 1.• 123-19.12 Restrictions as to Use of Watercraft Within Boat Launching Ramp at Dreher Island State Park.• 123-19.13 Restrictions as to Use of Watercraft in Certain Areas of Durham Creek.• 123-19.14 Restriction as to Use of Watercraft Within Swimming Area of Dreher Island State Park.• 123-19.15 Restrictions as to Use of Watercraft Within Certain Areas of South Carolina Electric & Gas Company Public Park No. 3.
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	<ul style="list-style-type: none"> • 123-19.16 Restrictions on Use of Watercraft in Certain Portions of the Waters of Lake Marion, Clarendon County, South Carolina. • 123-19.17 Restrictions on Use of Watercraft in Certain Portion of Waters of Ashley River, Charleston County, South Carolina. • 123-19.18 Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Wylie, Near Commodore Yacht Club, York County, South Carolina. • 123-19.19 Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Keowee called Lake Keowee Marina, Oconee County, South Carolina. • 123-19.20 Restrictions on Use of Watercraft on Certain Portion of Wappo Creek, Charleston County, South Carolina. • 123-19.21 Restrictions on Use of Watercraft in Certain Portion of Lake Russell and Savannah River, Abbeville County, South Carolina. • 123-19.22 Restrictions on Use of Watercraft in Certain Portion of Kiawah River, Charleston, South Carolina. • 123-19.23 Pack's Landing Area of Waters of Lake Marion, Sumter County, Declared No Wake Zone. • 123-19.24 Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Marion, Orangeburg County, South Carolina. • 123-19.25 Restrictions on Use of Watercraft in Certain Portion of Waters on Lake Keowee, Pickens County, South Carolina. • 123-19.26 Restrictions on Use of Watercraft in Certain Portion of Lake Murray, Newberry County, South Carolina. • 123-19.27 Restrictions on Use of Watercraft in Certain Portions of Scott Creek, Colleton County, South Carolina. • 123-19.28 Restrictions on Use of Watercraft in Certain Portion of Battery Creek, Beaufort County, South Carolina • 123-19.29 Restriction on Use of Watercraft in Certain Portion of Parsonage Creek, Murrells Inlet, Georgetown County, South Carolina. • 123-19.30 Restriction on Use of Watercraft in Certain Portion of Morgan Creek, Charleston County, South Carolina. • 123-19.31 Restrictions on Use of Watercraft in a Certain Portion of Stono River, Charleston County, South Carolina.
Agency's Rationale for Revision	Amend and Repeal. The statute and regulations allow for the uniform marking of wake zones as determined for safety reasons by the director, or his designee. Also, the agency needs to update the title of the agency related to Lake Hartwell and needs authority to enforce Army Corp of Engineer aids to navigation on Lake Thurmond. These remaining regulations that are no longer used by the agency.
Agency's Law Number from PER	87
Agency's Recommended Language	<p>123-10 Restriction of Watercraft in Certain Areas.</p> <p>The use of watercraft shall be restricted in certain areas of the waters of the State of S.C. when the Director, <u>or his designee</u>, determines that such restriction is necessary in the interest of public safety.</p> <p>The regulated areas shall be identified by appropriate signs and markers.</p> <p>Such signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the systems of uniform waterway</p>

markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard, in October 1961.

No city, county, agency or person shall attempt to regulate the waters of this State by the use of the above mentioned signs and markers.

~~123-11 Garden City Canal (Murrel's Inlet Area) – Restriction of Watercraft.~~
~~The use of watercraft will be restricted in the waters in the Garden City Canal, in the Murrels Inlet Area, of Georgetown County and Horry County, S.C. The Garden City Canal begins at a point on Main Creek (near the Mouth of Murrells Inlet), runs parallel to the Atlantic Ocean to a point on the highway and causeway from the mainland to Garden City (S.C. Highway Number 26-51), and runs parallel to such highway and causeway to a point on Main Creek near the bridge of S.C. Highway Number 26-51.~~

~~No person shall water ski or ride on a surfboard or similar object in the Garden City Canal except during the time of each day from one and one-half (1 1/2) hours before and after the mean high tide of the Garden City Canal. There shall not be any water skiing on any such object outside of the wake of the boat pulling the water skier.~~

~~The regulated areas of Garden City Canal shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard, in October 1961.~~

~~123-12 Orange Canal, French Quarter Creek – Restriction of Watercraft.~~
~~The use of watercraft will be restricted in the waters in Orange Canal, a tributary of French Quarter Creek, Berkeley County, S.C. The restricted or controlled area shall begin at the mouth of Orange Canal (where Orange Canal empties into French Quarter Creek) and shall extend to where Orange Canal flows under the bridge at S.C. Highway No. S.898.~~

~~No person shall operate any vessel in the restricted or controlled area of Orange Canal at any speed that will produce a wake.~~

~~The regulated area of Orange Canal shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard.~~

~~123-13 Saluda Lake (Jerry's Cove) – Restriction of Watercraft.~~

~~The use of watercraft will be restricted in a certain portion of the waters of Saluda Lake, in the Saluda River, Greenville County. The restricted or controlled area shall be the cove known as Jerry's Landing Cove, or Saluda Lake Motor Boat Club Cove, and shall include the entire Cove from Jerry's Landing to six thousand (6,000') feet from Jerry's Landing.~~

~~No person shall operate any vessel in the restricted or controlled area of Jerry's Landing Cove, or Saluda Lake Motor Boat Club Cove, at any speed that will produce a wake.~~

~~The regulated area of Jerry's Landing Cove, or Saluda Lake Motor Boat Club Cove, shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard.~~

~~123-14 Lake Marion (Cantey Bay) Restriction of Watercraft.~~

~~The use of watercraft will be restricted in the waters in a 318 acre area on the west side of Cantey Bay, Lake Marion, Clarendon County, S.C., from 1 November through 15 March of each year. The restricted or controlled area lies north of U.S. Highway Numbers 15 and 301, on the west side of Cantey Bay, and adjacent to the Bluff Unit of the Santee National Wildlife Refuge. For a more detailed description as to the courses, metes and bounds of the area herein restricted, reference may be had to the plat prepared by the U.S. Department of the Interior, Fish and Wildlife Service, entitled "Santee National Wildlife Refuge", showing an enclosed area of 318 acres within "Cantey Bay", and with the Legend "Area closed to boat traffic from November 1 to March 15 each year".~~

~~No person shall operate any vessel in the restricted or controlled 318 acre area of Cantey Bay, Clarendon County, S.C., from 1 November through 15 March of each year.~~

~~The regulated area of Cantey Bay shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard. The regulated area lines will be posted with standard "Closed Area" signs during that period of the year when boat use is prohibited.~~

~~123-15 Ashepoo River.~~

~~The use of watercraft will be restricted in certain portions of the waters of the Ashepoo River, Colleton County, South Carolina. The restricted or controlled area shall begin at the Seaboard Coast Line Railroad trestle on the Ashepoo River and shall extend to the mouth of Horseshoe Creek.~~

~~No person shall operate any vessel in the restricted or controlled area of Ashepoo River at any speed that will produce a wake.~~

~~The regulated area of Ashepoo River shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council U.S. Coast Guard.~~

~~123-16 Lake Hartwell or or Lake Thurmond.~~

All aids to navigation and regulatory markers erected by the Corps of Engineers on Lake Hartwell or Lake Thurmond pursuant to Federal Law are hereby declared to be SCDNR aids to navigation and regulatory markers pursuant to Section 50-21-710, 1976 S.C. Code of Laws, and are hereby declared to be the law of the State.

~~123-18 Lake Marion (Pine Island Unit) (Cantey Bay).~~

~~Watercraft is restricted in certain portions of Lake Marion in Clarendon County from November 1 to February 28 of each year, except property owners and leasees adjacent to Cantey Bay with special permission from the U.S. Fish and Wildlife Service. The controlled area shall include a section of the Pine Island Unit, and an area between 100 Acre Island and Round Island.~~

~~(For a complete text, see copy on file in the office of the Secretary of State.)~~

~~123-19 No Wake Zones.~~

~~No wake zones are created in certain portions of the waters of Lake Marion (Rowland's Subdivision Cove, Brown's Camp Cove, Birch Branch Cove, Polly Cantey Pond, Phillip's Cove, Poplen Creek), The Beaufort River, Big Bay Creek, Broad Creek, Lake Murray (Wells Marina, Adams Bridge, Little Hollow Creek Bridge, Big Hollow Creek Bridge, Big Hollow Creek Wooden Bridge, SCE & G Park Launching Ramp Number Seven, Johnson's Marina Cove), Lake Moultrie (Jack's Hole Cove), Wateree Lake (Beaver's Creek Bridge, Wateree Creek Bridge, Taylor's Creek Bridge, Dutchman's Creek Bridge, Colonel's Creek Bridge, Wateree Marina), Foster Creek, Lake Wylie (Moores Landing Marina), Lake Greenwood (Cothram's Bridge), Old Town Creek, Jeremy Creek.~~

~~(Those interested in the complete text of any of the regulations creating such no wake zones are referred to the copies on file in the office of the Secretary of State.)~~

~~123-19.1 Lake Moultrie (Lions Beach) - Restriction of Watercraft.~~

~~The use of watercraft will be restricted in a certain portion of the waters of Lake Moultrie, Berkeley County, South Carolina. The restricted or controlled area shall be all waters within the swimming area at Lions Beach indicated on the attached map.~~

~~No person shall operate any vessel in the restricted or controlled area. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~123-19.2 Restrictions on Use of Watercraft in Certain Portions of Waters of Lake Murray, Lexington County, South Carolina.~~

- ~~1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Lexington County, South Carolina. The restricted or controlled area shall be a portion of the cove on the east side of Pine Island, indicated on the attached map.~~
- ~~2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
- ~~3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform~~

~~waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~4. That except as modified or changed hereby all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.3 Restrictions on Use of Watercraft in Certain Portions of Waters of Shem Creek, Charleston County, South Carolina.~~

~~1. That the use of watercraft will be restricted in a certain portion of the waters of Shem Creek, Charleston County, South Carolina. The restricted or controlled area shall be in the area of Mt. Pleasant as indicated on the attached map.~~

~~2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~

~~3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.4 Restrictions on Use of Watercraft in Certain Portions of Waters of Lake Murray, Lexington County, South Carolina.~~

~~1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Lexington County, South Carolina. The restricted or controlled area shall be the waters surrounding the Lakeside Marina facilities as shown on attached map.~~

~~2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~

~~3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~4. That except as modified or changed hereby all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.6 Restrictions on Use of Watercraft in Certain Portions of the Waters of Lake Marion, Orangeburg County, South Carolina.~~

~~That a NO WAKE ZONE is created in the Eutaw Springs area of the waters of Lake Marion, Orangeburg County, South Carolina, more specifically described in the map attached hereto and made a part hereof.~~

~~That said NO WAKE ZONE shall be identified by the placement of appropriate signs and markers.~~

~~123-19.7 Restrictions on the Use of Watercraft in the Waters of a Certain Portion of Goose Creek, Berkeley County, South Carolina.~~

- ~~1. That the use of watercraft will be restricted in a certain portion of the waters of Goose Creek, Berkeley County, South Carolina. The restricted or controlled area shall be in the area of Dominion Hills Subdivision as indicated on the attached map.~~
- ~~2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
- ~~3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~
- ~~4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.8 Restrictions on Use of Watercraft in a Certain Portion of the Water of Wappoo Creek, Charleston County, South Carolina.~~

- ~~1. That the use of watercraft will be restricted in a certain portion of the waters of Wappoo Creek, Charleston County, South Carolina. The restricted or controlled area shall be in the area of Parkwood Heights Extension as indicated on the attached map.~~
- ~~2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
- ~~3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~
- ~~4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.9 Modification of a No Wake Zone in the Lake Murray Marina Area, Lake Murray, Richland County, South Carolina.~~

- ~~1. That the original No Wake Zone established on July 26, 1972, on Lake Murray Marina, Lake Murray, Richland County, South Carolina be modified so as to extend the placement of buoy "A" in a Northeasterly direction approximately 125 feet; and~~
- ~~2. That the annexed area encompassed by the above modified placement of buoy "A" is hereby declared to be included in the No Wake Zone at said area.~~

~~123-19.10 Restrictions on the Use of Watercraft in Certain Portions of the Waters of Black River, Williamsburg County, South Carolina.~~

- ~~1. That the use of watercraft will be restricted in a certain portion of the waters of Black River, Williamsburg County, South Carolina. The restricted or controlled area shall be in the area of Scout Cabin as indicated on the attached map.~~

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.
3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.
4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

~~123-19.11~~ Restrictions as to Use of Watercraft Within Certain Areas of South Carolina Electric & Gas Company Public Park No. 1.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Lexington County, South Carolina. The restricted or controlled area shall be all waters within the swimming area at South Carolina Electric and Gas Company Public Park No. 1.
2. That no person shall operate any vessel in the restricted or controlled area.
3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

~~123-19.12~~ Restrictions as to Use of Watercraft Within Boat Launching Ramp at Dreher Island State Park.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Newberry County, South Carolina. The restricted or controlled area shall be all waters within the cove at Dreher Island State Park boat launching ramp.
2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.
3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

~~123-19.13~~ Restrictions as to Use of Watercraft in Certain Areas of Durham Creek.

1. That the use of watercraft will be restricted in a certain portion of the waters on Durham Creek, Berkeley County, South Carolina near Secondary Road 9 and Clyde Umphlett public boat landing, more specifically described in the map attached hereto and made a part hereof is hereby declared to be a SLOW TO NO WAKE ZONE.
2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.
3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation

~~prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~123-19.14 Restriction as to Use of Watercraft Within Swimming Area of Dreher Island State Park.~~

~~1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Newberry County, South Carolina. The restricted or controlled area shall be all waters within the swimming area at Dreher Island State Park.~~
~~2. That no person shall operate any vessel in the restricted or controlled area.~~
~~3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~123-19.15 Restrictions as to Use of Watercraft Within Certain Areas of South Carolina Electric & Gas Company Public Park No. 3.~~

~~1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Lexington County, South Carolina. The restricted or controlled area shall be all waters within one hundred yards of the South Carolina Electric and Gas Company Public Park No. 8 boat launching ramp.~~
~~2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
~~3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~123-19.16 Restrictions on Use of Watercraft in Certain Portions of the Waters of Lake Marion, Clarendon County, South Carolina.~~

~~1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Marion, Clarendon County, South Carolina. The restricted or controlled area shall be in the area of Taw Caw Creek as indicated on the attached map.~~
~~2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
~~3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~
~~4. That except as modified or changed, hereby all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.17 Restrictions on Use of Watercraft in Certain Portion of Waters of Ashley River, Charleston County, South Carolina.~~

1. That the use of watercraft will be restricted in a certain portion of the waters of Ashley River, Charleston County, South Carolina. The restricted or controlled area shall be as indicated on the attached map.
2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.
3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.
4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123-19.18 Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Wylie, Near Commodore Yacht Club, York County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Wylie, near Commodore Yacht Club, York County, South Carolina. The restricted or controlled area shall be as indicated on the attached map.
2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.
3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.
4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123-19.19 Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Keowee called Lake Keowee Marina, Oconee County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Keowee called Lake Keowee Marina, Oconee County, South Carolina. The restricted or controlled area shall be as indicated on the attached map.
2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.
3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.
4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123-19.20 Restrictions on Use of Watercraft on Certain Portion of Wappo Creek, Charleston County, South Carolina.

1. ~~That the use of watercraft will be restricted in a certain portion of the waters of Wappoo Creek, Charleston County, South Carolina. The restricted or controlled area shall be as indicated on the attached map.~~
2. ~~That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
3. ~~That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~
4. ~~That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.21 Restrictions on Use of Watercraft in Certain Portion of Lake Russell and Savannah River, Abbeville County, South Carolina.~~

1. ~~The use of watercraft will be restricted in a certain portion of the waters of Lake Russell and the Savannah River at Richard B. Russell Dam, Abbeville County, South Carolina. The restricted or controlled area shall be all waters 225 feet upstream and 975 feet downstream of the Richard B. Russell Dam.~~
2. ~~No person shall operate any vessel in the restricted or controlled area.~~
3. ~~The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~
4. ~~Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.22 Restrictions on Use of Watercraft in Certain Portion of Kiawah River, Charleston, South Carolina.~~

1. ~~The use of watercraft will be restricted in a certain portion of the waters of Kiawah River, Charleston County, South Carolina. The restricted or controlled area shall be all waters within one hundred yards of the Kiawah Island Docking Facility.~~
2. ~~No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
3. ~~The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~
4. ~~Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.23 Pack's Landing Area of Waters of Lake Marion, Sumter County, Declared No Wake Zone.~~

~~1. The Pack's Landing area of the waters of Lake Marion, Sumter County, South Carolina is hereby declared to be a No Wake Zone.~~

~~2. The No Wake Zone shall be identified by the placement of appropriate signs and markers.~~

~~3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.24 Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Marion, Orangeburg County, South Carolina.~~

~~1. The use of watercraft will be restricted in a certain portion of the waters of Lake Marion, Orangeburg County, South Carolina. The restricted or controlled area shall be in the area of Santee Cooper Resort Cove and shall include the entire cove.~~

~~2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~

~~3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.25 Restrictions on Use of Watercraft in Certain Portion of Waters on Lake Keowee, Pickens County, South Carolina.~~

~~1. The use of watercraft will be restricted in a certain portion of the waters on Lake Keowee, Pickens County, South Carolina. The restricted or controlled area shall be in the Gap Hill area.~~

~~2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~

~~3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~

~~4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.26 Restrictions on Use of Watercraft in Certain Portion of Lake Murray, Newberry County, South Carolina.~~

- ~~1. The use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Newberry County, South Carolina. The restricted or controlled area shall be all waters within one hundred fifty yards of the marina docking facilities at Dreher Island State Park.~~
- ~~2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
- ~~3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council United States Coast Guard.~~
- ~~4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.27 Restrictions on Use of Watercraft in Certain Portions of Scott Creek, Colleton County, South Carolina.~~

- ~~1. The use of watercraft will be restricted in a certain portion of the waters of Scott Creek, Colleton County, South Carolina. The restricted or controlled areas shall be in the area of Scott Creek as indicated on the attached map.~~
- ~~2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
- ~~3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the States Official to the Merchant Marine Council, United States Coast Guard.~~
- ~~4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.28 Restrictions on Use of Watercraft in Certain Portion of Battery Creek, Beaufort County, South Carolina~~

- ~~1. That the use of watercraft will be restricted in a certain portion of the waters of Battery Creek, Beaufort County, South Carolina. The restricted or controlled area shall be in the area of Battery Creek as indicated on the attached map.~~
- ~~2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
- ~~3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the States Officials to the Merchant Marine Council, United States Coast Guard.~~
- ~~4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.29 Restriction on Use of Watercraft in Certain Portion of Parsonage Creek, Murrells Inlet, Georgetown County, South Carolina.~~

- ~~1. The use of watercraft will be restricted in a certain portion of the waters of Parsonage Creek, Murrells Inlet, South Carolina. The restricted or controlled area shall be in the area of Parsonage Creek as indicated on the attached map.~~
- ~~2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
- ~~3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~
- ~~4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.30 Restriction on Use of Watercraft in Certain Portion of Morgan Creek, Charleston County, South Carolina.~~

- ~~1. The use of watercraft will be restricted in a certain portion of the waters of Morgan Creek, Charleston County, South Carolina. The restricted or controlled area shall be in the area of Morgan Creek as indicated on the attached map.~~
- ~~2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
- ~~3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~
- ~~4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

~~123-19.31 Restrictions on Use of Watercraft in a Certain Portion of Stono River, Charleston County, South Carolina.~~

- ~~1. The use of watercraft will be restricted in a certain portion of the waters of Stono River, Charleston County, South Carolina. The restricted or controlled area shall be in the area of Stono River as indicated on the attached map.~~
- ~~2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.~~
- ~~3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.~~
- ~~4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.~~

Law	S.C. CODE ANN. 48-9-310. Estimates of financial needs.
Agency's Rationale for Revision	Amend. This is an antiquated statute and instead is accomplished through the regular budgetary process.
Agency's Law Number from PER	18
Agency's Recommended Language	<p>SECTION 48-9-310. Estimates of financial needs.</p> <p>On or before the first day of November, annually, the department shall transmit to the Governor, on official blanks to be furnished by him, an estimate, in itemized form, showing the amount of expenditure requirements for the ensuing fiscal year. The estimates submitted shall state, in addition to the requirements of existing law, the following information:</p> <p class="list-item-l1">(1) The number and acreage of districts in existence or in process of organization, together with an estimate of the number and probable acreages of the districts which may be organized during the ensuing fiscal year;</p> <p class="list-item-l1">(2) A statement of the balance of funds, if any, available to the department and to the districts; and</p> <p class="list-item-l1">(3) The estimates of the department as to the sums needed for its administrative and other expenses and for allocation among the several districts during the ensuing fiscal year.</p> <p>The department may require the commissioners of the respective soil and water conservation districts to submit to it such statements, estimates, budgets and other information as it may deem necessary for the purposes of this section</p>
Others potentially impacted	Governor's Office; SC Soil and Water District Commissioners

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Administrative Procedures Act now utilized

Law	S.C. CODE ANN. 50-9-1160. Review by circuit judge.
Agency's Rationale for Revision	Repeal. The Administrative Procedures Act was established subsequent to this statute being passed, so all license suspensions are reviewed by the Administrative Law Court, not a circuit court judge.
Agency's Law Number from PER	51
Agency's Recommended Language	<p>SECTION 50-9-1160. Review by circuit judge.</p> <p>(A) A person whose privileges have been suspended under the provisions of this article may, within ten days after notice of the result of the review, apply to the resident or presiding circuit judge of the circuit in which the applicant resides for a review upon the record certified to by the board to determine if the action taken by the department is lawful and in accordance with the provisions of this article. The person shall have the right to have his counsel present with him if he so desires.</p> <p>(B) If the person requests a review upon the record the suspension shall be held in abeyance until the day of the final disposition of the review upon the record and if the suspension is upheld, the suspension shall commence on that day and end on the same day of the following year.</p>
Others potentially impacted	Administrative Law Court

Law	S.C. CODE ANN. 50-9-1150. Notice of suspension; review by department.
Agency's Rationale for Revision	Amend. The Administrative Procedures Act was established subsequent to this statute being passed, so all license suspensions are reviewed by the Administrative Law Court.
Agency's Law Number from PER	50
Agency's Recommended Language	<p>SECTION 50-9-1150. Notice of suspension; review by department.</p> <p>(B) A person or entity whose privileges have been suspended may appeal the decision of the department under the Administrative Procedures Act.</p> <p>(B) The person may, within ten days after notice of suspension, request in writing a review, and upon receipt of the request, the department shall afford him a review. The department shall notify him of the date, time, and place of the review and the person shall have the right to have his attorney present with him if he so desires.</p> <p>(C) If the person requests a review, the suspension shall be held in abeyance until the day of the final disposition of his review by the department and if the suspension is upheld, the suspension shall commence on the eleventh day thereafter and end on the same day of the following year. The review by the department shall be limited to a determination of the validity of the violations and points assessed. No probationary authority is given to the department by discretion or otherwise.</p>
Others potentially impacted	Administrative Law Court

Geology Unit

Law	S.C. CODE ANN. 48-22-40. Duties of unit.
Agency's Rationale for Revision	Amend. SCDNR requests changes to more accurately reflect the current duties of the Geology unit.
Agency's Law Number from PER	26
Agency's Recommended Language	<p>SECTION 48-22-40. Duties of unit.</p> <p>In addition to other duties assigned to it, the unit:</p> <p>(1) shall conduct field and laboratory studies in geologic reconnaissance, mapping, <u>evaluating prospecting</u> for mineral resources, and related gathering of surface and subsurface data. Investigative areas include offshore and onshore lands in this State;</p> <p><u>(2) must make surface and subsurface data available to governmental agencies, private industry, and the public by disseminating published geologic information as bulletins, maps, economic reports, and related series and open file reports;</u></p> <p><u>(23) shall provide geologic advice and assistance to other state and local governmental agencies engaged in environmental protection or in industrial or economic development projects.</u> In addition, the unit must be involved actively in geologic aspects of regional planning and effective land use in the State;</p> <p><u>(43) shall encourage economic development in the State by disseminating published geologic information as bulletins, maps, economic reports, and related series and open-file reports to appropriate governmental agencies and private industry.</u> The unit is encouraged further to initiate and maintain appropriate industrial contacts to promote the extraction and conservation of South Carolina's earth raw materials and their manufacture to the economic improvement of the State;</p> <p><u>(54) shall provide unsolicited advice, when appropriate, to the Mining Council and its associated state regulatory agency, on geologic and related mining matters in keeping with the intent of the South Carolina Mining Act;</u></p> <p><u>(65) shall operate and maintain a central, statewide repository for rock cores, well cuttings and related subsurface samples, and all associated supplemental data.</u> Private firms and public agencies are encouraged to notify the unit before exploratory or developmental drilling and coring;</p> <p><u>(76) must be the state's official cooperator on topographic mapping. The federal expenditure for this purpose at least must equal that of the State.</u> The unit may conduct cooperative work with appropriate agencies of the United States Government in its geologic activities and investigations;</p> <p><u>(87) shall provide a minerals research laboratory related to the identification, extraction, and processing of industrial minerals and minerals of economic potential wherever found throughout the onshore and offshore areas of the State.</u> The minerals research laboratory is encouraged to accept mineral research projects from South Carolina businesses or citizens on a per cost, per unit basis and to encourage expended use of the raw materials of the State. The minerals research laboratory may accept public and private gifts or funds and may enter into cooperative agreements for the purpose of applied research in the metallic and nonmetallic minerals of this State.</p>

	<u>(9) shall provide unsolicited advice, when appropriate, to other state and governmental agencies concerning geologic hazards which includes, but is not limited to, earthquakes, ground liquefaction, sinkhole development and collapse, landslide development, and coastal vulnerability.</u>
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Law	S.C. CODE ANN. 48-22-30. Powers and duties of State Geologist.
Agency's Rationale for Revision	Amend. SCDNR requests the changes to more accurately reflect the current duties of the State Geologist.
Agency's Law Number from PER	25
Agency's Recommended Language	<p>SECTION 48-22-30. Powers and duties of State Geologist.</p> <p>(A) The State Geologist shall:</p> <p>(1) travel throughout the State so as to make himself familiar with the geology, <u>geologic hazards</u>, and mineral resources of each section;</p> <p>(2) undertake field and laboratory work his time permits;</p> <p>(3) perform other duties that properly pertain to his office.</p> <p>(B) The department may employ geologists, technicians, and other personnel necessary to conduct the objectives of the unit.</p>

Law	S.C. CODE ANN. 48-22-10. Creation of State Geological Survey Unit; appointment of State Geologist; qualifications.
Agency's Rationale for Revision	Amend. SCDNR requests more years of experience be required for the State Geologist, and clarification that he/she is hired, not appointed, by the Director.
Agency's Law Number from PER	23
Agency's Recommended Language	<p>SECTION 48-22-10. Creation of State Geological Survey Unit; appointment of State Geologist; qualifications.</p> <p>The South Carolina Geological Survey Unit is established under the Department of Natural Resources. The State Geologist must be <u>hired</u> <u>appointed</u> by the Director of the Department of Natural Resources. He must have graduated from an accredited college or university with a full curriculum in geology and had at least <u>five</u> <u>eight</u> years of practical work experience, academic, governmental, or industrial, in geology.</p>

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Oyster permits

Law	S.C. CODE ANN. 50-3-110. Supervision of enforcement officers; enforcement of laws.
Agency's Rationale for Revision	Amend. Renames the Law Enforcement Division, and there are no longer oyster "leases." We regulate these under permits.
Agency's Law Number from PER	33
Agency's Recommended Language	SECTION 50-3-110. Supervision of enforcement officers; enforcement of laws. The department shall have charge of the enforcement officers of the Natural Resources <u>Law</u> Enforcement Division of the department and exercise supervision over the enforcement of the laws of the State, regulatory, tax, license or otherwise, in reference to birds, non-migratory fish, game fish, shellfish, shrimp, oysters, <u>oyster permits leases</u> , and fisheries.
Law	<p>S.C. CODE ANN. 3-5-100 and 3-5-170</p> <ul style="list-style-type: none"> • SECTION 3-5-100. Areas leased for cultivation and gathering of oysters; rights of lessees. • SECTION 3-5-170. Removal of cultivated oysters which might be damaged to different leased area.
Agency's Rationale for Revision	Repeal. The agency no longer offers "leases" for oyster beds, but does this by permit.
Agency's Law Number from PER	2
Agency's Recommended Language	<p>SECTION 3-5-100. Areas leased for cultivation and gathering of oysters; rights of lessees.</p> <p>If any of the lands or property, the use of which is acquired for the rights of way and spoil disposal areas has been leased by the South Carolina Department of Natural Resources to any person for the cultivation and gathering of oysters, the Department of Natural Resources shall substitute for the leased areas lying within the rights of way and spoil disposal areas other equal areas lying without the rights of way and spoil disposal areas that also are suitable for the cultivation and gathering of oysters. The Department of Health and Environmental Control may reimburse the person for any direct actual losses resulting from the transfer of leased oyster beds. If for any reason the Department of Natural Resources is unable to reach an agreement with the owner of the leased oyster beds, the Department of Health and Environmental Control, acting for the State, may condemn the rights and property of the lessees in the leased areas.</p> <p>SECTION 3-5-170. Removal of cultivated oysters which might be damaged to different leased area.</p> <p>Should any person cultivating oysters upon an area leased from the State outside of the limits to be acquired for said waterway project from Winyah Bay to the state boundary line in the Savannah River elect, in lieu of claiming damages which might be done to such oysters by dredging operations, to transfer such cultivated oysters to a different leased area and the person whose</p>

	dredging operations in the construction of said intracoastal waterway either shall have damaged or might damage such oysters agrees to pay the expenses of such removal, the South Carolina Department of Natural Resources may substitute for such leased areas other equal areas suitable for the cultivation and gathering of oysters in a location not subject to damage by dredging operation.
Others potentially impacted	Department of Health and Environmental Control

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Practices may be more appropriate for another entity

Law	<p>S.C. CODE ANN. 47-3-510 through 520 and 47-3-550</p> <ul style="list-style-type: none"> • SECTION 47-3-510. Owner may register dog; fee. • SECTION 47-3-520. Availability of registration file. • SECTION 47-3-550. Promulgation of regulations.
Agency's Rationale for Revision	Repeal. These are antiquated statutes, and there are many other mechanisms to register and track dogs. The agency requests that the statutes be repealed.
Agency's Law Number from PER	8
Agency's Recommended Language	<p>SECTION 47-3-510. Owner may register dog; fee.</p> <p>The owner of any dog or kennel may, upon payment of a fee to be determined by the South Carolina Department of Natural Resources (department), not to exceed five dollars a dog or twenty dollars a kennel, have his dog registered by the department and the registration number tattooed in either of the dog's ears or on any other clearly visible part of the body that would be considered most suitable for the respective species of dog. The department shall maintain records of the names and addresses of the owners of registered kennels.</p> <p>HISTORY: 1984 Act No. 446, Section 1; 1985 Act No. 28; 1993 Act No. 181, Section 1169, eff July 1, 1994.</p> <p>SECTION 47-3-520. Availability of registration file.</p> <p>The department shall have this file available for county, city, or subdivision animal control agencies or departments and individuals. The entire cost must be assessed upon dog owners in registration fees.</p> <p>HISTORY: 1984 Act No. 446, Section 2.</p> <p>SECTION 47-3-550. Promulgation of regulations.</p> <p>The South Carolina Department of Natural Resources may promulgate regulations to carry out the provisions of this chapter.</p> <p>HISTORY: 1984 Act No. 446, Section 5; 1993 Act No. 181, Section 1170, eff July 1, 1994.</p>

Law	S.C. CODE ANN. 10-9-320. Lease of development rights to geothermal resources underlying surface lands owned by State.
Agency's Rationale for Revision	Amend. Department of Health and Environmental Control is the regulatory agency, therefore would be the more appropriate agency to administer the geothermal leases.
Agency's Law Number from PER	3
Agency's Recommended Language	<p>SECTION 10-9-320. Lease of development rights to geothermal resources underlying surface lands owned by State.</p> <p>The Department of Health and Environmental Control may lease development rights to geothermal resources underlying surface lands owned by the State. The department must promulgate regulations regarding the method of lease acquisition, lease terms, and conditions due the State under lease operations.</p> <p>The South Carolina Department of <u>Natural Resources</u> <u>Health and Environmental</u></p>

	<p><u>Control</u> is designated as the exclusive agent for the department in selecting lands to be leased, administering the competitive bidding for leases, administering the leases, receiving and compiling comments from other state agencies concerning the desirability of leasing the state lands proposed for leasing and such other activities that pertain to geothermal resource leases as may be included herein as responsibilities of the department.</p>
Others potentially impacted	Department of Health and Environmental Control
Law	S.C. CODE ANN. 48-9-1220. Nomination and election of commissioners.
Agency's Rationale for Revision	Amend. The electors are now determined by the State Election Commission. July 15 is the requirement for the State Election Commission for ballots to be submitted.
Agency's Law Number from PER	19
Agency's Recommended Language	<p>SECTION 48-9-1220. Nomination and election of commissioners.</p> <p>Effective November, 1982, and in November of the appropriate years thereafter, three commissioners from each district must be elected. The election must be nonpartisan and must be conducted by the county election commission at the same time as other county officers are elected in the general election.</p> <p>To be placed on the ballot for county offices, each candidate shall submit to the county election commission a nominating petition with the signatures of one hundred qualified registered electors or one percent of the qualified registered electors of the district, whichever is lesser.</p> <p>The official number of qualified registered electors of the geographical area of any office is the number of registered electors of the area registered one hundred twenty days before the date of the election for which the nomination petition is being submitted.</p> <p>The nominees in the petition must be placed on the appropriate official ballot for the election if the petition is submitted to the county election commission not later than twelve noon on <u>August first or, if August first falls on Sunday, July 15, if July 15 falls on Saturday or Sunday</u>, not later than twelve noon on the following Monday. The form of the petition must comply with the requirements in Section 7-11-80 pertaining to the conduct of general elections not conflicting with this section. Candidates must be qualified registered electors and residents of the district in which elected.</p> <p>The three candidates who receive the largest number of votes cast in the election are elected and shall assume office the following February first.</p> <p>This election must be conducted pursuant to Title 7, mutatis mutandi, except as otherwise provided for in this section.</p> <p>Effective with the 1990 election, the two candidates who receive the highest number of votes shall serve for terms of four years each and the other candidate who receives the next highest number of votes shall serve for a term of two years. Thereafter, their successors must be elected in a nonpartisan election to be held at the same time as the general election for terms of four years each.</p>
Others potentially impacted	State Election Commission; SC Soil and Water District Commissioners

Director responsible for day to day activities; duties of agency

Law	S.C. CODE ANN. 50-3-90. Conducting game and fish cultural operations and investigations; sampling fish populations.
Agency's Rationale for Revision	Amend. The Director, the day to day operator of the agency, authorizes these investigations, not the SCDNR Board.
Agency's Law Number from PER	32
Agency's Recommended Language	<p>SECTION 50-3-90. Conducting game and fish cultural operations and investigations; sampling fish populations.</p> <p>The authorized agents of the department may conduct game and fish cultural operations and scientific investigations in such manner, places and at such times as are considered necessary and may use whatever methods are deemed advisable for sampling fish populations. Such operations and investigations shall be conducted only at the request of and with the permission from the board, and <u>No</u> such operations and investigations shall be made upon private lands and waters except at the request of the owner or owners of such lands and waters.</p>
Law	S.C. CODE ANN. 50-3-130. Uniforms and emblems of enforcement officers of Natural Resources Law Enforcement Division.
Agency's Rationale for Revision	Amend. The Director, the day to day operator of the agency, authorizes the uniforms, not the board. Also updates the name of the division.
Agency's Law Number from PER	34
Agency's Recommended Language	<p>SECTION 50-3-130. Uniforms and emblems of enforcement officers of Natural Resources <u>Law</u> Enforcement Division.</p> <p>The board <u>department</u> shall prescribe a unique and distinctive official uniform, with appropriate insignia to be worn by all uniformed enforcement officers of the Natural Resources <u>Law</u> Enforcement Division of the department when on duty and at such other times as the board shall order, and a distinctive color or colors and appropriate emblems for all motor vehicles used by such officers. No other law enforcement agency, private security agency or any person shall wear a similar uniform and insignia which may be confused with the uniform and insignia of the enforcement officers nor shall any emblem be used on a motor vehicle nor shall it be painted in a color or in any manner which would cause the vehicle to be similar to an enforcement officer's vehicle or readily confused therewith.</p>
Law	<p>S.C. CODE ANN. 50-15-10 through 50-15-40</p> <ul style="list-style-type: none"> • SECTION 50-15-10. Definitions. • SECTION 50-15-30. Endangered species listed; review and amendment of list; unlawful to take, deal in, or transport species on lists. • SECTION 50-15-40. Establishing and carrying out programs for management of nongame and endangered wildlife; removal, capture, or destruction of wildlife.

Agency's Rationale for Revision	Amend. The agency deals with the day to day actions of the agency, the board governs policy. In addition, the Act refers to appendices that are no longer utilized. Specifically Appendices A and D no longer exist in current versions of the Code of Federal Regulations. Federally listed species are now listed in a table which is part of 50 C.F.R. Section 17.11. The proposed change would update the statutes to list the current federal citation for endangered species list.
Agency's Law Number from PER	59
Agency's Recommended Language	<p>SECTION 50-15-10. Definitions.</p> <p>As used in this article:</p> <p>(2) "Endangered species" means any species or subspecies of wildlife whose prospects of survival or recruitment within the State are in jeopardy or are likely within the foreseeable future to become so due to any of the following factors:</p> <p>(e) any combination of the foregoing factors. The term shall also be deemed to include any species or subspecies of fish or wildlife appearing on the United States' List of Endangered Native Fish and Wildlife as it appears on July 2, 1974, (Part 17 of Title 50, Code of Federal Regulations, Appendix D [<u>now found at 50 C.F.R. Section 17.11</u>]) as well as any species or subspecies of fish and wildlife appearing on the United States' List of Endangered Foreign Fish and Wildlife (Part 17 of Title 50 of the Code of Federal Regulations, Appendix A [<u>now found at 50 C.F.R. Section 17.11</u>]), as such list may be modified hereafter.</p> <p>SECTION 50-15-30. Endangered species listed; review and amendment of list; unlawful to take, deal in, or transport species on lists.</p> <p>(B) The <u>department</u> <u>board</u> shall conduct a review of the state list of endangered species within not more than two years from its effective date and every two years thereafter and may amend the list by such additions or deletions as are deemed appropriate. The <u>department</u> <u>board</u> shall submit to the Governor a summary report of the data used in support of all amendments to the state list during the preceding biennium.</p> <p>(C)(2) the United States' List of Endangered Native Fish and Wildlife as it appears on July 2, 1974, (Part 17 of Title 50, Code of Federal Regulations, Appendix D [<u>now found at 50 C.F.R. Section 17.11</u>]); and</p> <p>(3) the United States' List of Endangered Foreign Fish and Wildlife (Part 17 of Title 50, Code of Federal Regulations, Appendix A [<u>now found at 50 C.F.R. Section 17.11</u>]), as such list may be modified hereafter; provided, that any species or subspecies of wildlife appearing on any of the foregoing lists which enters the State from another state or from a point outside the territorial limits of the United States and which is transported across the State destined for a point beyond the State may be so entered and transported without restriction in accordance with the terms of any federal permit or permit issued under the laws or regulations of another state.</p> <p>SECTION 50-15-40. Establishing and carrying out programs for management of nongame and endangered wildlife; removal, capture, or destruction of wildlife.</p> <p>(A) The <u>department</u> <u>board</u> shall establish such programs, including acquisition of land or aquatic habitat, as are deemed necessary for management of nongame</p>

	and endangered wildlife. The board <u>department</u> shall utilize all authority vested in the department to carry out the purposes of this section.
Others potentially impacted	Governor's Office
Law	<p>S.C. CODE ANN. 1-30-75 and 48-4-10</p> <ul style="list-style-type: none"> • SECTION 1-30-75. Department of Natural Resources. • SECTION 48-4-10. Department created; composition; transfer of powers, from predecessor agencies; certain commissions abolished.
Agency's Rationale for Revision	Amend and repeal. The agency, since 1994, has been DNR. Therefore, S.C. Code Ann. 1-30-75 is no longer necessary. Also, the agency has five divisions currently, two are named differently in the statute. DNR requests that instead of "must" the term "is" which allows the Director discretion to add more divisions if necessary for administration.
Agency's Law Number from PER	1
Agency's Recommended Language	<p>SECTION 1-30-75. Department of Natural Resources. Effective on July 1, 1994, the following agencies, boards, and commissions, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property, and all contractual rights and obligations associated with the agency, except for those subdivisions specifically included under another department, are transferred to and incorporated in, and must be administered as part of the Department of Natural Resources. The department must be divided initially into divisions for Land Resources and Conservation Districts, Water Resources, Marine Resources, Wildlife and Freshwater Fisheries, and State Natural Resources Enforcement. The South Carolina Wildlife and Marine Resources Commission, as constituted on June 30, 1993, and after that time, under the provisions of Section 50-3-10 et seq. is the governing authority for the department:</p> <p>(1) Geological Survey of the Research and Statistical Services Division of the Budget and Control Board, to include the State Geologist, formerly provided for at Section 1-11-10, et seq.;</p> <p>(2) State Land Resources Conservation Commission, less the regulatory division, formerly provided for at Section 48-9-10, et seq.;</p> <p>(3) South Carolina Migratory Waterfowl Commission, formerly provided for at Section 50-11-20, et seq.;</p> <p>(4) Water Resources Commission, less the regulatory division, formerly provided for at Section 49-3-10, et seq.;</p> <p>(5) South Carolina Wildlife and Marine Resources Commission, formerly provided for at Section 50-3-10, et seq.</p> <p>SECTION 48-4-10. Department created; composition; transfer of powers, from predecessor agencies; certain commissions abolished.</p> <p>(A) The South Carolina Department of Natural Resources is created to administer and enforce the laws of this State relating to wildlife, marine resources, and natural resources and other laws specifically assigned to it. The department must <u>is</u> comprised of a Natural Resources <u>Law</u> Enforcement Division, a Wildlife</p>

and Freshwater Fisheries Division, a Marine Resources Division, and a Land, Water and Conservation Division, a Water Resources Division, and a Land Resources and Conservation Districts Division. Each division of the department must have the functions and powers provided by law.

Law	<p>S.C. CODE ANN. 49-3-40 through 50</p> <ul style="list-style-type: none"> • SECTION 49-3-40. Powers and duties of department. • SECTION 49-3-50. Matters to be considered by department in exercising responsibilities.
Agency's Rationale for Revision	Amend. The SCDNR requests that the statute be clarified to reflect the current duties of the agency.
Agency's Law Number from PER	28
Agency's Recommended Language	<p>SECTION 49-3-40. Powers and duties of department.</p> <p>(a) The department shall advise and assist the Governor and the General Assembly in:</p> <p>(1) formulating and establishing a comprehensive water resources policy for the State, <u>such as a State Water Plan</u>, including coordination of policies and activities among the state departments and agencies;</p> <p>(2) developing and establishing policies and <u>programs</u> <u>proposals</u> designed to meet and resolve special problems of water resource use and control within or affecting the State, including consideration of the requirements and problems of urban and rural areas;</p> <p>(3) reviewing the actions and policies of state agencies with water resource responsibilities to determine the consistency of such actions and policies with the comprehensive water policy of the State and to recommend appropriate action where deemed necessary;</p> <p>(4) reviewing any project, plan or program of federal aid affecting the use or control of any waters within the State and to recommend appropriate action where deemed necessary;</p> <p>(5) developing policies and recommendations to assure that the long range interests of all groups, urban, suburban, and rural, are provided for in the state's representation on interstate water <u>agencies</u><u>issues</u>;</p> <p>(6) recommending to the General Assembly any changes of law, <u>or regulation</u>, required to implement the policy declared in this chapter; and</p> <p>...</p> <p>(d) The department shall encourage, assist and advise regional, metropolitan, and local governmental agencies, officials or bodies responsible for planning in relation to water aspects of their programs, and shall assist in coordinating local <u>and regional</u> water resources activities, programs, and plans.</p> <p>...</p> <p>(f) The department may receive and expend grants, gifts, and monies donated or given by any state, <u>federal</u>, or private agency, person, corporation, water or sewer authority, or political subdivision in connection with water resource investigations in which the results of such investigations will be made publicly available.</p>

SECTION 49-3-50. Matters to be considered by department in exercising responsibilities.

In exercising its responsibilities under this chapter, the department shall take into consideration the need for:

- (a) Adequate supplies of surface and groundwaters of suitable quality for ~~domestic, municipal, agricultural, and industrial~~ all uses.
- (b) Water ~~quality facilities and controls to assure water~~ of suitable quality for all purposes.
- (c) Water ~~availability~~ navigation for recreational and commercial needs.
- (d) Hydroelectric power.
- (e) Flood damage control or prevention measures including zoning to protect people, property, and productive lands from flood losses.
- (f) Land stabilization measures.
- (g) Drainage measures, including salinity control.
- (h) Watershed protection and management measures.
- (i) Outdoor recreational and fish and wildlife opportunities.
- (j) Measures to prevent saltwater intrusion of groundwater and surface water.
- (k) Measures to protect the State's fisheries and other aquatic resources.
- (l) Any other means by which development of water and related land resources can contribute to economic growth and development, the long-term preservation of water resources, and the general well-being of all the people of the State.

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Bond issued for all employees, not individual bonds for each employee

Law	S.C. CODE ANN. 50-3-320. Transmittal and delivery of commissions of enforcement officers.
Agency's Rationale for Revision	Amend. The agency purchases bonds for all division law enforcement officers and agency employees, so an individual bond is no longer required. Also, the board is not involved in day to day operation of the agency.
Agency's Law Number from PER	38
Agency's Recommended Language	SECTION 50-3-320. Transmittal and delivery of commissions of enforcement officers. The Secretary of State shall transmit to the board <u>department</u> the commissions of all enforcement officers and the director shall deliver such commissions to the enforcement officers only after the enforcement officers have filed oaths and bonds as required by Section 50-3-330.
Others potentially impacted	Secretary of State

Law	S.C. CODE ANN. 48-4-70. General duties of board.
Agency's Rationale for Revision	Amend. The agency has a bond for all employees, not individual bonds. Those are paid for by the agency and are in the agency's name, not individual employees.
Agency's Law Number from PER	10
Agency's Recommended Language	SECTION 48-4-70. General duties of board. The board shall: 4) require those of its officers, agents, and employees it designates to give bond for the faithful performance of their duties in the sum and with the sureties it determines, and all premiums on the bonds must be paid by the board;

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Law enforcement practices

Law	S.C. CODE OF REGULATIONS 123-601. Use of Warning Tickets.
Agency's Rationale for Revision	Repeal. This is an antiquated regulation that is no longer used.
Agency's Law Number from PER	86
Agency's Recommended Language	<p>123-601 Use of Warning Tickets.</p> <p>The use of warning tickets is limited to misdemeanor cases under Title 50 in which the Conservation Officer in his judgment determines that the enforcement of the law, the education of the public, and the protection of the resources of this state will best be served by the issuance of a warning ticket in lieu of a summons ticket.</p> <p>The form prescribed for such warning ticket shall be substantially as below and the ticket shall be issued in triplicate with one copy to the violator, one copy retained by the officer and one copy forwarded to the Chief of Law Enforcement or his designee.</p> <p>The form of the South Carolina Wildlife and Marine Resources Department Warning Ticket shall have the following information:</p> <ol style="list-style-type: none"> 1. Name of Department S.C. Wildlife & Marine Res. Dept. 2. Name of Form Violation Warning Notice 3. Name of violator 4. Social Security number of violator 5. Address of violator 6. Date of birth of violator 7. Date of warning 8. Violation 9. Code section 10. Location 11. The following statement: "This warning carries with it a request to learn and abide by all Fish, Game and Boating Laws so that our natural resources can be safely enjoyed by present and future generations." 12. Signed by Conservation Officer 13. Radio call number of Conservation Officer 14. County of violation 15. A listing as follows with a box to mark type of violation: i.e. Game and Fish, Boating, Commercial Fishing

Law	S.C. CODE ANN. 50-3-395. Enforcement officers may issue warning tickets.
Agency's Rationale for Revision	Amend. The agency does not set the form of warning tickets by regulation.
Agency's Law Number from PER	40
Agency's Recommended Language	SECTION 50-3-395. Enforcement officers may issue warning tickets. Enforcement officers may issue warning tickets to violators in cases of misdemeanor violations under this title. The department shall by regulation

	provide for the form, administration, and use of warning tickets authorized by this section.
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Law	S.C. CODE ANN. 50-3-315. Deputy enforcement officers.
Agency's Rationale for Revision	Amend. The agency establishes a training program through the division, not regulation.
Agency's Law Number from PER	37
Agency's Recommended Language	SECTION 50-3-315. Deputy enforcement officers. (H) The department by regulation shall establish a training program for deputy enforcement officers commissioned after July 1, 1980.

Law	S.C. CODE ANN. 50-3-350. Official badge.
Agency's Rationale for Revision	Amend. The agency shield has different language on it than is required in statute.
Agency's Law Number from PER	39
Agency's Recommended Language	SECTION 50-3-350. Official badge. The enforcement officers, when acting in their official capacity, shall wear a metallic shield with the words " <u>Enforcement Officer of the South Carolina Department of Natural Resources Law Enforcement Division Officer</u> " inscribed thereon.

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Fishing and fishery practices

Law	<p>S.C. CODE ANN. 49-30-40 through 49-30-90.</p> <ul style="list-style-type: none"> • SECTION 49-30-40. Public Waters Nuisance Abatement Fund. • SECTION 49-30-50. Permit to maintain existing structure. • SECTION 49-30-60. Permit application; fee; conditions; time for filing; grounds for revocation. • SECTION 49-30-80. Removal of unpermitted structures; FERC licensees; recovery of costs.
Agency's Rationale for Revision	<p>Repeal. There are no longer any permitted structures, as all the permits expired in 2012. The Fund has not been funded in some time, so the agency has no funds to remove the remaining unpermitted structures. Ideally, there would be additional funds to remove the structures, otherwise the agency requests that the statutes be repealed.</p>
Agency's Law Number from PER	<p>29</p>
Agency's Recommended Language	<p>SECTION 49-30-40. Public Waters Nuisance Abatement Fund. The Public Waters Nuisance Abatement Fund is created solely to pay for costs incurred by the State associated with removing unpermitted structures pursuant to this chapter. The fund may receive appropriations from the general fund, federal funds, donations, gifts, the proceeds of permit fees, and other monetary instruments of value. The proceeds contained in the fund may be carried forward from year to year and do not revert to the general fund of the State. The department must maintain and administer the fund. Proceeds from the fund may not be used to pay for costs associated with the removal of an unpermitted structure from licensed lakes.</p> <p>HISTORY: 2007 Act No. 33, Section 1, eff upon approval (became law without the Governor's signature on May 24, 2007).</p> <p>SECTION 49-30-50. Permit to maintain existing structure. An owner of a structure existing on March 21, 2007, may apply for a permit from the department authorizing the owner to maintain his structure in its permitted location for five years. A permit may not be renewed, extended, or transferred.</p> <p>HISTORY: 2007 Act No. 33, Section 1, eff upon approval (became law without the Governor's signature on May 24, 2007).</p> <p>SECTION 49-30-60. Permit application; fee; conditions; time for filing; grounds for revocation.</p> <p>(A) For the privilege of maintaining a structure in its current location, the owner of the structure must obtain a permit for a fee of fifty dollars. The permit fee must be credited to the fund.</p> <p>(B) To be issued a permit pursuant to this section an owner must:</p> <p>(1) make a written request for a permit from the department containing:</p> <p>(a) a sworn statement from all of the owners of the structure acknowledging ownership;</p> <p>(b) the names and addresses of all owners;</p> <p>(c) a detailed description of the structure;</p>

(d) the structure's location. To identify the structure's location, the owner must use latitude and longitude or mark it on a United States Geological Survey topographic map; and

(2) establish to the satisfaction of the department that the structure does not present a hazard to navigation nor encroach upon private property or a wildlife management area.

(C) Upon the verification of the information contained in the written request and the department's satisfaction that the structure does not present a hazard to navigation nor encroach upon private property or a wildlife management area, the department shall issue a permit to the owner that must be prominently displayed on or about the structure. The permit must be conditioned expressly upon the owner being responsible for removal and all costs associated with removal. The department may not issue permits to applications postmarked or received later than ninety days after the effective date of this chapter.

(D) A permit may be revoked by the department if the:

(1) structure is moved from its permitted location for use in another location;

(2) owner fails to abide by any conditions upon which the permit was issued;

(3) structure becomes a hazard to navigation or encroaches on private property or a wildlife management area;

(4) structure is abandoned or becomes unusable; or

(5) owner transfers or attempts to transfer his permit, title, or any interest in the structure to another person.

HISTORY: 2007 Act No. 33, Section 1, eff upon approval (became law without the Governor's signature on May 24, 2007).

SECTION 49-30-80. Removal of unpermitted structures; FERC licensees; recovery of costs.

(A) The department must contract to remove unpermitted structures pursuant to a court order and to the extent that the fund contains sufficient funds to cover the cost of removal.

Law	S.C. CODE ANN. 50-19-1610 through 50-19-1630 <ul style="list-style-type: none">• SECTION 50-19-1610. Establishment of Catawba Lake Fishing Area.• SECTION 50-19-1620. Fishing near India Hook Dam.• SECTION 50-19-1630. Appropriation and taxes.
Agency's Rationale for Revision	Repeal. These are antiquated statutes.
Agency's Law Number from PER	72
Agency's Recommended Language	SECTION 50-19-1610. Establishment of Catawba Lake Fishing Area. That body of backwater lying above the India Hook Dam on the Catawba River in York County, and extending to the North Carolina state line, together with the waters of the streams tributary thereto from the points at which such tributaries empty into the lake to the points where the flow of such streams is normal and the water level not raised by the impounding of the backwaters of the lake, are hereby set apart as the Catawba Lake Fishing Area, such tributary limits to be

~~clearly marked with signs by the department.~~

~~HISTORY: 1962 Code Section 28-1201; 1952 Code Section 28-1201; 1947 (15) 531; 1952 (47) 2890; 1993 Act No. 181, Section 1267.~~

~~SECTION 50-19-1620. Fishing near India Hook Dam.~~

~~It is unlawful for any person to fish from a raft, boat or any other floating device in the following described areas on the Catawba River in York County: An area lying downstream from the Catawba dam and powerhouse of the Duke Power Company in York County, such area extending for a distance of approximately three hundred and seventy-five feet downstream from the south or downstream wall of the powerhouse and extending from the east bank of the river to the southwestern corner of the dam; also an area on the upstream side of the powerhouse extending for a distance of approximately one hundred feet from the northern or upstream wall of the powerhouse and extending from the eastern bank of the pond to the western wall of the powerhouse.~~

~~However, this section shall not be construed to prevent fishing from any point on the rock pile situate below the India Hook Dam or on the banks adjacent to the areas above described. The term "banks adjacent to the areas above described" shall not include any part or extension of the dam.~~

~~Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than fifty dollars or imprisoned for not more than thirty days, in the discretion of the trial court.~~

~~HISTORY: 1962 Code Section 28-1202; 1952 (47) 2889; 1993 Act No. 181, Section 1267.~~

~~SECTION 50-19-1630. Appropriation and taxes.~~

~~Whatever funds are necessary for the carrying out of the purpose and intent of this article are hereby appropriated for the payment of expenses, including salaries. Whatever the amount, the county auditor and the county treasurer shall fix a levy and collect the taxes upon all of the taxable property in York County to meet the needs of the funds herein appropriated and such taxes shall be collected as any other taxes are collected.~~

Law	S.C. CODE ANN. 50-13-1936. Fees for operation of Walhalla Fish Hatchery.
Agency's Rationale for Revision	Repeal. The federal government has not operated Walhalla Fish Hatchery since the mid-1990s, and the fee would have been requested at that time. The statute is no longer necessary.
Agency's Law Number from PER	58
Agency's Recommended Language	SECTION 50-13-1936. Fees for operation of Walhalla Fish Hatchery. If the federal government ceases to operate the Walhalla Fish Hatchery, the department may accept and maintain operations of the facility by charging a fee that is sufficient to cover the cost of operating the facility.

Law	S.C. CODE ANN. 50-19-450. Promulgation of regulations.
Agency's Rationale for Revision	Repeal. This is an antiquated statute.
Agency's Law Number from PER	65
Agency's Recommended Language	<p>SECTION 50-19-450. Promulgation of regulations.</p> <p>Notwithstanding any other provisions in this title, the department shall promulgate regulations to manage and protect fisheries in Lake William C. Bowen, Lake Blalock, and Spartanburg Municipal Reservoir #1 in Spartanburg County, South Carolina.</p>

Law	S.C. CODE ANN. 17-22-50. Persons not to be considered for intervention.
Agency's Rationale for Revision	The statute does not include saltwater points, only freshwater and hunting points violations.
Agency's Law Number from PER	6
Agency's Recommended Language	<p>SECTION 17-22-50. Persons not to be considered for intervention.</p> <p>(d) a fish, game, wildlife, or commercial fishery-related offense which is punishable by a loss of eighteen points as provided in Sections <u>50-5-2500</u> and <u>50-9-1120</u>.</p>

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Land use practices

Law	S.C. CODE ANN. 50-3-510. Authorization to contract; required findings; approval by State Forester.
Agency's Rationale for Revision	Amend. The agency employs a forester, so it is no longer necessary to require that the State Forester approve timber sales. Allows the agency to do this if necessary.
Agency's Law Number from PER	41
Agency's Recommended Language	<p>SECTION 50-3-510. Authorization to contract; required findings; approval by State Forester.</p> <p>The department may, subject to the provisions of this article, contract for the harvest of timber on any lands held by the department. No contract for such cutting and sale may be entered into and no timber may be cut or sold unless the board votes that the cutting and sale of the timber is for the best interests of the department and the improvement of its lands, by reason of thinning the timber, harvesting the over-age trees and improving general forestry conditions. Before selling or cutting the timber the department <u>may</u> shall coordinate with the State Forester to have the timber cruised and an estimate of the value made. <u>The department shall notify the State Forester at least thirty days prior to bidding of timber sales. The State Forester shall notify the department prior to the bid date if the State Forester finds that the sale is not in keeping with good forestry practices or will adversely affect the remainder of the timber. If the State Forester objects on these grounds, the sale must not be made.</u></p>
Others potentially impacted	SC Forestry Commission

Law	S.C. CODE ANN. 51-17-140. Maximum acreage to be acquired; prior approval by county delegation.
Agency's Rationale for Revision	Amend. The agency is requesting that the maximum acreage be eliminated from the statute. There are already local approvals required for Heritage Trust property, as well as state-level approvals.
Agency's Law Number from PER	81
Agency's Recommended Language	<p>SECTION 51-17-140. Maximum acreage to be acquired; prior approval by county delegation.</p> <p>Not more than one hundred fifty thousand acres total of real property shall be acquired in fee under the provisions of this chapter. No acquisition may be made under this chapter in any county without written approval of a majority of the county delegation in the county where Heritage Trust properties are to be acquired.</p>

Law	S.C. CODE ANN. 48-9-50. Agencies operating public lands shall cooperate and observe regulations.
Agency's Rationale for Revision	Amend. This section is an antiquated statute and is no longer used by the agency.
Agency's Law Number from PER	15
Agency's Recommended Language	<p>SECTION 48-9-50. Agencies operating public lands shall cooperate and observe regulations.</p> <p>Agencies of this State which shall have jurisdiction over or be charged with the administration of any State-owned lands and agencies of any county or other governmental subdivision of the State which shall have jurisdiction over or be charged with the administration of any county owned or other publicly owned lands, lying within the boundaries of any district organized under this chapter, shall cooperate to the fullest extent with the commissioners of such districts in the effectuation of programs and operations undertaken by the commissioners under the provisions of this chapter. The commissioners of such districts shall be given free access to enter and perform work upon such publicly owned lands.</p> <p>The provisions of land-use regulations adopted pursuant to Article 13 of this chapter shall be in all respects observed by the agencies administering such publicly owned lands.</p>

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Commission practices

Law	S.C. CODE ANN. 48-9-1250. Use of county agricultural agents; other agents and employees; legal services.
Agency's Rationale for Revision	Amend. The commission does not use the agricultural agent as their secretary, nor do they utilize their offices. This is an antiquated statute.
Agency's Law Number from PER	20
Agency's Recommended Language	<p>SECTION 48-9-1250. Use of county agricultural agents; other agents and employees; legal services.</p> <p>Each county agricultural agent may be the secretary to the board of commissioners of each district within his county. The commissioners may also utilize in other respects the services of the agricultural agents and the facilities of the county agricultural agent's officers insofar as practicable and feasible and employ such additional employees and agents, permanent and temporary, as they may require and shall determine their qualifications, duties and compensation. The commissioners may delegate to their chairman or to one or more agents, or employees such powers and duties as they may deem proper. The commissioners may call upon the Attorney General of the State for such legal services as they may require or may employ their own counsel and legal staff.</p>
Others potentially impacted	State Election Commission; Department of Agriculture; Attorney General; Soil and Water District Commissioners

Law	<p>S.C. CODE ANN. 48-9-1510 through 1870</p> <ul style="list-style-type: none"> • SECTION 48-9-1510. Formulation of land-use regulations • SECTION 48-9-1520. Referendum before adoption of regulations. • SECTION 48-9-1530. Conduct of referendum on regulations. • SECTION 48-9-1540. Two-thirds vote prerequisite to adoption of regulations. • SECTION 48-9-1550. Regulations shall have force and effect of law. • SECTION 48-9-1560. Amendment, supplementation, or repeal of regulations. • SECTION 48-9-1570. Subjects which regulations may include. • SECTION 48-9-1580. Uniformity of regulations; exceptions. • SECTION 48-9-1590. Printing of copies of regulations. • SECTION 48-9-1600. Entry on lands to check observance. • SECTION 48-9-1610. Petition to court for enforcement. • SECTION 48-9-1620. Hearing and order of court on petition for enforcement. • SECTION 48-9-1630. Judgment for commission's expenses after completion of work; costs and attorney fees. • SECTION 48-9-1810. Establishment and appointment of members of board of adjustment. • SECTION 48-9-1820. Eligibility and compensation of members; expenses. • SECTION 48-9-1830. Chairman; rules; quorum; meetings; records. • SECTION 48-9-1840. Hardship petitions. • SECTION 48-9-1850. Hearing and action on hardship petition. • SECTION 48-9-1860. Petition for court review. • SECTION 48-9-1870. Hearing and order of court on petition for review.
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Agency's Rationale for Revision	Repeal. These are antiquated statutes and the commissions do not perform this function.
Agency's Law Number from PER	22
Agency's Recommended Language	<p>SECTION 48-9-1510. Formulation of land-use regulations The commissioners of any district may formulate regulations governing the use of lands within the district in the interest of conserving soil and soil resources and preventing and controlling soil erosion. The commissioners may conduct such public meetings and public hearings upon tentative regulations as may be necessary to assist them in this work.</p> <p>HISTORY: 1962 Code Section 63-141; 1952 Code Section 63-141; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.</p> <p>SECTION 48-9-1520. Referendum before adoption of regulations. The commissioners shall not have authority to enact such land-use regulations into law until after they shall have caused due notice to be given of their intention to conduct a referendum for submission of such regulations to the owners of lands lying within the boundaries of the district for their indication of approval or disapproval of such proposed regulations and until after the commissioners have considered the result of such referendum. The proposed regulations shall be embodied in a proposed ordinance. Copies of such proposed ordinance shall be available for the inspection of all eligible voters during the period between publication of such notice and the date of the referendum. The notice of the referendum shall recite the contents of such proposed ordinance or shall state where copies of such proposed ordinance may be examined.</p> <p>HISTORY: 1962 Code Section 63-142; 1952 Code Section 63-142; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.</p> <p>SECTION 48-9-1530. Conduct of referendum on regulations. The question shall be submitted by ballots upon which the words, "For approval of proposed ordinance no. _____ prescribing land-use regulations for conservation of soil and prevention of erosion" and "Against approval of proposed ordinance no. _____ prescribing land-use regulations for conservation of soil and prevention of erosion" shall appear, with a square before each proposition and a direction to insert an X mark in the square before one or the other of such propositions as the voter may favor or oppose approval of such proposed ordinance. The commissioners shall supervise such referendum, shall prescribe appropriate regulations governing the conduct thereof and shall publish the result thereof. All owners of lands within the district shall be eligible to vote in such referendum. Only such landowners shall be eligible to vote. No informalities in the conduct of such referendum or in any matter relating thereto shall invalidate the referendum or the result thereof if notice thereof shall have been given substantially as provided in Section 48-9-1520 and the referendum shall have been fairly conducted.</p> <p>HISTORY: 1962 Code Section 63-143; 1952 Code Section 63-143; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.</p>

~~SECTION 48-9-1540. Two thirds vote prerequisite to adoption of regulations. The commissioners shall not have authority to enact such proposed ordinance into law unless at least two thirds of the votes cast in such referendum shall have been cast for approval of the proposed ordinance. The approval of the proposed ordinance by two thirds of the votes cast in such referendum shall not require the commissioners to enact such proposed ordinance into law.~~

~~HISTORY: 1962 Code Section 63-144; 1952 Code Section 63-144; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1550. Regulations shall have force and effect of law. Land-use regulations prescribed in ordinances enacted pursuant to the provisions of this article by the commissioners of any district shall have the force and effect of law in the district and shall be binding and obligatory upon all owners and occupiers of land within such district, including the agencies administering publicly owned lands.~~

~~HISTORY: 1962 Code Section 63-145; 1952 Code Section 63-145; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1560. Amendment, supplementation, or repeal of regulations. Any owner or occupier of land within such district may at any time file a petition with the commissioners asking that any or all of the land-use regulations prescribed in any ordinance adopted by the commissioners under the provisions of this article shall be amended, supplemented or repealed. Land-use regulations adopted pursuant to the provisions of this article shall not be amended, supplemented or repealed except in accordance with the procedure prescribed in this article for adoption of land-use regulations. Referenda on adoption, amendment, supplementation or repeal of land-use regulations shall not be held more often than once in six months.~~

~~HISTORY: 1962 Code Section 63-146; 1952 Code Section 63-146; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1570. Subjects which regulations may include.~~

~~The regulations to be adopted by the commissioners under the provisions of this article may include:~~

- ~~(1) Provisions requiring the carrying out of necessary engineering operations, including the construction of terraces, terrace outlets, check dams, dikes, ponds, ditches and other necessary structures;~~
- ~~(2) Provisions requiring observance of particular methods of cultivation, including contour cultivating, contour furrowing, lister furrowing, sowing, planting, strip cropping, changes in cropping systems, seeding and planting of lands with water conserving and erosion preventing plants, trees and grasses, forestation and reforestation;~~
- ~~(3) Specifications of cropping programs and tillage practices to be observed;~~
- ~~(4) Provisions requiring the retirement from cultivation of highly erosive areas or of areas on which erosion may not be adequately controlled if cultivation is carried on; and~~
- ~~(5) Provisions for such other means, measures, operations and programs as may assist conservation of soil resources and prevent or control soil erosion in the~~

~~district, having due regard to the legislative findings set forth in Section 48-9-20.~~
~~HISTORY: 1962 Code Section 63-147; 1952 Code Section 63-147; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

SECTION 48-9-1580. Uniformity of regulations; exceptions.

~~The regulations shall be uniform throughout the territory comprised within the district except that the commissioners may classify the lands within the district with reference to such factors as soil type, degree of slope, degree of erosion threatened or existing, cropping and tillage practices in use and other relevant factors and may provide regulations varying with the type or class of land affected, but uniform as to all lands within each class or type.~~

~~HISTORY: 1962 Code Section 63-148; 1952 Code Section 63-148; 1942 Code Section 5806-109; 1937 (40) 242; 1970 (56) 2331.~~

SECTION 48-9-1590. Printing of copies of regulations.

~~Copies of land-use regulations adopted under the provisions of this article shall be printed and made available to all owners and occupiers of lands lying within the district.~~

~~HISTORY: 1962 Code Section 63-149; 1952 Code Section 63-149; 1942 Code Section 5806-109; 1937 (40) 242.~~

SECTION 48-9-1600. Entry on lands to check observance.

~~The commissioners may go upon any lands within the district to determine whether land-use regulations adopted under the provisions of this article are being observed.~~

~~HISTORY: 1962 Code Section 63-150; 1952 Code Section 63-150; 1942 Code Section 5806-110; 1937 (40) 242; 1970 (56) 2331.~~

SECTION 48-9-1610. Petition to court for enforcement.

~~When the commissioners of any district shall find that any of the provisions of land-use regulations adopted in accordance with the provisions of this article are not being observed on particular lands, and that such nonobservance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district, the commissioners may present to the court of common pleas for the county or any county within which the lands of the defendant may lie a petition, duly verified, setting forth the adoption of the ordinance prescribing land-use regulations, the failure of the defendant landowner or occupier to observe such regulations and to perform particular work, operations or avoidances as required thereby and that such nonobservance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district and praying the court to require the defendant to perform the work, operations or avoidances within a reasonable time and to order that if the defendant shall fail so to perform the commissioners may go on the land, perform the work or other operations or otherwise bring the condition of such lands into conformity with the requirements of such regulations and recover the costs and expenses thereof, with interest, from the owner of such land.~~

~~HISTORY: 1962 Code Section 63-151; 1952 Code Section 63-151; 1942 Code~~

~~Section 5806-110; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1620. Hearing and order of court on petition for enforcement.~~
~~Upon the presentation of such petition the court shall cause process to be issued against the defendant and shall hear the case. If it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report it to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may dismiss the petition or it may require the defendant to perform the work, operations or avoidances and may provide that, upon the failure of the defendant to initiate such performance within the time specified in the order of the court and to prosecute it to completion with reasonable diligence, the commissioners may enter upon the lands involved and perform the work or operations or otherwise bring the condition of such lands into conformity with the requirements of the regulations and recover the costs and expenses thereof, with interest at the rate of five percent per annum, from the owner of such lands.~~

~~HISTORY: 1962 Code Section 63-152; 1952 Code Section 63-152; 1942 Code Section 5806-110; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1630. Judgment for commission's expenses after completion of work; costs and attorney fees.~~

~~The court shall retain jurisdiction of the case until after the work has been completed. Upon completion of such work pursuant to such order of the court the commissioners may file a petition with the court, a copy of which shall be served upon the defendant in the case, stating the costs and expenses sustained by them in the performance of the work and praying judgment therefor with interest. The court shall have jurisdiction to enter judgment for the amount of such costs and expenses, with interest at the rate of five percent per annum until paid, together with the costs of suit, including a reasonable attorney's fee to be fixed by the court.~~

~~HISTORY: 1962 Code Section 63-153; 1952 Code Section 63-153; 1942 Code Section 5806-110; 1937 (40) 242; 1970 (56) 2331.~~

~~ARTICLE 15~~

~~Boards of Adjustment~~

~~SECTION 48-9-1810. Establishment and appointment of members of board of adjustment.~~

~~When the commissioners of any district organized under the provisions of this chapter shall adopt an ordinance prescribing land use regulations in accordance with the provisions of Article 13 of this chapter they shall further provide by ordinance for the establishment of a board of adjustment. Such board of adjustment shall consist of three members, each to be appointed for a term of three years, except that the members first appointed shall be appointed for terms of one, two and three years, respectively. The members of each such board shall be appointed by the department, with the advice and approval of the~~

~~commissioners of the district for which such board has been established, and shall be removable, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other reason, such hearing to be conducted jointly by the department and the commissioners of the district. Vacancies in the board shall be filled in the same manner as original appointments, and shall be for the unexpired term of the member whose term becomes vacant.~~

~~HISTORY: 1962 Code Section 63-161; 1952 Code Section 63-161; 1942 Code Section 5806-111; 1937 (40) 242; 1965 (54) 106; 1970 (56) 2331; 1972 (57) 2271; 1993 Act No. 181, Section 1194.~~

SECTION 48-9-1820. Eligibility and compensation of members; expenses.
~~Members of the board and the commissioners of the district shall be ineligible to appointment as members of the board during their tenure of such other office. The members of the board shall receive compensation for their services at a per diem rate to be determined by the department for time spent on the work of the board, in addition to expenses, including traveling expenses, necessarily incurred in the discharge of their duties. The commissioners shall pay the necessary administrative and other expenses of operation incurred by the board upon the certificate of the chairman of the board.~~

~~HISTORY: 1962 Code Section 63-162; 1952 Code Section 63-162; 1942 Code Section 5806-111; 1937 (40) 242; 1965 (54) 106; 1970 (56) 2331; 1972 (57) 2271; 1993 Act No. 181, Section 1195.~~

SECTION 48-9-1830. Chairman; rules; quorum; meetings; records.
~~The board shall adopt rules to govern its procedures, which rules shall be in accordance with the provisions of this chapter and with the provisions of any ordinance adopted pursuant to Article 13 of this chapter. The board shall designate a chairman from among its members and may, from time to time, change such designation. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Any two members of the board shall constitute a quorum. The chairman, or in his absence such other member of the board as he may designate to serve as acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep a full and accurate record of all proceedings, of all documents filed with it and of all orders entered, which shall be filed in the office of the board and shall be a public record.~~

~~HISTORY: 1962 Code Section 63-163; 1952 Code Section 63-163; 1942 Code Section 5806-111; 1937 (40) 242.~~

SECTION 48-9-1840. Hardship petitions.

~~A land occupier may file a petition with the board alleging that there are great practical difficulties or unnecessary hardships in the way of his carrying out upon his lands the strict letter of the land use regulations prescribed by ordinance approved by the commissioners and praying the board to authorize a variance from the terms of the land use regulations in the application of such regulations to the lands occupied by the petitioner. Copies of such petition shall be served~~

~~by the petitioner upon the chairman of the commissioners of the district within which his lands are located and upon the director of the department.~~

~~HISTORY: 1962 Code Section 63-164; 1952 Code Section 63-164; 1942 Code Section 5806-111; 1937 (40) 242; 1965 (54) 106; 1970 (56) 2331; 1972 (57) 2271; 1993 Act No. 181, Section 1196.~~

~~SECTION 48-9-1850. Hearing and action on hardship petition.~~

~~The board shall fix a time for the hearing of the petition and cause due notice of such hearing to be given. The commissioners of the district and the department may appear and be heard at such hearing. Any occupier of lands lying within the district who shall object to the authorizing of the variance prayed for may intervene and become a party to the proceedings. Any party to the hearing before the board may appear in person, by agent or by attorney. If, upon the facts presented at such hearing, the board shall determine that there are great practical difficulties or unnecessary hardships in the way of applying the strict letter of any of the land-use regulations upon the lands of the petitioner, it shall make and record such determination and shall make and record findings of fact as to the specific conditions which establish such great practical difficulties or unnecessary hardships. Upon the basis of such findings and determination the board may by order authorize such variance from the terms of the land-use regulations, in their application to the lands of the petitioner, as will relieve such great practical difficulties or unnecessary hardships and will not be contrary to the public interest and such that the spirit of the land-use regulations shall be observed, the public health, safety and welfare secured and substantial justice done.~~

~~HISTORY: 1962 Code Section 63-165; 1952 Code Section 63-165; 1942 Code Section 5806-111; 1937 (40) 242; 1965 (54) 106; 1970 (56) 2331; 1972 (57) 2271; 1993 Act No. 181, Section 1197.~~

~~SECTION 48-9-1860. Petition for court review.~~

~~Any petitioner, the commissioners of the district or any intervening party, aggrieved by an order of the board granting or denying, in whole or in part, the relief sought, may obtain a review of such order in the court of common pleas for the county or any county in which the lands of the petitioner may lie, by filing in such court a petition praying that the order of the board be modified or set aside. A copy of such petition shall forthwith be served upon the parties to the hearing before the board and thereupon the party seeking review shall file in the court a transcript of the entire record in the proceedings, certified by the board, including the documents and testimony upon which the order complained of was entered and the findings, determination and order of the board.~~

~~HISTORY: 1962 Code Section 63-166; 1952 Code Section 63-166; 1942 Code Section 5806-111; 1937 (40) 242; 1970 (56) 2331.~~

~~SECTION 48-9-1870. Hearing and order of court on petition for review.~~

~~Upon such filing the court shall cause notice thereof to be served upon the parties and shall have jurisdiction of the proceedings and of the questions determined or to be determined therein and may grant such temporary relief as it deems just and proper and make and enter a decree enforcing, modifying and~~

~~enforcing as so modified or setting aside, in whole or in part, the order of the board. No contention that has not been urged before the board shall be considered by the court unless the failure or neglect to urge such contention shall be excused because of extraordinary circumstances. The findings of the board as to the facts, if supported by evidence, shall be conclusive. If any party shall apply to the court for leave to produce additional evidence and shall show to the satisfaction of the court that such evidence is material and that there were reasonable grounds for the failure to produce such evidence in the hearing before the board, the court may order such additional evidence to be taken before the board and made a part of the transcript. The board may modify its findings as to the facts or make new findings, taking into consideration the additional evidence so taken and filed, and it shall file such modified or new findings which, if supported by evidence, shall be conclusive and shall file with the court its recommendation, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that it shall be subject to review in the same manner as are other judgments or decrees of the court.~~

~~HISTORY: 1962 Code Section 63-167; 1952 Code Section 63-167; 1942 Code Section 5806 111; 1937 (40) 242.~~

Others potentially impacted

SC Soil and Water District Commissioners

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Eliminate one fund and deposit in another fund

Law	S.C. CODE ANN. 50-5-25 and 50-9-960 <ul style="list-style-type: none">• SECTION 50-5-25. Powers and duties; deposit of revenues.• SECTION 50-9-960. Marine Resources Fund.
Agency's Rationale for Revision	Amend. The agency would like to eliminate the Mariculture Resource and Development Fund and instead give authorization to deposit the funds in the Marine Resources Fund.
Agency's Law Number from PER	44
Agency's Recommended Language	<p>SECTION 50-5-25. Powers and duties; deposit of revenues.</p> <p>(D) Proceeds from sales of experimental mariculture products produced by the department shall be deposited in the state general fund to the credit of the Mariculture Research and Development Fund of the department to further encourage and promote development of the mariculture industry of this State by supporting operational research and development projects of the division and transfer of information to the mariculture industry. Funds deposited in the Mariculture Research and Development Fund shall be carried forward annually and used for the same purpose.</p> <p>SECTION 50-9-960. Marine Resources Fund.</p> <p>(A) The Marine Resources Fund is created for the purpose of supporting the department and its effort to conserve marine fisheries, <u>to further encourage and promote development of the mariculture industry of this State by supporting operational research and development projects of the division and transfer of information to the mariculture industry.</u> The assets of the fund are derived from the following sources:</p> <p><u>(8) revenue from sales of experimental mariculture products produced by the department.</u></p>

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Update map

Law	S.C. CODE ANN. 50-11-980. Certain lands and waters in Charleston Harbor and adjacent estuarine system designated wildlife sanctuary.
Agency's Rationale for Revision	Amend. The agency has used GIS technology to update the map that accompanied the original legislation. The coordinates that were in the statute did not match the map, this is updating the statute to reflect the correct map.
Agency's Law Number from PER	53
Agency's Recommended Language	<p>SECTION 50-11-980. Certain lands and waters in Charleston Harbor and adjacent estuarine system designated wildlife sanctuary.</p> <p>The lands and waters in Charleston Harbor and its adjacent estuarine system in Charleston County lying within the following boundaries are designated a wildlife sanctuary:</p> <p><u>The area in Charleston County beginning at the foot of Station 22 1/2 Street on Sullivan's Island;</u> <u>thence 332°47'51" following Ben Sawyer Boulevard (Highway 703) into Mt. Pleasant for approximately 10672.74' to a point just south of Center Street where the marsh of the upper reaches of Jeanette Creek meets highland;</u> <u>thence 226°30'39" and continuing for approximately 5711.45' to Pitt Street;</u> <u>thence 315°06'28" and continuing for approximately 5601.19';</u> <u>thence 42°35'09" and continuing for approximately 96.36';</u> <u>thence 315°40'50" and continuing for approximately 546.86';</u> <u>thence 317°58'41" and continuing for approximately 675.02';</u> <u>thence 46°54'12" and continuing for approximately 349.17' to the intersection of Coleman Boulevard;</u> <u>thence 316°01'24" following Coleman Boulevard across Shem Creek and continuing for approximately 1249.48';</u> <u>thence 310°00'00" and continuing for approximately 11746.20' to the eastern range marker for the Drum Island Channel Range just south of Remley's Point;</u> <u>thence 291°44'09" and continuing for approximately 6080.00' through the Drum Reach;</u> <u>thence DUE WEST and continuing for approximately 7960.00' across the Charleston peninsula;</u> <u>thence 330°00'00" and continuing for approximately 9643.00' along the east side of the Ashley River;</u> <u>thence 279°04'59" and continuing for approximately 7617.53';</u> <u>thence 154°18'05" and continuing for approximately 10204.25' to a point on the west bank of the Ashley River just south of the WTMA radio tower;</u> <u>thence 200°00'00" and continuing for approximately 3354.00';</u> <u>thence 170°00'00" and continuing for approximately 3773.00';</u> <u>thence 310°00'00" and continuing for approximately 4193.00';</u> <u>thence 190°00'00" and continuing for approximately 5031.00';</u> <u>thence 105°00'00" and continuing for approximately 3773.00';</u> <u>thence 189°36'09" and continuing for approximately 1785.89' to the intersection of Highway 61;</u> <u>thence 132°12'36" and continuing for approximately 9390.67' to the north bank of Wappoo Creek;</u></p>

thence 200°00'00" and continuing for approximately 4413.48';
thence 144°00'00" and continuing for approximately 2935.00' to a point just south of Harborview Road;
thence 100°00'00" and continuing for approximately 1258.00';
thence 130°00'00" and continuing for approximately 1677.00';
thence 100°00'00" and continuing for approximately 4193.00';
thence 30°00'00" and continuing for approximately 2096.00';
thence 80°00'00" and continuing for approximately 1258.00';
thence 120°00'00" and continuing for approximately 1258.00';
thence 200°00'00" and continuing for approximately 2147.63' to the head of Kushiwah Creek;
thence 110°00'00" and continuing for approximately 4065.35';
thence 30°00'00" and continuing for approximately 893.00';
thence 320°00'00" and continuing for approximately 2516.00';
thence 20°00'00" and continuing for approximately 629.00';
thence 110°00'00" and continuing for approximately 2935.00';
thence DUE NORTH and continuing for approximately 1258.00';
thence DUE EAST and continuing for approximately 3773.00' along the southern edge of Charleston Harbor;
thence 60°00'00" and continuing for approximately 1258.00' to the point at Fort Johnson;
thence 171°52'50" and continuing for approximately 9317.40' to a point on the west bank of Schooper (Schooner) Creek;
thence DUE EAST and continuing for approximately 6491.17' along the dike on the north end of the spoil area;
thence 43°27'46" and continuing for approximately 16506.59' across the mouth of Charleston Harbor to the point of beginning on Sullivan's Island.
The area in Charleston County beginning at the foot of Station 22 1/2 Street on Sullivan's Island, thence on a line north following Ben Sawyer Boulevard (Highway 703) into Mt. Pleasant to a point just south of Center Street where the marsh of the upper reaches of Jeanette Creek meets highland, thence turning 230 degrees southwest following a line to Pitt Street in Mt. Pleasant, thence turning northwest following Pitt Street to its intersection with Live Oak Avenue, thence northeast to Coleman Boulevard, thence following Coleman Boulevard across Shem Creek and continuing on a line 310 degrees northwest to the eastern range marker for the Drum Island Channel Range just south of Remley's Point, thence continuing northwest on the Drum Island Reach for approximately six thousand eighty feet, thence due west on a line across the Charleston peninsula for approximately seven thousand nine hundred sixty-six feet, thence turning 330 degrees northwest and continuing for approximately nine thousand six hundred forty three feet along the east side of the Ashley River, thence turning 330 degrees northwest and continuing on a line for approximately five thousand eight hundred seventy feet, thence turning 240 degrees and continuing for approximately four thousand one hundred ninety three feet, thence turning 134 degrees southeast and continuing approximately nine thousand six hundred forty three feet to a point on the west bank of the Ashley River just south of the WTMA radio tower, thence turning 200 degrees south and continuing for approximately three thousand three hundred fifty-four feet

along the west bank of the Ashley River, thence turning south 170 degrees for approximately three thousand seven hundred seventy three feet, thence turning northwest 310 degrees and continuing for approximately four thousand one hundred ninety three feet, thence turning south 190 degrees and continuing approximately five thousand thirty one feet, thence returning east 105 degrees and continuing for approximately three thousand seven hundred seventy three feet, thence turning south again 190 degrees and continuing for approximately two thousand five hundred sixteen feet to its intersection with Highway 61, thence turning southeast 120 degrees and continuing approximately nineteen thousand sixty two feet to the north bank of Wappoo Creek, thence turning south 200 degrees and continuing approximately two thousand nine hundred thirty five feet, thence turning southeast 144 degrees and continuing for approximately two thousand nine hundred thirty five feet to a point just south of Harborview Road, thence turning east southeast 100 degrees and continuing for approximately one thousand two hundred fifty eight feet, thence turning southeast 130 degrees and continuing approximately one thousand six hundred seventy seven feet, thence turning east 100 degrees and continuing for approximately four thousand one hundred ninety three feet, thence turning northeast 30 degrees and continuing for approximately two thousand ninety six feet, thence turning east 80 degrees and continuing for approximately one thousand two hundred fifty eight feet, thence turning southeast 120 degrees and continuing for approximately one thousand two hundred fifty eight feet, thence turning south 200 degrees and continuing approximately one thousand six hundred seventy seven feet to the head of Kushiwah Creek, thence turning east southeast 110 degrees and continuing approximately four thousand one hundred ninety three feet, thence turning northeast 30 degrees and continuing for approximately eight hundred thirty nine feet, thence turning northwest 320 degrees and continuing for approximately two thousand five hundred sixteen feet, thence turning north 20 degrees and continuing approximately six hundred twenty nine feet, thence turning east southeast 110 degrees and continuing for approximately two thousand nine hundred thirty five feet, thence returning due north and continuing for approximately one thousand two hundred fifty eight feet, thence turning due east and continuing for approximately three thousand seven hundred seventy three feet along the southern edge of Charleston Harbor, thence turning northeast 60 degrees and continuing for approximately one thousand two hundred fifty eight feet to the point at Fort Johnson, thence turning due south and continuing approximately nine thousand two hundred twenty four feet to a point on the west bank of Schooper (Schooner) Creek, thence turning due east and continuing for approximately six thousand seven hundred eight feet across Morris Island along the dike on the north end of the spoil area, thence turning northeast 50 degrees and continuing approximately sixteen thousand three hundred fifty one feet across the mouth of Charleston Harbor to the point of beginning on Sullivan's Island.

It is unlawful for any person to hunt, trap, molest, or to attempt to take or molest in any manner, any wild bird, bird egg, or mammal within the sanctuary. The department, its duly authorized agents, or persons with written permits issued by the department may engage in predator control, bird banding, and other scientific activities including the collection of specimens for scientific

purposes intended to enhance, maintain, or further our understanding of wildlife populations within the sanctuary.

The department shall post the general outline of the sanctuary and during the nesting season shall conspicuously post bird nesting areas. Posting of bird nesting areas constitutes public notice that the areas are closed to entry. The term "molest" as used in this section includes, but is not limited to, walking upon posted lands or allowing pets to roam upon them. It is also unlawful for any person to remove or tamper with signs posted by the department pursuant to this section.

Nothing herein shall preclude the normal operations of the marine terminals and other facilities of the South Carolina State Ports Authority, or the dredging and disposal operations by the U.S. Army Corps of Engineers, South Carolina State Ports Authority, or their agents or contractors, or the normal shipping and maritime activities in the Port of Charleston.

Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than ninety days, or both.

HISTORY: [Derived from former Section 50-11-2775 (1986 Act No. 379, Section 1)]; 1988 Act No. 561, Section 1; 1993 Act No. 181, Section 1262.

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Additional information obtained by the agency since initial passage of the law

There are nine laws the Subcommittee recommends the General Assembly modernize based on additional information obtained by the agency since initial passage of the law. An explanation of the suggested revisions and recommended language are provided in Table 35.

Table 35. Recommendations for modernization of laws - information learned since initial passage of the statute.

Duplicative Statutes

Law	S.C. CODE ANN. 50-1-310. Mitigation Trust Fund. S.C. CODE ANN. 50-3-180. Mitigation Trust Fund.
Agency's Rationale for Revision	Repeal. These are two statutes regarding Mitigation Trust Funds- with almost identical language. S.C. Code Ann 50-3-180 can be eliminated, as 50-1-130 is adequate.
Agency's Law Number from PER	36
Agency's Recommended Language	<p>SECTION 50-1-310. Mitigation Trust Fund.</p> <p>(A) The Mitigation Trust Fund of South Carolina is created for the purposes of receiving gifts, grants, contributions, and other proceeds for mitigation projects in the State. The Board of Trustees for the Mitigation Trust Fund is the Chairman and the members of the South Carolina Department of Natural Resources Board with full authority over the administration of the funds deposited in the fund. The State Treasurer is the custodian of the fund and shall invest its assets in an interest-bearing account pursuant to South Carolina law.</p> <p>50-1</p> <p>(B) The Mitigation Trust Fund may receive appropriations of state general funds, federal funds, donations, gifts, bond-issue receipts, securities, and other monetary instruments of value. Reimbursement for monies expended from this fund must be deposited in this fund. Funds received through sale, exchange, or otherwise, of products of the property including, but not limited to, timber and utility easement rights, accrue to the Mitigation Trust Fund. Funds recovered for losses or damages to natural resources must be deposited to the Mitigation Trust Fund to be used first for restoration in the areas affected and then as provided in subsection (C) of this section.</p> <p>(C) The income received and accruing from the fund must be spent only for the acquisition, restoration, enhancement, or management of property for mitigation for adverse impacts to natural resources.</p> <p>(D) The Trustees of the Mitigation Trust Fund are authorized to disburse funds to the South Carolina Center for Birds of Prey to fund construction of the Avian Conservation Center in Charleston County.</p> <p>(E) The proceeds from this fund may be carried forward from year to year and do not revert to the general fund of the State.</p> <p>SECTION 50-3-180. Mitigation Trust Fund.</p> <p>(A) The Mitigation Trust Fund of South Carolina is credited for the purposes of receiving gifts, grants, contributions, and other proceeds for mitigation projects</p>

in the State. The Board of Trustees for the Mitigation Trust Fund is the chairman and the members of the South Carolina Department of Natural Resources Board with full authority over the administration of the funds deposited in the fund. The State Treasurer is the custodian of the fund and shall invest its assets in an interest bearing account pursuant to South Carolina law.

(B) The Mitigation Trust Fund may receive appropriations of state general funds, federal funds, donations, gifts, bond issue receipts, securities, and other monetary instruments of value. Reimbursement for monies expended from this fund must be deposited in this fund. Funds received through sale, exchange, or otherwise, of products of the property including, but not limited to, timber and utility easement rights, accrue to the Mitigation Trust Fund. Funds recovered for losses or damages to natural resources must be deposited to the Mitigation Trust Fund to be used first for restoration in the areas affected and then as provided in subsection (C) of this section.

(C) The income received and accruing from the fund must be spent only for the acquisition, restoration, enhancement, or management of property for mitigation for adverse impacts to natural resources.

(D) The proceeds from this fund may be carried forward from year to year and do not revert to the general fund of the State.

Others potentially impacted

SC Treasurer

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Dealer Boats

Law	S.C. CODE ANN. 50-23-11. Dealer demonstration numbers; unauthorized use; penalties.
Agency's Rationale for Revision	Amend. The demonstration numbers should be displayed but not permanently affixed.
Agency's Law Number from PER	78
Agency's Recommended Language	<p>SECTION 50-23-11. Dealer demonstration numbers; unauthorized use; penalties.</p> <p>(B) The demonstration numbers must not be permanently attached to the vessel but must be <u>displayed</u> on board at all times.</p> <p>If a dealer allows the operation of a watercraft with demonstration numbers, the dealer shall execute a form identifying the date and time, the specific watercraft, the dealer's permit number, the demonstration number, the purpose for which the watercraft is being operated and if for a prospective sale, the form must include the name of the prospective buyer, the date, the specific watercraft, the dealer's permit number, and the demonstration number. The form and the dealer demonstration number must be on board during operation. The dealer demonstration number must be displayed but must not be permanently attached. Operations with dealer demonstration numbers are limited to seventy-two consecutive hours. This form is not required of owners, employees, or corporate officers who carry dealer identification and who are authorized to use demonstration numbers as provided herein.</p>

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Fishing

Law	S.C. CODE ANN. 50-13-675. Nongame fishing devices or gear permitted in certain bodies of freshwater.
Agency's Rationale for Revision	Amend. Lake Jocassee has a small prey base, because it is not a fertile system and fish are very vulnerable to cast nets, therefore the agency requests that Lake Jocassee be added to 50-13-675.
Agency's Law Number from PER	56
Agency's Recommended Language	<p>SECTION 50-13-675. Nongame fishing devices or gear permitted in certain bodies of freshwater.</p> <p>Archery equipment, cast nets, crayfish traps, gigs, hand grabbing, minnow seines, minnow traps, and spears, may be used in freshwaters, except in lakes owned or managed by the department <u>or Lake Jocassee</u>, to take nongame fish.</p>
Law	S.C. CODE ANN. 50-19-250. Night fishing prohibited.
Agency's Rationale for Revision	Repeal. There is no biological reason to disallow night fishing in this area.
Agency's Law Number from PER	64
Agency's Recommended Language	<p>SECTION 50-19-250. Night fishing prohibited.</p> <p>Fishing at night in that portion of Four Hole Swamp known as Bridge Lake, in Dorchester County, is prohibited except during the shad season.</p> <p>HISTORY: 2010 Act No. 200, Section 12, eff May 28, 2010</p>
Law	S.C. CODE ANN. 50-19-2310. Open and closed seasons on striped bass in Lake Greenwood and Boyd's Mill.
Agency's Rationale for Revision	Repeal. There is no scientific reason for a closed season on this water.
Agency's Law Number from PER	75
Agency's Recommended Language	<p>SECTION 50-19-2310. Open and closed seasons on striped bass in Lake Greenwood and Boyd's Mill.</p> <p>There shall be a closed season on the catching of striped bass in the waters of Lake Greenwood and Boyd's Mill, and it shall be unlawful for any person to have in possession on or immediately adjacent to the waters of the lake and Boyd's Mill any striped bass. The possession by any person of striped bass on or within one half mile of the waters of the lake and in its tributaries shall be deemed prima facie a violation of the provisions hereof. However, the season for catching striped bass may be opened at such time as investigation reveals the desirability of opening such season, and such opening may be done by the department with the approval of a majority of the members of the House of Representatives and a majority of the Senators from the counties adjoining the lake.</p>

Dogs

Law	S.C. CODE ANN. 47-3-310 through 47-3-320 <ul style="list-style-type: none">• SECTION 47-3-310. Disposal or removal of feral dogs from certain property.• SECTION 47-3-320. Training of conservation officers to remove dogs; liability of officers.
Agency's Rationale for Revision	Repeal. This is an antiquated statute. (SECTION 47-3-310. Disposal or removal of feral dogs from certain property; SECTION 47-3-320. Training of conservation officers to remove dogs; liability of officers.)
Agency's Law Number from PER	7
Agency's Recommended Language	<p>SECTION 47-3-310. Disposal or removal of feral dogs from certain property. On game management areas, state-owned property and property of private landowners and leaseholders, at the request of such landowners and leaseholders, specially trained enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources may enter on such areas and property for the purpose of investigating dogs running at large on the property. If the dogs are determined to be feral dogs (a dog which has reverted to a wild state) and are a threat to the lives or health of livestock, wildlife or humans, the enforcement officers may remove the feral dog from the property or dispose of it in the most humane manner as determined by the department.</p> <p>HISTORY: 1979 Act No. 147 Section 1; 1993 Act No. 181, Section 1166, eff July 1, 1994.</p> <p>SECTION 47-3-320. Training of conservation officers to remove dogs; liability of officers.</p> <p>Two enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources from each of the state's twenty-eight law enforcement units shall be trained by the Department in the identification, capture and humane disposal of feral dogs and these officers shall have the responsibility of answering all complaints concerning feral dogs within the geographical boundaries of their respective law enforcement units. Such enforcement officers shall be held harmless of any personal liability that may occur during the lawful execution of their duties under this act except in case of gross negligence.</p>

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Birds

Law	S.C. CODE ANN. 50-19-1510. License unnecessary for hunting crows in York County.
Agency's Rationale for Revision	Repeal. This is a violation of the Migratory Bird Treaty Act. A hunting license is required to hunt crows.
Agency's Law Number from PER	71
Agency's Recommended Language	SECTION 50 19 1510. License unnecessary for hunting crows in York County. It shall be lawful for residents of York County to hunt and kill crows in said county without a hunting license.

Law	<p>S.C. CODE ANN. 50-11-1350 to 1430</p> <ul style="list-style-type: none"> • SECTION 50 11 1350. "Pen raised quail" defined. • SECTION 50-11-1360. Authorization to engage in business of propagating pen-raised quail. • SECTION 50-11-1370. Commercial quail breeder's license. • SECTION 50-11-1380. Pen-raised quail for consumption on hotel, restaurant, boardinghouse, or club premises. • SECTION 50-11-1390. Revocation of or refusal to issue breeders license. • SECTION 50-11-1400. Sale of pen-raised quail. • SECTION 50-11-1410. Information required on package of pen-raised quail shipped out of state; records. • SECTION 50-11-1420. Copy of invoice of pen-raised quail sold or shipped in State. • SECTION 50-11-1430. Killing of pen-raised quail.
Agency's Rationale for Revision	Amend and Repeal. Pen-raised quail are still considered pen-raised, even if later released. Also, the remaining statutes are antiquated the agency does not see a resource need to regulate pen raised quail businesses.
Agency's Law Number from PER	55
Agency's Recommended Language	<p>SECTION 50-11-1350. "Pen-raised quail" defined. A "pen-raised quail" is one that is hatched and subsequently <u>wholly</u> raised and confined in a pen or coop.</p> <p>SECTION 50-11-1360. Authorization to engage in business of propagating pen-raised quail. With the approval of the department, any person may engage in the business of propagating pen raised quail for commercial purposes upon compliance with this article.</p> <p>HISTORY: [Derived from former Section 50-11-3482 (1984 Act No. 374, Section 10); 1988 Act No. 561, Section 1; 1988 Act No. 560, Section 1; 1993 Act No. 181, Section 1262; 2006 Act No. 306, Section 1.]</p> <p>SECTION 50-11-1370. Commercial quail breeder's license. A commercial quail breeder's license first must be obtained from the department. The license may be purchased at any time and is good only for the</p>

~~fiscal year, July first through June thirtieth, in which it is issued. The license fee is five dollars, and each license must be numbered by the department.~~

~~HISTORY: [Derived from former Section 50-11-3483 (1984 Act No. 374, Section 10); 1988 Act No. 561, Section 1; 1988 Act No. 560, Section 1; 1993 Act No. 181, Section 1262; 2006 Act No. 306, Section 1.]~~

~~SECTION 50-11-1380. Pen raised quail for consumption on hotel, restaurant, boardinghouse, or club premises.~~

~~The keeper of a hotel, restaurant, boardinghouse, or club may sell pen raised quail for food to be consumed on the premises and is not required to hold a license therefor.~~

~~HISTORY: [Derived from former Section 50-11-3484 (1984 Act No. 374, Section 10); 1988 Act No. 561, Section 1; 1988 Act No. 560, Section 1; 1993 Act No. 181, Section 1262; 2006 Act No. 306, Section 1.]~~

~~SECTION 50-11-1390. Revocation of or refusal to issue breeders license.~~

~~The department, when it has evidence that any breeder is violating the intent of this article and is not cooperating with the department in a desirable manner, may revoke the breeder's license and may refuse to issue the license and seals or tags to the breeder. Where a person has a record of game violations, the department may refuse to issue the breeder's license.~~

~~HISTORY: [Derived from former Section 50-11-3490 (1962 Code Section 28-543; 1957 (50) 535; 1984 Act No. 374, Section 11); 1988 Act No. 561, Section 1; 1988 Act No. 560, Section 1; 1993 Act No. 181, Section 1262; 2006 Act No. 306, Section 1.]~~

~~SECTION 50-11-1400. Sale of pen raised quail.~~

~~Any person complying with this article may sell live pen raised quail for propagating purposes or may sell the carcasses of the pen raised quail for any purpose, including sale for food.~~

~~HISTORY: [Derived from former Section 50-11-3500 (1962 Code Section 28-544; 1957 (50) 535); 1988 Act No. 561, Section 1; 1988 Act No. 560, Section 1; 1993 Act No. 181, Section 1262; 2006 Act No. 306, Section 1.]~~

~~SECTION 50-11-1410. Information required on package of pen raised quail shipped out of state; records.~~

~~Before being offered for sale other than alive or for propagation purposes or shipped within the State, all packages or bags of pen raised quail carcasses must be labeled, marked, or stamped, in such a way so as to give the following information: the hatchery in which the quail is produced, its location, and address. This information must not be removed from the package or bag of quail except by the ultimate consumer. In addition, the hatchery is required to keep accurate records of all sales of pen raised quail and to make these records available for inspection upon request by the department.~~

~~HISTORY: [Derived from former Section 50-11-3510 (1962 Code Section 28-545; 1957 (50) 535); 1988 Act No. 561, Section 1; 1988 Act No. 560, Section 1; 1993 Act No. 181, Section 1262; 2006 Act No. 306, Section 1.]~~

~~SECTION 50-11-1420. Copy of invoice of pen raised quail sold or shipped in State.~~

~~When any pen raised quail is sold or shipped into this State, the shipper or seller shall furnish the department with a copy of the invoice showing the number of the quail so shipped or sold and to whom the quail was shipped or sold. Any pen raised quail sold or shipped in violation of this section is subject to confiscation by the department.~~

~~HISTORY: [Derived from former Section 35-11-3610 (1962 Code Section 28-547; 1958 (50) 1672)]; 1988 Act No. 561, Section 1; 1993 Act No. 181, Section 1262; 2006 Act No. 306, Section 1.~~

~~SECTION 50-11-1430. Killing of pen raised quail.~~

~~All pen raised quail offered for sale must be killed otherwise than by shooting.~~

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Other species

Law	S.C. CODE ANN. 50-13-1415. Importation, possession, or placing water hyacinth and hydrilla in waters of State.
Agency's Rationale for Revision	Amend. Clemson has a regulation that is a current list of invasive species that SCNDR would like to utilize.
Agency's Law Number from PER	57
Agency's Recommended Language	<p>SECTION 50-13-1415. Importation, possession, or placing water hyacinth and hydrilla in waters of State.</p> <p>No person shall possess, sell, offer for sale, import, bring, or cause to be brought or imported into this State, or release or place into any waters of this State any of the following plants:</p> <p>...</p> <p><u>(3) the aquatic plant pests listed in Regulation 17-135, or successor regulation</u></p> <p>...</p>
Others potentially impacted	Clemson (did not contact)

Law	S.C. CODE ANN. 50-16-20. Importation of wildlife for certain purposes prohibited; investigation; permit.
Agency's Rationale for Revision	Amend. The agency requests that the importation of the listed species be completely regulated by the agency by permit, to protect the native natural resources of the state.
Agency's Law Number from PER	60
Agency's Recommended Language	<p>SECTION 50-16-20. Importation of wildlife for certain purposes prohibited; investigation; permit.</p> <p>(A) It is unlawful for a person to import, possess, or transport for the purpose of release or to introduce or bring into this State any live wildlife of the following types without a permit from the department:</p> <p>(1) a furbearer, a member of the family Cervidae, a nondomestic member of the families Suidae (pigs), Tayassuidae (peccaries), Bovidae (bison, mountain goat, mountain sheep), coyote, bear, or turkey (genus Meleagris). Furbearer includes, but is not limited to, red and gray fox, raccoon, opossum, muskrat, mink, skunk, otter, bobcat, weasel, and beaver;</p> <p>(2) a species of marine or estuarine fish, crustacean, mollusk, or other marine invertebrate not already found in the wild, or not native to this State.</p> <p>(3) a species of freshwater fish, crustacean, mollusk, or other freshwater invertebrate not already found in the wild or not native to this State.</p> <p>(B) A permit may be granted only after the investigations and inspections of the wildlife have been made as the department considers necessary and the department approves the possession, transportation, or importation into the State. The department may not issue a permit unless it finds:</p> <p>(1) the wildlife was taken lawfully in the jurisdiction in which it originated;</p>

(2) the importation, release, or possession of the wildlife is not reasonably expected to adversely impact the natural resources of the State or its wildlife populations.

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Agency efficiency

There are three laws the Subcommittee recommends the General Assembly amend to increase agency efficiency. In the laws below, the agency requests that the requirement of “return receipt requested” for mailing be eliminated from hunting and fishing license suspension notifications. Over the last three fiscal years the agency has spent \$7,312 sending notices return receipt requested.²⁰² If these had been sent through standard United States Postal Service it would have cost only \$547 over the last three fiscal years.²⁰³ The agency cites the Department of Motor Vehicles mailing driver’s license suspensions as an analogous situation. State statute does not require driver’s license suspensions be sent “return receipt requested.” The recommended language is provided in Table 36.

Table 36. Recommendations for modernization of laws - increase agency efficiency.

Law	S.C. CODE ANN. 50-5-2510. Suspension of saltwater privileges for accumulation of points.
Agency's Law Number from PER	46
Agency's Recommended Language	SECTION 50-5-2510. Suspension of saltwater privileges for accumulation of points. <u>(B) Any suspension under this article begins the eleventh day after the person or entity receives written notice by mail, return receipt requested, of the suspension and ends the same day the following year. The notice of suspension must be given by the department by depositing the notice in the United States mail with postage prepaid addressed to the person at the address contained in the records of the department. The giving of notice by mail is complete ten days after the deposit of the notice, and ends the same day the following year. A certificate by the director of the department, or his designee, that the notice has been sent as required in this section is presumptive proof that the requirements as to notice of suspension have been met even if the notice has not been received by the addressee.</u>
Law	S.C. CODE ANN. 50-5-2515. Notice of suspension; request for review.
Agency's Law Number from PER	47
Agency's Recommended Language	SECTION 50-5-2515. Notice of suspension; request for review. Upon determination by the department that a person or entity has accumulated sufficient points to warrant the suspension of any saltwater privilege, the department must notify the person or entity in writing, <u>return receipt requested</u> that his saltwater privilege has been suspended, and the person or entity must return all the suspended licenses, stamps, or permits in his name to the department within ten days.
Law	S.C. CODE ANN. 50-9-1140. Suspension of hunting and fishing privileges.
Agency's Law Number from PER	49

Agency's Recommended Language	<p>SECTION 50-9-1140. Suspension of hunting and fishing privileges. The department shall suspend for one year the hunting and fishing privileges of a person who has eighteen or more points. The suspension begins the eleventh day after the person receives written notice by mail, return receipt requested, of the suspension, and ends the same day the following year. The notice of suspension must be given by the department by depositing the notice in the United States mail with postage prepaid addressed to the person at the address contained in the records of the department. The giving of notice by mail is complete ten days after the deposit of the notice, and ends the same day the following year. A certificate by the director of the department, or his designee, that the notice has been sent as required in this section is presumptive proof that the requirements as to notice of suspension have been met even if the notice has not been received by the addressee.</p>
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INTERNAL CHANGES IMPLEMENTED BY AGENCY RELATED TO STUDY PROCESS

In January 2018, the DNR Board implemented a study recommendation through its creation of a new policy outlining complaint procedures for any alleged wrongdoing by agency leadership (e.g., board members, director, and deputy directors).²⁰⁴

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ADDITIONAL INFORMATION

The Subcommittee includes two of the agency's law recommendations for informational purposes only because the law recommendations may be better addressed by other House Committees. The agency's Board has approved both of the agency law recommendations. During the study process, input on the recommendations is solicited from others identified by the agency as being potentially impacted. Unless otherwise noted, no opposition was received.

Agency Law Recommendation #82²⁰⁵

Law	S.C. CODE ANN. 51-17-150. Annual report detailing acquisitions in previous year and planned acquisitions for next five years.
Agency's Rationale for Revision	Amend. The agency requests that the planned five year acquisition notification be eliminated as generally these are not known, and sometimes, due to contract negotiations, would like to keep those from being public knowledge.
Agency's Law Number from PER	82
Agency's Recommended Language	SECTION 51-17-150. Annual report detailing acquisitions in previous year and planned acquisitions for next five years. The South Carolina Department of Natural Resources, as trustee for the Heritage Land Trust Fund, shall report annually to the Committee on Ways and Means of the House of Representatives and the Senate Finance Committee detailing acquisitions in the previous year by the Heritage Land Trust Fund and planned acquisitions for the next five years.

Agency Law Recommendation #45²⁰⁶

Law	S.C. CODE ANN. 50-5-1950. Saltwater Recreational Fisheries Advisory Committee established; composition; compensation; term.
Agency's Rationale for Revision	Repeal. The Saltwater Recreational Fisheries Advisory Committee (SRFAC) was established in 1992 as an oversight mechanism to give recreational fishermen assurance that newly established license revenues would be used to effectively support programs, projects and activities that would benefit SC saltwater recreational fisheries. For more than 25 years the SCDNR has used all related funds exclusively to support and enhance saltwater recreational fisheries. Given this proven track record of success in meeting the intent of the law and proper usage of these revenues there is no longer the need for continuing this particular oversight mechanism. Close public scrutiny and expectations, as well as general oversight of activities through the Marine Advisory Committee are adequate.
Agency's Law Number from PER	45
Agency's Recommended Language	SECTION 50-5-1950. Saltwater Recreational Fisheries Advisory Committee established; composition; compensation; term. (A) A Saltwater Recreational Fisheries Advisory Committee is established to assist in prioritizing the expenditures of monies received in the special account. The committee is composed of: (1) one member of the Board of the Department of Natural Resources to serve ex officio;

	<p>(2) two at large members appointed by the Governor; and</p> <p>(3) one member from each of the following coastal counties appointed by a majority of the respective legislative delegations of Beaufort, Charleston, Colleton, Georgetown, Horry, Jasper, Dorchester, and Berkeley Counties.</p> <p>(B) The members in subsection (A)(2) and (3) shall represent the saltwater recreational fishing community.</p> <p>(C) Committee members shall be paid the usual mileage, subsistence, and per diem as prescribed by law for members of state boards, commissions, and committees to be paid from revenues from the sale of stamps, licenses, prints, and related articles.</p> <p>(D) The terms of members in subsection (A)(2) and (3) are for four years and are limited to two consecutive terms. Vacancies shall be filled for the remainder of the unexpired term in the manner of original appointment.</p>
Others potentially impacted	Governor's Office

Also, the agency provided twenty recommendations for internal changes which the Subcommittee includes in Appendix A for additional information.

SELECTED AGENCY INFORMATION

Department of Natural Resources. "Program Evaluation Report, 2017."

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/DNR%20-%20PER%20-%20Complete.pdf> (accessed December 4, 2017).

Department of Natural Resources. "Restructuring and Seven-Year Plan Report, 2015."

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/DNR%20-%20Reports%20required%20to%20complete%20\(8.30.17\).xlsx](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/DNR%20-%20Reports%20required%20to%20complete%20(8.30.17).xlsx) (accessed December 4, 2017).

Department of Natural Resources. "Agency Accountability Report, 2015-16."

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202015-2016.pdf> (accessed December 4, 2017).

Department of Natural Resources. "Agency Accountability Report, 2016-17."

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202016-2017.pdf> (accessed December 4, 2017).

SC House of Representatives, Legislative Oversight Committee. "July 2017 Survey Results."

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20\(6.27-%207.28\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20(6.27-%207.28).pdf) (accessed December 4, 2017).

CONTACT INFORMATION

Committee Contact Information

Physical:

South Carolina House of Representatives
Legislative Oversight Committee
1105 Pendleton Street, Blatt Building
Room 228

Mailing:

Post Office Box 11867
Columbia, South Carolina 29211

Telephone:

803-212-6810

Online:

You may visit the South Carolina General Assembly Home Page (<http://www.scstatehouse.gov>) and click on "Citizens' Interest" then click on "House Legislative Oversight Committee Postings and Reports". This will list the information posted online for the committee; click on the information you would like to review. Also, a direct link to committee information is <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>.

Agency Contact Information

Physical:

Department of Natural Resources
1000 Assembly Street
Columbia, SC 29201

Mailing:

Post Office Box 167
Columbia, South Carolina 29202

Telephone:

803-734-3833 (Outreach and Support Services)

Online: <http://www.dnr.sc.gov>

Additional information the public may find useful are agency websites with resources the public can utilize to determine, for a particular body of water, the entity that owns it and the entity responsible for management of it, similar to the Department of Transportation's Street Finder (i.e., <http://www.scdot.org/getting/streetFinder.aspx>).

- Lakes/Reservoirs Website:
 - <http://www.dnr.sc.gov/lakes/index.html>
- Pier & Bank Fishing Access:
 - <http://www.dnr.sc.gov/lakes/access.html>
- Boat Ramps:
 - <https://www2.dnr.sc.gov/ManagedLands/boatramp/boatrampsearch>
- DNR-managed State Lakes:
 - <http://www.dnr.sc.gov/lakes/state/index.html>

Also, the agency has a mobile app by Pocket Rangers with fishing, hunting and wildlife information including:

- Places to hunt and fish
- Species profiles
- Rules and regulations; License and permit information
- Safety communication tool
- Advanced GPS mapping features
- Potentially life-saving Alert feature that supplies users' GPS coordinates to designated contacts in case of an emergency.

Search for "Pocket Ranger®" in either the App Store or Google Play to download the app.

ENDNOTES

¹ Figure 1 is compiled from information in the Department of Natural Resources study materials available online under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” and then under “Natural Resources, Department of (DNR)”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/DNR.php> (accessed December 5, 2017).

² S.C. Code Ann. Section 2-2-20(C).

³ All of the Subcommittee recommendations are adopted with no dissenting votes.

⁴ S.C. House of Representatives, House Legislative Oversight Committee, “February 12, 2018 Meeting Minutes,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Natural Resources, Department of (DNR),” and under “Meetings,” (Minutes will be posted when approved at the next Subcommittee meeting.)

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/DNR.php> (Accessed February 21, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php>. Hereinafter, “February 12, 2018 Meeting Minutes and Video;” See also, S.C. House of Representatives, House Legislative Oversight Committee, “Complaint Procedure (Board Policy 2016.01),” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Natural Resources, Department of (DNR),” and under “Agency Policies,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Complaint%20Procedure%20Policy%202016.01.pdf> (Accessed February 23, 2018).

⁵ Ibid.

⁶ The Subcommittee recommends notifying the House Agriculture Committee of the agency’s recommendation #45, and providing it with information the Committee has obtained about the recommendation, so the Agriculture Committee may further analyze the recommendation. The Subcommittee recommends notifying the House Ways and Means Committee of the agency’s recommendation #82, and providing it with information the Committee has obtained about the recommendation, so the Ways and Means Committee may further analyze the recommendation since it is the committee that receives the acquisition notification.

⁷ S.C. House of Representatives, House Legislative Oversight Committee, “Program Evaluation Report (August 30, 2017),” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Natural Resources, Department of (DNR),” and then under “Other Reports, Reviews, and Audits,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/DNR%20-%20PER%20-%20Complete.pdf> (accessed December 5, 2017), pp. 12-17. Hereinafter, “Agency PER.”

⁸ Act 519 of 1726.

⁹ Appropriations Act of 1825, approved on December 20, 1825.

¹⁰ Act 600 of 1878.

¹¹ Act 60 of 1906.

¹² Act 315 of 1907.

¹³ Act 591 of 1926.

¹⁴ Act 170 of 1927.

¹⁵ Act 336 of 1935.

¹⁶ Act 182 of 1937.

¹⁷ Concurrent Resolution H. 1599, adopted by the House of Representatives on January 6, 1952, and by the Senate on January 30, 1952.

¹⁸ Act 253 of 1959.

¹⁹ Act 61 of 1967.

²⁰ Act 74 of 1969; and Act 181 of 1993.

²¹ Act 63 of 1971.

²² Act 1243 of 1972.

²³ Act 1101 of 1972.

²⁴ Act 181 of 1993.

²⁵ Act 1053 of 1974.

²⁶ Act 479 of 1986.

²⁷ Act 540 of 1986, Part II, Section 10.

²⁸ Act 498 of 1990.

²⁹ Act 181 of 1993.

³⁰ Act 20 of 2011.

³¹ Act 12 of 2011, effective April 2012.

³² Act 178 of 2014.

³³ Act 227 of 2014, effective July 1, 2015.

³⁴ Act 108 of 2017.

³⁵ Act 257 of 2016, effective July 1, 2017.

³⁶ S.C. Code Ann. Section 48-4-10

³⁷ Agency PER, p. 230.

³⁸ Ibid.

³⁹ S.C. Code Ann. Section 48-4-50.

⁴⁰ S.C. Code Ann. Section 48-4-30.

⁴¹ S.C. Code Ann. Section 48-4-60.

⁴² Agency PER, p. 193.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ Agency PER, p. 402.

⁵⁶ Ibid, p. 18.

⁵⁷ Ibid, pp. 18-19.

⁵⁸ Ibid, pp. 166-178.

⁵⁹ Ibid.

⁶⁰ For additional information, please see one or more of the following: (1) PowerPoint presentation by division posted on the Committee's website; (2) Appendix C (White Paper); (3) Appendix J (Example activities for which permit applications are reviewed); and (4) Appendix K (FERC v. US Army Corps of Engineer lake).

⁶¹ For additional information, please see one or more of the following: (1) PowerPoint presentation by division posted on the Committee's website; (2) Appendix D (White Paper); and (3) Appendix L (Litter program).

⁶² For additional information, please see one or more of the following: (1) PowerPoint presentation by division posted on the Committee's website; and (2) Appendix E (White Paper).

⁶³ For additional information, please see one or more of the following: (1) PowerPoint presentation by division posted on the Committee's website; and (2) Appendix F (White Paper).

⁶⁴ For additional information, please see one or more of the following: (1) PowerPoint presentation by division posted on the Committee's website; and (2) Appendix G (White Paper).

⁶⁵ For additional information, please see one or more of the following: (1) PowerPoint presentation by division posted on the Committee's website; (2) Appendix H (White Paper); and (3) Appendix M (Fish hatcheries and their economic impact).

⁶⁶ For additional information, please see one or more of the following: (1) PowerPoint presentation by division posted on the Committee's website; and (2) Appendix I (White Paper).

⁶⁷ S.C. House of Representatives, House Legislative Oversight Committee, "November 30, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Meetings," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/November%2030,%202017%20Meeting%20Minutes.pdf> (Accessed February 21, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php>. Hereinafter, "November 30, 2017 Meeting Minutes and Video."

⁶⁸ November 30, 2017 Meeting Minutes and Video at 24:18 in the archived video part 3 (Revenue from all WMA permit sales MINUS the predetermined lease rates [i.e., lands leased from the federal government] MINUS administrative costs = A; Divide A by the total number of private acres in the program to get a dollar per acre value).

⁶⁹ November 30, 2017 Meeting Minutes and Video at 24:18 in the archived video part 3.

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² S.C. House of Representatives, House Legislative Oversight Committee, "October 23, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Meetings," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/October%2023,%202017%20-%20Meeting%20Minutes.pdf> (Accessed December 5, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php>; see 01:34:30 in the archived video part 1. Hereinafter, "October 23, 2017 Meeting Minutes and Video."

⁷³ S.C. House of Representatives, House Legislative Oversight Committee, "Map of DNR - Offices and Properties Managed," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and then under "Other Reports, Reviews, and Audits," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Map%20of%20DNR%20locations%20and%20properties%20managed%20\(as%20of%208.31.17\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Map%20of%20DNR%20locations%20and%20properties%20managed%20(as%20of%208.31.17).pdf) (accessed December 7, 2017).

⁷⁴ Agency PER, Deliverables chart.

⁷⁵ S.C. House of Representatives, House Legislative Oversight Committee, "Letter from DNR to Oversight Subcommittee (November 17, 2017)," Question 13, under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Correspondence," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Letter%20from%20DNR%20to%20Oversight%20Subcommittee%20\(November%2017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Letter%20from%20DNR%20to%20Oversight%20Subcommittee%20(November%2017,%202017).pdf) (Accessed December 5, 2017), Question 11. Hereinafter, "Letter from DNR to Oversight Subcommittee (November 17, 2017)." (Other permits issued by the Wildlife and Freshwater Fisheries Division include: Scientific Permits [bird banding, migratory bird, nongame, game]; Special use; Migratory bird depredation; Lottery hunts; Live hog removal; Fox/coyote enclosure permit; Hog hunting enclosure; Shooting preserve license; Canada goose depredation; Rabbit enclosure; Falconry; Furbearer depredation permits; Hunt permits for party bear hunts; Predator management permits; Commercial use of SCDNR properties; Alligator depredation permits; Antlerless deer quota program permit; Temporary exhibition and transportation; Deer depredation; Importation/possession; Urban deer control (sharpshooting); Private land alligator permits; Wild turkey control (airports); Aquaculture permits;

Bird dog training area license; Non-indigenous species permits (fisheries); Fox, bird dog, rabbit, retriever and squirrel field trial; Scientific collection permits (fisheries); Raccoon field trial permit; Grass carp transport permits; Pet/backyard deer; Public water stocking permits; Captive black bear; Freshwater mussel collection/possession permits.)

⁷⁶ S.C. House of Representatives, House Legislative Oversight Committee, "Letter from DNR to Oversight Subcommittee (November 22, 2017)," Office of Environmental Programs - Question 1, under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Correspondence," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Letter%20from%20DNR%20to%20Subcommittee%20with%20attachment%20\(November%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Letter%20from%20DNR%20to%20Subcommittee%20with%20attachment%20(November%202017).pdf) (Accessed December 5, 2017). Hereinafter, "Letter from DNR to Oversight Subcommittee (November 22, 2017)."

⁷⁷ S.C. House of Representatives, House Legislative Oversight Committee, "2016-17 Agency Accountability Report," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and then under "Other Reports, Reviews, and Audits,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202016-2017.pdf> (accessed December 5, 2017). Hereinafter, "2016-17 Agency Accountability Report."

⁷⁸ S.C. House of Representatives, House Legislative Oversight Committee, "Letter from DNR to Oversight Subcommittee (October 27, 2017)," Question 17, under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Correspondence," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Letter%20from%20DNR%20to%20Oversight%20Subcommittee%20with%20Attachments%20\(October%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Letter%20from%20DNR%20to%20Oversight%20Subcommittee%20with%20Attachments%20(October%202017).pdf) (Accessed December 5, 2017). Hereinafter, "Letter from DNR to Oversight Subcommittee (October 27, 2017)."

⁷⁹ Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 16 and Exhibit K.

⁸⁰ Agency PER, Comprehensive Strategic Finances Chart.

⁸¹ Agency PER, Performance Measures Chart, pp. 195-226.

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ The agency was asked if tracking the measure was required by the federal government, state government, or selected by the agency.

⁸⁶ Agency PER, Performance Measures Chart, pp. 195-226.

⁸⁷ The agency was asked if tracking the measure was required by the federal government, state government, or selected by the agency.

⁸⁸ S.C. Code Ann. § 2-2-10(1).

⁸⁹ S.C. House of Representatives, House Legislative Oversight Committee, "May 10, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Meetings," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/May%202017%20Meeting%20Minutes.pdf> (Accessed December 5, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php>.

⁹⁰ S.C. House of Representatives, House Legislative Oversight Committee, "Subcommittees -2017," under "Committee Postings and Reports," and under "House Legislative Oversight Committee,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittee%20Assignments%20-%202017.pdf> (accessed December 5, 2017).

⁹¹ S.C. House of Representatives, House Legislative Oversight Committee, "Restructuring and Seven-Year Plan Report (March 11, 2015)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and then under "Other Reports, Reviews, and Audits,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/DNR.php> (accessed December 5, 2017). Hereinafter, "Agency Restructuring and Seven-Year Plan Report"; and

S.C. House of Representatives, House Legislative Oversight Committee, "2016 Annual Restructuring Report," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and then under "Other Reports, Reviews, and Audits," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2016%20ARR/2016%20ARR%20-20Extension%20-%20DNR.PDF> (accessed December 5, 2017).

⁹² S.C. House of Representatives, House Legislative Oversight Committee, "2015-16 Agency Accountability Report," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and then under "Other Reports, Reviews, and Audits,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202015-2016.pdf> (accessed December 5, 2017). Hereinafter, "2015-16 Agency Accountability Report"; and

2016-17 Agency Accountability Report.

⁹³ Agency Restructuring and Seven-Year Plan Report.

⁹⁴ A brochure about the House Legislative Oversight's Committee process is available online. Also, there are ongoing opportunities to request notification when meetings are scheduled and to provide feedback about state agencies under study that can be found online.

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Brochure%205.18.17.pdf> (accessed December 5, 2017).

⁹⁵ S.C. House of Representatives, House Legislative Oversight Committee, "Public Participation," under "Committee Postings and Reports," and under "House Legislative Oversight Committee," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed December 5, 2017).

⁹⁶ S.C. House of Representatives, House Legislative Oversight Committee, "Press Release Announcing Public Survey (June 27, 2017)," "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Public Survey & Public Input"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Media%20Release%20Public%20Survey%20June%202017.PDF> (accessed December 5, 2017). Hereinafter, "Press Release Announcing Public Survey (June 27, 2017)."

⁹⁷ S.C. House of Representatives, House Legislative Oversight Committee, "Results of Survey of Adjutant General's Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "The Department of Natural Resources," and under "Public Survey & Public Input"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20\(6.27-207.28.pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20(6.27-207.28.pdf) (accessed December 4, 2017). Hereinafter, "Results of Survey of Adjutant General's Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017)."

⁹⁸ Committee Standard Practice 10.4.

⁹⁹ Results of Survey of Adjutant General's Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017).

¹⁰⁰ S.C. House of Representatives, House Legislative Oversight Committee, "Submit Public Input," under "Committee Postings and Reports," under "House Legislative Oversight Committee" <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed December 5, 2017).

¹⁰¹ Results of Survey of Adjutant General's Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017).

¹⁰² Ibid.

¹⁰³ Committee Standard Practice 10.4.2 allows for the redaction of profanity.

¹⁰⁴ Also, the Chair of either the Committee or the Law Enforcement and Criminal Justice Subcommittee has the discretion to allow testimony during meetings.

¹⁰⁵ S.C. House of Representatives, House Legislative Oversight Committee, "October 16, 2017 Meeting Minutes," "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Meetings," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/October%2016,%202017%20Meeting%20Minutes.pdf> (accessed May 19, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php>.

¹⁰⁶ Press Release Announcing Public Survey (June 27, 2017).

¹⁰⁷ Other agencies include: Office of the Adjutant, General, Commission for Minority Affairs, and Patriot's Point Development Authority.

¹⁰⁸ October 16, 2017 Meeting Minutes and Video:

Mr. Thomas Cousins (Berkeley County)

Mr. Cousins testifies he is a resident of Berkeley County and teaches outdoor education at West Ashley High School. He coaches the shooting team and the archery team and testifies that DNR programs have had a profound impact on the quality of life of his students. Without DNR's support, he testifies they would be cheating students out of their ability to compete on a state, national and worldwide level. According to Mr. Cousins, it has increased the students' confidence, self-respect and school spirit. Additionally, Mr. Cousins testifies, the students learn skills that will last a lifetime, earn scholarships, and increase their volunteerism, such as assisting at DNR events, Southeastern Wildlife Exposition, and the Charleston In-Water Boat Show.

Mr. John Williamson, III (Berkeley County)

Mr. Williamson testifies he is a resident of Bamberg County and has been involved with DNR for approximately 40 years, mostly as a volunteer. He believes that, right now, DNR probably has the best management he has seen in those 40 years. Mr. Williamson testifies he serves on the law enforcement advisory committee. He compliments the archery and shooting sports in schools, stating they provide mentoring to students, many from single parent homes, and introduce students to the outdoors, which ordinarily might not be possible for those kids.

Mr. Leland Colvin (Richland County)

Mr. Colvin testifies he resides in Richland County and is the Deputy Secretary of Engineering for the South Carolina Department of Transportation. He testifies there is a great camaraderie between the Department of Transportation and the Department of Natural Resources. According to Mr. Colvin, the two agencies share information to help streamline projects and how they affect the state's waterways and environment, assist with information related to rain events and flooding, and partner in natural disasters. Additionally, Mr. Colvin testifies DNR is a resource on permits that affect water quality and wetland mitigation.

Mr. Jim Goller (York County)

Mr. Goller testifies he resides in York County, and is the Executive Director of the Harry Hampton Memorial Wildlife Fund, which assists DNR with funding and other cooperative efforts. He testifies he is proud to speak to the tremendous mission of DNR in South Carolina. According to Mr. Goller, South Carolina attracts advanced manufacturing and part of the reason is South Carolina's natural resources. He praises DNR's stewardship of natural resources. He feels the Director has done more for the youth engagement than any other director in his tenure.

Chief Mark Keel (Richland County)

Chief Keel, Chief of the State Law Enforcement Division, testifies he is a resident of Richland County, and is a hunter and fisherman. He praises the leadership of all personnel DNR employs, stating they are all cut from the same cloth. He testifies they were instrumental in the rescues during the recent flooding. Additionally, he testifies the relationship that SLED has with DNR is second to none.

Mr. Kenny Mullis (Richland County)

Mr. Mullis testifies he resides in Richland County and is the President of the South Carolina Association of Conservation Districts. He testifies the relationship between DNR and his organization has been very productive and mutually beneficial as DNR supports the 46 conservation districts in South Carolina. According to Mr. Mullins each district has five commissioners that are unpaid, passionate volunteers. He testifies the DNR Director is very supportive, and they hope to continue that relationship.

Mr. J.B. Schwiers (Greenville County)

Mr. Schwiers testifies he is a resident of Greenville. He states he is a longtime hunter, and compliments DNR on what a good job they do. He testifies at one time, he had a problem in Laurens County with someone who trespassed on his land, hunted out of season, stole deer stands and farm equipment, and shot at him. He testifies that he called DNR on multiple occasions, and they were always responsive. The person was caught and prosecuted. Mr. Schwiers also complements DNR's youth programs.

Mr. Andrew Sikes (Colleton County)

Mr. Sikes testifies he is a resident of Colleton County and is an avid fisherman and boater. He testifies he has had many encounters with DNR, and has never dealt with a more professional agency. The agents in the field are always courteous. He also sells to DNR. He compliments the Sportsman's Classic and the youth programs.

Mr. Buddy Jennings (Newberry County)

Mr. Jennings testifies he is from Newberry County and represents the Santee Cooper Country Promotion Commission. He testifies that one of their key partners is DNR. According to Mr. Jennings, his organization has worked with DNR and the General Assembly to pass critical legislation regarding hunting and fishing. He complements the leadership of the DNR Director. Mr. Jennings testifies he has spent 34 years in state government and 18 years in the private sector.

¹⁰⁹ Committee Standard Practice 14.1.

¹¹⁰ Committee Standard Practice 14.2.

¹¹¹ All of the Subcommittee recommendations are adopted unanimously.

¹¹² S.C. House of Representatives, House Legislative Oversight Committee, "October 9, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Meetings," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/October%209,%202017%20-20Meeting%20Minutes%20-%20DNR.pdf> (Accessed December 5, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php>. Hereinafter, "October 9, 2017 Meeting Minutes and Video."

¹¹³ Agency PER, Performance Measures Chart, pp. 195-226.

¹¹⁴ October 9, 2017 Meeting Minutes.

¹¹⁵ Agency PER, Performance Measures Chart, pp. 195-226. Other examples include the following: Continued SC Wild radio program on SC Sports Talk Radio; Grow public presentations for public and private organizations or groups on the subjects of hunting, fishing, and boating related topics; Palmetto Sportsmen's Classic attendance; Continue soliciting CoCoRaHS volunteer observers: Recruit 3 observers in counties with minimal participation; Number of social and economic surveys related to marine resources; Cubic feet of Marine habitat created annually on Marine artificial reefs; Number of bushels of oyster shucked shell collected; and Number of school children and teachers informed about the marine environment.

¹¹⁶ October 9, 2017 Meeting Minutes.

¹¹⁷ S.C. House of Representatives, House Legislative Oversight Committee, "October 4, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Meetings," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/October%204,%202017%20-20Meeting%20Minutes.pdf> (Accessed December 5, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php>. Hereinafter, "October 4, 2017 Meeting Minutes and Video."

See 00:11:10 in the video. (Angie Casella, Senior Auditor - "It hits the auditor's desk when an external entity comes in to audit. Any federal entities or pass-through entities that pass federal money through to us, have the right to come in and audit us to make sure we are performing in compliance with the Code of Federal Regulations and the grant requirements. The federal grantor or the pass-through entity will notify the agency that they're requesting to do an audit via a memo to Director Taylor. Director Taylor will then pass down to me and assign me as the agency's liaison. I then coordinate with the auditors and work with them throughout the entire time to help them get the files that they want to look at, if they want to go out and do site visits, to actually look at some of the properties that their funds may have helped purchase or maintain, we do equipment inventories, etc.")

¹¹⁸ October 4, 2017 Meeting Minutes and Video, 00:12:35.

¹¹⁹ October 9, 2017 Meeting Minutes and Video; and November 30, 2017 Meeting Minutes and Video.

¹²⁰ October 4, 2017 Meeting Minutes and Video, 00:15:40.

¹²¹ Ibid, 00:19:20. (Rep. Tallon - "Is there a need for an internal auditor to look at processes on the everyday?" Director Taylor - "I think you are spot on. I think that the need for internal auditing is always there. And I know that Angie has her hands full, and she will do internal audits, but typically that's when we see something that gives us concern and Angie digs in and does the audit. I think a position of an internal auditor working with Angie would be very beneficial to the overall operations of the agency. But I think you will also find as we go through our presentation, there are many of those positions that we would very much like to have and how we prioritize those as we move forward is extremely important. There is no doubt that an internal audit process is very beneficial. There is no question. It's just, where do we assign those funds when we receive those funds?")

¹²² October 9, 2017 Meeting Minutes and Video; and November 30, 2017 Meeting Minutes and Video.

¹²³ October 4, 2017 Meeting Minutes and Video, 00:21:15.

¹²⁴ October 9, 2017 Meeting Minutes and Video.

¹²⁵ November 30, 2017 Meeting Minutes and Video (The agency referenced a survey currently being performed during the October 9, 2017 Subcommittee meeting, but confirmed it is not yet complete); Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 14.

¹²⁶ February 12, 2018 Meeting Minutes and Video. Subcommittee recommendation number eight was implemented. See also, S.C. House of Representatives, House Legislative Oversight Committee, "Complaint Procedure (Board Policy 2016.01)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Agency Policies," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Complaint%20Procedure%20Policy%202016.01.pdf> (Accessed February 23, 2018).

¹²⁷ November 30, 2017 Meeting Minutes and Video.

¹²⁸ Letter from DNR to Oversight Subcommittee (November 22, 2017), Law Enforcement Division - Question 25 and Exhibit A.

¹²⁹ Ibid, Exhibit A.

¹³⁰ February 12, 2018 Meeting Minutes and Video. Subcommittee recommendation number eight was implemented. See also, S.C. House of Representatives, House Legislative Oversight Committee, "Complaint Procedure (Board Policy 2016.01)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Agency Policies," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Complaint%20Procedure%20Policy%202016.01.pdf> (Accessed February 23, 2018).

¹³¹ February 12, 2018 Meeting and Video, 00:46:45.

¹³² Ibid, 00:35:00.

¹³³ Ibid, 00:38:45 and 00:43:30.

¹³⁴ February 12, 2018 Meeting Minutes and Video, 01:27:47

As additional information, see below

In response to a request during the study process, the agency provides its policies related to new hires and promotions. Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 1, Exhibit A, and Exhibit B.

During the September 25, 2017, Subcommittee meeting, agency personnel testify about the career paths and pay plans, including how agency staff are the ones that developed the two most recent plans in the Marine Resources Division and Freshwater Fisheries Division.

Question: Can you tell us again who developed these pay plans?

Answer: It was looking at pay plans for two divisions, who had the money to sustain increases in salary over a person's career. Helps with retention and obviously we want to take care of our employees so the two divisions that got together were representatives from the Wildlife and Freshwater Fisheries Division and representatives from the Marine Resources Division, along with a representative from my office. And they developed plans that would work for their staff. Neither of the deputy directors nor I were part of that particular committee, we were invited in from time to time, but the staff developed these pay plans. And then we went through a process of approval to ensure the funding was there to sustain it years from now and I'm quite pleased that that was implemented in 2014.

Rep. Tallon: How refreshing, thank you

Time in Meeting: 00:57:51

Asked by: Rep. Tallon

Answered by: Terri McGee

Date: September 25, 2017

During the October 4, 2017, Subcommittee meeting, agency personnel testify about the standard procedure when hiring a new employee.

Question (01:13:50): Can you go over the standard procedure when hiring a new employee?

Answer: I would like to start with the Law Enforcement division. They have a very structured approach to hiring. They have panels that need to be assembled, we have a directive that supports that. First of all, candidates are expected to apply online using neogov, this is true throughout the agency for a permanent type of position, in accordance with the human resources regulations. Then, once that's done, all of that information is looked at by my office and it's screened based on what the supplemental questions are. So for instance, if somebody said they don't meet the minimum qualifications on the supplemental questions, we would screen that candidate out. Once all that screening has been done, at a very basic level, just dealing with minimum qualifications, a packet is compiled electronically that is sent to the selecting official, whoever would be supervising that position or the deputy director over that position, whomever they would like us to send it to. This is also true for the law enforcement division. Once that packet has been sent, whomever is reviewing that packet decides who they would like to interview from that packet, they setup the interview panel, and then they proceed through with the interview process using. I'm trying to think of the official name,

Question: Can I stop you right there. What positions or who comprises the interview panel?

Answer: It's usually done by the Deputy Director, in conjunction with the front line supervisor

Question: So actually the person that candidate is going to report to, like the deputy director or the supervisor, are on the panel?

Answer: Generally, yes

Question: So the director doesn't say you're going to hire this person with no input?

Answer: No sir. And as a matter of fact, as that panel is conducted, and they fill out their answer sheet, we call them score sheets, they have an official title, I just can't think of it, and they have their interview notes that go along with it, that's all handled at the division level, usually by whoever that candidate would be reporting to, and then that's worked up through their chain of command, and once that packet is completed, they send it to the Human Resources Office where we review all of the notes, we are looking for various things, um, that the scoring is consistent with who they've selected as their top candidate. My assistant reviews that, she does the background check, I look at it, and then I take it to the Director, and the Director and I usually have a conversation if one is needed, about the hiring, and then that's it. So the Director does not sit on these panels unless he's requested to sit on them. Human Resources sits on some of the panels, but it's not always me, its other employees in my office too.

Question (01:18:14): But the decision is basically made on who they want before it ever gets to the Director, and he just confirms it.

Answer: Yes sir

Asked by: Rep. Tallon

Date asked: 10/04/2017

Topic: New Hire procedure

Answered by: Terri McGee

Date: October 4, 2017

Question: How many times has it occurred that the division wants the person and the director turns them down?

Answer: I would have to think on the actual number, but I can tell you just as an estimate, very seldom, maybe 1%. If that happens, then the director, deputy director, and I have a discussion, so it takes the three of us, we have a discussion about possible what our concerns are in Human Resources, let's say there's a background check that's not going to be acceptable to us, long term, then I will talk with the Director, or I will talk with the Deputy Director because they may not be aware of that, but I can't think of many at all where the Director, or I, did not sign off on a selection made by the panel. Director Taylor - If something is found in the background check, I ask HR to take that back to the Deputy Director to make sure they know about it and then the Deputy Director says, yes I'm still okay with it, or no based on this, the candidate no longer fits our needs.

Time in Meeting: 01:18:50

Asked by: Rep. Tallon

Topic: New Hire

Answered by: Terri McGee

Date: October 4, 2017

Question: So you and Ms. McGee don't just sit down and decide to toss candidates out without talking to others like your Colonel, etc.?

Answer: Absolutely not. Matter of fact, I typically don't even know who is being interviewed for the jobs until Ms. McGee walks into my office and she says this is the candidate, and sometimes I say, who interviewed? Or who was up for it? And she'll say because she'll have the list, but many times we don't even have that discussion.

Time in Meeting: 01:21:10

Asked by: Rep. Tallon

Topic: New Hire

Answered by: Alvin Taylor

Date: October 4, 2017

During the October 4, 2017 Subcommittee meeting, Subcommittee Chair Tallon commends the agency for having its deputy directors and the employees the candidates are going to work for directly involved in the hiring process.

Rep. Tallon (1:21:59): I like the hiring process that you go through, I really like and commend you on having your deputy directors and the people they are going to be working for involved in the hiring process. As you well know, that's not done in some agencies, and I think its something that needs to be done, and I commend you for that.

During the February 12, 2018 Subcommittee meeting, Subcommittee Chair Tallon notes this recommendation may assist the agency avoid any potential allegations that having deputy directors and others directly involved in the process provides opportunities for those higher ranking officers to pressure other employees on the interview panels to give certain applicants high or low scores.

¹³⁵ February 12, 2018 Meeting Minutes and Video, 01:28:21.

¹³⁶ October 9, 2017 Meeting Minutes and Video; and November 30, 2017 Meeting Minutes and Video.

¹³⁷ October 4, 2017 Meeting Minutes and Video, 02:09:50.

¹³⁸ Ibid, 02:08:55 and 02:14:00.

¹³⁹ Ibid, 02:10:05.

¹⁴⁰ S.C. House of Representatives, House Legislative Oversight Committee, "October 17, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Meetings," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/LawSub/October%202017,%20Meeting%20Minutes.pdf> (Accessed December 5, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php>. Hereinafter, "October 17, 2017 Meeting Minutes and Video."

¹⁴¹ October 17, 2017 Meeting Minutes and Video.

¹⁴² October 9, 2017 Meeting Minutes and Video.

¹⁴³ Ibid.

¹⁴⁴ November 30, 2017 Meeting Minutes and Video; See also, Letter from DNR to Oversight Subcommittee (November 17, 2017), Question 11 (The agency believes that dike repair projects are substantially similar in scope to road repair projects and typically involve less public funds than road repair projects. Additionally, the Department of Health and Environmental Control recently received a similar exemption from the State Fiscal Accountability Authority (SFAA) for dam safety issues for a five-year period, at the meeting held on May 2, 2017.); See also, S.C. Code Ann. § 11-35-710(1) (specifically provides exemptions for Department of Transportation and Department of Public Safety from certain purchasing procedures for "the construction, maintenance, and repair of bridges, highways, and roads; vehicle and road equipment maintenance and repair; and other emergency-type parts or equipment utilized by the Department of Transportation or the Department of Public Safety.")

¹⁴⁵ Letter from DNR to Oversight Subcommittee (November 17, 2017), Question 11 (As an example, the agency provided information on Springfield Cut at Bear Island Wildlife Management Area which was damaged during Hurricane Matthew in October 2016); S.C. House of Representatives, House Legislative Oversight Committee, "Letter from DNR to Oversight Subcommittee (November 17, 2017)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Correspondence," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Letter%20from%20DNR%20to%20Oversight%20Subcommittee%20\(November%202017,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Letter%20from%20DNR%20to%20Oversight%20Subcommittee%20(November%202017,%202017).pdf) (Accessed December 5, 2017), Question 11. Hereinafter, "Letter from DNR to Oversight Subcommittee (November 17, 2017)."

¹⁴⁶ November 30, 2017 Meeting Minutes and Video.

¹⁴⁷ Ibid.

¹⁴⁸ October 9, 2017 Meeting Minutes and Video, 01:58:55.

¹⁴⁹ Ibid. See also, Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 31; and November 30, 2017 Meeting Minutes and Video. (Each year there is a preseason meeting where agency representatives review permit conditions and Charles River Endosafe, the company purchasing the blood from the suppliers, provides each supplier a seasonal quota. The agency estimates \$400,000 to \$500,000 is paid to the harvesters each year. While the agency is not privy to the value of the blood to Charles River Endosafe, agency representatives acknowledge it is likely much greater than the \$500,000 paid to the harvesters.)

¹⁵⁰ February 12, 2018 Meeting Minutes and Video, 0048:50.

¹⁵¹ Ibid.

¹⁵² February 12, 2018 Meeting Minutes and Video, 00:49:48.

¹⁵³ Ibid, 00:49:56.

¹⁵⁴ Ibid, 00:50:25.

¹⁵⁵ Ibid, 00:20:00.

¹⁵⁶ October 4, 2017 Meeting Minutes and Video.

¹⁵⁷ Ibid, 01:34:38.

¹⁵⁸ Ibid, 01:34:38.

¹⁵⁹ Ibid, 01:34:38.

¹⁶⁰ Ibid, 01:39:57.

¹⁶¹ Ibid, 01:39:57.

¹⁶² November 30, 2017 Meeting Minutes and Video.

¹⁶³ Ibid.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.

¹⁶⁹ S.C. Code Ann. Section 49-23-60.

¹⁷⁰ South Carolina Department of Natural Resources, "Drought Response Committee Members," under "South Carolina State Climatology Office," under "Drought," and under "Committee Members," http://www.dnr.sc.gov/climate/sco/Drought/drought_committee_members.php (Accessed November 29, 2017). Hereinafter, "Drought Response Committee Members."

¹⁷¹ Ibid.

¹⁷² Ibid.

¹⁷³ October 23, 2017 Meeting Minutes and Video.

¹⁷⁴ October 17, 2017 Meeting Minutes and Video, 01:00:20.

¹⁷⁵ Ibid.

¹⁷⁶ October 23, 2017 Meeting Minutes and Video.

¹⁷⁷ October 17, 2017 Meeting Minutes and Video, 01:24:46.

¹⁷⁸ Ibid, 01:27:35.

¹⁷⁹ Ibid, 01:27:35.

¹⁸⁰ November 30, 2017 Meeting Minutes and Video.

¹⁸¹ Ibid.

¹⁸² Ibid, 00:34:44.

¹⁸³ November 30, 2017 Meeting Minutes and Video.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid; See also, Letter from DNR to Oversight Subcommittee (November 22, 2017), Law Enforcement Division - Question 11. (As shown in the 2017 Law Enforcement Investigations and Education Statistics Report the following are some of the most common causes the agency has found: (a) fail to maintain proper lookout; (b) operator inattention; (c) excessive speed; (d) operator inexperience; (e) fault of machinery; (f) alcohol use; and (g) careless/reckless operation.)

¹⁸⁵ S.C. Code Ann. Setion. 50-21-870(B)(9)(a).

¹⁸⁶ Ibid.

¹⁸⁷ Letter from DNR to Oversight Subcommittee (November 22, 2017), Law Enforcement Division, Question 10.

¹⁸⁸ Ibid, Question 13. (Other southeastern states with a mandatory boater safety course requirement include: Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Tennessee, and Virginia. Complete list of states with a mandatory boater safety course requirement according to the National Association of State Boating Law Administrators include: Alabama, Arkansas, California, Connecticut, District of Columbia, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Maryland, Michigan, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania , Rhode Island, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, and Wisconsin.)

¹⁸⁹ November 30, 2017 Meeting Minutes and Video.

¹⁹⁰ S.C. House of Representatives, House Legislative Oversight Committee, "November 6, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Meetings," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/November%206,%202017%20-%20Meeting%20Minutes.pdf> (Accessed December 5, 2017). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php> at 00:44:15 of part 2 of the archived video. Hereinafter, "November 6, 2017 Meeting Minutes and Video."

¹⁹¹ November 6, 2017 Meeting Minutes and Video, 00:44:30 and 00:45:25.

¹⁹² February 12, 2018 Meeting Minutes and Video, 00:47:20.

¹⁹³ Ibid, 01:53:50.

¹⁹⁴ Ibid.

¹⁹⁵ October 9, 2017 Meeting Minutes and Video.

¹⁹⁶ Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 21.

¹⁹⁷ Phone conversation between Mr. Charles Appleby, General Counsel of the House Legislative Oversight Committee and Mr. Delbert H. Singleton, Jr., Procurement Services Division Director and Authority Secretary (October 2017).

¹⁹⁸ November 30, 2017 Meeting Minutes and Video.

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

²⁰¹ Ibid.

²⁰² Letter from DNR to Oversight Subcommittee (November 22, 2017), Law Enforcement Division - Question 28.

²⁰³ Ibid.

²⁰⁴ February 12, 2018 Meeting Minutes and Video. Subcommittee recommendation number eight was implemented. See also, S.C. House of Representatives, House Legislative Oversight Committee, "Complaint Procedure (Board Policy 2016.01)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Natural Resources, Department of (DNR)," and under "Agency Policies," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/DNR/Complaint%20Procedure%20Policy%202016.01.pdf> (Accessed February 23, 2018).

²⁰⁵ The Subcommittee recommends notifying the House Ways and Means Committee of the agency's recommendation, and providing it with information the Subcommittee has obtained about the recommendation, so the Ways and Means Committee may further analyze the recommendation since it is the committee that receives the acquisition notification.

²⁰⁶ The Subcommittee recommends notifying the House Agriculture, Natural Resources & Environmental Affairs Committee of the agency's recommendation, and providing it with information the Subcommittee has obtained about the recommendation, so the Agriculture, Natural Resources & Environmental Affairs Committee may further analyze the recommendation.

²⁰⁷ Agency PER, pp. 21-28.

²⁰⁸ Ibid.

²⁰⁹ Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 38.

²¹⁰ Letter from DNR to Oversight Subcommittee (November 22, 2017), Law Enforcement Division - Question 30.

²¹¹ Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 39.

²¹² Ibid, Question 40.

²¹³ Ibid, Question 41.

²¹⁴ Ibid, Question 42.

²¹⁵ Letter from DNR to Oversight Subcommittee (November 22, 2017), Law Enforcement Division - Question 31.

²¹⁶ Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 5 and Exhibit E.

²¹⁷ Ibid, Question 7 and Exhibit G.

²¹⁸ Ibid.

²¹⁹ Letter from DNR to Oversight Subcommittee (November 22, 2017), Office of Environmental Programs - Question 3.

²²⁰ Ibid.

²²¹ Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 26.

²²² Letter from DNR to Oversight Subcommittee (November 22, 2017), Office of Environmental Programs - Question 3.

²²³ Letter from DNR to Oversight Subcommittee (November 17, 2017), Question 7.

²²⁴ Ibid, Question 6.

²²⁵ Ibid, Question 5.

²²⁶ Ibid, Question 4.

²²⁷ Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 4 and Exhibit D.

²²⁸ Ibid, Question 3 and Exhibit C.

²²⁹ Ibid.

²³⁰ Ibid.

²³¹ Ibid, Question 2.

²³² Letter from DNR to Oversight Subcommittee (November 22, 2017), Law Enforcement Division - Question 8.

²³³ Letter from DNR to Oversight Subcommittee (October 27, 2017), Question 17 and Exhibit L.

²³⁴ Ibid.

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Committees:

Agriculture, Natural Resources
and Environmental Affairs, 2nd VC
Legislative Oversight

House of Representatives
State of South Carolina

March 1, 2018

Member Statement for the Subcommittee Study of the Department of Natural Resources

Dear Chairman Newton:

I have always believed as elected officials it is our responsibility to serve our constituents to the best of our ability. I am proud to serve on a committee that thoroughly researches and debates the issues at hand while allowing for public comment. With that being said, it seems that we have allowed people, who use anonymity as their shield, to negatively impact a respectable state agency without the agency being able to confront witnesses against them.

I do believe you to be a fair Chairman and I am in no way questioning your leadership. However, I am concerned that we are setting a precedent by which we are giving all of the power to a group of people who are protected through anonymity, while at the same time accused agencies' whose integrity is being questioned aren't allowed to properly confront the witnesses against them. They don't know who they are defending themselves from.

I am not sure there is anything that can be done to remedy the situation which I find to be so troublesome. I am only writing you today to express my concern. I understand that the right to free speech is protected under the First Amendment; however, I also understand that anyone accused of criminal behavior has a constitutional right to confront the witnesses against them.

I appreciate you taking the time to listen to my concerns. I want us to be fair to everyone we work with. It is a pleasure serving on the Legislative Oversight Committee under your leadership. Please let me know if I can ever be of service.

Sincerely,

Bill Hixon
Committee Member
SC House of Representative District 83

ADJUTANT GENERAL'S OFFICE

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Notification of the Executive Subcommittee's Study of the Office of the Adjutant General

April 2, 2018

In accordance with Standard Practice 12.5, notice is hereby provided that the Executive Subcommittee's oversight study of the Office of the Adjutant General is available for consideration by the full committee.

The Honorable Gary E. Clary
Executive Subcommittee Chair

cc: The Honorable Laurie Slade Funderburk
The Honorable Wm. Weston J. Newton
The Honorable Robert Q. Williams

Please note: this report's appendices are not included in the meeting packet.

You may view the full report, including appendices, at

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Subcommittee%20Study%20-%20Office%20of%20the%20Adjutant%20General.pdf>

Legislative Oversight Committee

Study of the
Office of the Adjutant General
April 2, 2018



FULL COMMITTEE OPTIONS STANDARD PRACTICE 13	FULL COMMITTEE ACTION(S)	DATE(S) OF FULL COMMITTEE ACTION(S)
(1) Refer the study and investigation back to the subcommittee or an ad hoc committee for further evaluation; (2) Approve the subcommittee's study; or (3) further evaluate the agency as a full committee, utilizing any of the available tools of legislative oversight available		

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AGENCY SNAPSHOT

Office of the Adjutant General

Major Agency Organizational Units

Air and Army National Guard

Generates mission/combat ready units able to fulfill both federal and state missions; employs conventional munitions in the destruction/suppression of enemy air defenses, while providing 24/7 homeland defense alert fighter response

Emergency Management Division

Serves as the lead coordinating agency during natural disasters and emergencies; serves as the pass-through organization for federal funding to support several disaster recovery and mitigation programs

Military Museum

Informs the public about South Carolina's military history from the colonial era to present day operations

FY 17-18 Resources

Employees
FTE: 107
Temp: 55
Grant: 278
Time Limited: 33

Funding
\$156.78M
Appropriated and Authorized

State Guard

Assumes a support role in the event the SC National Guard is mobilized as it is the state's authorized and funded volunteer militia

Youth ChalleNGe Academy

Conducts two, five-month long classes a year to help at-risk youth acquire the basic skills and education necessary to succeed in life such as working toward their General Education Development (GED) and additional training

STARBASE Swampfox

Motivates elementary school students to explore science, technology, engineering and math by engaging students through hands-on activities

CHALLENGES

- Facing maintenance challenges of aging SC Army National Guard facilities (average age is 39 years)
- Increasing need for state investment as the SC National Guard seeks to increase force structure
- Slowing military construction resources due to federal budget constraints of the last two decades

SUCCESSES

- Coordination of the state's and state agencies' overall response during recent disasters (e.g., 2014 ice storm, 2015 flood, 2016 Hurricane Matthew, 2016 Pinnacle Mountain Fire, and 2017 Hurricane Irma)

- Reduction in overall unemployment for current and former members of the SC National Guard (rate is now under 2%)

- Provision of combat-ready personnel and units for the U.S. Army and U.S. Air Force; S.C. National Guard deployed 397 Service Members overseas in federal fiscal year 2017

Figure 1. Snapshot of the agency's major organizational units, fiscal year 2017-18 resources (employees and funding), successes, and challenges.¹

EXECUTIVE SUMMARY

Purpose of Oversight Study

As stated in S.C. Code of Laws § 2-2-20(B), “[t]he **purpose of these oversight studies** and investigations is to **determine if agency laws and programs** within the subject matter jurisdiction of a standing committee: (1) **are being implemented** and carried out in accordance with the intent of the General Assembly; and (2) **should be continued, curtailed, or eliminated.**” In making these determinations, the Subcommittee evaluates (1) the application, administration, execution, and effectiveness of the agency’s laws

and programs, (2) the organization and operation of the agency, and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.²

Study Process

The House Legislative Oversight Committee’s (Committee) process for studying the Office of the Adjutant General (agency) includes actions by the full Committee; Executive Subcommittee (Subcommittee); the agency; and the public. Key dates and actions are listed below in Figure 2.

Legislative Oversight Committee Actions

- May 10, 2017 - Prioritizes the agency for study
- May 19, 2017 - Provides the agency notice about the oversight process
- June 27 - July 28, 2017 - Solicits input about the agency in the form of an online public survey
- October 16, 2017 - Holds **Meeting #2** to obtain public input about the agency

Executive Subcommittee Actions

- October 10, 2017 - Holds **Meeting #1** to discuss the agency's history; legal directives; mission; vision; general information about employees; and agency organization
- November 20, 2017 - Holds **Meeting #3** to discuss the following organizational units at the agency: (1) S.C. Military Museum; (2) S.C. Youth ChalleNGe Academy (i.e., education enrichment for at-risk youth); (3) STARBASE Swampfox (i.e., elementary school curriculum to motivate students to explore science, technology, engineering, and math); and (4) Emergency Management Division
- December 7, 2017 - Holds **Meeting #4** to discuss the the following organizational units at the agency: (1) S.C. Army National Guard; (2) S.C. Air National Guard; and (3) State Guard
- February 15, 2018 - Holds **Meeting #5** to discuss follow-up items from prior meetings

Office of the Adjutant General Actions

- March 11, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- January 12, 2016 - Submits its **2016 Annual Restructuring Report**
- September 2016 - Submits its **2015-16 Accountability Report**
- September 29, 2017 - Submits its **Program Evaluation Report**
- May, 2017 - February, 2018 - Responds to Subcommittee's inquiries

Public's Actions

- June 27 - July 28, 2017 - Provides input about the agency via an **online public survey**
- Ongoing - Submits written comments on the Committee's webpage on the General Assembly's website (www.scstatehouse.gov)

Figure 2. Summary of key dates and actions of the study process.

Recommendations

The Subcommittee has sixteen recommendations for revisions. Fourteen recommendations pertain to the agency; recommendation topics include: (1) S.C. Youth ChalleNGe Academy (SCYCA) and STARBASE Swampfox (STARBASE); (2) S.C. Military Museum; (3) S.C. Emergency Management Division; (4) agency processes; (5) real property; and (6) laws. Also, there are two recommendations to the General Assembly, both pertain to the State Guard.

Table 1. Summary of recommendations arising from the study process.

Topic	Recommendations for Office of the Adjutant General
S.C. Youth ChalleNGe Academy and STARBASE Swampfox	<ol style="list-style-type: none">1. Collaboration - Communicate SCYCA (i.e., educational enrichment for at-risk youth) opportunities to personnel involved with the juvenile justice system including, but not limited to, judges and solicitors, as an alternative sentencing option2. Resources - Determine viability of integrating an apprenticeship program in SCYCA3. Strategic Planning - Develop a long-term strategic plan for SCYCA4. Performance - Add performance measures for SCYCA and STARBASE (i.e., elementary school curriculum to motivate students to explore science, technology, engineering, and math)
S.C. Military Museum	<ol style="list-style-type: none">5. Collaboration - Explore advertising opportunities for the S.C. Military Museum through other state agencies6. Collaboration - Consult with the Department of Administration about potential advantages of a partnership between the S.C. Military Museum and State Museum7. Strategic Planning - Develop a plan to increase K-12 student visitation at the S.C. Military Museum and track student attendance as a performance measure8. Performance - Collect email addresses from visitors of the S.C. Military Museum in an effort to increase feedback9. Performance - Add cost-related performance measures for the S.C. Military Museum
S.C. Emergency Management Division	<ol style="list-style-type: none">10. Collaboration - Communicate with Clemson University's Social Media Listening Center regarding the mining of social media data related to, and during, state emergencies[^]
Agency Processes	<ol style="list-style-type: none">11. Resources - Continue efforts to update the agency's archival process12. Performance - Complete the employee satisfaction/morale survey, provide results to the Committee, and determine if the agency has authorization to share the format of the survey with other state agencies
Real property	<ol style="list-style-type: none">13. Collaboration - Explore potential benefits that may be gained through[^] collaboration with the Department of Administration (e.g., state's potential purchase of property near McEntire Joint National Guard Base and co-use of armories by other state agencies)

Laws	14. <i>Legal Directives</i> - Continue the agency's review of Title 25 (Military, Civil Defense, and Veterans Affairs) of the S.C. Code of Laws and provide the General Assembly recommendations for any necessary revisions
Topic	Recommendations for the General Assembly
State Guard	15. <i>Legal Directives</i> - Remove statutory references to active duty pay for members of the State Guard* 16. <i>Legal Directives</i> - Consider additional funding for State Guard training and equipment*

*Table Note: Recommendations with an * are requested by the State Guard. An ^ indicates recommendations the agency has already begun to implement.*

There are **no** specific recommendations with regards to continuance of agency programs or elimination of agency programs.

Internal Changes Implemented by Agency Related to Study Process

During the study process, the agency begins implementing recommendation number ten by contacting Clemson University's Social Media Listening Center regarding the mining of social media data related to, and during, state emergencies.³

Additionally, the agency begins implementing recommendation number eleven by beginning to update its archival process.

AGENCY OVERVIEW

History

The Office of the Adjutant General provides the Committee with an overview of the agency's history.⁴ In addition, Committee staff confirms the accuracy of assertions of legislative action.

Origins of the South Carolina National Guard and South Carolina State Guard

- On the first Wednesday of April, 1670, three ships from England and the Caribbean sail into what is now known as Charleston Harbor. A militia, formed of all male inhabitants and free men of Carolina between the ages of 17 and 60, is called to bear arms.
- In 1903, the Militia Act creates a federally recognized and supported National Guard.
- In 1905, South Carolina's legislature enacts a military code. The state's organized militia is officially known as the S.C. National Guard.⁵

Appointed Adjutant Generals

Major Pierce Butler (1779-1791)

- As the first Adjutant General, Major Butler is appointed by Governor John Rutledge and tasked with reorganizing the state's defenses.
- From 1792 to 1903, twelve different Adjutant Generals are appointed.

Elected Adjutant Generals

Major General James C. Dozier (1926-1958 - longest tenure)

- In 1946, the S.C. Air National Guard is organized at the Congaree Air Base in Richland County, near the town of Eastover.
- In 1950, S.C. Civil Defense is organized as a division of the Office of the Adjutant General.⁶
- In 1958, S.C. Civil Defense is recognized as an independent agency with the director reporting to the Governor.⁷

Major General Frank D. Pinkney (1959-1970)

- Upon recommendation of Governor Ernest F. Hollings and approval by the Secretary of the Air Force, in 1961, Congaree Air Base is renamed McEntire Air National Guard Base to honor the heroism of Brigadier General Barnie Bryant McEntire, Jr., Chief of Staff of the Air National Guard.⁸

Major General Robert L. McCrady (1971-1978)

- In 1973, the S.C. Civil Defense Agency is reorganized as the State Disaster Planning Board, which is later renamed the S.C. Disaster Preparedness Agency.⁹ Also in 1973, the first two women enlist in the S.C. National Guard: First Lieutenant Bonnie Morse and Specialist Ramona Swails.
- In 1977, the S.C. Disaster Preparedness Agency becomes a division in the Office of the Governor.¹⁰

Major General T. Eston Marchant (1979-1995)

- In 1979, the S.C. Emergency Preparedness Division (SCEPD) is established in its current form as a division of the Office of the Adjutant General; also, the State Emergency Operations Center (SEOC) is established.¹¹
- In 1981, the “National Guard Museum and State Weapons Collection” opens in Sumter County.¹²
- In 1982, the General Assembly defines the standards for emergency preparedness at the county and state level.¹³ The counties’ responsibilities include establishment of a formal emergency preparedness organization and an emergency preparedness plan.
- In 1986, the U.S. Army Center for Military History and the National Guard Bureau recognize the museum as a “Provisional Army National Guard Museum.”

Major General Stanhope S. Spears (1995-2011)

- In 1998, the military museum is relocated from Sumter to Columbia for greater accessibility. Later in 1998, the museum’s name is changed to the “S.C. Military Museum.”¹⁴ In July 1998, the Wil Lou Gray Opportunity School and the S.C. Army National Guard partner to start the S.C. Youth ChalleNGe Academy.
- In 2000, SCEPD moves to its current location in the Fish Hatchery National Guard Armory in West Columbia.
- In 2002, the General Assembly changes the name of the State Emergency Preparedness Division to the S.C. Emergency Management Division (SCEMD).¹⁵
- In school year 2003-2004, STARBASE Swampfox is established through a cooperative agreement program with the S.C. Military Department and receives funding from the Department of Defense. Classes are conducted at local schools, reaching 210 students.
- In 2006, six emergency management regions are established to provide support for local governments.
- In 2007, the S.C. Military Museum opens Gallery One, which features authentic weapons, uniforms, equipment, artillery pieces, and armored vehicles from colonial era to Desert Shield/Storm period.
- In January 2008, the S.C. Youth ChalleNGe Academy relocates to Camp Long in Aiken County and partners with Clemson University and Aiken County Adult Education.
- In 2009, the museum is recognized as an official “Army National Guard Museum” by the U.S. Army Center for Military History and the National Guard Bureau. In September 2009, the S.C. Youth ChalleNGe Academy relocates to its current location at the McCrady Army National Guard Training Center in the town of Eastover.

Major General Robert E. Livingston, Jr. (2011-present)

- In 2012, Dr. Charles E. Cauthen of Midlothian, Virginia donates an extensive collection of artifacts to the S.C. Military Museum. Also, in 2012, the museum expands into a second building. Further, in 2012, the S.C. Youth ChalleNGe Academy partners with the Department of Juvenile Justice.¹⁶
- In 2014, the S.C. Military Museum opens Gallery Two, expanding its timeline to the Global War on Terror. The museum features macro-artifacts such as an M3 Halftrack and an H13B “Sioux” Helicopter (Serial Number 1). Further, in 2014, the museum hosts the “Palmetto Military Festival,” which among other things, honors the 70th Anniversary of D-Day.

- In 2015, South Carolina's Korean War Veterans are honored by the museum and the Adjutant General with the Republic of Korea's "Ambassador for Peace Medal." Further, in 2015, the S.C. Youth ChalleNGe Academy is selected by the U.S. Department of Labor to administer the Job ChalleNGe Program, a residential program expanding and enhancing the S.C. Youth ChalleNGe Academy's job skills component.
- In January 2016, the Job ChalleNGe Program, housed at Camp Long in Aiken County, begins the first cohort (cycle). In July, S.C. Youth ChalleNGe Academy partners with the Richland School District One Adult Education Program. Also, in 2016, the S.C. Military Department and museum honor Vietnam veterans as part of the national Vietnam 50th Anniversary Commemoration.
- In 2017, construction on Gallery Three begins, expanding the museum's focus on army aviation. After a Department of Defense compliance visit in April 2017, STARBASE Swampfox is recommended to move to a "Double Program" status due to its success in past years.

Service to the State

- The Office of the Adjutant General and its subordinate organizations have served the state in times of natural disaster and emergency.

Hurricanes

- In 1989, Hurricane Hugo makes landfall north of Charleston Harbor as a category four storm. There are 35 casualties and more than six and a half billion dollars in damages¹⁷. The S.C. National Guard responds with the activation of 6,317 National Guardsmen, 47% of the state's total strength.
- In 1999, Hurricane Floyd impacts South Carolina causing \$20 million in eligible public assistance damages.
- In 2016, Hurricane Matthew makes landfall as a category one storm near McClellanville, S.C. It impacts the entire coast line with storm surges, downed trees, and flooding (i.e., coastal and inland communities receive as much as fifteen inches of rain). There are over \$320 million in estimated eligible public assistance damages. At the peak of operations, more than 2,900 S.C. Army National Guard Soldiers, 50 S.C. Air National Guard Airmen, and 90 State Guard are mobilized to assist (e.g., evacuations, security operations, logistics, sandbags, engineer assets and recovery support).¹⁸

Other Storms

- In 2014, an ice storm impacting almost half of the counties in the state causes an estimated \$270 million in eligible public assistance damages.¹⁹
- In 2015, historic flooding affects the majority of the state. Nineteen deaths are attributed to the event, and damages are estimated at \$2.2 billion, with estimates of over \$180 million in eligible public assistance damages. Total Federal Emergency Management Agency assistance delivered to South Carolina is expected to exceed \$275 million. S.C. National Guard personnel numbers peak between October eighth and eleventh with over 4,100 personnel on the ground.²⁰

Wildfires

- On April 23, 2009, wildfires ignite west of Myrtle Beach in Horry County. Within two hours, S.C. Army National Guard deploy a UH-60 Black Hawk, with NC Army National Guard air crews, to support the Horry County Fire Department. The crews drop over 904,000 gallons of water during operations totaling more than 93 flight hours.
- From November 9, 2016, to the time it is controlled on December 16, 2016, the Pinnacle Mountain fire in Pickens County destroys 10,623 acres of forest. Aircraft from the S.C. and Georgia Army National Guards and the U.S. Forest Service drop more than two million gallons of water on the fire.

Emergencies

- On January 6, 2005, two trains collide near the Avondale Mills plant in Graniteville (Aiken County). A tank car ruptures, releasing approximately 60 tons of chlorine gas. Nine people die, and at least 250 people are treated for chlorine exposure.²¹ In total, 5,400 residents within one mile of the crash site must evacuate for nearly two weeks, while cleanup teams decontaminate the area.

Service to the Nation

- From 1670 to 1903, units of the S.C. Militia participate in the American Revolution, War of 1812, Creek War, Second Seminole War, Mexican-American War, Civil War, and Spanish-American War.
- In 1918, the 118th Infantry Regiment is sent to the Gouy-Naroy sector in France. They drive 18,000 yards into enemy territory to help break the German's Hindenburg Line and turn the tide in World War I. Six members of the 118th Infantry receive the Medal of Honor, among them are Lieutenant James C. Dozier, the future thirteenth Adjutant General.
- On July 18, 1943, the 178th Field Artillery Battalion lands in Gela, Sicily. This battalion is the first National Guard unit from the palmetto state to fight in the European theater of World War II.
- From 1990 to 1991, 22 S.C. Army and Air National Guard units are called to active duty for Operations Desert Shield/Desert Storm. The 228th Signal Brigade's Mobile Communications Detachment, based in Spartanburg, is the first of the S.C. Army National Guard units to deploy. The units mobilize on August 7, 1990, and, on the same day, two of their personnel are on the first Army Central Command flight to Riyadh, Saudi Arabia. The Air National Guard's 169th Tactical Fighter Wing flies the first combat air missions of Operation Desert Storm into Kuwait. The 169th Tactical Fighter Wing flies 2,000 combat missions, dropping four million pounds of munitions, while maintaining the highest aircraft mission-capable rate in the theater.
- In 2002, the 169th Fighter Wing deploys six F-16 fighter jets and 200 personnel to support Operation Enduring Freedom in the aftermath of the attacks on the United States on September 11th. Within three months, they bomb several key Taliban strongholds in Afghanistan and support troops on the ground.
- In 2003, the 169th Fighter Wing deploys fighter jets and personnel to support Operation Iraqi Freedom.
- From October 1, 2003, to September 30, 2004, the S.C. Army National Guard has 2,891 soldiers deployed, its highest number at any given time during the Global War on Terrorism. Among the

units deployed, the 122nd Engineer Battalion is deployed to Iraq and receives the Valorous Unit Award.

- In 2010, the 169th Fighter Wing becomes the first Air National Guard unit to support an Air Expeditionary Force mission for 120 days. While simultaneously deploying airmen for Operation Enduring Freedom, the wing deploys more than 300 airmen in support of Operation Iraqi Freedom during which the 169th flies more than 800 combat air patrol missions over Iraq. The deployment allows the Swamp Fox team to escort the last Army combat forces out of Iraq on the last day of Iraqi Freedom, fittingly as the 169th had been there for day one of the operation in 2003.

Mission and Vision

The **mission** of the Office of the Adjutant General is to:

- provide combat-ready units to the Army and Air Force;
- provide planning, coordination, and military capabilities in response to state emergencies; and
- add value to the State of South Carolina and nation with community-based organizations, partnerships, soldiers, airmen, and employees ready to meet the challenges of the twenty-first century.²²

The **vision** of the Office of the Adjutant General is to:

Be ready to execute missions today with a relevant force structure composed of resilient service members, employees and families, who are responsible to the nation, communities, families, soldiers, and airmen.²³

The agency notes both federal and state statutes as the legal basis for its mission and vision:

- U.S. Code of Laws, Title 10 - Armed Forces
- U.S. Code of Laws, Title 32 - National Guard
- U.S. Code of Laws, Title 50 - War and National Defense
- S.C. Code of Laws, Title 1 - Administration of The Government
- S.C. Code of Laws, Title 23 - Law Enforcement And Public Safety
- S.C. Code of Laws, Title 25 - Military, Civil Defense and Veterans Affairs

Agency Organization

Governing Body

In the Program Evaluation Report, the Committee asks the agency to provide information about the agency's governing body. The agency provides the information below.²⁴

In accordance with Article VI, Section 7 of the State Constitution, the Adjutant General is a constitutional officer elected by the people. The Adjutant General of South Carolina, Major General Robert E. Livingston, Jr. governs the Office of the Adjutant General/S.C. Military Department. Major General Livingston has held this position since January 2011.

Beginning in 2018, the Adjutant General's position changes from an elected position to a gubernatorial appointment with the advice and consent of the Senate.²⁵

Agency Organizational Units

Every agency has an organization or hierarchy that is reflected in the agency's organizational chart. Within the organization are separate units. An agency may refer to these units as departments, divisions, functional areas, cost centers, etc. Each unit is responsible for contributing to the agency's ability to provide services and products.

During the study process the Committee asks the agency about its organization and major operating programs.²⁶ The Office of the Adjutant General informs the Committee it is comprised of eight organizational units: (1) S.C. Emergency Management Division; (2) State Guard; (3) S.C. Youth/Job ChalleNGe Academy; (4) STARBASE Swampfox; (5) S.C. Military Museum; (6) S.C. Joint Services Detachment; (7) S.C. Army National Guard; and (8) S.C. Air National Guard.²⁷

S.C. Emergency Management Division (SCEMD) is the coordinating agency responsible for the statewide emergency management program. This program supports local authorities to minimize the loss of life and property from all-hazard events. SCEMD serves as the lead state coordinating agency during natural disasters and emergencies. Also, SCEMD serves as the pass-through organization for federal funding to support several disaster recovery and mitigation programs. Table 2 provides additional information about the unit's employees (e.g., turnover, satisfaction, etc.).

Table 2. Organizational Unit: Emergency Management Division employee information.

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	20%	20%	15%
Is employee satisfaction evaluated?	No	No	Yes
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)?	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

S.C. State Guard (SCSG) is the state's volunteer militia (i.e., authorized and funded). SCSG assumes a support role in the event the S.C. Air National Guard and/or S.C. Army National Guard are mobilized. Volunteer members of the SCSG, over 900, include both retired and former military personnel as well as non-prior military service personnel, select professionals with specialized skills, and community leaders. SGSG augments the state's emergency response capabilities. Table 3 provides additional information about the unit's employees.

Table 3. Organizational Unit: State Guard employee information.

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	42%	30%	24%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)?	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	None	All	All

S.C. Youth ChalleNGe Academy (SCYCA) is one of the agency's organizational units. SCYCA is a part of a nationwide program to provide educational enrichment to at-risk youth. SCYCA conducts two, five-month long classes a year to help youth acquire the basic skills and education necessary to succeed in life. Youth have the opportunity to work toward earning their General Education Development (GED). Select graduates of the SCYCA have the opportunity for additional training. Table 4 provides additional information about the unit's employees.

Table 4. Organizational Unit: S.C. Youth ChalleNGe Academy employee information.

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	37%	56%	25%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	Yes	Yes	Yes
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)?	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

STARBASE Swampfox motivates students to explore science, technology, engineering, and math by engaging students through an inquiry-based curriculum with "hands-on, mind-on" experiential activities. It is a part of a national educational program funded by the Department of Defense, focused on elementary students, primarily fifth graders. Additionally, the program supports school districts' standards of learning objectives. Table 5 provides additional information about the unit.

Table 5. *Organizational Unit: STARBASE Swampfox employee information.*

<u>Details:</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
What is the turnover rate?	0%	0%	13%
Is employee satisfaction evaluated?	Yes	Yes	Yes
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)?	No	No	No
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	N/A	N/A	N/A

S.C. Military Museum informs the public about South Carolina's military history from the colonial era to present day operations. The museum's artifacts are valued at over five million dollars. It is the second oldest and fourth largest National Guard museum in the country. Table 6 provides additional information about the unit.

Table 6. *Organizational Unit: S.C. Military Museum employee information.*

<u>Details:</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
What is the turnover rate?	25%	40%	40%
Is employee satisfaction evaluated?	No	No	No
Is anonymous employee feedback allowed?	No	No	No
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)?	No	No	No
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	N/A	N/A	N/A

S.C. Joint Services Detachment is a volunteer organization; its members (approximately 30) are appointed by the Governor and the Adjutant General. This organizational unit supports the Youth ChalleNGe Academy, S.C. Military Museum, and National Guard Service Members in preparation for, during, and after active duty deployments. Data about volunteers in this unit is not tracked.

S.C. Army National Guard is one of the agency's organizational units. Its mission is to generate mission/combat ready units able to fulfill both the federal and state missions. Specifically, its three main competences are (1) homeland defense/emergency preparedness (defense support to civil authorities), (2) quality soldier and family support systems, and (3) innovative technological applications. Table 7 provides additional information about the unit's state employees.

Table 7. *Organizational Unit: S.C. Army National Guard state employee information.*

<u>Details:</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
What is the turnover rate?	13.0%	13.6%	12.6%
Is employee satisfaction evaluated?	Yes	Yes	Yes
Is anonymous employee feedback allowed?	Yes	Yes	Yes
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)?	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

S.C. Air National Guard (SCANG) is one of the agency's organizational units. SCANG's mission is to employ conventional munitions in the destruction/suppression of enemy air defenses, while providing around-the-clock homeland defense alert fighter response. Additionally, SCANG assists the state's homeland security office, and provides disaster preparation and response support for defense support to civil authorities activities.²⁸ Table 8 provides additional information about the unit's state employees.

Table 8. Organizational Unit: S.C. Air National Guard state employee information.

Details:	2014-15	2015-16	2016-17
What is the turnover rate?	9%	10%	9%
Is employee satisfaction evaluated?	Yes	Yes	Yes
Is anonymous employee feedback allowed?	Yes	Yes	Yes
Do any positions require a certification (e.g., teaching, medical, accounting, etc.)?	Yes	Yes	Yes
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	All	All	All

Figure 3 includes the agency's complete organizational chart, as of March 2018.

Organizational Chart

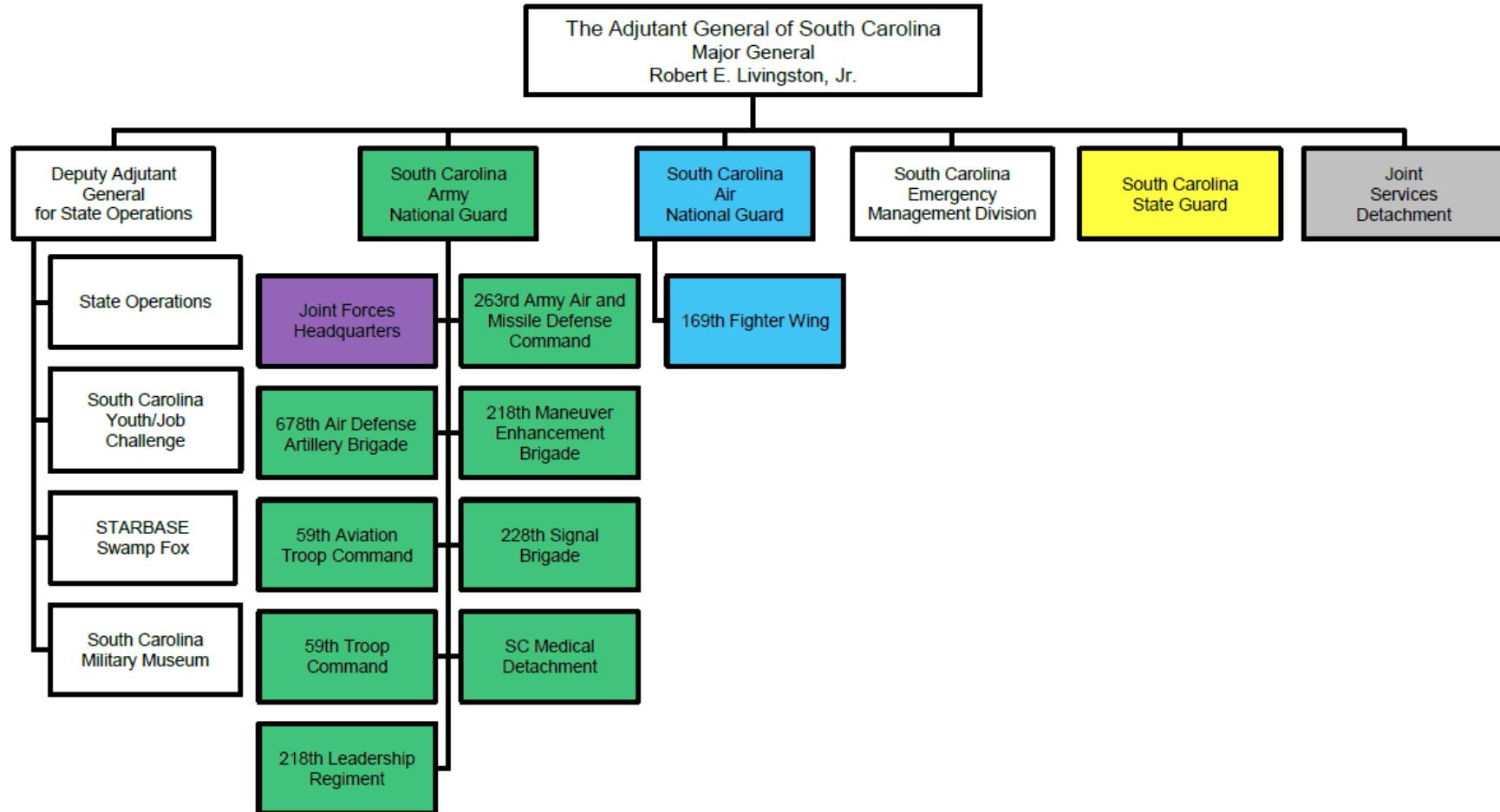


Figure 3. Organizational chart provided by the agency, current as of March 2018.²⁹

Internal Audit Process

In the Program Evaluation Report, the Committee asks the agency to provide information about its internal audit process, if it has one. The agency provides the information below.³⁰

The Office of the Adjutant General/S.C. Military Department does not have an internal audit department. However, each state's National Guard has a United States Property and Fiscal Office (USPFO) to support the Adjutant General's state mission while providing essential oversight of federal resources.

Each USPFO has an Internal Review (IR) Division composed of federal civilian auditors responsible for conducting reviews of programs and activities of the Army and Air National Guard that involve federal resources. The IR Division is responsible for preparation and publication of the annual audit plan with guidance from the Audit Committee, Adjutant General, and USPFO. The IR Division offers managers an independent, timely, and objective control perspective of programs, systems, functions, and activities. The IR Division conducts compliance, performance, and efficiency audits. Additionally, the IR Division maintains and updates annually a risk assessment file that includes major programs, activities, functions, or systems.

In the past five years, the IR Division has completed thirteen audits of cooperative agreement programs managed by the Office of the Adjutant General/S.C. Military Department in support of the S.C. Army and Air National Guards.³¹ These audit reports are classified "For Official Use Only." Requests for release of the audit reports may be made to the US Property and Accountability Officer for S.C.

Legal Obligations

In the Program Evaluation Report, the Committee asks the agency to list the laws applicable to it. Listed below is a summary of the information the agency provides.³²

The State Constitution states the Governor is the Commander in Chief of the Militia and establishes the position of Adjutant General as a state constitutional officer.³³ Various statutes provide the term, duties, compensation, and qualifications for the office, including, but not limited to, the following: (1) Title 1 - Administration of the Government; (2) Title 7 - Elections; (3) Title 8 - Public Officers and Employees; (4) Title 16 - Crimes and Offenses; (5) Title 23 - Law Enforcement and Public Safety; (6) Title 25 - Military, Civil Defense and Veterans Affairs; (7) Title 44 - Health; (8) Title 54 - Ports and Maritime Matters; and (9) Title 59 - Education. A complete list of laws the agency asserts are applicable to it is available on the Committee's website.³⁴

Products, Services, and Customers

In the Program Evaluation Report the Committee asks the agency to provide information about the products and services it provides. Appendix A includes a summary of products and services provided and customer segments served, by agency organizational units.

Table 9 includes information about products and services the agency provides. Among other things, this table notes whether the product or service is required in law and data the agency tracks related to customers and costs. Additional information related to services provided by the Emergency Management Division is available in Appendices B through H.

Figure 4 includes a map of locations around the state from which some of the agency's products and services are provided.

Table 9. Details about agency products, services, and customers.³⁵

Product or Service	LAW	CUSTOMERS			COSTS	
	Does the law require, allow, or not address it?	Does the agency know the annual number of potential customers ?	Does the agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
S.C. Military Museum Customer Segments: General Public						
Building, grounds, and artifacts to create a military museum and personnel to manage it	Require	✓	✓	✗	✗	✗
S.C. Air National Guard and S.C. Army National Guard Customer Segments: General public, executive branch, state agencies, and local governments						
Support law enforcement in drug enforcement matters	Allow	✗	✓	✗	✗	✗
Support National Guards from other states in counter-drug activities	Allow	✗	✓	✗	✗	✗
Maintenance of peace and order	Require	✗	✗	✗	✗	✗
Assist with transportation of equipment and personnel to support Firefighter Mobilization Plan	Require	✗	✓	✗	✗	✗
State flag to family of deceased Guardsman	Require	✗	✓	✗	✓	✗
Reports of training to use state militia appropriations	Require	✗	✗	✗	✗	✗

Product or Service	LAW	CUSTOMERS			COSTS	
	Does the law require, allow, or not address it?	Does the agency know the annual number of potential customers ?	Does the agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
State provision of transportation for officers, and transportation and food for enlisted soldiers on state active duty (<i>Army National Guard only</i>)	Require	✓	✓	✗	✓	✗
Secure personal effects of a National Guard member who dies	Require	✗	✗	✗	✗	✗
Reports to the Governor of treasonous activity	Require	✗	✗	✗	✗	✗
National Guard forces to support Emergency Management Assistance Compact	Require	✗	✗	✗	✗	✗
Assistance to the State Public Safety Authority in enforcing orders	Allow	✗	✗	✗	✗	✗
State Guard Customer Segments: Executive branch, state agencies, and local governments						
Caisson unit which may be used for funerals of dignitaries and military-oriented activities/events	Require	✗	✓	✗	✗	✗
State flag to family of deceased Guardsman	Require	✗	✓	✗	✓	✗
Reports of training to use state militia appropriations	Require	✗	✗	✗	✗	✗
Assistance to sheriffs and deputy sheriffs in enforcing state laws, when requested	Allow	✗	✗	✗	✗	✗

Product or Service	LAW	CUSTOMERS			COSTS	
	Does the law require, allow, or not address it?	Does the agency know the annual number of potential customers ?	Does the agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
Assistance to the State Public Safety Authority in enforcing orders	Allow	×	×	×	×	×
Emergency Management Division (SCEMD)						
Customer Segments: General public, legislative branch, executive branch, state agencies, and local governments						
SCEMD Director serves on the First Responders Advisory Committee	Require	×	×	×	×	×
SCEMD Director serves as vice chair of the Firefighter Mobilization Oversight Committee	Require	×	×	×	×	×
Develop a certification system for reentry into or remaining in a curfew area	Require	×	✓	×	×	×
SCEMD representative serves on the Department of Insurance Advisory Committee	Require	×	×	×	×	×
SCEMD representative serves as a member of the Emergency Medical Services Advisory Council	Require	×	×	×	×	×
Office of Ocean and Coastal Resource Management at the Department of Health and Environmental Control consults with SCEMD to establish beach/dune rebuilding system	Require	×	×	×	×	×
SCEMD representative serves on the Drought Response Committee	Require	×	×	×	×	×
Meet Local Emergency Management standards	Not Address	×	×	×	×	×

Product or Service	LAW	CUSTOMERS			COSTS	
	Does the law require, allow, or not address it?	Does the agency know the annual number of potential customers ?	Does the agency know the annual number of customers served ?	Does the agency evaluate customer satisfaction ?	Does the agency know the cost it incurs, per unit, to provide the product or service?	Does the law allow the agency to charge for it to cover the agency's costs?
Meet State Emergency Management standards	Not Address	✗	✗	✗	✗	✗
Membership on the Drought Response Committee	Not Address	✗	✗	✗	✗	✗
Communication of Governor's emergency declaration to county agencies	Not Address	✗	✗	✗	✗	✗
Meals to SCEMD employees serving at the state emergency operations center and unable to leave their stations	Require	✗	✓	✗	✗	✗
Quarterly report on status of expenditure of funds appropriated for the Federal Emergency Management Agency (FEMA) match for specific emergency events	Require	✗	✗	✗	✗	✗



SCARNG Stationing Plan as of October 2017

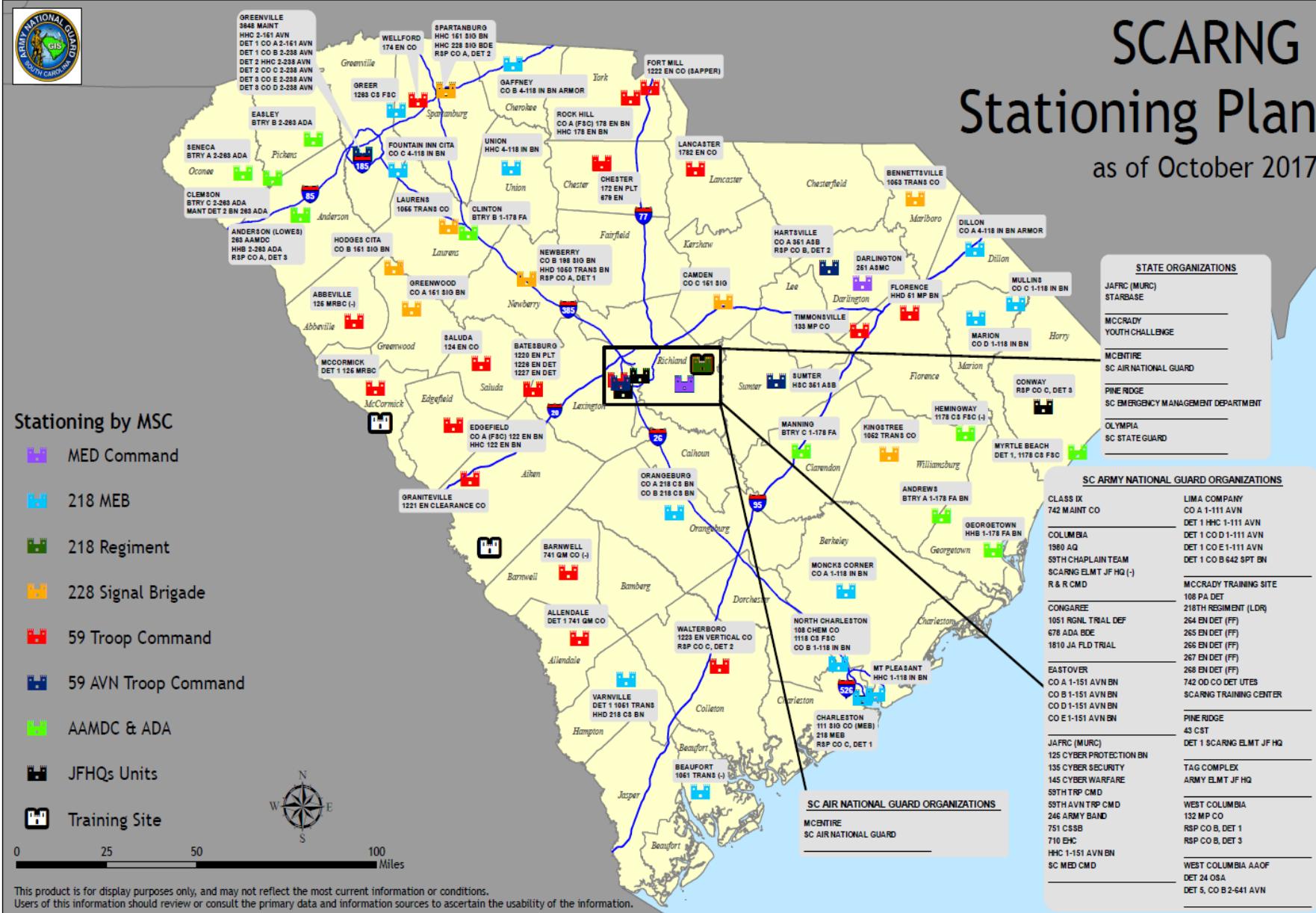


Figure 4. Map of agency locations.³⁶

Other Agencies Whose Mission the Products and Services May Also Fit Within

During the study of an agency, the Committee asks the agency if there are any other agencies serving or which could serve similar customers or provide similar products and services. Table 10 includes information from the Office of the Adjutant General regarding other agencies whose mission some of the Office of the Adjutant General's products and services may also fit within, with deliverables grouped together.³⁷ A table listing similar deliverables by each of the other individual state agencies is available in Appendix I.

Table 10. Other agencies whose mission the Office of the Adjutant General's services and products may fall within.

Other state agencies whose mission the deliverable may fit within	Deliverable (i.e., service or product)
SLED; DPS; DNR; PRT; and PPP	<ul style="list-style-type: none"> • Maintenance of peace and order • State Guard assistance to sheriffs and deputy sheriffs in enforcing state laws, when requested • Reports to the Governor of treasonous activity • Assistance to the State Public Safety Authority in enforcing orders
SLED; DPS; DNR; and PRT	<ul style="list-style-type: none"> • Support to law enforcement in drug enforcement matters
SLED; DPS; and DNR	<ul style="list-style-type: none"> • Support to National Guards from another states in counter-drug activities
DNR and LLR	<ul style="list-style-type: none"> • Service on the Firefighter Mobilization Oversight Committee
DNR; LLR; and DOT	<ul style="list-style-type: none"> • Assistance with transportation of equipment and personnel to support Firefighter Mobilization Plan
LLR and DHEC	<ul style="list-style-type: none"> • Service on the First Responders Advisory Committee
Department of Commerce and LLR	<ul style="list-style-type: none"> • Certification system for reentry into or remaining in a curfew area
CG; SFAA and DOA	<ul style="list-style-type: none"> • Audits and annual settlements for federal and state property; conduct investigations for loss
CG and SFAA	<ul style="list-style-type: none"> • Reports of training to use state militia appropriations • Deposit of rental income into state accounts for operations and maintenance of the military department. Promulgation of regulations governing rentals and audit rental accounts/funds. • Quarterly report on status of expenditure of funds appropriated for the Federal Emergency Management Agency match for specific emergency events
CG; SFAA and WCC	<ul style="list-style-type: none"> • Estimated premium to cover actual workers' compensation benefits to Guard members
DOA	<ul style="list-style-type: none"> • Assurance that agency properties are properly acquired, leased, sold, maintained and/or transferred • Recommendation of appointee to the board of Patriot's Point Development Authority • Communication of Governor's emergency declaration to county agencies • Sub-lease of parking spaces by a 501(c)(4) • Lease of parking spaces at the Columbia Armory during events at Williams-Brice stadium

DOA (Division of Veterans' Affairs)	<ul style="list-style-type: none"> • S.C. Medal of Valor and recipient roll • S.C. Prisoner of War Medal • State flag to family of deceased Guardsman • Caisson unit which may be used for funerals of dignitaries and military-oriented activities/events • Assistance to National Guard Association of S.C. and S.C. National Guard Foundation
Department of Education and DSS	<ul style="list-style-type: none"> • Financial support to National Guard Association of S.C. and S.C. National Guard Foundation in promoting health and welfare of S.C. National Guard personnel
Department of Education	<ul style="list-style-type: none"> • Commission of Citadel's Board of Visitors, administrative staff and faculty as members of the unorganized militia • Service as an ex officio member of the Citadel Board of Visitors • Commission on Higher Education consultation with the Adjutant General annually to assess "areas of critical need" criteria • State Board of Education coordination the Office of the Adjutant General to govern and control U.S. Junior Reserve Officers' Training Corps high school training
State Museum	<ul style="list-style-type: none"> • S.C. Military Museum
Department of Agriculture; Department of Education; and DOA (Division of Veterans' Affairs)	<ul style="list-style-type: none"> • Department of Agriculture coordinates with the Office of the Adjutant General and specified institutions of higher learning to recruit and train veterans and support the program
SFAA (Office of the State Engineer) and Department of Insurance	<ul style="list-style-type: none"> • Service on Department of Insurance Advisory Committee
DHEC and DNR	<ul style="list-style-type: none"> • Office of Ocean and Coastal Resource Management of the Department of Health and Environmental Control consults with SCEMD to establish beach/dune rebuilding system

Table Note: The following state agencies are listed in the chart: State Museum; Department of Insurance; Workers' Compensation Commission (WCC); State Fiscal Accountability Authority (SFAA); Comptroller General (CG); Department of Social Services (DSS); Department of Education; Department of Agriculture; Department of Commerce; Department of Transportation (DOT); Department of Health and Environmental Control (DHEC); Department of Labor, Licensing, and Regulation (LLR); Department of Administration (DOA); Department of Administration (Division of Veterans' Affairs); Department of Probation, Parole and Pardon (PPP); Department Parks, Recreation, and Tourism (PRT); Department of Natural Resources (DNR); Department of Public Safety (DPS); and State Law Enforcement Division (SLED)

Strategic Resource Allocation and Performance

Annually, each agency submits a strategic plan.³⁸ Of interest in the oversight process is the total resources available to an agency and how the agency allocates human and financial resources to the goals and objectives in the agency's strategic plan.

Table 11 includes the funding sources each organizational unit of the agency utilized during fiscal years 2016-17 and 2017-18.

Table 11. Funding sources utilized by the agency in fiscal years 2016-17 and 2017-18.³⁹

Agency Organizational Unit	Funding Sources Utilized in Fiscal Year 2016-17			
	Recurring Federal	Recurring General Fund	One-time General Fund	One-time Other
Air National Guard	\$4,559,426 (73.85%)	\$1,418,428 (22.98%)	\$0 (0.00%)	\$195,665 (3.17%)
Army National Guard	\$27,568,716 (74.13%)	\$3,223,063 (8.67%)	\$0 (0.00%)	\$6,399,802 (17.21%)
State Guard	\$1,649,922 (74.07%)	\$577,535 (25.93%)	\$0 (0.00%)	\$0 (0.00%)
Military Museum	\$34,050 (9.13%)	\$338,726 (90.87%)	\$0 (0.00%)	\$0 (0.00%)
Youth ChalleNGe Academy	\$3,571,574 (74.08%)	\$1,249,772 (25.92%)	\$0 (0.00%)	\$0 (0.00%)
STARBASE Swampfox	\$324,508 (81.79%)	\$72,269 (18.21%)	\$0 (0.00%)	\$0 (0.00%)
Emergency Management Division	\$72,173,217 (87.11%)	\$1,896,017 (2.29%)	\$3,292,920 (3.97%)	\$5,492,974 (6.63%)

Agency Organizational Unit	Funding Sources Utilized in Fiscal Year 2017-18			
	Recurring Federal	Recurring General Fund	One-time General Fund	One-time Other
Air National Guard	\$3,297,334 (63.84%)	\$1,867,527 (36.16%)	\$0 (0.00%)	\$0 (0.00%)
Army National Guard	\$28,313,435 (76.79%)	\$3,006,689 (8.15%)	\$0 (0.00%)	\$5,550,000 (15.05%)
State Guard		\$490,263 (100.00%)	\$0 (0.00%)	\$0 (0.00%)
Military Museum		\$351,143 (100.00%)	\$0 (0.00%)	\$0 (0.00%)
Youth ChalleNGe Academy	\$4,200,000 (80.77%)	\$1,000,000 (19.23%)	\$0 (0.00%)	\$0 (0.00%)
STARBASE Swampfox	\$300,000 (85.44%)	\$51,143 (14.56%)	\$0 (0.00%)	\$0 (0.00%)
Emergency Management Division	\$25,885,842 (24.64%)	\$1,612,729 (1.53%)	\$72,572,807 (69.07%)	\$5,000,000 (4.76%)

Table 12 summarizes the amount the agency spent on each goal or strategy as a percentage of the total amount the agency was appropriated and authorized to spend in fiscal years 2016-17 and 2017-18, along with the agency organizational unit associated with each applicable goal or strategy.

Tables 13.1-13.2, 13.4, 13.6-13.7, 13.9, 13.11, 13.13, 13.15, 13.17, 13.19, 13.21, and 13.23 illustrate, in greater detail, the agency's allocation of not only its financial resources, but also its human resources among its goals and strategies in fiscal years 2016-17 and 2017-18.

Also of interest during the study process is how the agency measures its performance in implementing the goals, strategies, and objectives of its strategic plan. Tables 13.3, 13.5, 13.8, 13.10, 13.12, 13.14, 13.16, 13.18, 13.20, 13.22, and 13.24 provide information on the data the agency tracks to measure its performance, sorted by agency strategy.

Table 12. Summary of the amount the agency spent on each goal or strategy as a percentage of the total amount the agency was appropriated and authorized to spend in fiscal years 2016-17 and 2017-18, along with the agency organizational unit associated with each applicable goal or strategy.⁴⁰

	Number of employee equivalents working the goal and strategy in FY 2016-17	Amount spent on each goal and strategy in FY 2016 - 2017	Number of employee equivalents working the goal and strategy in FY 2017-18	Amount budgeted to each goal and strategy in FY 2017 - 2018	Associated Organizational Unit
Goal 1 - Grow the S.C. Army National Guard to 10,000 soldiers with relevant force structure					
Strategy 1.1 - Modernize and expand infrastructure capacity	12 FTE 9 Temp 41 Grant 1 Time Limited	\$25,632,413 (18.62%)	13 FTE 14 Temp 68 Grant 1 Time Limited	\$30,031,117 (19.15%)	S.C. Army National Guard (SCARNG)
Goal 2 - Set the conditions to gain a Brigade Combat Team (BCT)					
Strategy 2.1 - Build Modular BCT Force Structure	4 FTE 2 Temp 3 Grant	\$8,456,012 (6.14%)	4 FTE 1 Temp 4 Grant	\$4,925,130 (3.58%)	SCARNG
Goal 3 - Ensure joint and relevant force structure at McEntire Joint National Guard Base (JNGB)					
Strategy 3.1 - Improve McEntire JNGB Infrastructure	3 FTE 1 Temp 33 Grant	\$4,389,971 (3.19%)	9 FTE 1 Temp 44 Grant	\$5,052,127 (3.67%)	S.C. Air National Guard (SCANG)

	Number of employee equivalents working the goal and strategy in FY 2016-17	Amount spent on each goal and strategy in FY 2016 - 2017	Number of employee equivalents working the goal and strategy in FY 2017-18	Amount budgeted to each goal and strategy in FY 2017 - 2018	Associated Organizational Unit
Goal 4 - Establish a consolidated joint, interagency, intergovernmental, multinational Emergency Operations Center concept of operations					
Strategy 4.1 - Modernize and integrate response capabilities into interagency processes, practices, and functions	4 FTE 1 Temp 5 Grant	\$6,693,849 (4.86%)	3 FTE 0 Temp 8 Grant	\$13,009,143 (9.45%)	S.C. Emergency Management Division (SCEMD), SCARNG, SCANG, State Guard
Strategy 4.2 - Improve response planning and validation	41 FTE 2 Temp 7 Grant	\$2,097,891 (1.52%)	41 FTE 3 Temp 7 Grant	\$2,100,000 (1.53%)	SCEMD, SCARNG, SCANG, State Guard
Goal 5 - Provide for the safety, health, and wellbeing of the citizens, residents, and visitors of S.C.					
Strategy 5.1 - Provide force protection at National Guard facilities	2 FTE 2 Temp 31 Grant	\$1,783,548 (1.30%)	2 FTE 2 Temp 29 Grant	\$112,734 (0.08%)	SCARNG, SCANG
Strategy 5.2 - Provide State Guard support to the citizens of S.C.	4 FTE 2 Temp	\$443,909 (0.32%)	5 FTE 2 Temp	\$377,529 (0.27%)	State Guard
Strategy 5.3 - Provide STARBASE program to local schools	2 FTE 3 Temp 4 Grant	\$396,777 (0.29%)	2 FTE 4 Temp 5 Grant	\$351,143 (0.26%)	STARBASE Swamp Fox
Strategy 5.4 - Provide SC Youth ChalleNGe Academy to challenged youth	2 FTE 13 Temp 60 Grant	\$4,821,296 (3.50%)	2 FTE 19 Temp 46 Grant	\$5,200,000 (3.78%)	S.C. Youth ChalleNGe Academy (SCYCA)
Strategy 5.5 - Provide and operate the State Military Museum	4 FTE 3 Temp	\$372,776 (0.27%)	4 FTE 3 Temp	\$351,143 (0.26%)	S.C. Military Museum
Strategy 5.6 - Provide state-level emergency management of disasters and multi-county events	13 FTE 1 Temp 23 Grant	\$71,003,596 (51.58%)	16 FTE 2 Temp 25 Grant	\$86,723,950 (62.99%)	SCEMD, SCARNG, SCANG, State Guard

	Number of employee equivalents working the goal and strategy in FY 2016-17	Amount spent on each goal and strategy in FY 2016 - 2017	Number of employee equivalents working the goal and strategy in FY 2017-18	Amount budgeted to each goal and strategy in FY 2017 - 2018	Associated Organizational Unit
Strategy 5.7 - Provide for the safety and safe working environment for Service Members and agency employees	5 FTE 0 Temp 47 Grant	\$3,059,793 (2.22%)	3 FTE 1 Temp 53 Grant	\$3,238,285 (2.35%)	SCEMD, SCARNG, SCANG, State Guard, SCYCA, STARBASE Swampfox, S.C. Military Museum
Strategy 5.8 - Conduct enterprise operations in support of National Guard and state activities	4 FTE 4 Temp 0 Grant 30 Time Limited	\$3,514,008 (2.55%)	4 FTE 4 Temp 0 Grant 32 Time Limited	\$1,801,143 (1.31%)	SCARNG
Total toward strategic plan	105 FTE 47 Temp 275 Grant 31 Time Limited	\$130,471,440	107 FTE 55 Temp 278 Grant 33 Time Limited	\$153,273,444	
Total not toward agency's strategic plan - Pass through to the South Carolina Wing Civil Air Patrol	0	\$55,000	0	\$55,000	

Table 13.1. Agency Strategy 1.1: Modernize and expand infrastructure capacity. Applicable to S.C. Army National Guard.

GOAL 1 Grow the S.C. Army National Guard to 10,000 Soldiers with relevant force structure

Strategy 1.1 Modernize and expand infrastructure capacity

Objective 1.1.1	Refine real property development plan (annually)
Objective 1.1.2	Refine military construction and state investment strategy (annually)
Objective 1.1.3	Maintain contracting personnel certifications and ensure adequate contracting support
Objective 1.1.4	Construct suitable facilities to provide a safe and secure facility in support of local/state/federal requirements to meet current and future missions
Objective 1.1.5	Sustain, maintain, inspect, correct deficiencies, and improve existing facilities to provide a safe and secure facility in support of local/state/federal requirements to meet current and future missions
Objective 1.1.6	Maintain ongoing sustainment training for building and grounds maintenance and support personnel to meet current and future technical requirements

Responsible Employee(s): Colonel Brigham Dobson (responsible for one year)

Employee have input in budget? Yes, Colonel Dobson has input into the budget for Strategy 1.1

External Partner(s): None

	<u>FTE equivalents utilized</u>	<u>Total spent⁴¹ / budgeted⁴²</u>
2016-17	12 FTE 9 Temp 41 Grant 30 Time Limited	\$25,632,413 (18.62%)
2017-18	13 FTE 14 Temp 68 Grant 1 Time Limited	\$30,031,117 (19.15%)

Table 13.2. Agency Strategy 2.1: Build Modular Brigade Combat Team (BCT) Force Structure. Applicable to S.C. Army National Guard.

GOAL 2 Set the conditions to gain a Brigade Combat Team (BCT)

Strategy 2.1 Build Modular BCT Force Structure

Objective 2.1.1	Maintain contracting personnel certifications and ensure adequate contracting support
Objective 2.1.2	Construct suitable facilities to provide a safe and secure facility in support of local/state/federal requirements to meet current and future missions
Objective 2.1.3	Sustain, maintain, inspect, correct deficiencies, and improve existing facilities to provide a safe and secure facility in support of local/state/federal requirements to meet current and future missions
Objective 2.1.4	Provide ongoing sustainment training for building and grounds maintenance and support personnel to meet current and future technical requirements

Responsible Employee(s): Colonel Brigham Dobson (responsible for one year)
Employee have input in budget? Yes, Colonel Dobson has input into the budget for Strategy 2.1

External Partner(s): None

	<u>FTE equivalents utilized</u>	<u>Total spent⁴³ / budgeted⁴⁴</u>
2016-17	4 FTE 2 Temp 3 Time Limited	\$8,456,012 (6.14%)
2017-18	4 FTE 1 Temp 4 Time Limited	\$4,925,130 (3.58%)

Table 13.3. Performance measures associated with Strategy 1.1 and 2.1.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Maintain readiness centers at an overall READINESS Rating level of R1 based on National Guard Bureau Installation Status Report, ISR-Condition</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado National Guard (NG) (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30</p> <p>Note 1⁴⁵: <i>R1: Good</i>—Facilities fully support the wartime/primary missions of assigned units, organizations and tenants. The condition and configuration of facilities present no limitations to unit readiness. <i>R2: Adequate</i>—Facilities support most the wartime/primary missions of assigned units, organizations and tenants. The condition and configuration of facilities present only minor limitations to unit readiness. <i>R3: Poor</i>—Facilities present challenges to the wartime/primary missions of assigned units, organizations and tenants. The condition and configuration of facilities impair mission performance and require assigned units to establish alternative means to support readiness. <i>R4: Failing</i>—Facilities present significant challenges to the wartime/primary missions of assigned units, organizations and tenants. The condition and configuration of facilities require assigned units to expend considerable additional effort to compensate for shortcomings.</p>	Outcome	<u>Target:</u> R2 <u>Actual:</u> R3	<u>Target:</u> R2 <u>Actual:</u> R3	<u>Target:</u> R2 <u>Actual:</u> R3	<u>Target:</u> R2 <u>Actual:</u> R3	<u>Target:</u> R2
<p>Maintain readiness centers at an overall MISSION Ready Rating level of F1 based on National Guard Bureau Installation Status Report, ISR-Functionality</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30</p> <p>Note 2⁴⁶: <i>F1: Good</i>—Meets all functional needs and reflects the best use of the design. Footprint meets current size criteria for the design use. Based on the ratings entered is fully mission capable. <i>F2: Adequate</i>—Meets the minimum functional needs for the designed use. Footprint may be less than the current size criteria for the design use. Smaller and less functional than green but meets all basic requirements. Based on the ratings entered is mission capable. <i>F3: Poor</i>—Several significant functional needs not met. Footprint is less than the current size criteria for the design use. Undersized with few requirements met. Based on the ratings entered is only partially Mission capable. <i>F4: Failing</i>—Does not meet functional needs of the design use category code. Undersized footprint and/or obsolete design. May require military construction, repurposing, or disposal. Failing facility not meeting basic functional requirements. Based on the ratings entered is not Mission capable. <i>F4NF: Non-Functional</i>—When the Operational Status Code in the general fund enterprise business system (web-based enterprise resource planning system for the US Army) or the planning resource for infrastructure development and evaluation (US Army National Guard facilities management system) is Non-Functional, ISR-I will display the F4NF Mission rating. A quality inspection is required depending on the reason in the real property system. (Renovation, Damage, or Environmental).</p>	Outcome	<u>Target:</u> F2 <u>Actual:</u> F3	<u>Target:</u> F2 <u>Actual:</u> F3	<u>Target:</u> F2 <u>Actual:</u> F3	<u>Target:</u> F2 <u>Actual:</u> F3	<u>Target:</u> F2

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Maintain readiness centers at an overall QUALITY Rating level of Q1 based on National Guard Bureau Installation Status Report, ISR-Quality</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30</p> <p>Note 3⁴⁷: <i>Q1: Good</i>—The condition meets or exceeds Army standards for most or all rated components. The cost to improve will be no more than 10% of the replacement value. <i>Q2: Adequate</i>—The condition meets the minimum level of Army standards for most or all rated components. The cost to improve will be no more than 20% of the replacement value. <i>Q3: Poor</i>—The condition fails to meet the minimum level of Army standards for at least one major rated component. The cost to improve will be no more than 40% of the replacement value. <i>Q4: Failing</i>—The condition fails to meet the minimum level of Army standards for multiple rated components. The cost to improve will exceed 40% of the replacement value.</p>	Outcome	<u>Target:</u> Q1 <u>Actual:</u> Q2				
<p>Maintain field maintenance sites at an overall READINESS Rating level of R1 based on National Guard Bureau Installation Status Report, ISR-Condition</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30; See Note 1 in the first row of this table</p>	Outcome	<u>Target:</u> R1 <u>Actual:</u> R4	<u>Target:</u> R1 <u>Actual:</u> R4	<u>Target:</u> R1 <u>Actual:</u> R4	<u>Target:</u> R4 <u>Actual:</u> R4	<u>Target:</u> R3
<p>Maintain field maintenance sites at an overall MISSION Rating level of F1 based on National Guard Bureau Installation Status Report, ISR-Functionality</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30; See Note 2 in the second row of this table</p>	Outcome	<u>Target:</u> F1 <u>Actual:</u> F2	<u>Target:</u> F1 <u>Actual:</u> F2	<u>Target:</u> F1 <u>Actual:</u> F2	<u>Target:</u> F1 <u>Actual:</u> F1	<u>Target:</u> F1

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Maintain field maintenance sites at an overall QUALITY Ready Rating level of Q1 based on National Guard Bureau Installation Status Report, ISR-Quality</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 - June 30; See Note 3 in the third row of this table</p>	Outcome	<u>Target:</u> Q1 <u>Actual:</u> Q1	<u>Target:</u> Q1 <u>Actual:</u> Q1	<u>Target:</u> Q1 <u>Actual:</u> Q1	<u>Target:</u> Q1 <u>Actual:</u> Q1	<u>Target:</u> Q1 <u>Actual:</u> Q1
<p>Maintain open work orders for readiness centers/field maintenance sites/training centers/ranges/army aviation support facilities at a manageable level (capacity) based on available funding and in-house manpower, greater than 90% requires contracting support for normal sustainment work</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Information not available at national level (i.e., National Guard Bureau) <u>Additional Notes:</u> Measured October 1 through June 30</p>	Efficiency	Agency was not utilizing measure	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 95% <u>Actual:</u> 95%*	<u>Target:</u> 95%
<p>Maintain an average age of 30 years or less for readiness Centers⁴⁸</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Information not available at national level (i.e., National Guard Bureau) <u>Additional Notes:</u> Measured October 1 through June 30</p>	Outcome	<u>Target:</u> <30 <u>Actual:</u> 35	<u>Target:</u> <30 <u>Actual:</u> 36	<u>Target:</u> <30 <u>Actual:</u> 37	<u>Target:</u> <30 <u>Actual:</u> 39	<u>Target:</u> <30

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. * denotes a new work measure initiated.

Table 13.4. Agency Strategy 3.1: Provide Force Protection at National Guard facilities. Applicable to S.C. Air National Guard.

GOAL 3 Ensure joint and relevant force structure at McEntire Joint National Guard Base (JNGB)

Strategy 3.1 Improve McEntire JNGB Infrastructure

Objective 3.1.1	Construct suitable facilities to provide a safe and secure facility in support of local/state/federal requirements to meet current and future missions
Objective 3.1.2	Sustain, maintain, inspect, correct deficiencies, and improve existing facilities to provide a safe and secure facility in support of local/state/federal requirements to meet current and future missions
Objective 3.1.3	Maintain ongoing sustainment training for building and grounds maintenance and support personnel to meet current and future technical requirements
Objective 3.1.4	Maintain proper training of both state and federal employees
Objective 3.1.5	Ensure adequate contracting support
Objective 3.1.6	Support Air Guard initiatives in environmental, security, recruitment, operations and maintenance.

Responsible Employee(s): Major Gareth Fleisher (responsible for eight years)

Employee have input in budget? Yes, Major Fleisher has input into the budget for Strategy 3.1

External Partner(s): None

	FTE equivalents utilized	Total spent ⁴⁹ / budgeted ⁵⁰
2016-17	3 FTE 1 Temp 33 Grant	\$4,389,971 (3.19%)
2017-18	9 FTE 1 Temp 44 Grant	\$5,052,127 (3.67%)

Table 13.5. Performance measures associated with Strategy 3.1.

<u>Performance Measure</u>
Readiness status of Air Guard facilities (federal facilities) is consolidated, tracked, and monitored at the federal (National Guard Bureau) level

Table 13.6. Agency Strategy 4.1: Modernize and integrate response capabilities into interagency processes, practices, and functions. Applicable to SCEMD, S.C. Army National Guard, S.C. Air National Guard, and State Guard.

GOAL 4 Establish a consolidated joint, interagency, intergovernmental, multinational Emergency Operations Center concept of operations

Strategy 4.1 Modernize and integrate response capabilities into interagency processes, practices, and functions

Objective 4.1.1	Enhance the state's capability to mitigate, prepare for, respond to and recover from threats and hazards that pose the greatest risk
Objective 4.1.2	Refine existing emergency management capabilities while building, strengthening, and retaining high quality employees
Objective 4.1.3	Enhance the ability to recover from disasters while building non-federal support programs
Objective 4.1.4	Improve delivery of federal, interstate and intrastate assistance by enhancing disaster logistics operations
Objective 4.1.5	Enhance communications and information technology systems to ensure redundancy, efficiency, and sustainability
Objective 4.1.6	Develop resilience across the private sector in order to develop public-private partnerships
Objective 4.1.7	Optimize search and rescue capabilities
Objective 4.1.8	Optimize intelligence fusion capabilities
Objective 4.1.9	Improve the integration of the State Guard into the conduct of response operations

Responsible Employee(s): Mr. Kim Stenson (responsible for four years)^

Employee have input in budget? Yes, Mr. Stenson has input into the budget for Strategy 4.1

External Partner(s): Federal and state government, non-governmental organizations, higher education institutions, and professional associations

	FTE equivalents utilized*	Total spent ⁵¹ / budgeted ^{52*}
2016-17	4 FTE 1 Temp 5 Grant	\$6,693,849 (4.86%)
2017-18	3 FTE 0 Temp 8 Grant	\$13,009,143 (9.45%)

Notes:

[^]The following other organizational units also are associated with this strategy and have their own respective responsible employee: S.C. Army National Guard, S.C. Air National Guard, and State Guard.

^{*}The employee and financial data are the total state personnel and funds utilized by the agency across four units (Emergency Management Division, S.C. Army National Guard, S.C. Air National Guard, and State Guard). During times of emergency, additional federal personnel and funding (S.C. Army National Guard and S.C. Air National Guard) may be utilized.

Table 13.7. Agency Strategy 4.2: Improve response planning and validation. Applicable to SCEMD, S.C. Army National Guard, S.C. Air National Guard, and State Guard.

GOAL 4 Establish a consolidated joint, interagency, intergovernmental, multinational Emergency Operations Center concept of operations

Strategy 4.2 Improve response planning and validation

Objective 4.2.1	Enhance and sustain statewide training and all-hazard exercises
Objective 4.2.2	Conduct exercise GRIDEx ⁵³
Objective 4.2.3	Improve the integration of the State Guard into the conduct of training exercises

Responsible Employee(s): Mr. Kim Stenson (responsible for four years)^

Employee have input in budget? Yes, Mr. Stenson has input into the budget for Strategy 4.2

External Partner(s): Federal and state government entities, non-governmental organizations, higher education institutions, and professional associations (for a complete list see the agency's Program Evaluation Report, Strategic Plan Summary Chart)

	FTE equivalents utilized*	Total spent ⁵⁴ / budgeted ^{55*}
2016-17	41 FTE 2 Temp 7 Grant	\$2,097,891 (1.52%)
2017-18	41 FTE 3 Temp 7 Grant	\$2,100,000 (1.53%)

Notes:

[^]The following other organizational units are also associated with this strategy and have their own respective responsible employee: S.C. Army National Guard, S.C. Air National Guard, State Guard.

^{*}The employee and financial data are the total state personnel and funds utilized by the agency across four units (Emergency Management Division, S.C. Army National Guard, S.C. Air National Guard, and State Guard). During times of emergency, additional federal personnel and funding (S.C. Army National Guard and S.C. Air National Guard) may be utilized.

Table 13.8. Performance measures associated with Strategy 4.1 and 4.2.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Enhance professional development and implement internal qualification standards for all positions <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Outcome	<u>Target:</u> 100% <u>Actual:</u> 72%	<u>Target:</u> 100% <u>Actual:</u> 90%	<u>Target:</u> 100% <u>Actual:</u> 90%	<u>Target:</u> 100% <u>Actual:</u> 85%	<u>Target:</u> 100%
Sustain current disaster management software/program for local jurisdictions <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Output	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 25% <u>Actual:</u> 40%*	<u>Target:</u> 70%
Conduct statewide training <u>Required by:</u> Federal <u>Best in the Country:</u> Agency researched - no comparative data found	Output	<u>Target:</u> 30 events/ 600 participants <u>Actual:</u> 38 events / 823 participants	<u>Target:</u> 30 events/ 600 participants <u>Actual:</u> 37 events / 766 participants	<u>Target:</u> 30 events/ 600 participants <u>Actual:</u> 37 events / 722 participants	<u>Target:</u> 30 events/ 600 participants <u>Actual:</u> 41 events / 927 participants	<u>Target:</u> 40 events / 800 participants
Conduct comprehensive exercises <u>Required by:</u> Federal <u>Best in the Country:</u> Agency researched - no comparative data found	Output	<u>Target:</u> 80 exercises / 2,000 participants <u>Actual:</u> 78 exercises / 2,861 participants	<u>Target:</u> 80 exercises / 2,000 participants <u>Actual:</u> 96 exercises / 2,712 participants	<u>Target:</u> 80 exercises / 2,000 participants <u>Actual:</u> 83 exercises / 2,551 participants	<u>Target:</u> 80 exercises / 2,000 participants <u>Actual:</u> 89 exercises / 2,153 participants	<u>Target:</u> 80 exercises / 2,000 participants
Citizen disaster exercise - Great Shakeout - Earthquake Drill <u>Required by:</u> Agency selected <u>Best in the Country:</u> State of California	Output	<u>Target:</u> 250,000 participants <u>Actual:</u> 288,000 participants	<u>Target:</u> 200,000 participants <u>Actual:</u> 266,000 participants	<u>Target:</u> 250,000 participants <u>Actual:</u> 280,257 participants	<u>Target:</u> 250,000 participants <u>Actual:</u> 311,542 participants	<u>Target:</u> 350,000 participants

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Conduct awareness campaigns including severe weather, hurricane and earthquake and severe winter weather awareness weeks.</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	<u>Target:</u> Conduct 4 media campaigns <u>Actual:</u> 4 media campaigns conducted	<u>Target:</u> Conduct 4 media campaigns <u>Actual:</u> 4 media campaigns conducted	<u>Target:</u> Conduct 4 media campaigns <u>Actual:</u> 4 media campaigns conducted	<u>Target:</u> Conduct 4 media campaigns <u>Actual:</u> 4 media campaigns conducted	<u>Target:</u> Conduct 4 media campaigns <u>Actual:</u> 4 media campaigns conducted
<p>Distribute educational brochures and publications to all communities statewide</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	<u>Target:</u> 200,000 guides <u>Actual:</u> 300,000 guides	<u>Target:</u> 200,000 guides <u>Actual:</u> > 200,000 guides (specific amount above 200,000 unknown)	<u>Target:</u> 200,000 guides <u>Actual:</u> 266,000 guides	<u>Target:</u> 200,000 guides <u>Actual:</u> 424,051 guides	<u>Target:</u> 400,000 guides
<p>Issue business re-entry passes</p> <p><u>Required by:</u> State <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	Agency was not utilizing measure	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> Issue 100 business re-entry passes <u>Actual:</u> 500 business re-entry passes issued *Note - Measure Initiated	<u>Target:</u> Issue 300 business re-entry passes

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. * denotes a new measure initiated.

Table 13.9. Agency Strategy 5.1: Provide force protection at National Guard facilities. Applicable to S.C. Army National Guard and S.C. Air National Guard.

GOAL 5 Provide for the safety, health, and well-being of the citizens, residents, and visitors of S.C.

Strategy 5.1 Provide force protection at National Guard facilities

Objective 5.1.1	Maintain 24/7 security operations at McCrady Training Center, the Adjutant General Complex, and Army Aviation Support Facility #2 (Greenville, S.C.) main gates for security and access control
Objective 5.1.2	Maintain security for the personnel gate at Old Farmers Market during certain hours to support for physical training for S.C. National Guard service members and employees
Objective 5.1.3	Maintain key control in conjunction with billeting (i.e., lodging soldiers in a particular place) for after-hours key distribution
Objective 5.1.4	Maintain training in accordance with Fort Jackson Policy to arm, Army Regulation 190-56; Master Cooperative Agreement 3, Appendix 3
Objective 5.1.5	Maintain training (armed and unarmed) in accordance with Army Regulation 190-56 and Master Cooperative Agreement 3, Appendix 3

<u>Responsible Employee(s):</u>	S.C. Army National Guard - Colonel David Gayle (responsible for one year) S.C. Air National Guard - Lieutenant Colonel Paul Laymon (responsible for five years)
<u>Employee have input in budget?</u>	Yes, Colonel Gayle and Lieutenant Colonel Laymon have input into the budget for Strategy 5.1

<u>External Partner(s):</u>	S.C. Law Enforcement Division (SLED)
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	FTE equivalents utilized	Total spent ⁵⁶ / budgeted ⁵⁷
2016-17	2 FTE 2 Temp 31 Grant	\$1,783,548 (1.30%)
2017-18	2 FTE 2 Temp 29 Grant	\$112,734 (0.08%)

Table 13.10. Performance measures associated with Strategy 5.1.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Operate/Maintain 24/7 security operations at McCrady Training Center, the Adjutant General Complex, and Army Aviation Support Facility #2 (Greenville, S.C.) Main Gates for security and access control.</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Outcome	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
<p>Maintain security for the personnel gate at Old Farmers Market during certain hours to support for physical training for S.C. National Guard service members and employees</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Outcome	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
<p>Maintain key control in conjunction with billeting (i.e., lodging soldiers in a particular place) for after-hours key distribution.</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
<p>Maintain training in accordance with Fort Jackson Policy to arm, Army Regulation 190-56; Master Cooperative Agreement 3, Appendix 3 guidelines.</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 50%*	<u>Target:</u> 100% <u>Actual:</u> 50%	<u>Target:</u> 100%
<p>Maintain training (armed and unarmed) in accordance with Army Regulation 190-56 and Master Cooperative Agreement 3, Appendix 3.</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. * denotes a new measure initiated.

Table 13.11. Agency Strategy 5.2: Provide State Guard support to the citizens of S.C. Applicable to State Guard.

GOAL 5 Provide for the safety, health, and well-being of the citizens, residents, and visitors of S.C.

Strategy 5.2 Provide State Guard support to the citizens of S.C.

Objective 5.2.1	Provide assistance when and where needed to the citizens, and agencies of local and state government
Objective 5.2.2	Provide state burial flags and funeral honors services as necessary
Objective 5.2.3	Maintain a training program for all personnel
Objective 5.2.4	Provide proper equipment and training for State Guard exercises

Responsible Employee(s): Lieutenant Colonel (Ret) Robert Dingle (responsible for three years)

Employee have input in budget? Yes, Lieutenant Colonel Dingle has input into the budget for Strategy 5.2

External Partner(s): None

	<u>FTE equivalents utilized</u>	<u>Total spent⁵⁸ / budgeted⁵⁹</u>
2016-17	4 FTE 2 Temp	\$443,909 (0.32%)
2017-18	5 FTE 2 Temp	\$377,529 (0.27%)

Table 13.12. Performance measures associated with Strategy 5.2.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Conduct comprehensive exercises <u>Required by:</u> Federal <u>Best in the Country:</u> Agency researched - no comparative data found	Output	<u>Target:</u> 80 exercises / 2,000 participants <u>Actual:</u> 78 exercises / 2,861 participants	<u>Target:</u> 80 exercises / 2,000 participants <u>Actual:</u> 96 exercises / 2,712 participants	<u>Target:</u> 80 exercises / 2,000 participants <u>Actual:</u> 83 exercises / 2,551 participants	<u>Target:</u> 80 exercises / 2,000 participants <u>Actual:</u> 89 exercises / 2,153 participants	<u>Target:</u> 80 exercises / 2,000 participants <u>Actual:</u> 80 exercises / 2,000 participants
Citizen disaster exercise - Great Shakeout - Earthquake Drill <u>Required by:</u> Agency selected <u>Best in the Country:</u> State of California	Output	<u>Target:</u> 250,000 participants <u>Actual:</u> 288,000 participants	<u>Target:</u> 250,000 participants <u>Actual:</u> 266,000 participants	<u>Target:</u> 250,000 participants <u>Actual:</u> 280,257 participants	<u>Target:</u> 250,000 participants <u>Actual:</u> 311,542 participants	<u>Target:</u> 350,000 participants

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure.

Table 13.13. Agency Strategy 5.3: Provide STARBASE Swampfox to local schools. Applicable to STARBASE Swampfox.

GOAL 5 Provide for the safety, health, and well-being of the citizens, residents, and visitors of S.C.

Strategy 5.3 Provide STARBASE Swampfox to local schools

Objective 5.3.1	Support Air Guard initiatives in STARBASE
Objective 5.3.2	Follow Department of Defense (DoD) STARBASE Program Guidance to ensure future funding and continued operation
Objective 5.3.3	Ensure STARBASE teachers are trained on required lesson plans and required DoD-directed curriculum in order to enhance math and science standards
Objective 5.3.4	Maximize the number of classes each year to meet the DoD requirements
Objective 5.3.5	Ensure the program is providing an accident/incident free, safe working environment for participating students, teachers, administrators, guests, and STARBASE staff

Responsible Employee(s):

Brigadier General (Ret) John Motley (responsible for 9 years)

Employee have input in budget?

Yes, Brigadier General Motley has input into the budget for Strategy 5.3

External Partner(s):

S.C. Department of Education, Calhoun County School District, Lexington County School Districts 1 and 2, Lexington and Richland Counties School District 5, Richland County School Districts 1 and 2, Roman Catholic Diocese of Charleston - Catholic Schools, Sumter School District, and Wilson Hall (private academy)

	<u>FTE equivalents utilized</u>	<u>Total spent⁶⁰ / budgeted⁶¹</u>
2016-17	2 FTE 3 Temp 4 Grant	\$396,777 (0.29%)
2017-18	2 FTE 4 Temp 5 Grant	\$351,143 (0.26%)

Table 13.14. Performance measures associated with Strategy 5.3.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Ensure Department of Defense (DoD) STARBASE curriculum is being taught</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Charlotte, NC STARBASE <u>Additional Notes:</u> Measured August 8 through June 31</p>	Output	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%
<p>Ensure DoD STARBASE program guidance is being used in conducting STARBASE Swampfox program</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Charlotte, NC STARBASE <u>Additional Notes:</u> Measured August 8 through June 31</p>	Output	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
<p>Ensure required number of STARBASE classes are conducted each federal fiscal year</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Charlotte, NC STARBASE <u>Additional Notes:</u> Measured August 8 through June 31</p>	Output	<u>Target:</u> 28 classes <u>Actual:</u> 40 classes	<u>Target:</u> 28 classes <u>Actual:</u> 54 classes	<u>Target:</u> 28 classes <u>Actual:</u> 54 classes	<u>Target:</u> 28 classes <u>Actual:</u> 50 classes	<u>Target:</u> 56 classes
<p>Ensure STARBASE participation meets minimum DoD standards of 20/class</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Charlotte, NC STARBASE <u>Additional Notes:</u> Measured August 8 through June 31</p>	Output	<u>Target:</u> 560 students @ 20/class <u>Actual:</u> 951 students @ 24/class	<u>Target:</u> 560 students @ 20/class <u>Actual:</u> 1,160 students @ 21/class	<u>Target:</u> 560 students @ 20/class <u>Actual:</u> 1,153 students @ 21/class	<u>Target:</u> 560 students @ 20/class <u>Actual:</u> 1,167 students @ 23/class	<u>Target:</u> 1,120 students @ 20/class
<p>Maintain a safe environment at STARBASE Swampfox for visiting teachers/students/guests with zero reportable accidents</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Charlotte, NC STARBASE</p>	Outcome	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. * denotes a new work measure initiated.

Table 13.15. Agency Strategy 5.4: Provide Youth ChalleNGe program to challenged youth. Applicable to S.C. Youth Challenge Academy.

GOAL 5 Provide for the safety, health, and well-being of the citizens, residents, and visitors of S.C.

Strategy 5.4 Provide Youth ChalleNGe program to challenged youth

Objective 5.4.1	Continue cadre training in their job duties and proper care of cadets
Objective 5.4.2	Maintain cadet's academic and physical training, and challenge cadets to their maximum potential
Objective 5.4.3	Continue to follow cadet's performance after graduation and provide assistance
Objective 5.4.4	Maintain security of the facilities to prevent cadet problems

Responsible Employee(s): Colonel (Ret) Jackie Fogle (responsible for 21 years)
Employee have input in budget? Yes, Colonel Fogle has input into the budget for Strategy 5.4

External Partner(s): S.C. Department of Education; Aiken Technical College; Aiken County Public School District; and Richland County School District 1

	FTE equivalents utilized			Total spent ⁶² / budgeted ⁶³
2016-17	2 FTE	13 Temp	60 Grant	\$4,821,296 (3.50%)
2017-18	2 FTE	19 Temp	46 Grant	\$5,200,000 (3.78%)

Table 13.16. Performance measures associated with Strategy 5.4.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Maintain a Youth ChalleNGe graduation rate of 70% or greater <u>Required by:</u> Federal <u>Best in the Country:</u> Puerto Rico Youth ChalleNGe Program <u>Additional Notes:</u> Measured January 1 through June 30	Outcome	<u>Target:</u> 70% <u>Actual:</u> 62%	<u>Target:</u> 70% <u>Actual:</u> 71%	<u>Target:</u> 70% <u>Actual:</u> 67%	<u>Target:</u> 70% <u>Actual:</u> 73%	<u>Target:</u> 70%

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure.

Table 13.17. Agency Strategy 5.5: Provide and operate the State Military Museum. Applicable to S.C. Military Museum.

GOAL 5 Provide for the safety, health, and well-being of the citizens, residents, and visitors of S.C.

Strategy 5.5 Provide and operate the State Military Museum

Objective 5.5.1	Update existing exhibits with new information and displays that further enhance the visitor experience
Objective 5.5.2	Continue the accession (i.e., documentation of receipt; accountability of the item(s); repair; care and storage; and, when applicable, displaying) of all donated or loaned items in a professional and timely manner
Objective 5.5.3	Tailor tour standard operation procedures for docents to accommodate tour group's specific needs and interests
Objective 5.5.4	Organize workshops for school groups that comply with Department of Education curricula standards
Objective 5.5.5	Develop a multi-media learning center to include space for speaking engagements and classroom instruction
Objective 5.5.6	Increase public awareness
Objective 5.5.7	Highlight artifacts, recent acquisitions, veteran interviews, Museum events, and guest speakers

Responsible Employee(s):
Employee have input in budget?

Mr. Steven Jeffcoat (responsible for less than one year)
Yes, Mr. Jeffcoat has input into the budget for Strategy 5.5

External Partner(s): None

	<u>FTE equivalents utilized</u>	<u>Total spent⁶⁴ / budgeted⁶⁵</u>
2016-17	4 FTE 3 Temp	\$372,776 (0.27%)
2017-18	4 FTE 3 Temp	\$351,143 (0.26%)

Table 13.18. Performance measures associated with Strategy 5.5.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
S.C. Military Museum general visitation <u>Required by:</u> Agency selected <u>Best in the Country:</u> National Museum of the Marine Corps, Quantico, VA	Output	<u>Target:</u> 10,000 visitors <u>Actual:</u> 5,325 visitors	<u>Target:</u> 10,000 visitors <u>Actual:</u> 10,307 visitors	<u>Target:</u> 10,000 visitors <u>Actual:</u> 12,923 visitors	<u>Target:</u> 10,000 visitors <u>Actual:</u> 7,628 visitors	<u>Target:</u> 12,000 visitors
Public reviews (on-line feedback) of Museum <u>Required by:</u> Agency selected <u>Best in the Country:</u> National Museum of the Marine Corps, Quantico, VA	Outcome	Agency was not utilizing measure	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 50 reviews <u>Actual:</u> 52 reviews*	<u>Target:</u> 85 reviews
Social media engagement and feedback <u>Required by:</u> Agency selected <u>Best in the Country:</u> National Museum of the Marine Corps, Quantico, VA	Outcome	Agency was not utilizing measure	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 1,000 Likes <u>Actual:</u> 1,141 Likes*	<u>Target:</u> 2,000 Likes
Museum tour groups <u>Required by:</u> Agency selected <u>Best in the Country:</u> National Museum of the Marine Corps, Quantico, VA	Output	Agency was not utilizing measure	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 50 Groups / 1,654 People <u>Actual:</u> 53 Groups / 1,554 People*	<u>Target:</u> 75 Groups / 2,000 People

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. * denotes a new measure initiated.

Table 13.19. Agency Strategy 5.6: Provide state-level emergency management of disasters and multi-county events. Applicable to SCEMD, S.C. Army National Guard, S.C. Air National Guard, and State Guard.

GOAL 5 Provide for the safety, health, and well-being of the citizens, residents, and visitors of S.C.

Strategy 5.6 Provide state-level emergency management of disasters and multi-county events

Objective 5.6.1	Enhance the state's capability to mitigate, prepare for, respond to, and recover from threats and hazards that pose the greatest risk
Objective 5.6.2	Refine emergency public information and enhance citizen disaster preparedness through education and awareness

Responsible Employee(s): Mr. Kim Stenson (responsible for four years)^

Employee have input in budget? Yes, Mr. Stenson has input into the budget for Strategy 5.6

External Partner(s): No external partners

	<u>FTE equivalents utilized*</u>	<u>Total spent⁶⁶ / budgeted^{67*}</u>
2016-17	5 FTE 0 Temp 47 Grant	\$3,059,793 (2.22%)
2017-18	3 FTE 1 Temp 53 Grant	\$3,238,285 (2.35%)

Notes:

[^]The following other organizational units are also associated with this strategy: S.C. Army National Guard, S.C. Air National Guard, State Guard, S.C. Youth ChalleNGe Academy, STARBASE Swampfox, and S.C. Military Museum.

^{*}The employee and financial data are the total state personnel and funds utilized by the agency across four units (Emergency Management Division, S.C. Army National Guard, S.C. Air National Guard, and State Guard). During times of emergency, additional federal personnel and funding (S.C. Army National Guard and S.C. Air National Guard) may be utilized.

Table 13.20. Performance measures associated with Strategy 5.6.

<u>Performance Measure</u>	<u>Type of Measure</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
See those associated with Strategy 4.1 and 4.2						

Table 13.21. Agency Strategy 5.7: Provide for the safety and safe working environment for service members and agency employees. Applicable to SCemd, S.C. Army National Guard, S.C. Air National Guard, State Guard, S.C. Youth ChalleNGe Academy, STARBASE Swampfox, and S.C. Military Museum.

GOAL 5 Provide for the safety, health, and well-being of the citizens, residents, and visitors of S.C.

Strategy 5.7 Provide for the safety and safe working environment for Service Members and agency employees

Objective 5.7.1	Hold regularly scheduled organizational safety meetings
Objective 5.7.2	Ensure the conduct of required training for state drivers
Objective 5.7.3	Track injuries and effect on Worker's Compensation

Responsible Employee(s): Colonel (Ret) Ken Braddock (responsible for one year)

Employee have input in budget? Yes, Colonel Braddock has input into the budget for Strategy 5.7

External Partner(s): S.C. Department of Education; Aiken Technical College; Aiken County Public School District; and Richland County School District 1

	FTE equivalents utilized*	Total spent ⁶⁸ / budgeted ^{69*}
2016-17	2 FTE 13 Temp 60 Grant	\$4,821,296 (3.50%)
2017-18	2 FTE 19 Temp 46 Grant	\$5,200,000 (3.78%)

*The employee and financial data are the total state personnel and funds utilized by the agency across four units (Emergency Management Division, S.C. Army National Guard, S.C. Air National Guard, and State Guard). During times of emergency, additional federal personnel and funding (S.C. Army National Guard and S.C. Air National Guard) may be utilized.

Table 13.22. Performance measures associated with Strategy 5.7.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Maintain readiness centers at an overall READINESS Rating level of R1 based on National Guard Bureau Installation Status Report, ISR-Condition</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado National Guard (NG) (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30</p> <p>Note 1⁷⁰: <i>R1: Good</i>—Facilities fully support the wartime/primary missions of assigned units, organizations and tenants. The condition and configuration of facilities present no limitations to unit readiness. <i>R2: Adequate</i>—Facilities support most the wartime/primary missions of assigned units, organizations and tenants. The condition and configuration of facilities present only minor limitations to unit readiness. <i>R3: Poor</i>—Facilities present challenges to the wartime/primary missions of assigned units, organizations and tenants. The condition and configuration of facilities impair mission performance and require assigned units to establish alternative means to support readiness. <i>R4: Failing</i>—Facilities present significant challenges to the wartime/primary missions of assigned units, organizations and tenants. The condition and configuration of facilities require assigned units to expend considerable additional effort to compensate for shortcomings.</p>	Outcome	<u>Target:</u> R2 <u>Actual:</u> R3	<u>Target:</u> R2 <u>Actual:</u> R3	<u>Target:</u> R2 <u>Actual:</u> R3	<u>Target:</u> R2 <u>Actual:</u> R3	<u>Target:</u> R2 <u>Actual:</u> R2
<p>Maintain readiness centers at an overall MISSION Ready Rating level of F1 based on National Guard Bureau Installation Status Report, ISR-Functionality</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30</p> <p>Note 2⁷¹: <i>F1: Good</i>—Meets all functional needs and reflects the best use of the design. Footprint meets current size criteria for the design use. Based on the ratings entered is fully mission capable. <i>F2: Adequate</i>—Meets the minimum functional needs for the designed use. Footprint may be less than the current size criteria for the design use. Smaller and less functional than green but meets all basic requirements. Based on the ratings entered is mission capable. <i>F3: Poor</i>—Several significant functional needs not met. Footprint is less than the current size criteria for the design use. Undersized with few requirements met. Based on the ratings entered is only partially Mission capable. <i>F4: Failing</i>—Does not meet functional needs of the design use category code. Undersized footprint and/or obsolete design. May require military construction, repurposing, or disposal. Failing facility not meeting basic functional requirements. Based on the ratings entered is not Mission capable. <i>F4NF: Non-Functional</i>—When the Operational Status Code in the general fund enterprise business system (web-based enterprise resource planning system for the US Army) or the planning resource for infrastructure development and evaluation (US Army National Guard facilities management system) is Non-Functional, ISR-I will display the F4NF Mission rating. A Quality inspection is required depending on the reason in the real property system. (Renovation, Damage, or Environmental).</p>	Outcome	<u>Target:</u> F2 <u>Actual:</u> F3	<u>Target:</u> F2 <u>Actual:</u> F3	<u>Target:</u> F2 <u>Actual:</u> F3	<u>Target:</u> F2 <u>Actual:</u> F3	<u>Target:</u> F2 <u>Actual:</u> F2

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Maintain readiness centers at an overall QUALITY Rating level of Q1 based on National Guard Bureau Installation Status Report, ISR-Quality</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30</p> <p>Note 3⁷²: <i>Q1: Good</i>—The condition meets or exceeds Army standards for most or all rated components. The cost to improve will be no more than 10% of the replacement value. <i>Q2: Adequate</i>—The condition meets the minimum level of Army standards for most or all rated components. The cost to improve will be no more than 20% of the replacement value. <i>Q3: Poor</i>—The condition fails to meet the minimum level of Army standards for at least one major rated component. The cost to improve will be no more than 40% of the replacement value. <i>Q4: Failing</i>—The condition fails to meet the minimum level of Army standards for multiple rated components. The cost to improve will exceed 40% of the replacement value.</p>	Outcome	<u>Target:</u> Q1 <u>Actual:</u> Q2				
<p>Maintain field maintenance sites at an overall READINESS Rating level of R1 based on National Guard Bureau Installation Status Report, ISR-Condition</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30; See Note 1 in the first row of this table</p>	Outcome	<u>Target:</u> R1 <u>Actual:</u> R4	<u>Target:</u> R1 <u>Actual:</u> R4	<u>Target:</u> R1 <u>Actual:</u> R4	<u>Target:</u> R4 <u>Actual:</u> R4	<u>Target:</u> R3
<p>Maintain field maintenance sites at an overall MISSION Rating level of F1 based on National Guard Bureau Installation Status Report, ISR-Functionality</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 through June 30; See Note 2 in the second row</p>	Outcome	<u>Target:</u> F1 <u>Actual:</u> F2	<u>Target:</u> F1 <u>Actual:</u> F2	<u>Target:</u> F1 <u>Actual:</u> F2	<u>Target:</u> F1 <u>Actual:</u> F1	<u>Target:</u> F1

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Maintain field maintenance sites at an overall QUALITY Ready Rating level of Q1 based on National Guard Bureau Installation Status Report, ISR-Quality</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Colorado NG (based on overall Installation Status Report) <u>Additional Notes:</u> Measured October 1 - June 30; See Note 3 in the third row of this table</p>	Outcome	<u>Target:</u> Q1 <u>Actual:</u> Q1	<u>Target:</u> Q1 <u>Actual:</u> Q1	<u>Target:</u> Q1 <u>Actual:</u> Q1	<u>Target:</u> Q1 <u>Actual:</u> Q1	<u>Target:</u> Q1 <u>Actual:</u> Q1
<p>Maintain open work orders for readiness centers/field maintenance sites/training centers/ranges/army aviation support facilities at a manageable level (capacity) based on available funding and in-house manpower, greater than 90% requires contracting support for normal sustainment work</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Information not available at national level (i.e., National Guard Bureau (NGB)) <u>Additional Notes:</u> Measured October 1 through June 30</p>	Efficiency	Agency was not utilizing measure	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 95% <u>Actual:</u> 95%*	<u>Target:</u> 95%
<p>Maintain an average age of 30 years or less for readiness centers⁷³</p> <p><u>Required by:</u> Federal <u>Best in the Country:</u> Information not available at national level (i.e., NGB) <u>Additional Notes:</u> Measured October 1 through June 30</p>	Outcome	<u>Target:</u> <30 <u>Actual:</u> 35	<u>Target:</u> <30 <u>Actual:</u> 36	<u>Target:</u> <30 <u>Actual:</u> 37	<u>Target:</u> <30 <u>Actual:</u> 39	<u>Target:</u> <30
<p>Ensure training in proper dining operation and job requirements for each position</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 98%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
<p>Provide a working dining facility and equipment</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 98%	<u>Target:</u> 100%

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Provide safe, clean, comfortable semi-private quarters to military personnel and authorized users <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
Maintain a safe environment at STARBASE Swampfox for visiting teachers/students/guests with zero reportable accidents <u>Required by:</u> Agency selected <u>Best in the Country:</u> Charlotte, NC STARBASE	Outcome	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
Operate/Maintain 24/7 security operations at McCrady Training Center, the Adjutant General Complex, and Army Aviation Support Facility #2 (Greenville, S.C.) Main Gates for security and access control <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Outcome	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
Maintain security for the personnel gate at Old Farmers Market during certain hours to support for physical training for S.C. National Guard service members and employees <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Outcome	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
Maintain key control in conjunction with billeting (i.e., lodging soldiers in a particular place) for after-hours key distribution <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%

Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. * denotes a new measure initiated.

Table 13.23. Agency Strategy 5.8: Conduct enterprise operations in support of National Guard and state activities. Applicable to S.C. Army National Guard.

GOAL 5 Provide for the safety, health, and well-being of the citizens, residents, and visitors of S.C.

Strategy 5.8 Conduct enterprise operations in support of National Guard and state activities

Objective 5.8.1	Provide high quality meals, devoid of cross contamination or food borne illnesses, in support of state and federal missions
Objective 5.8.2	Maintain a training program in proper dining facility and kitchen operations to include records of serve safe, annual sanitation, and training program requirements for all dining employees in their different job requirements
Objective 5.8.3	Maintain operational readiness of dining facility in support of federal and state missions
Objective 5.8.4	Maintain dining records of all Army, Department of Health and Environmental Control, and Department of Labor inspections reports
Objective 5.8.5	Provide necessary equipment in dining facility
Objective 5.8.6	Maintain, provide, and ensure a safe dining facility in support of training and operations
Objective 5.8.7	Provide safe, clean, comfortable, chargeable transient quarters to authorized personnel conducting official business or training at McCrady Training Center, Crew Rest, and Clarks Hill Training Site. ⁷⁴
Objective 5.8.8	Prepare, implement, and maintain individual development plans for billeting personnel (i.e. lodging soldiers in a particular place)
Objective 5.8.9	Maintain updated equipment/software to streamline processes, increase security, and reduce worker fatigue/injuries
Objective 5.8.10	Provide training in the proper handling and safe keeping of Personal Identifiable Information
Objective 5.8.11	Maintain controlled access to allow for safety of the workers and patrons

Responsible Employee(s): Colonel (Ret) Ken Braddock (responsible for one year)

Employee have input in budget? Yes, Colonel Braddock has input into the budget for Strategy 5.8

External Partner(s): None

	<u>FTE equivalents utilized</u>	<u>Total spent⁷⁵ / budgeted⁷⁶</u>
2016-17	4 FTE 4 Temp 30 Time Limited	\$3,514,008 (2.55%)
2017-18	4 FTE 4 Temp 32 Time Limited	\$1,801,143 (1.31%)

Table 13.24. Performance measures associated with Strategy 5.8.

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
Ensure training in proper dining operation and job requirements for each position <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 98%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
Provide a working dining facility and equipment <u>Required by:</u> Agency selected <u>Best in the Country:</u> Researched - no comparative data found	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 98%	<u>Target:</u> 100%
Maintain dining facility personnel training records and all inspection reports <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
Prepare and serve meals free of cross contamination and foodborne illnesses <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
Billeting personnel completion of individual development plans <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 85% <u>Actual:</u> 33%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 90%
No reported incidents of compromised customer data or incidents of identity theft <u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found	Outcome	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%

Performance Measure	Type of Measure	2013-14	2014-15	2015-16	2016-17	2017-18
<p>Provide safe, clean, comfortable, semi-private quarters to military personnel and authorized users</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 100% <u>Actual:</u> 100%	<u>Target:</u> 100%
<p>Provide chargeable transient quarters to authorized personnel conducting official business or training at McCrady Training Center, Crew Rest and Clarks Hill Training Site⁷⁷</p> <p><u>Required by:</u> Agency selected <u>Best in the Country:</u> Agency researched - no comparative data found</p>	Output	Agency was not utilizing measure	Agency was not utilizing measure	<u>Target:</u> 100% <u>Actual:</u> 100%*	<u>Target:</u> 90% <u>Actual:</u> 85%	<u>Target:</u> 90%

*Table Note: For each measure, the agency identified which "type of measure" it considered the performance measure. * denotes a new measure initiated.*

STUDY PROCESS

Agency Selection

The Office of the Adjutant General is an agency subject to legislative oversight.⁷⁸ On May 10, 2017, during the 122nd General Assembly, the Committee prioritizes the agency for study.⁷⁹

As the Committee encourages **collaboration in its legislative oversight process**, the Committee notifies the following individuals about the agency study: Speaker of the House, standing committee chairs in the House, members of the House, Clerk of the Senate, and Governor.

Subcommittee Membership

The **Executive Subcommittee of the House Legislative Oversight Committee studies the agency.**⁸⁰

Throughout the study, the Honorable Gary E. Clary serves as chair. Other Subcommittee members include:

- The Honorable Laurie Slade Funderburk;
- The Honorable Wm. Weston J. Newton; and
- The Honorable Robert Q. Williams.

Agency Reports to Legislative Oversight Committee

During the legislative oversight process, the **Committee asks the agency to conduct self-analysis** by requiring it to complete and submit annual Restructuring Reports, a Seven-Year Plan for cost savings and increased efficiencies, and a Program Evaluation Report. The Committee posts each report on the agency page of the Committee's website.

Restructuring Report

The Annual Restructuring Report fulfills the requirement in S.C. Code §1-30-10(G)(1) that annually each agency report to the General Assembly "detailed and comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs, or personnel within each department to provide a more efficient administration of government services." The report, at a minimum, includes information in the following areas - history, mission, vision, laws, strategic plan, human and financial resources, performance measures, and restructuring recommendations.

The Office of the Adjutant General submits its Annual Restructuring Reports on March 11, 2015, and January 12, 2016.⁸¹ The agency's 2015-2016 Annual Accountability Report to the Governor and General Assembly, which it submits in September 2016, serves as its 2016-2017 Annual Restructuring Report.⁸²

Seven-Year Plan for Cost Savings and Increased Efficiencies

S.C. Code §1-30-10 requires agencies to submit "a seven year plan that provides initiatives and/or planned actions that implement cost savings and increased efficiencies of services and responsibilities within the projected seven-year period."⁸³ The Office of the Adjutant General submits its plan on March 11, 2015.⁸⁴

Program Evaluation Report

When an agency is selected for study, the Committee may acquire evidence or information by any lawful means, including, but not limited to, "requiring the agency to prepare and submit to the investigating committee a program evaluation report by a date specified by the investigating committee." S.C. Code §2-2-60 outlines what an investigating committee's request for a program evaluation report must contain. Also it provides a list of information an investigating committee may request. The Committee sends guidelines for the Office of the Adjutant General's Program Evaluation Report (PER) on August 3, 2017. The agency submits its report on September 29, 2017.

The PER includes information in the following areas – agency snapshot, agency legal directives, strategic plan and resources, performance, agency ideas/recommendations, and additional documents. The **PER serves as the base document for the Subcommittee's study of the agency.**

Information from the Public

Public input is a cornerstone of the House Legislative Oversight Committee's process.⁸⁵ There are a variety of opportunities for public input during the legislative oversight process. Members of the public have an opportunity to participate anonymously in a public survey, provide comments anonymously via a link on the Committee's website, and appear in person before the Committee.⁸⁶

Public Survey

From June 27 to July 28, 2017, the Committee posts an **online survey to solicit comments from the public about the Office of the Adjutant General** and three other agencies. The Committee sends information about this survey to all House members to forward to their constituents. Additionally, in an effort to communicate this public input opportunity widely, the Committee issues a statewide media release.⁸⁷

There are 111 responses to the survey, with 39 of these relating to the Office of the Adjutant General.⁸⁸ These comments are not considered testimony.⁸⁹ As the survey notes, "input and observations from those citizens who [chose] to provide responses are very important . . . because they may help direct the Committee to potential areas for improvement with these agencies."⁹⁰ The Committee posts the survey results on the Committee's website. The **public is informed it may continue to submit written comments about agencies online** after the public survey closes.⁹¹

Of those survey participants that respond to questions related to the Office of the Adjutant General, **73% have a positive or very positive opinion of the agency.**⁹² Over 64% of the June/July 2017 public survey respondents base their opinions of the agency on personal experience, media coverage, and social media.

The comments vary, ranging from one statement that the agency is one of the best agencies in the country to another statement that the agency is outdated and should be abolished.⁹³

Public Input via Committee Website

Throughout the course of the study, people are able to submit comments anonymously on the Committee's website. The Committee posts comments verbatim to the website, but they are not the comment or expression of the House Legislative Oversight Committee, any of its Subcommittees, or the House of Representatives.⁹⁴ During the study of the Office of the Adjutant General, no one submits comments about the agency via the Committee website.

Public Input via In-Person Testimony

During the study, the Committee offers the public an opportunity to appear and provide sworn testimony.⁹⁵ A press release announcing this opportunity is sent to media outlets statewide on October 2, 2017.⁹⁶ The Committee holds a meeting dedicated to public input about the Office of the Adjutant General and other agencies on October 16, 2017.⁹⁷ Further detail on the public input meeting is in the meetings section of this report; however, no one provides testimony about the Office of the Adjutant General.

Meetings Regarding the Agency

The Committee meets with, or about, the agency on one occasion, and the Subcommittee meets with, or about, the agency on four occasions. All meetings are open to the public and stream live online; also, the videos are archived and meeting minutes are available online. A timeline of meetings is set forth in Figure 2 beginning on page 8.

122nd General Assembly (2017-2018)

May 2017

On **May 10, 2017**, the full Committee selects the agency for study.

October 2017

On **October 10, 2017**, the Subcommittee holds **Meeting # 1** with the agency. Major General Livingston, the Adjutant General, provides the Subcommittee with an **agency overview** on the following topics:

- a. Key laws applicable to the agency;
- b. Agency's mission, vision, and goals;
- c. Agency's key deliverables and potential harm;
- d. Agency's organizational structure;
- e. Key dates in the agency's history;
- f. Agency successes, challenges, and emerging issues;
- g. Internal audit process for the agency;
- h. Agency's strategic finances and carryforward; and
- i. Agency's recommendation for law and internal changes.

Subcommittee members ask questions, which Major General Livingston and other agency representatives answer. The meeting packet and documents provided by the agency are available on the Committee website.⁹⁸

On **October 16, 2017**, the full Committee holds **Meeting # 2** with the agency. Committee Chairman Wm. Weston J. Newton states the purpose of this meeting is **public testimony** regarding the Office of the Adjutant General and other agencies.⁹⁹ No one provides testimony about the agency.

November 2017

On **November 20, 2017**, the Subcommittee holds **Meeting # 3** with the agency. Mr. Steven Jeffcoat, Director, **S.C. Military Museum**, provides the Subcommittee the following information about the S.C. Military Museum:

- a. Key dates in history;
- b. Successes and emerging issues;
- c. Organizational chart and employee statistics;
- d. Deliverables and potential harm;
- e. Finances;
- f. Applicable agency goals and strategies; and
- g. Performance measures.

Subcommittee members ask questions, which Mr. Jeffcoat answers. Also, Subcommittee members ask questions of the following individuals, which those individuals answer:

- a. Mr. Willie Calloway, Director, State Museum;
- b. Dr. W. Eric Emerson PhD, Director, Department of Archives and History; and
- c. Mr. Steven D. Tuttle, Director of Archives Services, Department of Archives and History.

Colonel (Ret) Jackie Fogle, Director, S.C. Youth ChalleNGe Academy Program, provides the Subcommittee the following information about **Youth ChalleNGe Academy Program (SCYCA)**:

- a. Key dates in history;
- b. Successes and emerging issues;
- c. Organizational chart and employee statistics;
- d. Deliverables and potential harm;
- e. Finances;
- f. Applicable agency goals and strategies; and
- g. Performance measures.

Subcommittee members ask questions, which Colonel Fogle and other agency personnel answer.

Brigadier General (Ret) John Motley, Director, STARBASE Swampfox, provides the Subcommittee similar information about **STARBASE Swampfox** as Colonel Fogle did for SCYCA. Subcommittee members ask questions, which Brigadier General Motley and other applicable agency personnel answer.

Mr. Kim Stenson, Director, Emergency Management Division (SCEMD), provides the Subcommittee similar information about SCEMD as Colonel Fogle did for SCYCA. Also, Mr. Stenson provides the Subcommittee information about emergency situations, including, but not limited to, the following:

- a. Response flow chart;

- b. List of emergency operations plans;
- c. Resource request process;
- d. Types of Governor's Executive Orders;
- e. Types of Federal Emergency Management Agency (FEMA) disaster declarations;
- f. Types of FEMA recovery programs;
- g. Small Business Administration loans; and
- h. Disaster declaration financial summary from the 2014 ice storm to the 2017 Hurricane Irma.

Subcommittee members ask questions, which Mr. Stenson and other applicable agency personnel answer. The meeting packet and agency PowerPoint presentations for the S.C. Military Museum, S.C. Youth ChalleNGe Academy, STARBASE Swampfox, and SCEMD are available on the Committee website.¹⁰⁰

December 2017

On December 7, 2017, the subcommittee holds **Meeting # 4** with the agency. Major General Livingston provides an introduction to the National and State Guard.

Brigadier General Brad Owens, Director, Joint Staff of S.C. Army National Guard, presents information on the following topics related to the **S.C. Army National Guard**:

- a. Key dates in history;
- b. Successes and emerging issues;
- c. Organizational chart and employee statistics;
- d. Deliverables and potential harm;
- e. Finances;
- f. Applicable agency goals and strategies; and
- g. Performance measures.

Subcommittee members ask questions, which BG Owens and Major General Livingston answer.

Brigadier General Russell A. Rushe, Assistant Adjutant General of S.C. Air National Guard, provides the Subcommittee similar information about the **S.C. Air National Guard** as Brigadier General Owens did for the S.C. Army National Guard. Brigadier General Thomas S. Mullikin, Commander, State Guard, follows with similar information about the **State Guard**. Subcommittee members ask questions, which Brigadier General Rushe, Brigadier General Mullikin, and Major General Livingston answer.

Subcommittee members make various motions. A roll call vote is held for these motions, and they are approved. The meeting packet and agency PowerPoint presentations are available on the Committee's website.¹⁰¹

On December 15, 2017, and December 18, 2017, individual Subcommittee members **tour facilities** of the agency including the following: (1) McEntire Joint National Guard Base; (2) STARBASE Swampfox; (3) S.C. Military Museum; and (4) Emergency Management Division.

February 2018

On **February 15, 2018**, the Subcommittee holds **Meeting # 5** with the agency. Subcommittee Chairman Clary explains the purpose of the meeting is for the Office of the Adjutant General to present information on the following topics as a **follow-up** to the Subcommittee's previous meetings with the agency:

- a. S.C. National Guard's Secure Area Defense Operating Program;
- b. State Guard law change recommendations;
- c. S.C. Youth ChalleNGe Academy's program performance, numbers by county, and agency's position on pending legislation, S451 and H3789, companion bills pending for the S.C. Youth ChalleNGe Academy and S.C. Jobs ChalleNGe Program Expungement Act; and
- d. Emergency Management Division.

Subcommittee Chairman Clary discusses potential motions involving meetings between the Office of the Adjutant General and Department of Administration.¹⁰² After swearing in Ms. Ashlie Lancaster, Department of Administration Division Director, Facilities Management and Property Services, Subcommittee Chairman Clary asks for her comments on the potential recommendations. Ms. Lancaster states the Department of Administration is willing to meet with the Office of the Adjutant General. Subcommittee members do not have additional questions for her. Subcommittee members make motions for the two recommendations. A roll call vote is held, and the motions pass.

Major Barry Ramey, S.C. National Guard's Secure Area Defense Operating Program Administrator, presents information on the **S.C. National Guard's Secure Area Defense Operating Program**. Subcommittee members ask questions, which Major Ramey and Major General Livingston answer.

Brigadier General Thomas S. Mullikin, Commander, State Guard, presents information on **law change recommendations from the State Guard**. Subcommittee members ask questions, which Brigadier General Thomas S. Mullikin and Major General Livingston answer.

Ms. LaToya Reed, Director, S.C. Youth ChalleNGe Academy, presents information on the **S.C. Youth ChalleNGe Academy** including results of the most recent inspection by the National Guard Bureau contractors, corrective action plans, and statistics on those participating in the S.C. Youth ChalleNGe Academy. Subcommittee members ask questions, which Ms. Reed answers.

Mr. Kim Stenson, Director, SCEMD provides the Subcommittee the following information about **SCEMD**:

- a. Resource request process;
- b. Off-the-shelf contracts available;
- c. EMD contracts and agreements;
- d. Reimbursement for emergency costs;
- e. Actual costs;
- f. Emergency declarations;
- g. Palmetto system¹⁰³;
- h. Mobile application in development¹⁰⁴; and
- i. S.C. Hurricane Program.¹⁰⁵

Subcommittee members ask questions, which Mr. Stenson answers. Subcommittee members make various motions. A roll call vote is held for the various motions, which pass. The meeting packet and agency presentations are available online.¹⁰⁶

Study Process Completion

Pursuant to Committee Standard Practice 12.4, **Subcommittee members may provide a separate written statement for inclusion with the Subcommittee's Study report.** After receipt of any written statements, the Subcommittee Chair, pursuant to Committee Standard Practice 12.5, notifies the Committee Chair in writing that a Subcommittee Study is available for consideration by the full Committee.

Once the Committee Chair receives written notice from the Subcommittee Chair, the Committee Chair, pursuant to Committee Standard Practice 13.1, includes the Subcommittee Study on the agenda for a full committee meeting. During a full Committee meeting at which the Subcommittee Study is discussed, the Committee may vote, pursuant to Committee Standard Practice 13.2, to (1) refer the study and investigation back to the Subcommittee for further evaluation; (2) approve the Subcommittee's study; or (3) further evaluate the agency as a full Committee, utilizing any of the resources of legislative oversight available.

When the Committee approves a study, **any member of the Committee may provide a written statement for inclusion with the study.** The study, and written statements, are published online and the agency, as well as all House Standing Committees, receive a copy. The Committee shall offer at least one briefing to members of the House about the contents of the final oversight study approved by the Committee.¹⁰⁷ The Committee Chair may provide briefings to the public about the final oversight study.¹⁰⁸

To support the Committee's ongoing oversight by maintaining current information about the agency, the agency receives an annual Request for Information.

RECOMMENDATIONS

General Information

The following **recommendations include areas** the Subcommittee identifies **for potential improvement**. The **Subcommittee recognizes these recommendations will not satisfy everyone nor address every issue or potential area of improvement at the agency**. These recommendations are based on the agency's self-analysis requested by the Committee, discussions with the agency during multiple meetings, and analysis of the information obtained by the Subcommittee. This information, including, but not limited to, the Program Evaluation Report, Accountability Report, Restructuring Report and videos of meetings with the agency, is available on the Committee's website.

Continue

The Subcommittee does not have any specific recommendations with regards to continuance of agency programs.

Curtail (i.e. Revise)

The **Subcommittee has sixteen recommendations for revisions**. Fourteen recommendations pertain to the agency; recommendation topics include: (1) S.C. Youth ChalleNGe Academy (SCYCA) and STARBASE Swampfox (STARBASE); (2) S.C. Military Museum; (3) S.C. Emergency Management Division; (4) agency processes; (5) real property; and (6) laws. Also, there are two recommendations to the General Assembly, both pertain to the State Guard. An overview of these recommendations is provided in Table 1 on page 9.

Recommendations for the Office of the Adjutant General

S.C. Youth ChalleNGe Academy (SCYCA) and STARBASE Swampfox (STARBASE)

The Subcommittee has four recommendations for the agency related to SCYCA and STARBASE, which are summarized in Table 14.¹⁰⁹

Table 14. Summary of recommendations related to the S.C. Youth ChalleNGe Academy and to the STARBASE Swampfox program.

RECOMMENDATIONS FOR THE OFFICE OF THE ADJUTANT GENERAL
S.C. Youth ChalleNGe Academy and STARBASE Swampfox
<ol style="list-style-type: none"> Collaboration - Communicate SCYCA (i.e., educational enrichment for at-risk youth) opportunities to personnel involved with the juvenile justice system including, but not limited to, judges and solicitors, as an alternative sentencing option Resources - Determine viability of integrating an apprenticeship program in SCYCA Strategic Planning - Develop a long-term strategic plan for SCYCA Performance - Add performance measures for SCYCA and STARBASE (i.e., elementary school curriculum to motivate students to explore science, technology, engineering, and math)

1. **Communicate SCYCA (i.e., education enrichment for at-risk youth) opportunities to personnel involved with the juvenile justice system including, but not limited to, judges and solicitors, as an alternative sentencing option.** The Subcommittee recommends the agency: (1) meet with representatives from the Judicial Department to share information about SCYCA as an alternative sentence option; (2) make presentations about the SCYCA as an alternative sentence option during the law enforcement, circuit court, and solicitors conferences; and (3) continue tracking and reporting in the Accountability Report the number of juveniles, by county, that participate in the program as an alternative sentence referral to allow comparison of outcomes for juveniles referred to SCYCA as opposed to other alternative sentences.¹¹⁰

Agency representatives testify that as long as juveniles do not have a violent criminal offense, SCYCA is an opportunity for juveniles to rehabilitate themselves.¹¹¹ Agency representatives testify they believe somewhere along the way the system has failed these children, and putting them in a structured, caring environment is beneficial.¹¹² The agency confirms it works with the Department of Juvenile Justice, but states that in most cases, it is the judge who recommends a juvenile have the opportunity to participate in SCYCA.¹¹³

2. **Determine viability of integrating an apprenticeship program in SCYCA.** The Subcommittee recommends the agency determine the viability of combining and integrating an apprenticeship program with S.C. Youth ChalleNGe Academy as an additional means of helping juveniles.¹¹⁴

3. **Develop a long-term strategic plan for SCYCA.** The Subcommittee recommends the agency develop a long-term strategic plan that (1) addresses facilities, location, and programming; and (2) outlines needs to ensure the viability and continued existence of the SCYCA and the Job ChalleNGe program.¹¹⁵ The Subcommittee requests the agency include the following in its plan: (1) performance measures tracked by alternative schools within the state, and, to the extent possible, data from the alternative schools compared to data from SCYCA; and (2) finances tracked by other alternative schools within the state, and, to the extent possible, comparable financial data for SCYCA. Also, to the extent possible, the Subcommittee requests the agency include the following in its analysis and plan: (1) historic data related to the number of juveniles involved in the juvenile justice process who may have qualified for SCYCA during the last three years (by utilizing data from the court system); (2) whether the agency can track the number of applicants who apply as part of conditions from the juvenile justice system; and (3) whether the agency can track the number of individuals who participate in SCYCA as part of conditions from the juvenile justice system that are involved in crimes within one year of graduation from SCYCA.¹¹⁶

4. Add performance measures for SCYCA and STARBASE (i.e., elementary school curriculum to motivate students to explore science, technology, engineering, and math). The Subcommittee recommends the SCYCA and STARBASE programs add the following to the performance measures, which are tracked and reported in the annual Accountability Report: (1) total cost per student; (2) total cost to the state per student; and (3) measures tracked by the federal government.¹¹⁷ Agency representatives testify the current cost per student for STARBASE is around \$300; and the majority of funding for the program is federal.¹¹⁸ Table 15 shows the federal cost per cadet for SCYCA in federal fiscal years 2011 through 2013.¹¹⁹

Table 15. Federal dollar cost per cadet calculation.

Federal Dollar Cost Per Cadet Calculation				
Calculation: Compute for last three closed out Federal fiscal years.				
FY: 2011	NGB Class - 35	Class Dates:	0-Jan-00	0-Jan-00
	NGB Class - 36	Class Dates:	0-Jan-00	0-Jan-00
1. Program Office federal dollar share: \$1,260,000.00				
2. State dollar share: \$420,000.00				
3. Program Office approved number of cadets targeted to graduate: 150				
4. Program Office federal dollar / state dollar cost per cadet $(1+2) \div 3$: \$11,200.00				
5. Actual federal dollars expended per final closeout MOD: \$1,259,999.97				
6. Actual state dollars expended per final closeout MOD: \$420,000.00				
7. Number of actual cadet graduates: 129				
8. Actual Federal/State dollar cost per cadet $(5 \div 6)$: \$13,023.26				
FY: 2012	NGB Class - 37	Class Dates:	8-Sep-11	25-Feb-12
	NGB Class - 38	Class Dates:	28-Mar-12	24-Aug-12
1. Program Office federal dollar share: \$2,748,530.00				
2. State dollar share: \$916,176.67				
3. Program Office approved number of cadets targeted to graduate: 150				
4. Program Office federal dollar / state dollar cost per cadet $(1+2) \div 3$: \$24,431.38				
5. Actual federal dollars expended per final closeout MOD: \$2,748,057.08				
6. Actual state dollars expended per final closeout MOD: \$916,019.03				
7. Number of actual cadet graduates: 137				
8. Actual Federal/State dollar cost per cadet $(5 \div 6)$: \$26,745.08				
FY: 2013	NGB Class - 39	Class Dates:	1-Oct-12	1-Mar-13
	NGB Class - 40	Class Dates:	2-Apr-13	30-Aug-13
1. Program Office federal dollar share: \$2,800,000.00				
2. State dollar share: \$933,333.00				
3. Program Office approved number of cadets targeted to graduate: 200				
4. Program Office federal dollar / state dollar cost per cadet $(1+2) \div 3$: \$18,666.67				
5. Actual federal dollars expended per final closeout MOD: \$2,511,738.96				
6. Actual state dollars expended per final closeout MOD: \$837,245.99				
7. Number of actual cadet graduates: 151				
8. Actual Federal/State dollar cost per cadet $(5 \div 6)$: \$22,178.71				

Additionally, Appendix J includes data on SCYCA's performance for state fiscal years 2010-11 through 2016-17.

S.C. Military Museum

The Subcommittee has five recommendations for the agency related to the S.C. Military Museum, and a summary is set forth in Table 16.¹²⁰

Table 16. Summary of recommendations related to the S.C. Military Museum.

RECOMMENDATIONS FOR THE OFFICE OF THE ADJUTANT GENERAL	
S.C. Military Museum	
5. <i>Collaboration</i> - Explore advertising opportunities for the S.C. Military Museum through other state agencies	
6. <i>Collaboration</i> - Consult with the Department of Administration about potential advantages of a partnership between the S.C. Military Museum and State Museum	
7. <i>Strategic Planning</i> - Develop a plan to increase K-12 student visitation at the S.C. Military Museum and track student attendance as a performance measure	
8. <i>Performance</i> - Collect email addresses from visitors of the S.C. Military Museum in an effort to increase feedback	
9. <i>Performance</i> - Add cost-related performance measures for the S.C. Military Museum	

5. **Explore advertising opportunities for the S.C. Military Museum through other state agencies.** The Subcommittee recommends the S.C. Military Museum explore opportunities for distributing and displaying advertising materials at other state agencies through communications with the Department of Parks, Recreation, and Tourism.¹²¹ A representative from the State Museum testifies there is currently no cross-marketing between the State Museum and the S.C. Military Museum.¹²² However, the Columbia Convention Bureau offers cross-marketing opportunities, and the State Museum is open to it in the future.¹²³

6. **Consult with the Department of Administration about potential advantages of a partnership between the S.C. Military Museum and State Museum.** The Subcommittee recommends the S.C. Military Museum, in consultation with the State Museum and Department of Administration, determine if there are any potential advantages to a partnership between these separate entities being located in the same building or sharing other resources.¹²⁴ Representatives from the Department of Administration testify they are willing to meet with the Office of the Adjutant General regarding the recommendation.¹²⁵

Also, representatives from the S.C. Military Museum and State Museum testify about the different niches they are each fulfilling.¹²⁶ While the S.C. Military Museum representative acknowledges the museum's current location is not ideal, having it as a separate entity, without an admission charge to visitors, enables this museum to house certain federal artifacts.¹²⁷

7. **Develop a plan to increase K-12 student visitation at the S.C. Military Museum and track student attendance as a performance measure.** The Subcommittee recommends the S.C. Military Museum develop, and begin implementing by July 2, 2018, a plan to increase K-12 student visitation in consultation with the State Museum and the Department of Archives and History.¹²⁸ Also, the Subcommittee recommends the agency track as a performing measure the number of K-12 students visiting the museum each year.¹²⁹ The S.C. Military Museum representative testifies the museum does not have enough school students touring the museum.¹³⁰ Also, the representative testifies the museum is currently tracking attendance by hand with guest ledgers, as opposed to in a computer program where data may be gleaned about which type of visitors come through the Museum (e.g., what days of the year are busiest, etc.).¹³¹

8. **Collect email addresses from visitors of the S.C. Military Museum in an effort to increase feedback.** The Subcommittee recommends the S.C. Military Museum request email addresses from museum visitors and utilize the contact information to send surveys and information about the museum's upcoming events and exhibits.¹³² Currently, the S.C. Military Museum utilizes a comment box and obtains feedback from a museum study class at the University of South Carolina.¹³³

Surveys are utilized by the State Museum and Department of Archives and History. A representative from the State Museum testifies they primarily track customer satisfaction through surveys to their membership base.¹³⁴ Also, the State Museum obtains feedback through a kiosk in their lobby and from teachers that bring groups of students to tour the museum.¹³⁵ Representatives from the Department of Archives and History testify they utilize online surveys for events to track customer satisfaction.¹³⁶

9. **Add cost-related performance measures for the S.C. Military Museum.** The Subcommittee recommends the S.C. Military Museum track and report in the annual Accountability Report: (1) total cost per visitor; and (2) total cost to the state per visitor.¹³⁷

A State Museum representative testifies the State Museum tracks cost per visitor, and the current cost is approximately \$26 per visitor.¹³⁸ The S.C. Military Museum representative believes their cost is approximately \$40 per visitor.¹³⁹ Unlike the State Museum, there is no charge to visit the S.C. Military Museum.¹⁴⁰

S.C. Emergency Management Division

The Subcommittee has one recommendation for the agency related to the S.C. Emergency Management Division.¹⁴¹

10. **Communicate with Clemson University's Social Media Listening Center regarding the mining of social media data related to, and during, state emergencies.** The Subcommittee recommends personnel at the S.C. Emergency Management Division (SCEMD) contact personnel at Clemson University's social media listening lab to determine if a collaboration is possible to allow SCEMD to more efficiently mine data to aid in information management (i.e., anticipating requests during emergency situations).¹⁴²

Representatives from SCEMD testify this is an area for improvement.¹⁴³ Also, SCEMD representatives testify the division is working to improve its processes for mining social media to help with information management.¹⁴⁴ On February 15, 2018, SCEMD representatives testify they have already contacted Clemson and have a meeting scheduled.¹⁴⁵

Agency Processes

The Subcommittee has two recommendations for the agency related to agency processes, and a summary is set forth in Table 17.

Table 17. Summary of recommendations related to agency processes.

RECOMMENDATIONS FOR THE OFFICE OF THE ADJUTANT GENERAL	
Agency Processes	
11. <i>Resources</i>	Continue efforts to update the agency's archival process [^]
12. <i>Performance</i>	Complete the employee satisfaction/morale survey, provide results to the Committee, and determine if the agency has authorization to share the format of the survey with other state agencies

Table Note: An ^ indicates recommendations the agency has already begun to implement.

11. Continue to update the agency's archival process. The Subcommittee recommends the agency (1) continue its efforts to transfer applicable records, including electronic ones, to the Department of Archives and History, and (2) inform the Committee when it is current with transferring applicable records.¹⁴⁶ After conducting an initial review of its records to determine compliance with the guidance issued by the Department of Archives and History (DAH), the agency reports the following: (1) it has not been properly documenting the destruction of obsolete records, but it has now implemented the Record Destruction documentation process as outlined by DAH; (2) it has identified a small number of records that should be moved to DAH, which it is currently in the process of compiling; (3) it is in compliance with the requirements of the South Carolina Enterprise Information System; and (4) the majority of documentation maintained by the agency are federal documents related to the Army and Air National Guard which, other than those having to do with state-funded construction or agreements with state entities, are not under the purview of the state.¹⁴⁷

12. Complete the employee satisfaction/morale survey, provide results to the Committee, and determine if the agency has authorization to share the format of the survey with other state agencies. The Subcommittee recommends the agency: (1) continue and complete its employee satisfaction/morale survey, (2) provide the results of the survey to the Committee, and (3) inform the Committee of whether it has authorization from the Defense Equal Opportunity Management Institute to release the combined military/civilian climate survey format to non-Department of Defense affiliated organizations once the agency fully develops the climate survey.¹⁴⁸ The agency states in a letter to the Committee that once it develops its combined military/civilian climate survey, it is willing to share the format and process with other state agencies pending authorization by the Defense Equal Opportunity Management Institute.¹⁴⁹

Real Property

The Subcommittee has one recommendation for the agency related to real property.

13. Explore potential benefits that may be gained through collaboration with the Department of Administration (e.g., state's potential purchase of property near McEntire Joint National Guard Base (Richland County) and co-use of armories by other state agencies). The Subcommittee recommends the agency meet with the Department of Administration to discuss the following: (1) opportunities for the state to purchase the plant near the McEntire Joint National Guard base; (2) Department of Administration's state agency real estate planning as the Office of the Adjutant General has indicated (a) there is a potential for co-use of armories, and (b) this may be an avenue to obtain additional funding necessary to repair and/or re-build the agency's armories; and (3) other state agencies that may be able

to benefit from access to the images available from the Eagle Vision satellite, including, but not limited to, the Department of Natural Resources.¹⁵⁰

There are two main reasons for this recommendation. Since the Department of Administration does not manage the armories, it may not be aware of the potential for co-use of those facilities with other state agencies.¹⁵¹ Additionally, the Department of Administration may be able to assist the Office of the Adjutant General with the plant near the McEntire Joint National Guard base which poses concerns for the Office of the Adjutant General. Representatives from the Department of Administration testify they are willing to meet with the Office of the Adjutant General regarding the recommendation.¹⁵²

Laws

The Subcommittee has one recommendation for the agency related to laws.

14. Continue the agency's review of Title 25 (Military, Civil Defense, and Veterans Affairs) of the S.C. Code of Laws and provide the General Assembly recommendations for any necessary revisions. The Subcommittee recommends the agency continue its review of the portions of Title 25 pertaining to the S.C. Military Department and provide recommendations for revisions to the General Assembly.¹⁵³ Major General Livingston testifies the agency has already begun the review, which may take more than a year to finish.¹⁵⁴

Recommendations for the General Assembly

State Guard

The Subcommittee has two recommendations for the General Assembly related to the State Guard, which are summarized in Table 18.¹⁵⁵

Table 18. Summary of recommendations related to State Guard.

RECOMMENDATIONS FOR THE OFFICE OF THE ADJUTANT GENERAL	
Agency Processes	
15. <i>Legal Directives</i>	- Remove statutory references to active duty pay for members of the State Guard*
16. <i>Legal Directives</i>	- Consider additional funding for State Guard training and equipment*

*Table Note: Recommendations with an * are requested by the State Guard.*

15. Remove statutory references to active duty pay for members of the State Guard. The Subcommittee concurs with a request of the Commander of the State Guard for the General Assembly to remove references to active duty pay for members of the State Guard (i.e., delete S.C. Code of Laws Section 25-3-140), as the State Guard is an all-volunteer force.¹⁵⁶ Table 19 includes specific statutory changes requested by the State Guard.¹⁵⁷

Table 19. Specific statutory changes requested by the State Guard.

Statute	Proposed Language ¹⁵⁸
25-3-140	<p>SECTION 25-3-140. Pay of members on active duty.</p> <p>When members of the South Carolina State Guard are ordered to active duty by the Governor or by his authority, they shall receive the pay as specified for officers and enlisted men of the National Guard when called out for such service.</p>

16. Consider additional funding for State Guard training and equipment. The Subcommittee concurs with a request of the Commander of the State Guard for the General Assembly to consider providing funds to the State Guard to pay for training and equipment needed for the group to provide assistance during disasters or events affecting the state.¹⁵⁹

Eliminate

The Subcommittee does not have any specific recommendations with regards to elimination of agency programs.

Internal Changes Implemented by Agency Related to Study Process

During the study process, the agency begins implementing recommendation number ten by contacting Clemson University's Social Media Listening Center regarding the mining of social media data related to, and during, state emergencies.¹⁶⁰

Additionally, the agency begins implementing recommendation number eleven by beginning to update its archival process.

SELECTED AGENCY INFORMATION

Office of the Adjutant General of South Carolina. "Program Evaluation Report (September 29, 2017)."

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Program%20Evaluation%20Report%20\(September%2029,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Program%20Evaluation%20Report%20(September%2029,%202017).pdf) (accessed March 1, 2018).

Office of the Adjutant General. "Restructuring and Seven-Year Plan Report."

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2015AgencyRestructuringandSevenYearPlanReports/2015%20Adjutant%20General.pdf> (accessed March 1, 2018).

S.C. Military Department. "2016 Annual Restructuring Report."

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2016%20ARR/2016%20ARR%20-%20Adjutant%20General.PDF> (accessed March 1, 2018).

Office of the Adjutant General. "2015-16 Agency Accountability Report."

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202015-2016.pdf> (accessed March 1, 2018).

Office of the Adjutant General. "2016-17 Agency Accountability Report."

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202016-2017.pdf> (accessed March 1, 2018).

S.C. House of Representatives, Legislative Oversight Committee. "Results of Survey of Office of the Adjutant General; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017)."

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20\(6.27-%207.28.pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20(6.27-%207.28.pdf) (accessed March 1, 2018).

CONTACT INFORMATION

Committee Contact Information

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Legislative Oversight Committee
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Post Office Box 11867
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Online:

You may visit the South Carolina General Assembly Home Page (<http://www.scstatehouse.gov>) and click on "Citizens' Interest" then click on "House Legislative Oversight Committee Postings and Reports". This will list the information posted online for the committee; click on the information you would like to review. Also, a direct link to committee information is <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>.

Agency Contact Information

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1 National Guard Road
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Online:

The Military Department of South Carolina State Operations - <https://sctag.org/>
S.C. National Guard - <https://www.scguard.com/>
169th Fighter Wing - <http://www.169fw.ang.af.mil/>
State Guard - <http://www.sg.sc.gov/>
S.C. Military Museum - <http://www.scmilitarymuseum.com/>
S.C. Youth Challenge Academy - <https://www.scyouthchallenge.com/>
STARBASE Swampfox - <http://www.scstarbase.org/>
S.C. Emergency Management Division - <http://www.scemd.org/>

ENDNOTES

¹ Visual Summary Figure 1 is compiled from information in the Office of the Adjutant General study materials available online under "Citizens' Interest," under "House Legislative Oversight Committee Postings and Reports," and then under "Adjutant General"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/AdjutantGeneral.php> (accessed March 16, 2018). Another agency organizational unit, which is not pictured in Figure 1, is the SC Joint Services Detachment.

² SC Code of Laws § 2-2-20(C).

³ February 15, 2018 Meeting Minutes and Video, part 2, 01:01:40.

⁴ SC House of Representatives, House Legislative Oversight Committee, "Program Evaluation Report (September 29, 2017)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Other Reports, Reviews, and Audits," and under "Oversight Reports," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/ProgramEvaluationReport\(September%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/ProgramEvaluationReport(September%202017).pdf) (Accessed March 6, 2018). Hereinafter, "Agency PER." Agency Legal Directives, Plan & Resources, Question 1 ("Please provide the major events history of the agency by year, from its origin to the present, in a bulleted list. Include the names of each director with the year the director started and major events (e.g., programs added, cut, departments/divisions changed, etc.)") Also, emails from Colonel (Ret.) Ken Braddock, Chief of Staff for State Operations, S.C. Military Department to Mr. Charles Appleby, Legal Counsel, House Legislative Oversight Committee, in March and April 2018.

⁵ Act 405, Article IV of 1905.

⁶ Act 896 of 1950. Also in 1950, the Palmetto Military Academy (SC Army National Guard Officer Candidate School) holds its inaugural academic session on April 15, 1950 at the Olympia Armory, and is federally recognized the following year. Further, in 1950, Battery D, 713th Anti-Aircraft Artillery Gun Battalion is ordered into active federal service. The unit deploys to the Chicago area to serve as part of the nation's Continental Air Defense during the Korean Conflict.

⁷ Act 888 of 1958.

⁸ Brigadier General McEntire died while piloting his disabled F-104 Starfighter away from a populated area near Harrisburg, Pennsylvania.

⁹ Act 128 and 410 of 1973.

¹⁰ Act 138 of 1977.

¹¹ Act 199, Section 21 of 1979.

¹² Founded by Colonel Hugh M. McLaurin III, it is the first museum in South Carolina devoted to the state's citizen-soldiers.

¹³ SC Code of Regulations 58-1 and 58-101.

¹⁴ Act 319 of 1998.

¹⁵ Act 190 of 2002.

¹⁶ The entities partner to provide Richland county schools district-level guidance, training, and support for the academy education department and cadets.

¹⁷ At the time it was the costliest hurricane to hit the U.S.

¹⁸ The peak of operations occurs October 5, 2016, to November 2, 2016.

¹⁹ Counties affected include: Aiken, Allendale, Bamberg, Barnwell, Berkeley, Calhoun, Chesterfield, Clarendon, Colleton, Dillon, Dorchester, Edgefield, Florence, Georgetown, Hampton, Horry, Lexington, Marion, Orangeburg, Saluda, Sumter and Williamsburg.

²⁰ The first S.C. National Guard mission is executed on October 3, 2015. On October 4, 2015, 700 S.C. National Guard personnel, including swift water rescue assets from Virginia, Tennessee and Georgia, are prepositioned for life saving response. S.C. Helicopter Aquatic Rescue Team conducts 25 life-saving hoist rescues in the area in the first four hours.

²¹ Eight die at the time of the accident, one dies later as a result of chlorine inhalation.

²² Agency PER, Strategic Plan Summary Chart.

²³ Agency PER, Strategic Plan Summary Chart.

²⁴ Agency PER, Agency Legal Directives, Plan & Resources, Question #2.

²⁵ 2015 Act No. 1 (S.8), Section 1.B, eff March 5, 2015.

²⁶ Agency PER, Organizational Units Chart.

²⁷ Ibid.

²⁸ McEntire Joint National Guard Base is used as a staging area for military aviation operations in support of disasters, and as a receiving/departure airfield for military airlift of disaster supplies and personnel. In addition, the SC Air National Guard provides the personnel and expertise for manning and operations of the ESF-1 (Transportation) Air Branch which coordinates the airflow and air assets in support of disaster operations.

²⁹ SC House of Representatives, House Legislative Oversight Committee, "Organizational Chart," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," and under "History and Organization of Agency," <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/2017%20Organizational%20Chart.pdf> (Accessed March 20, 2018). Confirmed accurate as of March 2018 via March 21, 2018 email from Colonel (Ret.) Ken Braddock, Chief of Staff for State Operations, S.C. Military Department to Mr. Charles Appleby, Legal Counsel, House Legislative Oversight Committee.

³⁰ Agency PER, Agency Legal Directives, Plan & Resources, Question #3.

³¹ These cooperative agreements between National Guard Bureau and the state are the mechanism by which federal resources are transferred to the state to execute certain programs.

³² Agency PER, Laws Chart.

³³ See, Article IV. Executive Department. Section 13. Commander-in-Chief. The Governor shall be Commander-in-Chief of the organized and unorganized militia of the state. History: (1972 (57) 3171; 1973 (58) 48.) Editor's Note - The present provisions of this section are similar to former Section 10 of Article IV as it existed prior to the 1973 revision. For similar provisions in Constitution of 1868, see Const 1868, Art III, Section 10. CROSS REFERENCES - Legislative provisions covering Governor's power to maintain peace and order, see Sections 1-3-410 et seq.

See also, Article VI. Officers. Section 7. Elective offices; terms; duties; compensation; appointment of Adjutant General. There shall be elected by the qualified voters of the state a Secretary of State, an Attorney General, a Treasurer, a Superintendent of Education, Comptroller General, Commissioner of Agriculture, and an Adjutant General who shall hold their respective offices for a term of four years, coterminous with that of the Governor. The duties and compensation of such offices shall be prescribed by law and their compensation shall be neither increased nor diminished during the period for which they shall have been elected. Beginning upon the expiration of the term of the Adjutant General serving in office on the date of the ratification of the provisions of this paragraph, the Adjutant General must be appointed by the Governor, upon the advice and consent of the

Senate. The appointed Adjutant General shall serve for a term not coterminous with the Governor and may be removed only for cause. The General Assembly shall provide by law for the term, duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Adjutant General may be removed from office. (emphasis added) History: 1972 (57) 3181; 1973 (58) 83; 1983 Act No. 25; 2015 Act No. 1 (S.8), Section 1.A, eff March 5, 2015. Editor's Note - The present provisions of this section are similar to former Section 24 of Article IV as it existed prior to the 1973 revision. For similar provisions in Constitution of 1868, see Const 1868, Art III, Section 23. 2015 Act No. 1, Section 1.A, provides in part as follows: "SECTION 1.A. The amendment to Section 7, Article VI of the Constitution of South Carolina, 1895, prepared under the terms of Joint Resolution 297 of 2014, having been submitted to the qualified electors at the General Election of 2014 as prescribed in Section 1, Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received on the amendment, is ratified and declared to be a part of the Constitution so that Section 7, Article VI of the Constitution of this State be amended by adding the following new paragraph at the end: [text of amendment follows]." Effect of Amendment - 2015 Act No. 1, Section 1.A, added the second paragraph.

See also, Article XIII. Militia. Section 4. Adjutant General; appointment. There must be an Adjutant General. The position of Adjutant General is recognized as holding the rank of Major General, and the Adjutant General's duties and compensation must be prescribed by law. The Governor, by and with the advice and consent of the Senate, shall appoint staff officers as the General Assembly may direct. Beginning upon the expiration of the term of the Adjutant General serving in office on the date of the ratification of the provisions of this paragraph, the Adjutant General must be appointed by the Governor, with the advice and consent of the Senate, in the manner provided in Section 7, Article VI. (emphasis added) HISTORY: 2015 Act No. 1 (S.8), Section 1.B, eff March 5, 2015. Editor's Note - For similar provisions in Constitution of 1868, see former Art XIII, Section 3. 2015 Act No. 1, Section 1.B, provides in part as follows: "B. The amendment to Section 4, Article XIII of the Constitution of South Carolina, 1895, prepared under the terms of Joint Resolution 297 of 2014, having been submitted to the qualified electors at the General Election of 2014 as prescribed in Section 1, Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received on the amendment, is ratified and declared to be a part of the Constitution so that Section 4, Article XIII of the Constitution of this State be amended to read: [text of amendment follows]." CROSS REFERENCES - Legislative provisions pertaining to Military Department and Adjutant General, see Section 25 1 310 et seq.

³⁴ Agency PER, Laws Chart.

³⁵ Agency PER, Deliverables chart and Email from agency personnel, Ken Braddock, to House Legislative Oversight Committee Legal Counsel, Charles Appleby, in March 2018.

³⁶ S.C. House of Representatives, House Legislative Oversight Committee, "Map of Facility Locations (October 13, 2017)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Products and Services of Agency,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Map%20of%20Facility%20Locations%20\(as%20of%20December%204,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Map%20of%20Facility%20Locations%20(as%20of%20December%204,%202017).pdf) (accessed March 6, 2018).

³⁷ Agency PER, Deliverables-Potential Harm chart.

³⁸ 2015-16 Agency Accountability Report.

³⁹ SC House of Representatives, House Legislative Oversight Committee, "Comprehensive Strategic Finances Chart," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Other Reports, Reviews, and Audits," under "Oversight Reports," and under "Program Evaluation Report (September 29, 2017)," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Comprehensive%20Strategic%20Finances%20Chart.xlsx> (Accessed March 6, 2018).

⁴⁰ Agency PER, Strategic Plan Summary Chart.

⁴¹ Also, this includes the percentage of total amount appropriated and authorized to spend.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Phone conversation between agency personnel, Ken Braddock, and House Legislative Oversight Committee Legal Counsel, Charles Appleby, in October 2017.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Readiness Centers are the physical locations that serve as the community-based home for National Guard Units. These facilities house the fulltime personnel, equipment, and property of the unit. In addition, these facilities are the locations from which the units operate and conduct most of their monthly training events.

⁴⁹ Also, this includes the percentage of total amount appropriated and authorized to spend.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ GridEx IV is the biennial exercise designed to simulate a cyber/physical attack on electric and other critical infrastructures across North America, and will involve: (1) Electric Utilities; (2) Regional (Local, State, Provincial) and Federal Government agencies in law enforcement, first response, and intelligence community functions; (3) Critical Infrastructure Cross-Sector partners (ISACs and other utilities), and; (4) Supply Chain stakeholder organizations. See, <http://www.nerc.com/pa/CI/CIPOutreach/Pages/GridEX.aspx> (Accessed March 9, 2018).

⁵⁴ Also, this includes the percentage of total amount appropriated and authorized to spend.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Phone conversation between agency personnel, Ken Braddock, and House Legislative Oversight Committee Legal Counsel, Charles Appleby, in October 2017.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Readiness Centers are the physical locations that serve as the community-based home for National Guard Units. These facilities house the fulltime personnel, equipment, and property of the unit. In addition, these facilities are the locations from which the units operate and conduct most of their monthly training events.

⁷⁴ Chargeable transient quarters are non-permanent housing for which a fee is charged for use. Crew Rest is located at McEntire Joint National Guard Base. Clarks Hill Training Site is located in McCormick County just east of the town of Plum Branch, SC.

⁷⁵ Also, this includes the percentage of total amount appropriated and authorized to spend.

⁷⁶ Ibid.

⁷⁷ Chargeable transient quarters are non-permanent housing for which a fee is charged for use. Crew Rest is located at McEntire Joint National Guard Base. Clarks Hill Training Site is located in McCormick County just east of the town of Plum Branch, SC.

⁷⁸ SC Code of Laws, §2-2-10(1).

⁷⁹ SC House of Representatives, House Legislative Oversight Committee, "May 10, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," and under "Meetings," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/May%2010,%202017%20Meeting%20Minutes.pdf> (Accessed March 9, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁸⁰ SC House of representatives, House Legislative Oversight Committee, "Subcommittees -2017," under "Committee Information," under "House Legislative Oversight Committee,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittee%20Assignments%20-202017.pdf> (accessed May 19, 2017).

⁸¹ 2015-16 Agency Accountability Report.

⁸² Ibid.

⁸³ SC Code of Laws §1-30-10.

⁸⁴ 2016 - Agency ARR.

⁸⁵ A brochure about the House Legislative Oversight's Committee process is available online. Also, there are ongoing opportunities to request notification when meetings are scheduled and to provide feedback about state agencies under study that can be found online.

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Brochure%205.18.17.pdf> (accessed August 10, 2017).

⁸⁶ SC House of Representatives, House Legislative Oversight Committee.

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed July 10, 2017).

⁸⁷ SC House of Representatives, House Legislative Oversight Committee, "Press Release announcing Public Survey (June 27, 2017)," under "Public Survey & Public Input via LOC webpage" under "Committee Postings and Reports," under "Adjutant General," and under "House Legislative Oversight Committee,"

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/AdjutantGeneral.php> (accessed February 8, 2018). Hereinafter, "Press Release announcing Public Survey."

⁸⁸ SC House of Representatives, House Legislative Oversight Committee, "Results of Survey of Office of the Adjutant General; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," and under "Adjutant General" [https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20\(6.27-%207.28.pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20(6.27-%207.28.pdf) (accessed February 8, 2018). Hereinafter, "Results of Survey of Adjutant General's Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017)."

⁸⁹ Committee Standard Practice 10.4.

⁹⁰ Results of Survey of Adjutant General's Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017).

⁹¹ SC House of Representatives, House Legislative Oversight Committee, "Submit Public Input," under "Committee Postings and Reports," under "House Legislative Oversight Committee"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed May 23, 2017).

⁹² Results of Survey of Office of the Adjutant General; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017).

⁹³ Ibid.

⁹⁴ Committee Standard Practice 10.4.2 allows for the redaction of profanity.

⁹⁵ Also, the Chair of either the Committee or Subcommittee has the discretion to allow testimony during meetings.

⁹⁶ Press Release announcing Public Survey.

⁹⁷ SC House of Representatives, House Legislative Oversight Committee, "October 16, 2017 Meeting Minutes," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," and under "Meetings,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/October%2016,%202017%20Meeting%20Minutes.pdf> (Accessed March 9, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁹⁸ SC House of Representatives, House Legislative Oversight Committee, "Meeting Packet," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Meetings," and under "Tuesday, October 10, 2017,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/October%2010,%202017%20-%20Meeting%20Packet%20-%20Adjutant%20General.pdf> (Accessed February 26, 2018); See, also, SC House of Representatives, House Legislative Oversight Committee, "Adjutant General PowerPoint presentation," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Meetings," and under "Tuesday, October 10, 2017,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Adjutan%20General%20PowerPoint%20Presentation%20\(10.10.17\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Adjutan%20General%20PowerPoint%20Presentation%20(10.10.17).pdf) (Accessed February 26, 2018).

⁹⁹ Other agencies include: Office of the Adjutant, General, Commission for Minority Affairs, and Patriot's Point Development Authority.

¹⁰⁰ SC House of Representatives, House Legislative Oversight Committee, "Meeting Packet," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Meetings," and under "Monday, November 20, 2017,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/November%2020,%202017%20-%20Meeting%20Packet.pdf> (Accessed February 26, 2018); See also,

SC House of Representatives, House Legislative Oversight Committee, "SC Youth Challenge PowerPoint presentation," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Meetings," and under "Monday, November 20, 2017,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Youth%20Challenge%20PowerPoint%20presentation%20\(November%2020,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Youth%20Challenge%20PowerPoint%20presentation%20(November%2020,%202017).pdf) (Accessed February 26, 2018).

SC House of Representatives, House Legislative Oversight Committee, "STARBASE Swamp Fox PowerPoint presentation," under "Committee Postings and Reports," under "House Legislative Oversight Committee" under "Adjutant General," under "Meetings," and under "Monday, November 20, 2017,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/STARBASE%20Swamp%20Fox%20PowerPoint%20presentation%20\(November%2020,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/STARBASE%20Swamp%20Fox%20PowerPoint%20presentation%20(November%2020,%202017).pdf) (Accessed February 26, 2018).

SC House of Representatives, House Legislative Oversight Committee, “SC Military Museum PowerPoint presentation,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Adjutant General,” under “Meetings,” and under “Monday, November 20, 2017,”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Military%20Museum%20PowerPoint%20presentation%20\(November%202020,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Military%20Museum%20PowerPoint%20presentation%20(November%202020,%202017).pdf) (Accessed February 26, 2018). Hereinafter, “SC Military Museum PowerPoint presentation;” and

SC House of Representatives, House Legislative Oversight Committee, “Emergency Management Division PowerPoint presentation,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Adjutant General,” under “Meetings,” and under “Monday, November 20, 2017,”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Emergency%20Management%20Division%20PowerPoint%20presentation%20\(November%202020,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Emergency%20Management%20Division%20PowerPoint%20presentation%20(November%202020,%202017).pdf) (Accessed February 26, 2018). Hereinafter, “Emergency Management Division PowerPoint presentation.”

¹⁰¹ SC House of Representatives, House Legislative Oversight Committee, “Meeting Packet,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Adjutant General,” under “Meetings,” and under “Thursday, December 7, 2017,”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/December%207,%202017%20-%20Meeting%20Packet%20-%20Army,%20Air,%20State%20Guard.pdf> (Accessed February 26, 2018); See also,

SC House of Representatives, House Legislative Oversight Committee, “SC Army National Guard PowerPoint presentation,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Adjutant General,” under “Meetings,” and under “Thursday, December 7, 2017,”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/SC%20Army%20National%20Guard%20PowerPoint%20presentation.pdf> (Accessed February 26, 2018). Hereinafter, “SC Army National Guard PowerPoint presentation.”

SC House of Representatives, House Legislative Oversight Committee, “SC Air National Guard PowerPoint presentation,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Adjutant General,” under “Meetings,” and under “Thursday, December 7, 2017,”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/SC%20Air%20National%20Guard%20PowerPoint%20presentation%20from%20agency.pdf> (Accessed February 26, 2018). Hereinafter, “SC Air National Guard PowerPoint presentation.”

SC House of Representatives, House Legislative Oversight Committee, “SC State National Guard PowerPoint presentation,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Adjutant General,” under “Meetings,” and under “Thursday, December 7, 2017,”
<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/SC%20State%20Guard%20PowerPoint%20presentation.pdf> (Accessed February 26, 2018). Hereinafter, “State Guard PowerPoint presentation.”

¹⁰² Specifically, recommendation numbers 9 and 13 were discussed.

¹⁰³ See Appendix G for more information on the Palmetto System.

¹⁰⁴ See, SC House of Representatives, House Legislative Oversight Committee, “Meeting Packet,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Adjutant General,” under “Meetings,” and under “Thursday, February 15, 2018,”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/February%202015,%202018%20-%20Meeting%20Packet.pdf> (Accessed February 26, 2018), page 33. Hereinafter, “February 15, 2018 Meeting Packet.”

¹⁰⁵ See, SC House of Representatives, House Legislative Oversight Committee, “Adjutant General PowerPoint presentation with information on the following: (1) Secure Area Defense Officer Program (SADOP); (2) State Guard legislative recommendations; (3) SC Youth Challenge; and (4) SC Emergency Management Division,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Adjutant General,” under “Meetings,” and under “Thursday, February 15, 2018,”
[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Adjutant%20General%20PowerPoint%20presentation%20\(February%202015,%202018\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Adjutant%20General%20PowerPoint%20presentation%20(February%202015,%202018).pdf) (Accessed March 15, 2018), starting on slide 73.

¹⁰⁶ February 15, 2018 Meeting Packet; See also, SC House of Representatives, House Legislative Oversight Committee, “Adjutant General PowerPoint presentation with information on the following: (1) Secure Area Defense Officer Program (SADOP); (2) State

Guard legislative recommendations; (3) SC Youth Challenge; and (4) Emergency Management Division," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Meetings," and under "Thursday, February 15, 2018,"

[http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/AdjutantGeneral%20PowerPoint%20presentation%20\(February%202015,%202018\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/AdjutantGeneral%20PowerPoint%20presentation%20(February%202015,%202018).pdf) (Accessed February 26, 2018).

¹⁰⁷ Committee Standard Practice 14.1.

¹⁰⁸ Committee Standard Practice 14.2.

¹⁰⁹ Agency representatives testify about SCYCA and STARBASE during the Subcommittee meetings on November 20, 2017, and February 15, 2018. Testimony about SC Youth Challenge Academy available at November 20, 2017 Meeting Minutes and Video, part 1, 01:12:10; February 15, 2018 Meeting Minutes and Video, part 2, 00:13:25: Starts presenting information on SC Youth Challenge, 00:14:00: Certified High School Requirements vs. SCYCA, 00:16:20: CORE Inspection Program (inspection by the National Guard Bureau contractors), 00:17:05: Operational Compliance, 00:17:14: Resource Management Compliance, 00:17:28: Operational Performance Inspection, 00:17:45: Financial Performance, 00:18:00: CORE Findings and Correction Action Plan, 00:18:30: Operational Compliance, 00:21:15: Resource Management Compliance, 00:24:25: Statistics on those participating in the Youth Challenge Academy, 00:26:42: Data Management System, 00:27:50: Program Success Statement, 00:28:20: Agency's position on S451 and H3789. Testimony about STARBASE Swampfox available at November 20, 2017 Meeting Minutes and Video, part 1, 01:49:40.

¹¹⁰ December 7, 2017 Meeting Minutes and Video.

¹¹¹ October 10, 2017 Meeting Minutes and Video, 01:13:15.

¹¹² Ibid.

¹¹³ November 20, 2017 Meeting Minutes and Video, part 1, 01:41:45.

¹¹⁴ February 15, 2018 Meeting Minutes and Video.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

¹¹⁷ December 7, 2017 Meeting Minutes and Video.

¹¹⁸ November 20, 2017 Meeting Minutes and Video, part 1, 02:17:00 and 02:25:30.

¹¹⁹ SC House of Representatives, House Legislative Oversight Committee, "CORE Report - Dec 2016," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Goals, Spending, and Performance of Agency," under "Performance," under "Youth Challenge,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Youth%20Challenge%20-%20CORE%20Report%20-%20Dec%202016.pdf> (Accessed February 28, 2018), page 103.

In regards to measures tracked by the federal government, the agency provides a December 2016 ChalleNGe Operational and Resource Effectiveness (CORE) Program report of inspection which includes information on target and actual results for SCYCA performance measures including, but not limited to, number of graduates, placement six months after the program, placement twelve months after the program, contact rate six and twelve months after the program, and federal dollar cost per cadet. The agency testifies a group contracted by the National Guard Bureau performed the evaluation based on the National Guard guidelines, and the agency has implemented corrective action plans for all items noted in the CORE report. Also, the agency provides the Committee SCYCA annual reports submitted to the federal government which include statistics about the cadets from class such as the following: (1) pre and post Academy grade level equivalent; (2) credential received (e.g., General Education Development (GED), diploma, returned to high school, etc.); (3) responsible citizenship measures (e.g., eligible to vote, registered to vote, etc.); and (4) physical fitness.

See the following as sources of the information above:

SC House of Representatives, House Legislative Oversight Committee, "CORE Report - Dec 2016," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Goals, Spending, and Performance of Agency," under "Performance," under "Youth Challenge,"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Youth%20Challenge%20-%20CORE%20Report%20-%20Dec%202016.pdf> (Accessed February 28, 2018), page 57-65; 102-106.

February 15, 2018 Meeting Minutes and Video, part 1, 00:16:20: CORE Inspection Program (inspection by the National Guard Bureau contractors), 00:17:05: Operational Compliance, 00:17:14: Resource Management Compliance, 00:17:28: Operational Performance Inspection, 00:17:45: Financial Performance, 00:18:00: CORE Findings and Correction Action Plan, 00:18:30: Operational Compliance, 00:21:15: Resource Management Compliance, and 00:23:20.

SC House of Representatives, House Legislative Oversight Committee, "2014 Annual Report - Data Call," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Goals, Spending, and Performance of Agency," under "Performance," under "Youth Challenge"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Youth%20Challenge%20-%202014%20Annual%20Report%20-%20Data%20Call.pdf> (Accessed March 6, 2018).

SC House of Representatives, House Legislative Oversight Committee, "2015 Annual Report - Data Call," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Goals, Spending, and Performance of Agency," under "Performance," under "Youth Challenge"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Youth%20Challenge%20-%202015%20Annual%20Report%20-%20Data%20Call.pdf> (Accessed March 6, 2018).

SC House of Representatives, House Legislative Oversight Committee, "2016 Annual Report - Data Call," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Goals, Spending, and Performance of Agency," under "Performance," under "Youth Challenge"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Youth%20Challenge%20-%202016%20Annual%20Report%20-%20Data%20Call.pdf> (Accessed March 6, 2018).

SC House of Representatives, House Legislative Oversight Committee, "2017 Annual Report - Data Call," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Goals, Spending, and Performance of Agency," under "Performance," under "Youth Challenge"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Youth%20Challenge%20-%202017%20Annual%20Report%20-%20Data%20Call.pdf> (Accessed March 6, 2018).

¹²⁰ Agency representatives testify about the SC Military Museum during the Subcommittee meeting on November 20, 2017. November 20, 2017 Meeting Minutes and Video, part 1, 00:06:15: Organizational Mission, Vision, and Goals, 00:10:20: Key Dates in History, 00:12:00: Key Successes/Issues/Emerging Issues, 00:23:15: Key Deliverables and Potential Harm, 00:23:38: Organization, 00:24:34: Employee Statistics, 00:29:50: Organizational Finances, 00:31:25: Applicable Agency Goals and Strategies, 00:31:40: Supporting Performance Measures, 00:39:10: Conclusion/Summary.

Subcommittee members and representatives from the Department of Administration discuss the SC Military Museum during the Subcommittee meeting on February 15, 2018. February 15, 2018 Meeting Minutes and Video, part 1, 00:04:20.

¹²¹ December 7, 2017 Meeting Minutes and Video.

¹²² November 20, 2017 Meeting Minutes and Video, part 1, 00:59:30.

¹²³ Ibid.

¹²⁴ February 15, 2018 Meeting Minutes and Video.

¹²⁵ February 15, 2018 Meeting Minutes and Video, part 1, 00:04:20. See also, November 20, 2017 Meeting Minutes and Video, part 1, 00:52:00.

¹²⁶ November 20, 2017 Meeting Minutes and Video, part 1, 00:45:25.

¹²⁷ November 20, 2017 Meeting Minutes and Video, part 1, 01:05:00.

¹²⁸ December 7, 2017 Meeting Minutes and Video.

¹²⁹ Ibid.

¹³⁰ November 20, 2017 Meeting Minutes and Video, part 1, 00:35:10.

¹³¹ November 20, 2017 Meeting Minutes and Video, part 1, 00:33:34.

¹³² December 7, 2017 Meeting Minutes and Video.

¹³³ November 20, 2017 Meeting Minutes and Video, part 1, 00:40:30.

¹³⁴ November 20, 2017 Meeting Minutes and Video, part 1, 00:55:40 and 00:58:40.

¹³⁵ November 20, 2017 Meeting Minutes and Video, part 1, 00:55:40.

¹³⁶ Ibid.

¹³⁷ December 7, 2017 Meeting Minutes and Video.

¹³⁸ November 20, 2017 Meeting Minutes and Video, part 1, 00:50:30.

¹³⁹ November 20, 2017 Meeting Minutes and Video, part 1, 00:52:00.

¹⁴⁰ Ibid.

¹⁴¹ Agency representatives testify about the SCEMD during the Subcommittee meetings on November 20, 2017, and February 15, 2018. November 20, 2017 Meeting Minutes and Video, part 2, 00:01:00; February 15, 2018 Meeting Minutes and Video, part 2, 00:29:25: Presents information on SCEMD, 00:29:44: Agenda, 00:29:50: Mission, 00:30:05: Logistics Hierarchy, 00:31:50: Contracting, 00:33:10: Contracting Partners, 00:34:28: Disaster Assistance, 00:34:35: Financial Assistance, 00:36:00: Reimbursement, 00:34:25: Resource request process, 00:34:35: Off-the-shelf contracts available, 00:35:00: SCEMD contracts and agreements, 00:36:00: Reimbursement for emergency costs, 00:37:00: Emergency declarations, 00:39:14: Information Management, 00:39:15: Palmetto system, 00:41:15: Public Information, 00:41:30: SCEMD Website, 00:41:55: Mobile application in development, 00:42:30: Hurricane Program, 00:43:14: Key Documents, 00:52:30: Run from Water, Hide from Wind, 00:52:45: Evacuation Zones, 00:53:30: Hurricane Conglomerates, 00:54:20: Evacuation Routes, 00:54:50: Hurricane Irma, 00:54:55: Possible Scenarios, 00:56:10: Hurricane Irma Timeline, 00:56:55: Timing and Decisions, 00:57:45: Evacuation Coordination,

00:58:15: Forecast Changes, 00:59:30: Most likely Arrival of Tropical Storm Force Winds, 00:59:45: Irma Actual track, 00:59:55: Extent of Tropical Storm Force Winds, 01:00:10: Graphics on Wind Gust, 01:00:30: Surge data, 01:00:55: Irma Rainfall.

¹⁴² December 7, 2017 Meeting Minutes and Video.

¹⁴³ November 20, 2017 Meeting Minutes and Video, part 2, 01:01:15.

¹⁴⁴ November 20, 2017 Meeting Minutes and Video, part 2, 01:04:40.

¹⁴⁵ February 15, 2018 Meeting Minutes and Video, part 2, 01:01:40.

¹⁴⁶ February 15, 2018 Meeting Minutes and Video.

¹⁴⁷ SC House of Representatives, House Legislative Oversight Committee, "Letter from Adjutant General to Oversight Subcommittee (February 8, 2018)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Correspondence," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Letter%20from%20Adjutant%20General%20Office%20to%20Subcommittee%20with%20attachments%20\(February%208,%202018\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Letter%20from%20Adjutant%20General%20Office%20to%20Subcommittee%20with%20attachments%20(February%208,%202018).pdf) (Accessed March 6, 2018). Hereinafter, "February 8, 2018 letter from agency."

¹⁴⁸ February 15, 2018 Meeting Minutes and Video.

¹⁴⁹ SC House of Representatives, House Legislative Oversight Committee, "Letter from Adjutant General to Oversight Subcommittee (December 12, 2017)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Correspondence," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Letter%20from%20Adjutant%20General%20to%20Oversight%20Subcommittee%20with%20attachments%20\(December%2012,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Letter%20from%20Adjutant%20General%20to%20Oversight%20Subcommittee%20with%20attachments%20(December%2012,%202017).pdf) (Accessed March 6, 2018), Question 1.

¹⁵⁰ February 15, 2018 Meeting Minutes and Video.

¹⁵¹ December 7, 2017 Meeting Minutes and Video, part 1, 01:27:15.

¹⁵² February 15, 2018 Meeting Minutes and Video, part 1, 00:04:20 and 00:06:10.

¹⁵³ February 15, 2018 Meeting Minutes and Video.

¹⁵⁴ February 15, 2018 Meeting Minutes and Video, part 2, 00:00:52.

¹⁵⁵ Agency representatives testify about the State Guard during the Subcommittee meetings on December 7, 2017, and February 15, 2018. December 7, 2017 Meeting Minutes and Video, part 2, 00:46:30; February 15, 2018 Meeting Minutes and Video, part 1, 00:26:45.

¹⁵⁶ February 15, 2018 Meeting Minutes and Video, part 1, 00:26:45.

¹⁵⁷ *Ibid.*

¹⁵⁸ Agency July 7, 2017 letter to the Subcommittee at page 5.

¹⁵⁹ February 15, 2018 Meeting Minutes and Video, part 1, 00:26:45.

¹⁶⁰ February 15, 2018 Meeting Minutes and Video, part 2, 01:01:40.

¹⁶¹ SC House of Representatives, House Legislative Oversight Committee, "2016-17 Agency Accountability Report," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Other Reports, Reviews, and Audits," and under "Oversight Reports," <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202016-2017.pdf> (Accessed March 9, 2018), Customers Template.

¹⁶² Agency PER, Organizational Units Chart.

¹⁶³ *Ibid.*

¹⁶⁴ SC Military Museum PowerPoint presentation.

¹⁶⁵ State Guard PowerPoint presentation.

¹⁶⁶ SC Air National Guard PowerPoint presentation.

¹⁶⁷ SC Army National Guard PowerPoint presentation.

¹⁶⁸ Emergency Management Division PowerPoint presentation.

¹⁶⁹ Information confirmed as accurate by the Office of the Adjutant General via email from Ken Braddock to Oversight Committee Legal Counsel Charles Appleby on February 8, 2018.

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ S.C. House of Representatives, House Legislative Oversight Committee, "SC Emergency Management Division PowerPoint presentation," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Adjutant General," under "Meetings," [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Emergency%20Management%20Division%20PowerPoint%20presentation%20\(November%2020,%202017\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Emergency%20Management%20Division%20PowerPoint%20presentation%20(November%2020,%202017).pdf) (accessed March 23, 2018), page 31. Hereinafter, "November 20, 2017 SC EMD Presentation."

¹⁷⁴ *Ibid.*

¹⁷⁵ Ibid.

¹⁷⁶ Ibid.

¹⁷⁷ Information obtained from Mr. Kim Stenson, Director of SCEMD during his discussion with Representative Gary Clary, Representative Laurie Funderburk, and Oversight Committee Legal Counsel Charles Appleby on their tour of SCEMD facilities on December 18, 2017. Hereinafter "December 18, 2017 tour."

¹⁷⁸ Ibid.

¹⁷⁹ Ibid.

¹⁸⁰ Ibid.

¹⁸¹ Ibid.

¹⁸² November 20, 2017 SCEMD Presentation, page 33.

¹⁸³ Ibid.

¹⁸⁴ December 18, 2017 tour.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid.

¹⁹⁰ November 20, 2017 SCEMD Presentation, page 34.

¹⁹¹ Ibid.

¹⁹² November 20, 2017 SCEMD Presentation, page 35.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ November 20, 2017 SCEMD Presentation, page 31.

¹⁹⁷ December 18, 2017 tour.

¹⁹⁸ November 20, 2017 SCEMD Presentation, page 36.

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

²⁰¹ December 18, 2017 tour.

²⁰² November 20, 2017 SCEMD Presentation, page 36.

²⁰³ Ibid.

²⁰⁴ December 18, 2017 tour.

²⁰⁵ Ibid.

²⁰⁶ Ibid.

²⁰⁷ Ibid.

²⁰⁸ Information confirmed as accurate by the Office of the Adjutant General via email from Ken Braddock to Oversight Committee Legal Counsel Charles Appleby on February 8, 2018.

²⁰⁹ December 18, 2017 tour.

²¹⁰ Ibid.

²¹¹ November 20, 2017 SCEMD Presentation, page 33.

²¹² December 18, 2017 tour.

²¹³ November 20, 2017 SCEMD Presentation, page 34.

²¹⁴ Information confirmed as accurate by the Office of the Adjutant General via email from Ken Braddock to Oversight Committee Legal Counsel Charles Appleby on February 8, 2018.

²¹⁵ November 20, 2017 SCEMD Presentation, page 30.

²¹⁶ Information confirmed as accurate by the Office of the Adjutant General via email from Ken Braddock to Oversight Committee Legal Counsel Charles Appleby on February 8, 2018.

²¹⁷ February 8, 2018 letter from agency.

²¹⁸ Ibid.

²¹⁹ Ibid.

²²⁰ Office of the Adjutant General letter to the Oversight Subcommittee (February 8, 2018), Question 3.

²²¹ Ibid.

²²² Ibid.

²²³ Ibid.

²²⁴ Ibid.

²²⁵ Agency PER, Deliverables-Potential Harm chart.

PATRIOTS POINT DEVELOPMENT AUTHORITY

Legislative Oversight Committee
South Carolina House of Representatives
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Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811



Notification of the Education and Cultural Subcommittee's Study of the Patriots Point Development Authority

April 17, 2018

In accordance with Standard Practice 12.5, notice is hereby provided that the Education and Cultural Subcommittee's oversight study of the Patriots Point Development Authority is available for consideration by the full committee.

The Honorable Joseph H. Jefferson, Jr.
Education and Cultural Subcommittee Chair

cc: The Honorable Chandra E. Dillard
The Honorable Tommy M. Stringer
The Honorable John Taliaferro "Jay" West, IV

Legislative Oversight Committee

Study of the Patriots Point Development Authority *April 17, 2018*



FULL COMMITTEE OPTIONS STANDARD PRACTICE 13	FULL COMMITTEE ACTION(S)	DATE(S) OF FULL COMMITTEE ACTION(S)
(1) Refer the study and investigation back to the subcommittee or an ad hoc committee for further evaluation; (2) Approve the subcommittee's study; or (3) further evaluate the agency as a full committee, utilizing any of the available tools of legislative oversight available		

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AGENCY SNAPSHOT

Patriots Point Development Authority

On March 29, 1973, the General Assembly creates the Patriots Point Development Authority to develop and operate a naval museum in South Carolina

Museum Services

Education and
Overnight Camping

Major Programs

Successes

- Modernizing and expanding exhibits to provide an interactive and immersive visitor experience (e.g., replica Apollo 8 capsule)
- Executing lease agreements designed to provide revenue to support maintenance of the Authority's assets (e.g., Bennett Hospitality development)
- Providing books to 5th graders in all SC public schools

\$13.84M

Agency Mission

To establish and develop a National Naval Museum of ships and to develop and improve the Patriots Point area to provide a place of education and recreation to foster among the people pride and patriotism in our nation and its heritage

Fiscal Year 2017 -18 Resources

80 Filled
FTEs

Current and Emerging Issues

- Maintaining and repairing the Authority's assets (decommissioned naval vessels), including removal of bunker fuel from the USS Yorktown
- Securing funding for scholarships for 20,000 student day visits
- Shifting reliance from traditional marketing/advertising to digital marketing and sales

Figure 1. Snapshot of agency's history, major programs, Fiscal Year 2016-17 resources, successes, and issues.¹

EXECUTIVE SUMMARY

Purpose of Oversight Study

As stated in S.C. Code of Laws § 2-2-20(B), “[t]he **purpose of these oversight studies** and investigations is to **determine if agency laws and programs** within the subject matter jurisdiction of a standing committee:

(1) **are being implemented** and carried out in accordance with the intent of the General Assembly; and

(2) **should be continued, curtailed, or eliminated.**”

In making these determinations, the Subcommittee evaluates (1) the application, administration, execution, and effectiveness of the agency’s laws and programs, (2) the organization

and operation of the agency, and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.²

Study Process

The House Legislative Oversight Committee’s (Committee) process for studying the Patriots Point Development Authority (agency, PPDA, Patriot’s Point, or Patriots Point) includes actions by the full Committee; Education and Cultural Subcommittee (Subcommittee); agency; and public.³ A summary of the key dates and actions are listed below in Figure 2.

Legislative Oversight Committee Actions

- May 10, 2017 - Prioritizes the agency for study
- May 19, 2017 - Provides agency with notice about the oversight process
- June 27 - July 18, 2017 - Solicits input from the public about the agency via an online public survey
- October 16, 2017 - Holds **Meeting #1** to obtain public input about the agency

Education and Cultural Subcommittee Actions

- November 6, 2017 - Holds **Meeting #2** to discuss the **study process** and receive an **overview of the agency**
- December 5, 2017 - Holds **Meeting #3** with agency to discuss its **human and financial resources**
- January 11, 2018 - Holds **Meeting #4** with agency to discuss its **performance**
- February 8, 2018 - Holds **Meeting #5** with agency to discuss its **potential recommendations**
- April 5, 2018 - Holds **Meeting #6** to discuss **recommendations and findings**

Patriots Point Development Authority Actions

- February 27, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- January 14, 2016 - Submits its **2016 Annual Restructuring Report**
- July 21, 2017 - Submits its **2015-2016 Accountability Report (2017 Annual Restructuring Report)**
- August 30, 2017 - Submits its **Program Evaluation Report**
- October 2017-February 2018 - Meets with and **responds to Subcommittee inquiries**

Public’s Actions

- June 27 - July 18, 2017 - Provides input about agency via **online public survey**
- October 17, 2017 - Provides **testimony** to the full Committee
- Ongoing - **Submits written comments on the Oversight Committee's webpage** on the General Assembly's website (www.scstatehouse.gov)

Figure 2. Summary of key dates and actions of the study process.

Findings and Recommendations

The Education and Cultural Subcommittee has **one finding** arising from its study of the agency. The Subcommittee finds the **Patriots Point Development Authority's educational programming has the potential to positively contribute to public education in South Carolina**, particularly education of fifth graders through the agency's distance learning program.

The **Subcommittee has four recommendations** arising from its study of the agency. These recommendations fall into three categories: a recommendation for the General Assembly; a recommendation for PPDA; and recommendations for the General Assembly and/or the State Fiscal Accountability Authority.⁴

Table 1. Summary of recommendation for the General Assembly arising from the study process.

Topic	Recommendations
Voluntary Income Tax	1. The Subcommittee recommends the General Assembly authorize
Return Contribution	Patriots Point to receive funds through voluntary income tax return contributions.

Table 2. Summary of recommendation for PPDA.

Topic	Recommendations
Annual Restructuring Report	2. The Subcommittee recommends the PPDA submit an Annual Restructuring Report, whether it is in the form of a separate report, or the combined Accountability Report

Table 3. Summary of recommendations for the General Assembly and/or State Fiscal Accountability Authority.

Topic	Recommendations
Procurement Flexibility	3. The Subcommittee recommends the General Assembly and/or the State Fiscal Accountability Authority grant Patriots Point procurement flexibility for purchase of services that are specialized (e.g., talent for major entertainment/history programs, visiting authors, etc.). 4. The Subcommittee recommends the General Assembly and/or the State Fiscal Accountability Authority grant Patriots Point an exemption for purchase of new exhibits and improving existing exhibits.

There are **no specific recommendations with regards to continuance of agency programs or elimination of agency programs.**

Internal Changes Implemented by Agency Related to Study Process

During the study process, the agency implements one internal change directly related to participation in the study process. Patriots Point staff and Department of Archives and History staff develop records management processes for the agency.⁵

AGENCY OVERVIEW

History

Origin

Against the backdrop of the nation's preparations to celebrate the bicentennial of the American Revolution, staff of the State Development Authority express an idea for a naval museum in South Carolina, in 1971.⁶ The General Assembly establishes a study committee to investigate the feasibility of this idea.⁷ On January 2, 1973, the report of this study committee is issued to the Governor, General Assembly, and members of South Carolina's Congressional Delegation. On March 29, 1973, the General Assembly creates the Patriots Point Development Authority (PPDA).

Board

The PPDA is governed by a board, which is initially appointed by the Governor with recommendations from federal legislators.⁸ In 1978, board membership provisions are amended so as to provide a term expiration date for members and to allow members to succeed themselves.⁹ In 1990, the General Assembly reduces membership on the PPDA board from nine to five and revises the manner of appointment to the board so that recommendations are made by state legislators rather than federal legislators.¹⁰ In 1992, the General Assembly adds the mayor of Mount Pleasant as an ex office member of the PPDA board.¹¹ In 2010, the General Assembly adds three additional members to the board and provides for their appointment by the Governor based upon recommendation of House and Senate leadership and the Adjutant General.¹²

Duties

From its inception, PPDA is authorized to employ staff and consultants as necessary (e.g., executive director; secretary; attorney; etc.) to accomplish its duties.¹³ The agency's duties are outlined in legislative provisions for its purposes and powers.

PPDA purposes include:

- (1) To develop and improve the Patriot's Point area to provide a place of education and recreation to foster among the people pride and patriotism in our nation and its heritage;
- (2) To establish and develop a National Naval Museum of ships, naval and maritime equipment, artifacts, books, manuscripts, art and historical materials for the education and enjoyment of the people of our nation and to instill in them a knowledge of our naval and maritime history; and of the importance of sea power to our economy and defense;
- (3) To foster and stimulate national and international travel to and participation in the development of Patriot's Point, by acquiring, constructing, equipping and maintaining museum buildings, seaquariums and laboratories, public exhibits and entertainment facilities, historical monuments and sites; and providing lodging and accommodations for travelers by land or water to Patriot's Point;
- (4) To cooperate with the State of South Carolina and the United States of America, and any agency or any department, corporation or instrumentality thereof, in the maintenance, development,

improvement and use of Patriot's Point and all its functions;

(5) To accept funds, other assets and services from Charleston County and municipalities located therein and the State of South Carolina, and to use them in such manner, within the purposes of the Authority, as shall be stipulated by the county or the State in any matter coming within the general purposes of the Authority;

(6) To act as agent for the United States of America, or any agency, department, corporation or instrumentality thereof, in any matter coming within the purposes of the Authority;

(7) In general to do and perform any act or function which may tend to or be useful toward the development and improvement of Patriot's Point.¹⁴

PPDA powers include:

(1) Shall have the powers of a body corporate, including the power to sue and be sued, to make contracts and to adopt and use a common seal and alter it as may be deemed expedient;

(2) May rent, lease, buy, own, acquire, mortgage and dispose of such property, real or personal, as the Authority may deem proper to carry out the purposes and provisions of this article, all or any of them;

(3) May acquire, construct, maintain, equip and operate docks, ships, piers, quays and other structures and any and all facilities needful for the convenient use of them in the aid of Patriot's Point development, including the dredging of approaches thereto and the construction of roads and highways thereon and bridges and causeways necessary or useful in connection therewith and transportation facilities incident thereto and useful or convenient for the use thereof, including a marina, except that these piers, ships, docks, quays or similar structures shall be used exclusively for fulfilling the educational, recreational and tourist missions of Patriot's Point and shall not be used for any active ocean-going cargo or passenger vessels;

(4) Shall establish an office for the transaction of its business in the County of Charleston and such other offices within and without the State as may be deemed by the Board to be necessary or useful in carrying out the purposes of this article;

(5) May create and operate such agencies and departments as the Board may deem necessary or useful for the furtherance of any of the purposes of this article;

(6) May pay all necessary costs and expenses involved in and incident to the formation and organization of the Authority and incident to the administration and operation thereof and all other costs and expenses reasonably necessary or expedient in carrying out and accomplishing the purposes of this article;

(7) May apply for and accept loans and grants of money from any Federal agency, private sources or any other source for any and all of the purposes authorized in this article and expend such moneys in accordance with the directions and requirements attached thereto or imposed thereon by any such Federal agency and give such evidences of indebtedness as shall be required by any such Federal agency, except that no indebtedness of any kind incurred or created by the Authority shall constitute an indebtedness of the State, or any political subdivision thereof, and no such indebtedness shall involve or be secured by the faith, credit or taxing power of the State, or any political subdivision thereof;

(8) May adopt, alter or repeal its own bylaws, rules and regulations governing the manner in which its business may be transacted and in which the powers granted to it may be enjoyed; may provide rules and regulations for the use of its facilities by the public, and may provide for the appointment of such committees, and the functions thereof, as the Authority may deem necessary or expedient in facilitating its business;

(9) May do any and all other acts and things authorized or required to be done by this article, whether

or not included in the general powers mentioned in this section;

(10) May do any and all things necessary to accomplish the purposes of this article; and

(11) May promulgate rules and regulations governing the use of or doing business on the Authority's property or facilities, including the adoption of safety standards and insurance coverage or proof of financial responsibility, and may provide for the licensing of or enter into concession and use contracts with persons, firms or corporations using or doing business on such property or facilities and require license or other fees therefor. Licenses or concession and use contracts may be revoked after notice and hearing by the Authority for willful breach of or failure to comply with such rules and regulations.¹⁵

Other legislative provisions authorize PPDA to acquire, exchange or purchase property.¹⁶ In Act 173 of 1987, the South Carolina Eminent Domain Procedure Act, the General Assembly amends provisions relating to the acquisition powers of PPDA. PPDA's property is exempt from taxation.¹⁷

Finances

In its enabling legislation PPDA receives \$100,000 in appropriations, which is an equivalent of approximately \$565,000 in 2018.¹⁸ In 2000, the General Assembly authorizes PPDA to maintain special accounts which retain and carry over funds from year to year.¹⁹ The receipt and expenditure of funds in these accounts must be reported in an annual fiscal audit of PPDA.²⁰ All special accounts earnings and interest are for the benefit of PPDA.²¹

In the 2017-2018 Appropriations Act, the agency receives no general fund appropriations (\$13,836,012 total funds). Revenue streams for the agency include admissions, gift shop sales, leases and commissions income, parking lot fees, and scouting program revenues.²²

In its enabling legislation PPDA is authorized to issue bonds.²³ In 1990, the General Assembly deletes revenue bond authorization of the PPDA.

Maintenance

Restoration and maintenance of PPDA's World War II era decommissioned naval vessels (USS Clagmore Submarine; USS Laffey Destroyer; and USS Yorktown Aircraft Carrier), piers, and landside facilities is an ongoing need of the agency.²⁴ In 2014, the General Assembly authorizes volunteers - members of the USS Laffey Association - to assist with meeting this need.²⁵

Transfer Provisions

The General Assembly created PPDA for an initial term of five years. Accordingly, PPDA enabling legislation includes transfer provisions. After five years, the General Assembly is authorized to transfer PPDA powers, duties, responsibilities; liabilities and assets to another state agency or agencies.²⁶ In 1978, transfer provisions relating to PPDA are amended so as to authorize the General Assembly to transfer all of the powers, responsibilities, liabilities, and assets to the Department of Parks, Recreation and Tourism as of June 30, 1983.²⁷ Also, PPDA is authorized to transfer property to the United States government.²⁸

Visitors

According to a 2015 Patriots Point Visitor and Resident Survey Report conducted by the University of South Carolina College of Hospitality, Retail & Sport Management International Tourism Research Institute, "Visitor groups to Patriots Point spent \$105.05 on average per group, per visit."²⁹ This same report estimates that 216,659 non-resident visitors purchased tickets during the 2013-2014 fiscal year.³⁰

Purpose, Mission, and Vision

Purpose

The agency's purpose is to develop Patriots Point into a place of recreation and develop a national naval museum, to stimulate travel and increase tourism to the region and the state.³¹

Mission

The mission of the Patriots Point Development Authority is to establish and develop a national naval museum of ships and to develop and improve the Patriots Point area to provide a place of education and recreation to foster among the people pride and patriotism in our nation and its heritage.³²

Vision

The vision of the Patriots Point Development Authority is to provide an unsurpassed museum experience that educates, entertains, and inspires, while creating a self-sustaining business plan which includes attraction and property management objectives.³³

Agency Organization

Governing Body

The PPDA board consists of nine members. Selection of three members of the board, including its chairman, is at the discretion of the Governor. Five members are appointed by the Governor upon the recommendation of a combination of the following: Speaker of the House, Senate Pro Tempore, Senate Finance Chairman, Chairman of the House Ways and Means Committee, and the Adjutant General. The mayor of the Town of Mount Pleasant serves as an ex-officio member. This board meets regularly to approve strategic planning initiatives, revisions to development plans and contracts, long-term leases, etc.³⁴

The executive director, reporting to the board of directors and working closely with its chairman, is responsible for long-term planning and day-to-day management of the agency, including the museum and all of its ancillary services.³⁵

The terms of the board members are for four years and until their successors are appointed and qualify. Members may succeed themselves. Vacancies must be filled in the same manner of the original appointment for the remainder of the unexpired term.³⁶

Table 4. Patriots Point Development Authority board members (Current as of April 9, 2018).³⁷

Position	Position Title	Current Members	Appointed By	Appointed Date	Expiration Date
At Large	Member	Henry Spencer King*	Governor Nikki R. Haley	10/14/2013	9/1/2017
At Large	Member	Zeb C. Williams III	Governor Henry McMaster	11/28/2017	12/11/2020
At Large	Chairman	Ray E. Chandler	Governor Nikki R. Haley	8/30/2016	12/11/2020
At large (Chair of House Ways & Means, Speaker)	Member	L. Wayne Adams	Governor Henry McMaster	12/20/2017	12/31/2020
At Large (Chair of Senate Finance, Pres. Pro Temp)	Member	Susan C. Marlowe*	Governor Nikki R. Haley	4/2/2015	12/11/2016
At Large (Pres. Pro Temp of Senate)	Member	Edwin S. Taylor	Governor Nikki R. Haley	8/30/2016	9/1/2018
At Large (S.C. Adjutant General)	Member	Richard N. Wilkerson	Governor Nikki R. Haley	1/14/2016	9/1/2018
At Large (Speaker of the House)	Member	George Patton Waters	Governor Henry McMaster	11/9/2017	12/31/2018
Mayor of Mt. Pleasant, S.C.	Ex Officio Member	Will Haynie		11/14/2017	N/A

Table Note: An asterisk denotes the member is serving in a holdover capacity.

Agency Organizational Units

Every agency has an organization or hierarchy that is reflected in the agency's organizational chart. Within the organization are separate units. An agency may refer to these units as departments, divisions, functional areas, cost centers, etc. Each unit is responsible for contributing to the agency's ability to provide services and products.

During the study process, the agency is asked about its organization and major operating programs.³⁸ Patriots Point Development Authority has seven major organizational units referred to as divisions, which are described in Table 4.³⁹ The organization of the agency is shown in Figures 4-10.

Table 5. Administrative/Financial Services Department duties and responsibilities.⁴⁰

Administrative/Financial Services Department

The duties and responsibilities of the Administrative Services Department include, but are not necessarily limited to, the following:

- Manage all personnel files and administrative actions;
- Account for all revenue and expenditures;
- Assist the executive department with proposals of the annual budget;
- Liaise with tenants to account for lease revenue;
- Act as liaison for the executive director with state agencies regarding personnel and financial matters;
- Manage ticketing for museum admission;
- Manage the gift shop;
- Manage all concession activities and accounts; and
- Manage the “onboard” caterer contract.

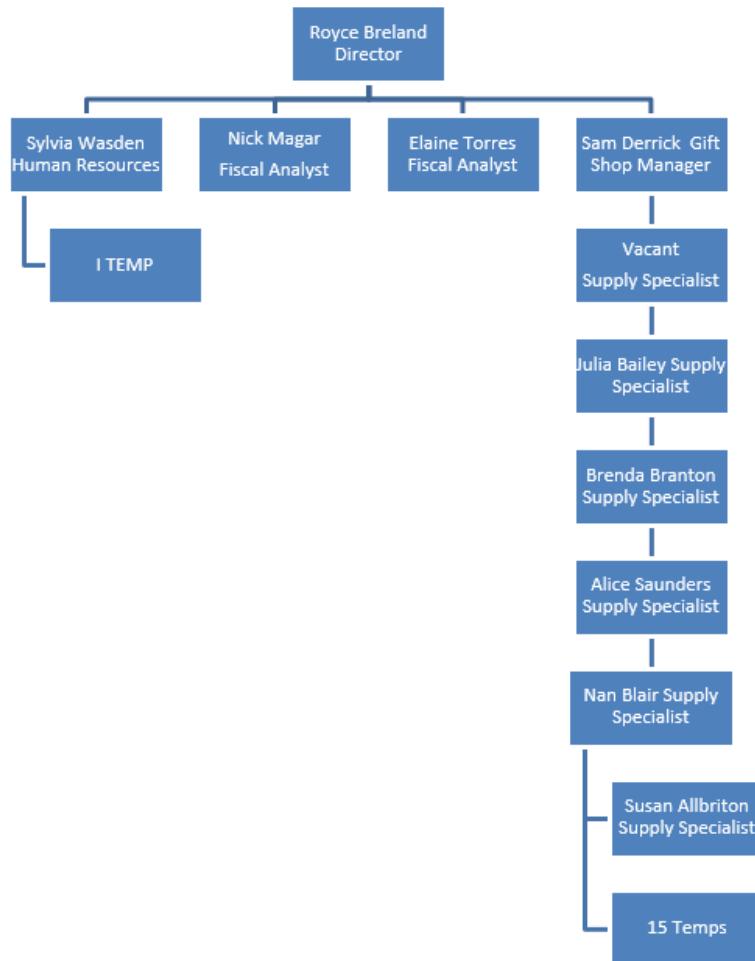


Figure 3. Administration/Financial Services organizational chart provided by the agency. (Current as of March 15, 2018).⁴¹

Table 6. Education and Overnight Camping Department duties and responsibilities.⁴²

<h2>Education and Overnight Camping Department</h2>
<p>The duties and responsibilities of the Education and Overnight Camping Department include, but are not necessarily limited to, the following:</p> <ul style="list-style-type: none">• Design, develop, and implement in-residence and distance learning programs;• Operate overnight camping services;• Develop and implement overnight camping programs;• Operate and maintain education support facilities, including, but not limited to, science laboratory, virtual reality systems, theatres, flight academy programs and laboratory;• Plan, produce, implement, and present public symposia and special programs;• Assist grants manager on funding applications to support public school visitation program and distance learning;• Liaise with S.C. Department of Education and various committees of the General Assembly;• Coordinate with county school districts for support services;• Design and produce 5th grade science and math education program texts; and• Hold the annual S.C. Teacher Recertification Conference.



Figure 4. Education and Overnight Camping Department organizational chart provided by the agency. (Current as of March 15, 2018).⁴³

Table 7. Executive Department duties and responsibilities.⁴⁴

<h2>Executive Department</h2>
<p>The duties and responsibilities of the Executive Department include, but are not necessarily limited to, the following:</p> <ul style="list-style-type: none">• Supervise all department managers;• Develop annual budget;• Develop and implement the three year business plan;• Assign tasks, projects and programs for the agency;• Prepare and present reports to committees and agencies of the state;• Prepare all board and agency committee meetings;• Coordinate with the Yorktown Foundation and Yorktown Association;• Manage agency properties and leases;• Manage personnel with advice of human resources office;• Conduct 30 presentations to organizations statewide;• Coordinate interdepartmental projects and programs;• Coordinate with local governments as necessary; and• Develop action plan for all grant applications.

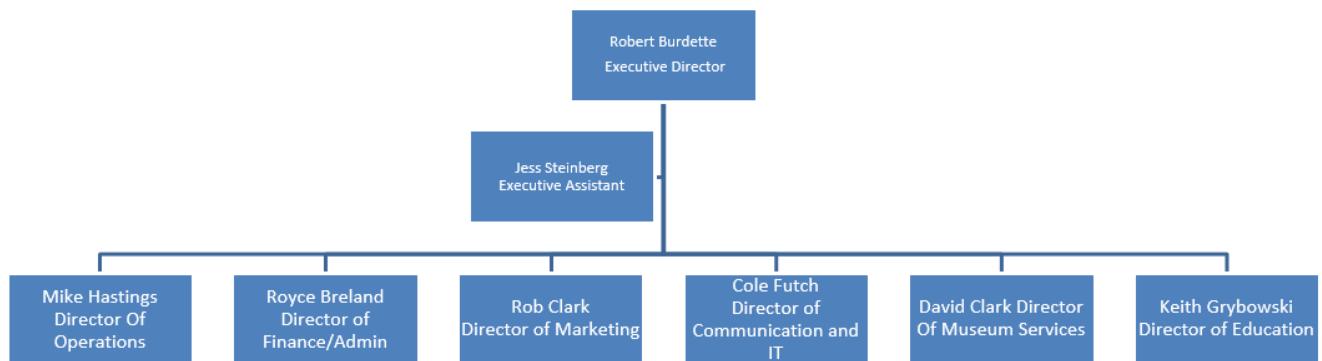


Figure 5. Executive Department organizational chart provided by the agency. (Current as of March 15, 2018).⁴⁵

Table 8. IT/Communications Department duties and responsibilities.⁴⁶

IT/Communications Department
The duties and responsibilities of the IT/Communications Department include, but are not necessarily limited to, the following:
<ul style="list-style-type: none">• Procure and maintain all IT related systems and equipment;• Maintain all IT security;• Procure all IT related equipment, including procurement for agency departments;• Coordinate with S.C. Department of Administration IT services;• Provide agency videography services;• Produce agency audio/visual material for programs and events;• Design and development of technology-based museum support and systems;• Provide public media communication;• Design and maintain website;• Provide social media strategic planning and implementation;• Provide technical support for education services and programs;• Provide social media support for marketing and advertising;• Provide technical support for staff IT issues;• Design and maintain Wi-Fi systems; and• Maintain all electronic kiosks.

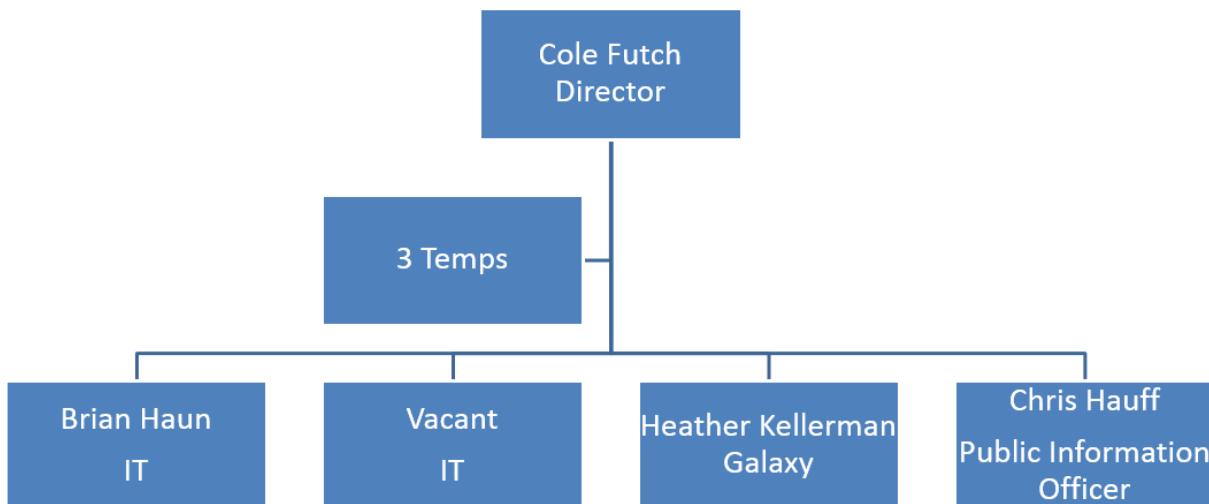


Figure 6. IT/Communications Department organizational chart provided by the agency. (Current as of March 15, 2018).⁴⁷

Table 9. Marketing and Sales Department duties and responsibilities.⁴⁸

Marketing and Sales Department	
The duties and responsibilities of the Marketing and Sales Department include, but are not necessarily limited to, the following:	
• Develop and manage Annual Marketing Plan;	• Coordinate with marketing consultant on advertisement placement;
• Register all overnight campers and coordinate meal and program services;	• Coordinate event rentals;
• Assist Communications Department with social media marketing;	• Coordinate all volunteer and docent functions;
• Coordinate day group visits with tour bus companies;	• Manage “Groupon” programs;
• Manage “on property” advertising for services and sale of goods;	• Assist grants manager with funding applications for marketing and advertising; and
• Meet regularly with Boy and Girl Scout Councils throughout the southeast.	

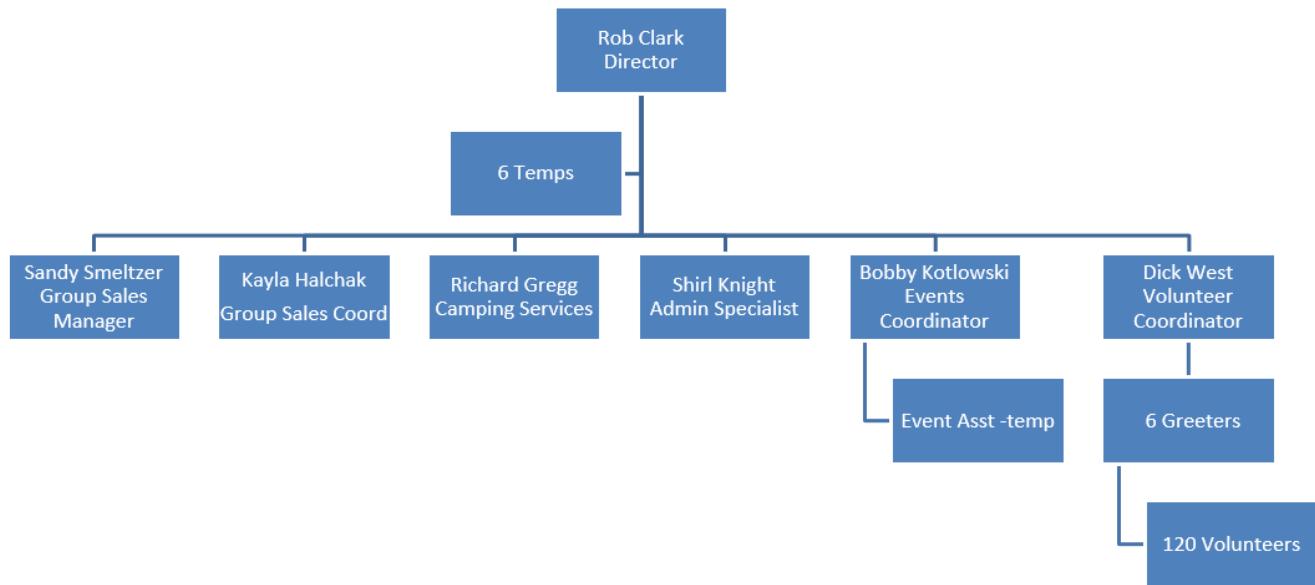


Figure 7. Marketing and Sales Department organizational chart provided by the agency. (Current as of March 15, 2018).⁴⁹

Table 10. Museum Services Department duties and responsibilities.⁵⁰

<h2>Museum Services Department</h2>
<p>The duties and responsibilities of the Museum Services Department include, but are not necessarily limited to, the following:</p> <ul style="list-style-type: none">• Warehouse and display of artifacts and exhibits and provide accountability;• Interpret history content for exhibits and programs;• Develop and implement museum master plan under the direction of the executive director;• Acquire new exhibits and artifacts;• Coordinate consultant activities relative to construction of new exhibits and maintenance of artifacts;• Assist with historical content of programs, events, printed materials, etc.; and• Liaise with the Medal of Honor Museum onboard the USS Yorktown.

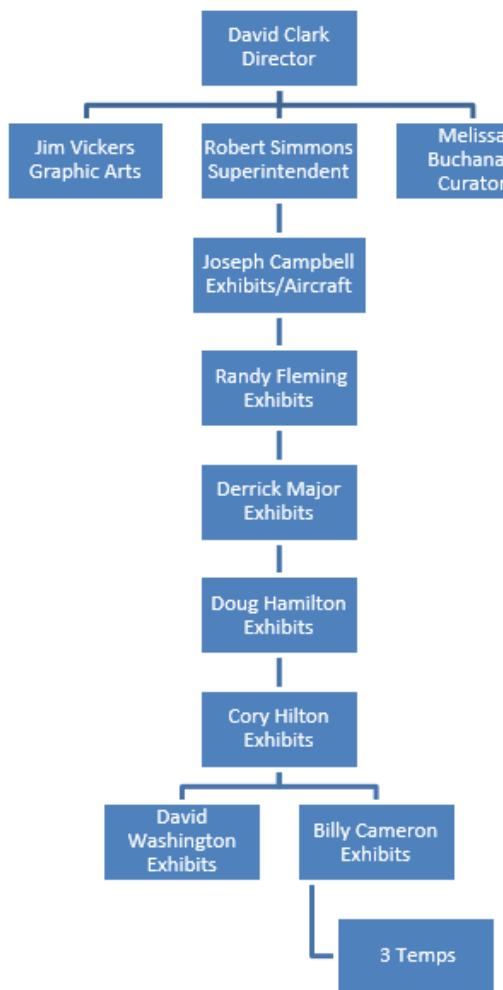


Figure 8. Museum Services Department organizational chart provided by the agency. (Current as of March 15, 2018).⁵¹

Table 11. Operations Department duties and responsibilities.⁵²

Operations Department
<p>The duties and responsibilities of the Operations Department include, but are not necessarily limited to, the following:</p> <ul style="list-style-type: none"> • Maintain ships, components, and systems, including, but not limited to, ship hull and superstructure; • Provide custodial services for the museum and overnight camping facilities; • Ensure public safety (e.g., surveillance systems and physical security of the museum); • Provide support services for events and event rentals; • Provide environmental protection and remediation; • Coordinate with environmental agencies; • Coordinate with US Navy and Naval Sea Systems Command (NAVSEA); • Maintain and repair of all pier systems; • Maintain of property and landscaping; and • Provide emergency response, such as storm preparedness and recovery.

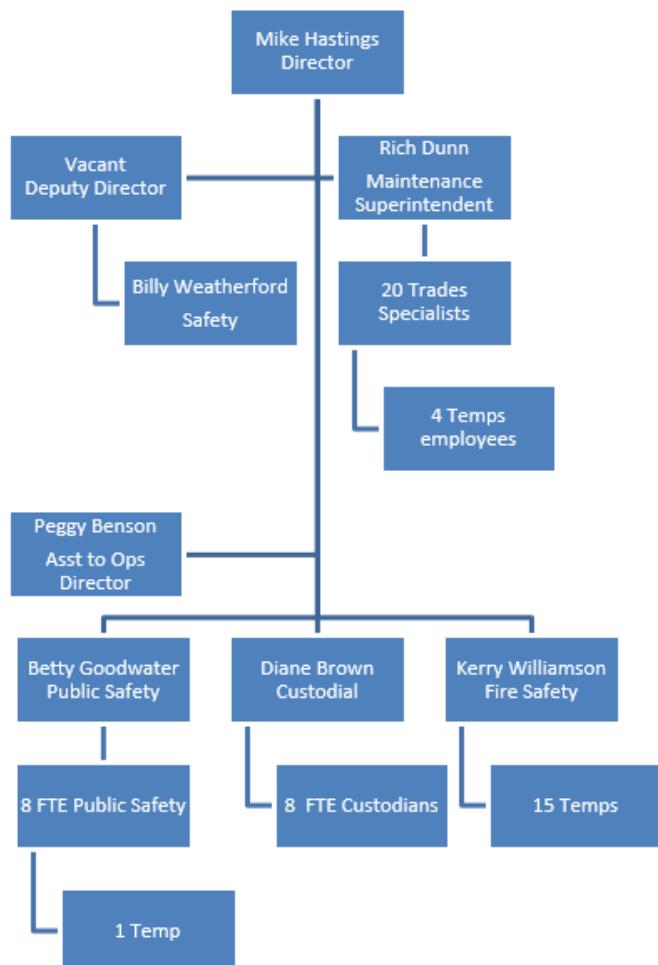


Figure 9. Operations Department organizational chart provided by the agency. (Current as of March 15, 2018).⁵³

Products, Services, and Customers

The Patriots Point Development Authority's purpose is to develop the Patriots Point area, establish a national naval museum, stimulate tourism, and accept supporting funds from municipalities. To fulfill this purpose, the PPDA provides a variety of products and services.

The PPDA develops a naval and maritime museum on Charleston Harbor that includes the World War II aircraft carrier, the USS Yorktown, and houses the Patriots Point Museum and a fleet of National Historic Landmark ships, the Cold War Memorial and the only Vietnam Experience Exhibit in the U.S., the Congressional Medal of Honor Society, and the Medal of Honor Museum. The PPDA also oversees stewardship of over 400 acres of state property on Charleston Harbor, much of which is currently under lease by a golf course, a collegiate athletic complex, and hotels. Patriots Point welcomes more than 270,000 visitors each year. More than 40,000 school-age children have attended education and overnight camping programs each year.⁵⁴

In 2015-2016, the General Assembly and Governor's Office begin requesting an agency provide information on the services and products it provides as part of the combined Accountability Report and Annual Restructuring Report. The PPDA lists one major program in the 2015-2016 Accountability Report. Table 12 includes the agency's primary program and related products, services and customers.

Table 12. Patriots Point services and customer segments.

Divisions or Major Program	Description	Service/Product Provided to Customers	Customer Segments
Patriots Point Naval and Maritime Museum	A naval and maritime museum employing historic ships, exhibits, history programs, overnight camping, group education programs and camps	Provides services associated with naval and maritime history, including a museum, museum exhibits, ships and educational programs	General public (people interested in naval, maritime, military and US history; school groups)

Other Agencies with Similar Goals

During the study of an agency, the **Committee asks the agency if there are any other agencies serving similar customers or providing similar products or services.** In the Program Evaluation Report and during the study of an agency, the Committee asks how the agencies work together to effectively and efficiently achieve both agencies' goals. PPDA does not list specific agencies. Rather it lists different sectors as having similar goals - state government; local government; higher education institutions; and private business. In addition to the agency's list, during the studies of PPDA and the Office of the Adjutant General, Committee members note commonalities between PPDA and the S.C. Military Museum within the Office of the Adjutant General, S.C. Confederate Relic Room and Military Museum, the State Museum, and the Department of Archives and History.⁵⁵

Strategic Resource Allocation and Performance

Annually, each agency submits a strategic plan.⁵⁶ Of interest to the oversight process is the total resources available to an agency and how the agency allocates human and financial resources across the agency's strategic plan. Tables 13 and 15 illustrate the agency's allocation of its financial and human resources among its goals and strategies in fiscal years 2016-17 and 2017-18. Also of interest during the study process is how the agency measures its performance in implementing the goals, strategies, and objectives of its strategic plan. Tables 14 and 16 show performance in measures associated with the strategic plan.

Agency Goal 1: Ensure Patriots Point Naval and Maritime Museum maintains financial self-sufficiency

<u>Responsible Employee(s):</u>	Mac Burdette (Executive Director), Royce Breland (Chief Financial Officer), Bob Howard (Director of Operations), Keith Grybowski (Director of Education and Camping), David Clark (Director of Exhibits), Cole Futch (Communications and IT Director), Rob Clark (Director of Marketing)
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Table 13. Goal 1 (Ensure Patriots Point Naval and Maritime Museum maintains financial self-sufficiency) strategic allocation of resources.

<u>Strategies and Objectives:</u>		2016-17		2017-18	
		Number of FTEs authorized ⁵⁷ (Number of equivalents)	Total spent (Percentage of total funds available)	Number of FTEs authorized (Number of equivalents)	Total budgeted (Percentage of total funds available)
Strategy 1.1 - Maximize the land value managed by Patriots Point Development Authority through land leases		2	\$740,000	3	\$740,000
Objective 1.1.1 - Identify and assign land lease to partner developer to create a multimillion dollar ongoing revenue source		2	\$420,000	3	\$420,000
Objective 1.1.2 - Maintain existing land leases and partnerships		2	\$320,000	3	\$320,000
Strategy 1.2 - Increase ticket sales to 300,000 per year	81*		\$964,780	81	\$964,780
Objective 1.2.1 - Develop statewide awareness of Patriots Point and its mission though various marketing methods	15		\$414,780	20	\$414,780
Objective 1.2.2 - Create profitable value added partnerships	10		\$50,000	20	\$50,000
Objective 1.2.3 - Improve Naval and Maritime Museum "product" through implementation of new exhibits/upgrades	81*		\$500,000	81	\$500,000
Strategy 1.3 - Ensure that the annual budget will support all approved/authorized operational and capital expenditures, including debt service	7		\$50,000	7	\$50,000
Objective 1.3.1 - Continue to produce a balanced budget every year	7		\$50,000	7	\$50,000

Table Note: An asterisk denotes the agency asserts everything each staff person does supports this element of the strategic plan.

Table 14. Performance measures associated with goal 1.

Performance Measures	FY 16 Target Value	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Data Source and Availability	Calculation Method
Increase attendance	280,000	278,080	300,000	297,371	Admissions tickets sales	Track admissions through ticket sales; increase attendance to 200,000 by end of FY19
Register 24,000 overnight campers annually	24,000	20,298	24,000	21,133	Overnight camping ticket sales	Track overnight camping ticket sales; increase annual campers to 24,000 by end of FY19
Achieve a 2% increase in merchandise sales	\$1,786,780	\$1,791,275	\$1,827,100	\$1,764,540	Gift shop sales	Measure gift shop sales; increase sales annually by 2% over Actual Value
Develop and design utilization options for previous "shipyard gallery" space to facilitate event rentals, education programs, and exhibit display by the end of 2016	100%	75%	100%	100%	Completion of directives in scope of work	Completion of projects included in the scope of work
Achieve a 2% increase in parking revenue	\$607,255	\$608,775	\$620,950	\$638,977	Parking revenue reports	Parking revenue; increase revenue by 2% over Actual Value
Achieve a 1% increase in food sale and event rental revenue	\$568,185	\$542,243	\$547,655	\$556,575	Revenue reports from Top Shelf catering and event rentals	Revenue reports from Top Shelf catering and event rentals; increase revenue by 1% over Actual Value

Table Note: FY refers to the state fiscal year.

Agency Goal 2: Enhance Patriots Point Naval and Maritime Museum as a world class destination

<u>Responsible Employee(s):</u>	Mac Burdette (Executive Director), Royce Breland (Chief Financial Officer), Bob Howard (Director of Operations), Keith Grybowski (Director of Education and Camping), David Clark (Director of Exhibits), Cole Futch (Communications and IT Director), Rob Clark (Director of Marketing)
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Table 15. Goal 2 (Enhance Patriots Point Naval and Maritime Museum as a world class destination) strategic allocation of resources.

<u>Strategies and Objectives:</u>		<u>2016-17</u>		<u>2017-18</u>
		Number of FTEs authorized ⁵⁸ (Number of equivalents)	Total spent (Percentage of total funds available)	Number of FTEs authorized (Number of equivalents)
Strategy 2.1 - Implement Museum Master Plan recommendation		81*	\$11,081,232	81
Strategy 2.2 - Promote Patriots Point Naval and Maritime Museum through a wide range of strategic media promotions/advertising		15	\$600,000	15
Objective 2.2.1 - Maximize social and earned media opportunities to promote the museum and programs		9	\$600,000	15
Strategy 2.3 - Enhance and improve exhibits and programs		81*	\$400,000	81

Table Note: An asterisk denotes the agency asserts everything each staff person does supports this element of the strategic plan.

Table 16. Performance measures associated with goal 2.

Performance Measures	FY 16 Target Value	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Data Source and Availability	Calculation Method
Increase attendance	280,000	278,080	300,000	297,371	Admissions tickets sales	Track admissions through ticket sales; increase attendance to 200,000 by end of FY19
Register 24,000 overnight campers annually	24,000	20,298	24,000	21,133	Overnight camping ticket sales	Track overnight camping ticket sales; increase annual campers to 24,000 by end of FY19
Achieve a 2% increase in merchandise sales	\$1,786,780	\$1,791,275	\$1,827,100	\$1,764,540	Gift shop sales	Measure gift shop sales; increase sales annually by 2% over Actual Value
Develop and design utilization options for previous "shipyard gallery" space to facilitate event rentals, education programs, and exhibit display by the end of 2016.	100%	75%	100%	100%	Completion of directives in scope of work	Completion of projects included in the scope of work
Achieve a 2% increase in parking revenue	\$607,255	\$608,775	\$620,950	\$638,977	Parking revenue reports	Parking revenue; increase revenue by 2% over Actual Value
Achieve a 1% increase in food sale and event rental revenue	\$568,185	\$542,243	\$547,655	\$556,575	Revenue reports from Top Shelf catering and event rentals	Revenue reports from Top Shelf catering and event rentals; increase revenue by 1% over Actual Value

Table Note: FY refers to the state fiscal year.

During the course of the study, Patriots Point provides five years of data on the agency's key attendance and gift shop sales performance indicators.

Table 17. Patriots Point Development Authority key attendance and gift shop sales performance indicators.

	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
Paid Attendance	\$223,181	\$232,551	\$252,731	\$264,432	\$278,081	\$283,837	\$297,371
Admissions Revenue	\$3,393,395	\$3,580,178	\$3,918,930	\$4,210,264	\$4,727,962	\$4,962,045	\$5,475,269
Gross Gift Shop Sales	\$1,647,295	\$1,630,524	\$1,702,612	\$1,725,208	\$1,791,275	\$1,751,764	\$1,764,540
Parking Revenue	\$498,198	\$530,042	\$560,873	\$581,083	\$595,083	\$608,778	\$638,977

Table Note: FY refers to the state fiscal year.

STUDY PROCESS

Agency Selection

Patriots Point Development Authority is an agency subject to legislative oversight.⁵⁹ During the 122nd General Assembly, the Committee prioritizes the agency for study by the Education and Cultural Subcommittee on May 10, 2017.⁶⁰

As the Committee encourages **collaboration in its legislative oversight process**, the Speaker, standing committee chairs in the House, members of the House, Clerk of the Senate, and Governor are also notified about the agency study.

Subcommittee Membership

The **Education and Cultural Subcommittee of the House Legislative Oversight Committee is studying the agency.**⁶¹ The study begins during the 122nd General Assembly. At the start of the study, the Honorable James E. Smith serves as chair, until his resignation on November 6, 2017. As of November 8, 2017, and throughout the remainder of the study, the Honorable Joseph H. Jefferson Jr., serves as chair.

Subcommittee Members and their time of service on the Subcommittee are listed below:

- The Honorable Joseph H. Jefferson, Jr., Chair (121st and 122nd General Assemblies);
- The Honorable James E. Smith, Jr., Chair (121st and 122nd General Assemblies, resigned from Committee on November 6, 2017);
- The Honorable Chandra E. Dillard (122nd General Assembly, appointed to Committee on November 6, 2017);
- The Honorable Raye Felder (121st and 122nd General Assemblies, resigned from Committee on November 8, 2017),⁶²
- The Honorable Tommy Stringer (121st and 122nd General Assemblies); and
- The Honorable John Taliaferro “Jay” West, IV (122nd General Assembly, appointed to Committee on December 19, 2017).⁶³

Agency Reports to Legislative Oversight Committee

During the legislative oversight process, the **Committee requests the agency conduct a self-analysis** by requiring it to complete and submit annual Restructuring Reports, a Seven-Year Plan for cost savings and increased efficiencies, and a Program Evaluation Report. Each report is posted on the agency page of the Committee’s website.

Restructuring Report

The Annual Restructuring Report fulfills the requirement in S.C. Code §1-30-10(G)(1) that annually each agency report to the General Assembly “detailed and comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs, or personnel within each department to provide a more efficient administration of government services.”⁶⁴ The report, at a

minimum, includes information in the following areas - history, mission, vision, laws strategic plan, human and financial resources, performance measures, and restructuring recommendations.

The Patriots Point Development Authority submits its Annual Restructuring Reports on February 27, 2015, and January 14, 2016.⁶⁵ The agency's 2015-2016 Annual Accountability Report to the Governor and General Assembly, submitted on July 29, 2017, serves as its 2017 Annual Restructuring Report.⁶⁶ The agency does not submit its 2016-2017 Annual Accountability Report to the Governor and General Assembly, due on September 15, 2017, which serves as its 2018 Annual Restructuring Report.

Seven-Year Plan for Cost Savings and Increased Efficiencies

S.C. Code §1-30-10 requires agencies to submit "a seven year plan that provides initiatives and/or planned actions that implement cost savings and increased efficiencies of services and responsibilities within the projected seven-year period."⁶⁷ The Patriots Point Development Authority submits its plan on February 27, 2015.⁶⁸

Program Evaluation Report

When an agency is selected for study, the Committee may acquire evidence or information by any lawful means, including, but not limited to, "requiring the agency to prepare and submit to the investigating committee a program evaluation report by a date specified by the investigating committee." S.C. Code §2-2-60 outlines what an investigating committee's request for a program evaluation report must contain. Also, it provides a list of information an investigating committee may request. The Committee sends guidelines for the Patriots Point Development Authority's Program Evaluation Report (PER) on June 20, 2017. PPDA submits the report on August 30, 2017.

Information from the Public

Public input is a cornerstone of the House Legislative Oversight Committee's process.⁶⁹ There are a variety of opportunities for public input during the legislative oversight process. Members of the public have an opportunity to participate anonymously in a public survey, provide comments anonymously via a link on the Committee's website, and appear in-person before the Subcommittee.⁷⁰

Public Survey

From June 27 - July 18, 2017, the Committee posts an **online survey to solicit comments from the public about the Patriots Point Development Authority** and three other agencies. Communication about this survey is sent to all House members to forward to their constituents. In an effort to communicate this public input opportunity widely, a statewide media release is issued.⁷¹

Sixty-three respondents to the survey chose to answer questions about PPDA, with at least one response coming from 11 of South Carolina's 46 counties.⁷² Over half of those responses are from Charleston County.⁷³ These comments are not considered testimony.⁷⁴ As the survey notes, "input and observations from those citizens who [chose] to provide responses are very important . . . because they may help direct the Committee to potential areas for improvement with these agencies."⁷⁵ The survey results are posted on the Committee's website. The **public is informed it may continue to submit written comments about agencies online** after the public survey closes.⁷⁶

Of those survey participants that respond to questions related to the Patriots Point Development Authority, **88% have a positive or very positive opinion of the agency.**⁷⁷

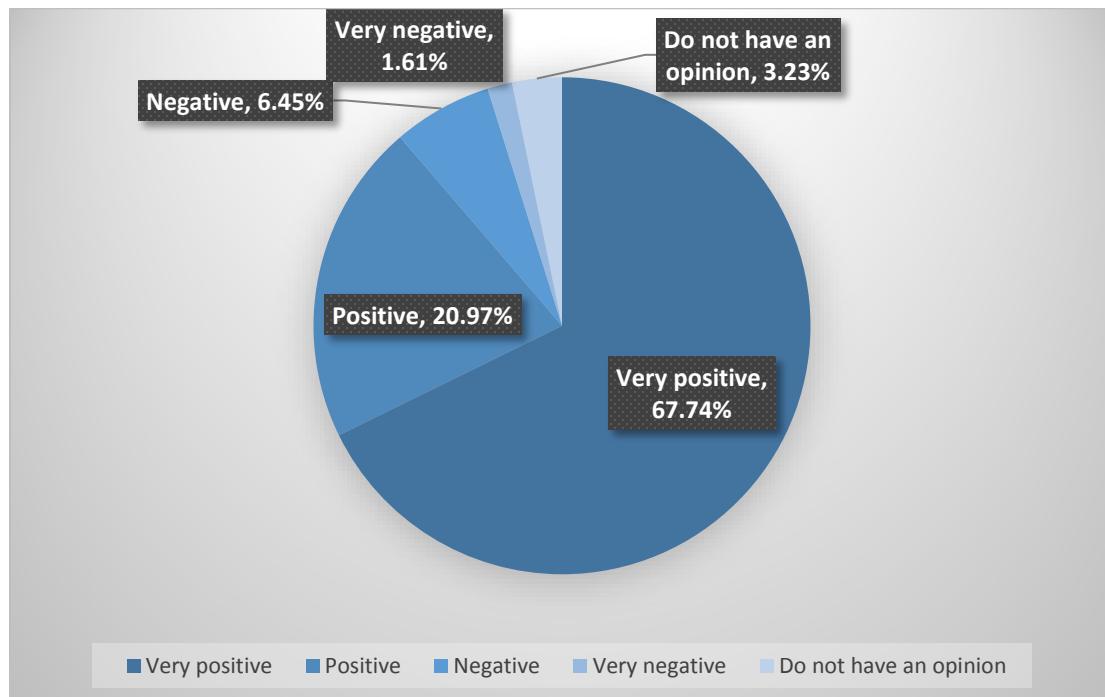


Figure 10. June/July 2018 respondent opinion of Patriots Point Development Authority.

Over 75% of the public survey respondents base their opinions on personal experience or media coverage. There are **positive comments about the education programs, business structure, professionalism, veteran's support, and leadership.**⁷⁸

Public Input via Committee Website

Throughout the course of the study, people are able to submit comments anonymously on the Committee website. There are no comments provided via the committee webpage.

Public Input via In-Person Testimony

The Committee offers the opportunity for the public to appear and provide sworn testimony.⁷⁹ A meeting dedicated to public input is held on October 16, 2017.⁸⁰ A press release announcing this opportunity is sent to media outlets statewide on October 2, 2017.⁸¹ No member of the public provides in-person testimony about PPDA.

Meetings Regarding the Agency

The Committee meets with, or about, the agency on one occasion, and the Subcommittee meets with, or about, the agency on four occasions. All meetings are open to the public and stream live online; also, the videos are archived and the meeting packets and minutes are available online. A timeline of meetings is set forth in Figure 2 beginning on page 6.

122nd General Assembly (2017-2018)

May 2017

On **May 10, 2017**, the full Committee selects the agency for study.⁸²

October 2017

On **October 16, 2017**, the Full Committee holds its **initial meeting** with the agency to hear public testimony.⁸³ No one testifies about Patriots Point Development Authority.

November 2017

On November 6, 2017, the Subcommittee holds its first meeting with the agency.⁸⁴ During this meeting, Mr. Burdette, Executive Director, provides **an overview of the agency**. Subcommittee members ask, and Mr. Burdette responds to, questions about the following topics:

- a. Three-year business plan;
- b. Cost of restoration and maintenance of ships, piers, and landside facilities;
- c. Bennett land development proposal;
- d. Museum development;
- e. Education and outreach activities;
- f. Grants;
- g. Records transfer;
- h. Transfer of Patriots Point to Parks, Recreation, and Tourism;
- i. External audit; and
- j. Revenue stream.

December 2017

On December 5, 2017, the Subcommittee holds its second meeting with the agency.⁸⁵ Mr. Mac Burdette testifies about the agency's **human and financial resources**. Subcommittee members ask, and Mr. Burdette responds to, questions about the following topics:

- a. Additional vessels;
- b. Admission cost;
- c. Accommodations tax;
- d. FTEs;
- e. Land leases and renovations; and
- f. Archives.

January 2018

On January 11, 2018, the Subcommittee holds its third meeting with the agency.⁸⁶ Mr. Mac Burdett, Patriots Point executive director, testifies about the agency's **performance**. Subcommittee members ask, and Mr. Burdette responds to, questions about the following topics:

- a. Choosing appropriate performance measures;
- b. Types of measures used by Patriots Point;
- c. Three-year business plan development and evaluation;
- d. Performance trends;
- e. Measuring education expansion programming; and
- f. Methods for collecting consumer experience data.

February 2018

On February 8, 2018, the Subcommittee holds its fourth meeting with the agency.⁸⁷ The purpose of this meeting is to ask further questions the subcommittee may have, and to discuss possible recommendations, either to the agency itself or for changes to the law. Subcommittee members ask, and Mr. Burdette responds to, questions about the following topics:

- a. Titling of property;
- b. Other state naval and maritime museums;
- c. Procurement flexibility; and
- d. Maintenance of exhibits.

Further, multiple motions are made and approved regarding the agency.⁸⁸

April 2018

On April 5, 2018, the Subcommittee holds its fifth meeting about the agency, with a purpose of addressing recommendations and findings.⁸⁹ Multiple motions are made and approved regarding the agency.⁹⁰

Study Process Completion

Pursuant to Committee Standard Practice 12.4, **Subcommittee members may provide a separate written statement for inclusion with the Subcommittee's Study.** After receipt of any written statements from Subcommittee members, the Subcommittee Chair, pursuant to Committee Standard Practice 12.5, shall notify the Committee Chair in writing that a Subcommittee Study is available for consideration by the full Committee.

Once the Committee Chair receives written notice from the Subcommittee chair, the Committee chair shall, pursuant to Committee Standard Practice 13.1, include the Subcommittee Study on the agenda for a full committee meeting. During a full Committee meeting at which the Subcommittee Study is discussed, the Committee may vote, pursuant to Committee Standard Practice 13.2, to (1) refer the study and investigation back to the Subcommittee for further evaluation; (2) approve the Subcommittee's study; or (3) further evaluate the agency as a full Committee, utilizing any of the resources of legislative oversight available.

When the Committee approves a study, **any member of the Committee may provide a written statement for inclusion with the study.** The study, and written statements, are published online and the agency, as well as all House Standing Committees, receive a copy. The Committee shall offer at least one briefing to members of the House about the contents of the final oversight study approved by the Committee.⁹¹ The Committee Chair may provide briefings to the public about the final oversight study.⁹²

To support the Committee's ongoing oversight by maintaining current information about the Patriots Point Development Authority, the agency receives an annual Request for Information.

FINDING

Patriots Point Development Authority Educational Programming

The Education and Cultural Subcommittee finds the **Patriots Point Development Authority's educational programming has the potential to positively contribute to public education in South Carolina**, particularly education of fifth graders through the agency's distance learning program.

The PPDA distance learning program, termed the Blended Learning Initiative, is designed to create an integrated learning experience using the agency's self-published story books, educational videos, and supplementary activities featured on the agency's Blended Learning website.⁹³ The program has evolved since its 2011 inception, now including more interactive options and targeting plaintiff school districts in the Abbeville County School Districts, *et al. v. The State of South Carolina, et al.*, litigation about South Carolina's funding of public schools.⁹⁴

Agency officials state each fifth grader in South Carolina Public Schools receives a two-book reading series for the 2017-18 school year. The books, Oscar I Am! and Harry I Was?!, are geared toward the state's fifth grade social studies and science standards. In social studies, South Carolina fifth graders focus on the United States from 1865 to the present.⁹⁵ Harry, I Was?! addresses all time periods included in the standards from Reconstruction, through the collapse of the Soviet Union to the present.⁹⁶ In science, South Carolina fifth graders focus on matter and mixtures, changes in landforms and oceans, forces and motion, and interdependent relationships in ecosystems.⁹⁷ Oscar I Am! addresses standards across these four core areas.⁹⁸ While each book's contents is correlated to the state standards, neither appears on the State Department of Education's comprehensive listing of state adopted and supplemental instructional materials for elementary and middle schools.⁹⁹

Through augmented reality technology, defined as an enhanced version of reality created by the use of technology to overlay digital information on an image of something being viewed through a device (such as a smartphone camera), PPDA provides digital content as a companion to the books.¹⁰⁰ PPDA also supports teachers, through in-classroom professional development and a year-end professional development program at PPDA.

This program is partially funded by the state, using Education Improvement Act (EIA) funding. The program has received \$415,000 in EIA funding in both the 2016-17 and 2017-18 fiscal years. The Education Oversight Committee, responsible for reviewing and monitoring the implementation and evaluation of the Education Accountability Act and EIA programs and funding and making programmatic and funding recommendations to the General Assembly, neither recommends an increase nor a decrease in this funding for the 2018-19 fiscal year.¹⁰¹

RECOMMENDATIONS

General Information

The following **recommendations** include areas identified for potential improvement by the Subcommittee. The **Subcommittee** recognizes these **recommendations will not satisfy everyone nor address every issue or potential area of improvement at the agency**. These recommendations are based on the agency's self-analysis requested by the full Committee, discussions with the agency during multiple meetings, analysis of the information obtained by the Subcommittee, and review of information received from other sources. This information, including, but not limited to, the Program Evaluation Report, Accountability Report, Restructuring Report and videos of meetings with the agency, is available on the Committee's website.

Continue

The **Subcommittee** does not have any specific recommendations with regards to continuance of agency programs.

Curtail (i.e. Revise)

The **Subcommittee has four recommendations** arising from its study of the agency. These recommendations fall into three categories: recommendations for the General Assembly; recommendations for PPDA; and recommendations for the State Fiscal Accountability Authority and/or the General Assembly. All Subcommittee recommendations are unanimously adopted in various motion at the Thursday, February 8, 2018, and April 5, 2018, meetings; all members present at the meetings vote to approve the recommendations.¹⁰²

Recommendation for the General Assembly

Table 18. Summary of recommendations for the General Assembly arising from the study process.

Topic	Recommendations for the General Assembly
Voluntary Income Tax Return Contribution	1. Authorize Patriots Point to receive funds through voluntary income tax return contributions.

The **first recommendation** relates to **voluntary income tax contributions**. The Subcommittee recommends Patriots Point be added to the list of entities that may receive funds through the voluntary income tax contributions. Currently, S.C. Code §12-6-5060 allows taxpayers to voluntarily contribute to sixteen organizations, via their individual tax returns. Table 19 lists the S.C. organizations and what they receive from 2016 tax year contributions.

Table 19. Individual income tax contributions in tax year 2016.¹⁰³

Type of Contribution	Number of Returns	Amount
Children's Trust Fund	1,060	\$14,920.19
Donate Life South Carolina	517	\$4,578.00
Eldercare Trust Fund	908	\$11,418.00
Endangered Wildlife Fund	1,621	\$22,827.95
K-12 Public Education Fund	910	\$15,483.00
S.C. Association of Habitat Affiliates	314	\$4,230.00
S.C. Conservation Bank Trust Fund	544	\$6,381.00
S.C. Department of Natural Resource Fund	1,041	\$13,677.48
S.C. Financial Literacy Trust Fund	341	\$2,094.00
S.C. First Steps to School Readiness Fund	595	\$7,308.00
S.C. Law Enforcement Assistance Program	870	\$13,857.00
S.C. Litter Control Enforcement Program	588	\$4,790.00
S.C. Military Family Relief Fund	1,006	\$14,507.00
S.C. State Forests Fund	825	\$7,550.37
S.C. State Parks Fund	1,515	\$20,832.80
S.C. Veterans' Trust Fund	1,154	\$15,328.00
War Between the States Heritage Trust Fund	330	\$5,020.00
Total Contributions	14,139	\$184,802.79

PPDA officials state the Patriots Point Development Authority Foundation currently funds scholarships for Junior Reserve Officers' Training Corps (JROTC) students to attend programs at PPDA. In fiscal year 2017-2018, the foundation's goal is to provide at least \$30,000 for these scholarships. In the 2016 tax year, the foundation reports providing \$16,402 in "support of Patriots Point Maritime Museum Facilities, Exhibits, Programs, and other projects."¹⁰⁴ Based on organizations raising between \$2,072 and \$24,843, tax contributions to Patriots Point are projected to provide additional revenue that can be directed to the JROTC scholarships.

Table 20. Suggested amendment to S.C. Code §12-6-5060.

Impacted Code Section	Suggested Amendment
S.C. Code §12-6-5060 - Voluntary contribution to certain funds may be designated on return; reporting of contributions annually by department.	(A) Each taxpayer required to file a state individual income tax return may contribute to the War Between the States Heritage Trust Fund established pursuant to Section 51-18-115, the Nongame Wildlife and Natural Areas Program Fund established pursuant to Section 50-1-280, the Children's Trust Fund of South Carolina established pursuant to Section 63-11-910, the Eldercare Trust Fund of South Carolina established pursuant to Section 43-21-160, the First Steps to School Readiness Fund established pursuant to Section 63-11-1750, the South Carolina Military Family Relief Fund established pursuant to Article 3, Chapter 11, Title 25, the Donate Life South Carolina established pursuant to Section 44-43-1310, the Veterans' Trust Fund of South Carolina established pursuant to Chapter 21, Title 25, the South Carolina Litter Control Enforcement Program (SCLCEP) and used by the Governor's Task Force on Litter only for the SCLCEP Program, the South Carolina Law Enforcement Assistance Program (SCLEAP) and used as

provided in Section 23-3-65, the South Carolina Department of Parks, Recreation and Tourism for use in the South Carolina State Park Service in the manner the General Assembly provides, the South Carolina Forestry Commission for use in the state forest system, the South Carolina Department of Natural Resources for use in its programs and operations, K-12 public education for use in the manner the General Assembly provides by law, South Carolina Conservation Bank Trust Fund established pursuant to Section 48-59-60, the Financial Literacy Trust Fund established pursuant to Section 59-29-510, ~~or~~ the South Carolina Association of Habitat for Humanity Affiliates, or the Patriots Point Development Authority established pursuant to 51-13-710, by designating the contribution on the return. The contribution may be made by reducing the income tax refund or by remitting additional payment by the amount designated.

(B) All South Carolina individual income tax return forms must contain a designation for the above contributions. The instructions accompanying the income tax form must contain a description of the purposes for which the funds were established and the use of monies from the income tax contribution.

(C) The department shall determine and report at least annually to the appropriate agency administering the fund or in the case of the Children's Trust Fund to the fund the total amount of contributions designated to the above funds. The department shall transfer the appropriate amount to each fund at the earliest possible time. The incremental cost of administration of the contribution must be retained by the department from the contributions before any funds are expended as provided in this section.

(D) The Department of Natural Resources shall make a report to the General Assembly as early in January of each year as may be practicable, which must include the amount of revenue produced by the contributions and a detailed accounting of expenditures from the Nongame Wildlife and Natural Areas Fund.

(E) For purposes of this section, the South Carolina Department of Revenue is not subject to provisions of the South Carolina Solicitation of Charitable Funds Act as contained in Chapter 56, Title 33.

(F) Revenues from the South Carolina Litter Control Enforcement Program Fund and the South Carolina Law Enforcement Assistance Program Fund carry forward into succeeding fiscal years and earnings of the funds must be credited to them.

Recommendation for the Patriots Point Development Authority

Table 21. Summary of recommendations for the Patriots Point Development Authority.

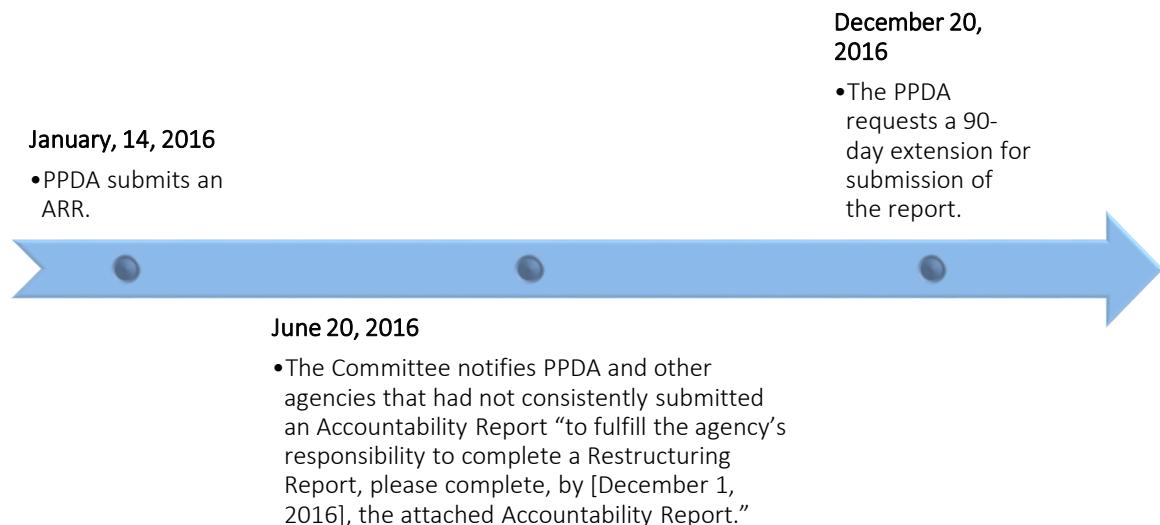
Topic	Recommendations for the Patriots Point Development Authority
Annual Restructuring Report	2. Submit an Annual Restructuring Report, whether it is in the form of a separate report, or the combined Accountability Report.

The **second recommendation** relates to the agency's submission of an annual restructuring report, in compliance with S.C. Code §1-30-10 (G). SC Code §1-30-10 (G)1 is as follows:

Department and agency governing authorities must, no later than the first day of the 2015 Legislative Session and every twelve months thereafter, submit to the Governor and General Assembly reports giving detailed and comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs, or personnel within each department to provide a more efficient administration of government services. If an agency or department has no recommendations for restructuring of divisions, programs, or personnel, its report must contain a statement to that effect.

This report is **a way the House of Representatives detects issues before they become crises**. Beginning in 2015, the Legislative Oversight Committee requests agencies fulfill this requirement through submission of an Annual Restructuring Report (ARR). In response to agency feedback about the similarity of the request to the Executive Budget Office's Annual Accountability Report (Accountability Report), the Committee seeks to combine the reports. The Executive Budget Office agrees to include inquiries formerly included in the ARR in the Accountability Report. Beginning in 2016, an agency's submission of the Accountability Report fulfills the requirements of submission of the ARR. Agencies, particularly those historically inconsistent in the submission of the Accountability Report, are notified of the combination of the reports.¹⁰⁵

The Patriots Point Development Authority (PPDA) submits an Accountability Report from at least FY 99 to FY09.¹⁰⁶ The agency does not submit a report for FY 10, and there is no evidence of any more recent submissions.¹⁰⁷ Figure 11 provides a timeline of the Committee's interaction with PPDA regarding the ARR and Accountability Report.



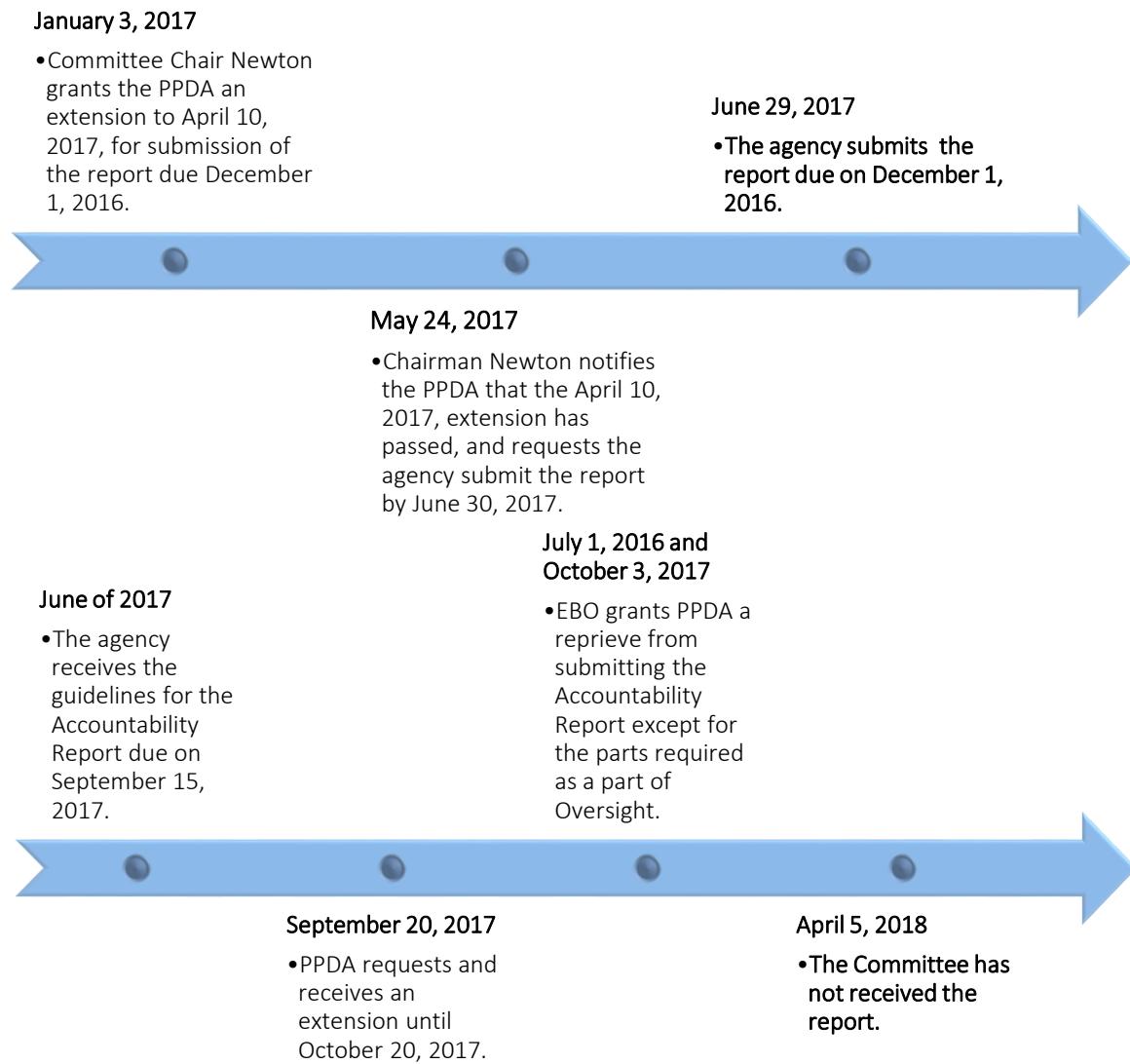


Figure 11. Timeline of Committee efforts to timely obtain Patriots Point Development Authority's annual restructuring report.¹⁰⁸

Recommendations for the General Assembly and/or the State Fiscal Accountability Authority

Table 22. Summary of recommendations for the General Assembly and/or the State Fiscal Accountability Authority.

Topic	Recommendations for the General Assembly and/or the State Fiscal Accountability Authority
Procurement Flexibility	<p>3. Grant Patriots Point procurement flexibility for purchase of services that are specialized, such as talent for major entertainment/history programs, visiting authors, etc.</p> <p>4. Grant Patriots Point an exemption for purchase of new exhibits and improving existing exhibits.</p>

The **third and fourth recommendations** relate to **procurement flexibility**. There are two ways agencies can be exempted from the processes prescribed by the state's Consolidated Procurement Code: (1) through legislative action (statute or proviso), or (2) through an exemption from the board of the State Fiscal Accountability Authority (SFAA). SFAA provides the vast majority of the specific exemptions. S.C. Code §11-35-710 provides exemptions to the procurement code, and grants authority to the board of the SFAA (formerly the Budget and Control Board) to grant exemptions to the consolidated procurement Code.

In its **third recommendation**, the Subcommittee recommends that the agency be **granted procurement flexibility for purchase of services that are specialized**, such as talent for major entertainment/history programs, visiting authors, etc. This exemption is similar to the Budget and Control Board's December 17, 1982, grant of an exemption for **professional artists utilized by the South Carolina Arts Commission**, from purchasing procedures.¹⁰⁹

In its **fourth recommendation**, the Subcommittee recommends the agency be granted **additional procurement flexibility**, adding an exemption for **exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits**. This is consistent with an exemption granted to the State Museum regarding funding new exhibits and improving existing exhibits.

S.C. Code §11-35-710 provides exemptions to the procurement code, and grants authority to the board of the SFAA (formerly the Budget and Control Board) to grant exemptions to the procurement code. This statute exempts the South Carolina Arts Commission and South Carolina Museum Commission from the procurement code when the agencies are **purchasing one-of-a-kind items such as paintings, antiques, sculpture, and similar objects**. In addition, Proviso 104.1 (2017-2018 General Appropriations Act) requires any governmental body, other than the South Carolina Museum Commission, the Confederate Relic Room and Military Museum Commission, and the South Carolina Hunley Commission, to obtain approval from the S.C. Arts Commission prior to purchasing art objects such as paintings, antiques, sculptures, or similar objects over \$1,000.

On July 17, 1991, the Budget and Control Board grants the State Museum a further exemption from the Consolidated Procurement Code. The board exempts the State Museum Commission from the purchasing procedures of the Consolidated Procurement Code for the following items:

- **Historical artifacts, to include both current, specific items and objects of future historical significance;**

- Scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world;
- Artworks, to include examples of fine art, decorative art, and folk art;
- Collection disciplines, to include cultural history, science and technology, art and natural history; and
- Exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits.

On August 27, 1985, the Budget and Control Board grants the Confederate Relic Room an exemption from purchasing procedures for the acquisition of **historical artifacts, weapons, flags, firearms, etc., which are rare and reasonably priced** in the judgment of the Confederate Relic Room and Museum staff.¹¹⁰

On August 14, 2014, the Patriots Point Development Authority requests an exemption from the procurement code for the following items:

- Historical artifacts, to include both current, specific items and objects of future historical significance;
- Artworks, to include examples of fine art related to the mission of the museum; and
- Collection disciplines, to include cultural history, science and technology, art and naval maritime history.¹¹¹

During that meeting, PPDA asserts it will use the exemption to acquire military/historical artifacts such as, historic textiles (e.g., uniforms, flags, weapons, etc.), artwork, historical film footage, aircraft, historic ship equipment and components, to provide the representation of authentic and historical scenes and displays; and various U.S. military equipment, necessary to achieve the goals of the museum experience master plan at Patriots Point. With one comment from a member of the Budget and Control Board that the agency's initial request for a procurement exemption was too broad, the board grants PPDA the requested exemption.¹¹²

In a response to the Subcommittee's inquiries, a PPDA official asserts receipt of the exemption "would expedite the development of new exhibits and allow negotiations with specific exhibits designers and fabricators which would greatly reduce cost of exhibits. Exhibits are usually very design/build oriented to fit the artifacts that are involved."¹¹³

INTERNAL CHANGES IMPLEMENTED BY AGENCY RELATED TO STUDY PROCESS

During the study process, the agency implements one internal change directly related to participation in the study process. Patriots Point staff and Department of Archives and History (Archives) staff develop records management processes for the agency.

In a response to the Subcommittee's inquiries, a PPDA official asserts the PPDA Records Manager and other key staff follow up with Archives regarding records management and transferal. Key staff members from Patriots Point meet with staff from Archives at Patriots Point on November 29, 2017, and discuss records management procedures and recommendations. PPDA submits Reports on Records Destroyed Forms and begin to work with Archives on the creation of agency-specific retention schedules, as well as the future transfer of inactive permanently valuable records. Patriots Point will permanently retain accession records pertaining to collections donations, oral history interviewee consent forms, aircraft donation records, and ship donation records. Agency staff state Patriots Point Development Authority is no longer considered "inactive" and has been removed from their "inactive" agency list as of November 29, 2017.¹¹⁴ However, according to Archives staff, PPDA has not yet transferred any records.¹¹⁵

SELECTED AGENCY INFORMATION

Patriots Point Development Authority. "Program Evaluation Report, 2016."

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Comprehensive%20Strategic%20Plan%20Summary.pdf> (accessed February 26, 2018).

Patriots Point Development Authority. "Restructuring and Seven-Year Plan Report, 2015."

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2015AgencyRestructuringandSevenYearPlanReports/2015%20Patriots%20Point.pdf> (accessed February 26, 2018).

Patriots Point Development Authority. "Agency Accountability Report, 2015-16."

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Reports%20&%20Audits%20- %20Reports%20and%20Reviews/Annual%20Restructuring%20Report%202017.PDF> (accessed February 26, 2018).

S.C. House of Representatives, Legislative Oversight Committee. "June 27 - July 28, 2017 Survey Results."

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20\(6.27-%207.28.pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20(6.27-%207.28.pdf) (accessed February 26, 2018).

CONTACT INFORMATION

Committee Contact Information

Physical:

South Carolina House of Representatives
Legislative Oversight Committee
1105 Pendleton Street, Blatt Building Room 228

Mailing:

Post Office Box 11867
Columbia, S.C. 29211

Telephone: 803-212-6810

Online:

You may visit the South Carolina General Assembly Home Page (<http://www.scstatehouse.gov>) and click on "Citizens' Interest" then click on "House Legislative Oversight Committee Postings and Reports". This will list the information posted online for the committee; click on the information you would like to review. Also, a direct link to committee information is <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>.

Agency Contact Information

Address:

Patriots Point Development Authority
40 Patriots Point Rd, Mt Pleasant, S.C. 29464

Telephone: 843-884-2727

Online: <https://www.patriotspoint.org/>

ENDNOTES

¹ Visual Summary Figure 1 is compiled from information in Patriots Point Development Authority study materials available online under "Citizens' Interest," under "House Legislative Oversight Committee Postings and Reports," and then under "Patriots Point Development Authority" <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/PatriotsPointDevelopmentAuthority.php> (accessed February 26, 2018).

² S.C. Code of Laws § 2-2-20(C).

³ In the section of the S.C. Code of Laws containing the agency's enabling statute, the agency is termed Patriot's Point, while other sections of the Code and materials produced by the agency references Patriots Point. The General Assembly can make the spelling consistent throughout the S.C. Code of laws via several methods, including a joint resolution declaring the preferred spelling, other legislation related to the agency, and proviso in the year the volume containing this section is republished. Throughout the study, the non-possessive spelling is used unless there is a reference to the enabling statute.

⁴ S.C. House of Representatives, House Legislative Oversight Committee, "Thursday, February 8, 2018 at 11:45 (Blatt 321)," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Meetings" <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/PatriotsPointDevelopmentAuthority.php> (accessed April 9, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁵ S.C. House of Representatives, House Legislative Oversight Committee, "Letter from Patriots Point Development Authority to Subcommittee Chair Jefferson (January 10, 2018)," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Correspondence" https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Part%20Point%20Letter%20to%20Subcommittee%2012_1.PDF (accessed March 16, 2018).

⁶ The Committee to Study and Investigate the Feasibility of a Naval Museum in South Carolina, *A Report to The Governor, The General Assembly, The United States Congressional Delegation of South Carolina*, January 2, 1973. The State Development Authority was an economic development state agency and a precursor to the present-day Department of Commerce.

⁷ The Committee to Study and Investigate the Feasibility of a Naval Museum in South Carolina is created pursuant to a concurrent resolution, which is adopted July 13, 1972.

⁸ Act 116 of 1973, section 2.

⁹ Act 427 of 1978.

¹⁰ Act 349 of 1990.

¹¹ Act 424 of 1992

¹² Act 281 of 2010

¹³ Act 116 of 1973, section 4.

¹⁴ Ibid., section 6.

¹⁵ Ibid., section 7.

¹⁶ Ibid., section 12 (issued bonds), section 8 (acquisition of property), and section 9 (exchange or purchase property).

¹⁷ Act 115 of 1973, section 15 (taxation exemption).

¹⁸ Act 116 of 1973, section 16. Smartasset, “Inflation Calculator,” <https://smartasset.com/investing/inflation-calculator> (accessed February 26, 2018).

¹⁹ Act 387 of 2000, Part II, Section 18, the General Appropriations Act.

²⁰ Ibid.

²¹ Ibid.

²² S.C. House of Representatives, House Legislative Oversight Committee, “Letter from Patriots Point Development Authority to Subcommittee Chair Jefferson (December 1, 2017)” at page 9, under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence”

https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Patriots%20Point%20Letter%20to%20Subcommittee%2012_1.PDF (accessed March 16, 2018).

²³ Act 115 of 1973, section 12. Act 349 of 1990 revises the taxation exemption to include taxes, or sums in lieu of taxes, or assessments on the property.

²⁴ S.C. House of Representatives, House Legislative Oversight Committee, “Agency Presentation” at unnumbered slides 8-9, under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Meetings,” under “Monday, November 6, 2017 – Meeting Minutes” https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Patriots%20Point%20Presentation%2011_6.pdf (accessed March 16, 2018).

²⁵ Part VI, Section 9 of Act 289 of 2014 allows members of the USS Laffey Association who are temporarily present at PPDA to perform voluntary maintenance on the USS Laffey may remain onboard the vessel overnight if the executive director approves and has deemed it safe to do so.

²⁶ Ibid., section 1.

²⁷ Act 427 of 1978.

²⁸ Ibid., section 10.

²⁹ S.C. House of Representatives, House Legislative Oversight Committee, “2015 Patriots Point Visitor and Resident Survey” at slide 5, under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence,” under “Patriots Point Development Authority Response to Subcommittee Chair Jefferson (February 6, 2018)”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/PPDA%20Resident%20and%20Visitor%20Survey.PDF> (accessed March 16, 2018).

³⁰ Ibid., at slide 8.

³¹ S.C. House of Representatives, House Legislative Oversight Committee, “Agency PER,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Oversight Reports and Studies”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Comprehensive%20Strategic%20Plan%20Summary.pdf> (accessed March 16, 2018).

³² Ibid.

³³ Ibid.

³⁴ S.C. Code Ann. § 51-13-710 through 740.

³⁵ Ibid.

³⁶ Ibid.

³⁷ http://search.scsos.com/boards_commissions/default.aspx.

³⁸ S.C. House of Representatives, House Legislative Oversight Committee, “Agency PER,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Oversight Reports and Studies” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Comprehensive%20Strategic%20Plan%20Summary.pdf> (accessed March 16, 2018).

³⁹ S.C. House of Representatives, House Legislative Oversight Committee, “Meeting Packet,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Meetings,” under “Monday, November 6, 2017 – Meeting Minutes” https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Meeting%20Packet%201_6.PDF (accessed March 15, 2018).

⁴⁰ S.C. House of Representatives, House Legislative Oversight Committee, “PPDA Department Descriptions (November 5, 2017),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Structure/Employees,” under “Other Information about Structure/Employees”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/PPDA%20Department%20Descriptions.pdf> (accessed March 15, 2018). Hereinafter PPDA Department Descriptions (November 5, 2017).

⁴¹ S.C. House of Representatives, House Legislative Oversight Committee, “Organization Charts (March 15, 2018),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Structure/Employees,” under “Organization Charts”

https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Organization%20Charts%203_15_18.pdf (accessed March 15, 2018). Hereinafter, Organization Charts.

⁴² PPDA Department Descriptions (November 5, 2017).

⁴³ Organization Charts (March 15, 2018).

⁴⁴ PPDA Department Descriptions (November 5, 2017).

⁴⁵ Organization Charts (March 15, 2018).

⁴⁶ PPDA Department Descriptions (November 5, 2017).

⁴⁷ Organization Charts (March 15, 2018).

⁴⁸ PPDA Department Descriptions (November 5, 2017).

⁴⁹ Organization Charts (March 15, 2018).

⁵⁰ PPDA Department Descriptions (November 5, 2017).

⁵¹ Organization Charts (March 15, 2018).

⁵² PPDA Department Descriptions (November 5, 2017).

⁵³ Organization Charts (March 15, 2018).

⁵⁴ S.C. House of Representatives, House Legislative Oversight Committee, “2015-16 Agency Accountability Report,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Oversight Reports and Studies” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Reports%20%20Audits%20-%20Reports%20and%20Reviews/Annual%20Restructuring%20Report%202017.PDF> (accessed March 16, 2018).

⁵⁵ S.C. House of Representatives, House Legislative Oversight Committee, “Letter from Education and Cultural Subcommittee to Patriots Point Development Authority (December 19, 2017)” at page 1, under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/PPDA%20Meeting%20Prep%20Letter.pdf> (accessed March 23, 2018).

S.C. House of Representatives, House Legislative Oversight Committee, “Letter from Education and Cultural Subcommittee to Adjutant General (March 22, 2018)” at page 1, under “Citizens’ Interest,” under “Adjutant General,” and under “Correspondence” [http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Letter%20from%20Subcommittee%20to%20Adjutant%20General%20\(March%202022,%202018\).pdf](http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/AdjutantGeneral/Letter%20from%20Subcommittee%20to%20Adjutant%20General%20(March%202022,%202018).pdf) (accessed March 23, 2018).

⁵⁶ 2015-16 Accountability Report.

⁵⁷ Kevin Paul, Assistant Director of State Human Resources, Department of Administration, email message to House Oversight Committee Legal Counsel Charles Appleby, May 5, 2017.

⁵⁸ Ibid.

⁵⁹ S.C. Code of Laws, §2-2-10(1).

⁶⁰ S.C. House of Representatives, House Legislative Oversight Committee, “May 10, 2017 – Meeting Minutes,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Meetings” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/May%2010,%202017%20Meeting%20Minutes.pdf> (accessed February 22, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

Hereinafter “May 10, 2017 Meeting Minutes.”

⁶¹ S.C. House of Representatives, House Legislative Oversight Committee, “Subcommittees -2018,” under “Citizens’ Interest,” under “Agency Oversight by House Legislative Oversight Committee,” and under “Committee Information” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittees%20-%202018.pdf> (accessed February 22, 2018).

⁶² S.C. House of representatives, House Legislative Oversight Committee, “Subcommittees – 2017,” under “Citizens’ Interest,” under “Agency Oversight by House Legislative Oversight Committee,” and under “Committee Information” [https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittees%20-%202017%20\(current%20as%20of%20November%208,%202017\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittees%20-%202017%20(current%20as%20of%20November%208,%202017).pdf) (accessed March 16, 2018).

⁶³ Subcommittees – 2017.

⁶⁴ S.C. Code §1-30-10(G)(1)

⁶⁵ 2015-16 Agency Accountability Report.

⁶⁶ Ibid.

⁶⁷ S.C. Code of Laws §1-30-10.

⁶⁸ S.C. House of Representatives, House Legislative Oversight Committee, “2016 Annual Restructuring Report,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Oversight Reports and Studies” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2016%20ARR/2016%20ARR%20-%20Patriots%20Point.pdf> (accessed March 18, 2018).

⁶⁹ A brochure about the House Legislative Oversight’s Committee process is available online. Also, there are ongoing opportunities to request notification when meetings are scheduled and to provide feedback about state agencies under study that can be found online. S.C. House of representatives, House Legislative Oversight Committee, “Read a brochure about the Committee,” under “Citizens’ Interest,” under “Agency Oversight by House Legislative Oversight Committee,” and under “Public Participation” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Brochure%20-%20Revised%201.3.18.pdf> (accessed March 16, 2018).

⁷⁰ S.C. House of Representatives, House Legislative Oversight Committee, “Agency Oversight by House Legislative Oversight Committee,” under “Citizens’ Interest” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed March 16, 2018).

⁷¹ S.C. House of Representatives, House Legislative Oversight Committee, “Press Release Announcing Public Survey (June 27, 2017),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Public Survey & Public Input via LOC webpage” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Media%20Release%20Public%20Survey%20June%202017.PDF> (accessed February 26, 2018).

⁷² S.C. House of Representatives, House Legislative Oversight Committee, “Results of Survey of Adjutant General’s Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Public Survey & Public Input via LOC webpage” [https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20\(6.27-%207.28\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20of%20Survey%20of%20the%20Adjutant%20General's%20Office;%20Commission%20for%20Minority%20Affairs;%20DNR;%20and%20Patriots%20Point%20(6.27-%207.28).pdf) (accessed February 26, 2018). Hereinafter Results of Survey of Adjutant General’s Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017).

⁷³ Ibid.

⁷⁴ Committee Standard Practice 10.4.

⁷⁵ Results of Survey of Adjutant General’s Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017).

⁷⁶ S.C. House of Representatives, House Legislative Oversight Committee, "Submit Public Input," S.C. House of representatives, House Legislative Oversight Committee, "Read a brochure about the Committee," under "Citizens' Interest," under "Agency Oversight by House Legislative Oversight Committee," and under "Public Participation"

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed February 26, 2018).

⁷⁷ Results of Survey of Adjutant General's Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017).

⁷⁸ Ibid.

⁷⁹ Also, the Chair of either the Committee or Education and Cultural Subcommittee has the discretion to allow testimony during meetings.

⁸⁰ S.C. House of Representatives, House Legislative Oversight Committee, "October 16, 2017 – Meeting Minutes," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Meetings"

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/October%202016,%202017%20Meeting%20Minutes.pdf> (assessed February 16, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>. Hereinafter "October 16, 2017 Meeting Minutes."

⁸¹ S.C. House of Representatives, House Legislative Oversight Committee, Statewide Media Release Inviting the Public to Provide Testimony about Four Agencies Under Study (October 2, 2017)," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Correspondence"

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Press%20Release%20-%20Public%20Input%20Meeting%20-%20Oct.%2016.pdf> (accessed March 16, 2018).

⁸² May 10, 2017 Meeting Minutes.

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/May%202010,%202017%20Meeting%20Minutes.pdf> (assessed February 16, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁸³ October 16, 2017 – Meeting Minutes.

⁸⁴ S.C. House of Representatives, House Legislative Oversight Committee, "Monday, November 6, 2017 – Meeting Minutes," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Meetings"

https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Meeting%20Minutes%2011_6%20Final.docx (accessed March 16, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁸⁵ S.C. House of Representatives, House Legislative Oversight Committee, "Tuesday, December 5, 2017 - Meeting Minutes," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Meetings"

https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Meeting%20Minutes%2012_5%20Complete.pdf (assessed February 26, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁸⁶ S.C. House of Representatives, House Legislative Oversight Committee, "Thursday, January 11, 2018 - Meeting Minutes," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Meetings"

https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Meeting%20Minute%201_11%20Final.docx (assessed February 26, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁸⁷ S.C. House of Representatives, House Legislative Oversight Committee, "Thursday, February 8, 2018 - Meeting Minutes," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Meetings"

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/PatriotsPointDevelopmentAuthority.php> (assessed April 9, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁸⁸ All motions for study recommendations are made at this meeting, and the next meeting (April 5, 2018).

⁸⁹ S.C. House of Representatives, House Legislative Oversight Committee, "Thursday, April 5, 2018 - Meeting Minutes," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Meetings"

LINK NOT YET POSTED (assessed April 9, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁹⁰ All motions for study recommendations are made at this meeting, and the last meeting (February 8, 2018).

⁹¹ Committee Standard Practice 14.1.

⁹² Committee Standard Practice 14.2.

⁹³ Patriots Point Blended Learning Initiative, "What is the blended learning initiative?"

<https://www.patriotpointblendedlearning.com/about.html> (accessed April 9, 2018).

⁹⁴ Abbeville County School Districts, et al. v. The State of South Carolina, et al., 410 S.C. 619, 767 S.E.2d 157 (2014),

<https://www.sccourts.org/opinions/HTMLFiles/SC/27466.pdf> (accessed April 9, 2018). S.C. House of Representatives, House Legislative Oversight Committee, "Patriots Point Development Authority Response to Subcommittee Chair Jefferson (February 6, 2018)," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Correspondence"

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⁹⁵ South Carolina Department of Education, "South Carolina Social Studies Standards," <https://ed.sc.gov/scdoe/assets/file/agency/CCR/Standards-Learning/documents/FINALAPPROVEDSSStandardsAugust182011.pdf> (accessed April 9, 2018).

⁹⁶ Patriots Point Blended Learning, "Standards in Harry, I Was!" <https://www.patriotpointblendedlearning.com/content-by-standards-history.html> (accessed April 9, 2018).

⁹⁷ South Carolina Department of Education, "South Carolina Academic Standards and Performance Indicators for Science," https://ed.sc.gov/scdoe/assets/file/agency/CCR/Standards-Learning/documents/South_Carolina_Academic_Standards_and_Performance_Indicators_for_Science_2014.pdf (accessed April 9, 2018).

⁹⁸ Patriots Point Blended Learning, "Content of 'Oscar I Am' By Standards," <https://www.patriotpointblendedlearning.com/content-by-standards-science.html> (accessed April 9, 2018).

⁹⁹ South Carolina Department of Education, “2017-2018 Comprehensive Listing of State Adopted Instructional Materials - Elementary and Middle Schools,” <https://ed.sc.gov/finance/instructional-materials/instructional-materials-and-district-selections/comprehensive-listings-of-state-adopted-and-supplemental-instructional-materials/2017-18-comprehensive-listing-of-state-adopted-instructional-materials-elementary-and-middle-s/> (accessed April 9, 2018). South Carolina Department of Education, “2017-18 Comprehensive Listing of Supplemental Instructional Materials for Elementary and Middles Schools,” <https://ed.sc.gov/finance/instructional-materials/instructional-materials-and-district-selections/comprehensive-listings-of-state-adopted-and-supplemental-instructional-materials/2017-18-comprehensive-listing-of-supplemental-instructional-materials-elementary-and-middle-sc/> (accessed April 9, 2018).

¹⁰⁰ Merriam-Webster Dictionary, <https://www.merriam-webster.com/dictionary/augmented%20reality> (accessed April 9, 2018). February 6, 2018, response.

¹⁰¹ S.C. Code of Laws §59-6-10. Education Oversight Committee, December 11, 2017 Meeting Packet, <http://www.eoc.sc.gov/Meeting%20Minutes/2017/REVISED%20Full%20Committee%20Packet%20for%2012.11.17.pdf> (accessed April 9, 2018).

¹⁰² Subcommittee Members present at the meeting include: Rep. Chandra E. Dillard; Rep. Joseph H. Jefferson, Jr.; Rep. Tommy Stringer; and Rep. John Taliaferro (Jay) West, IV.

¹⁰³ Virginia Wetzel, Department of Revenue legislative liaison email message to House Oversight Committee Auditor/Research Analyst Carmen J.M. Simon, March 26, 2018.

¹⁰⁴ Patriots Point Naval and Maritime Museum Foundation, “2017 Form 990” <http://www.guidestar.org/FinDocuments/2017/510/195/2017-510195240-0e50db61-Z.pdf> (accessed March 23, 2018).

¹⁰⁵ S.C. House of Representatives, House Legislative Oversight Committee, “2017-ARR Guidelines (June 20, 2016),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Oversight Reports and Studies” [https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FilesforAllAgenciesNewWebsite/2017%20-%20ARR%20Guidelines%20\(June%202020,%202016\)%20-%20Agencies%20not%20typically%20required%20to%20complete%20Accountability%20Report.pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FilesforAllAgenciesNewWebsite/2017%20-%20ARR%20Guidelines%20(June%202020,%202016)%20-%20Agencies%20not%20typically%20required%20to%20complete%20Accountability%20Report.pdf) (accessed April 6, 2018)

¹⁰⁶ S.C. House of Representatives, “Accountability Reports,” under “Publications,” <https://www.scstatehouse.gov/Archives/areports.php> (accessed April 6, 2018).

¹⁰⁷ Ibid.

¹⁰⁸ Figure 12 is compiled from information in Patriots Point Development Authority study materials available online under “Citizens’ Interest,” under “House Legislative Oversight Committee Postings and Reports,” and then under “Patriots Point Development Authority” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/PatriotsPointDevelopmentAuthority.php> (accessed February 26, 2018). Ms. Allison Hunt, PPDA Administrative Coordinator/Grants Manager email message to House Oversight Committee Auditor/Research Analyst Carmen J.M. Simon, January 8, 2018.

¹⁰⁹ State Fiscal Accountability Authority, “Current Procurement Code Exemptions Last Revised January 3, 2013,” https://procurement.sc.gov/files/20130103_Exemption_Table_%28FINAL%29_%28booklet%29.pdf (accessed March 23, 2018).

¹¹⁰ Ibid.

¹¹¹ State Fiscal Accountability Authority, “August 12, 2014 minutes,” under “Authority Meetings” https://www.sfaa.sc.gov/files/mtgs/August_12%2C_2014_Minutes.pdf (accessed March 23, 2018). These are minutes of the State Budget and Control Board, a precursor agency to the State Fiscal Accountability Authority.

¹¹² Senator Hugh Leatherman notes narrowing of exemption during the meeting.

¹¹³ S.C. House of Representatives, House Legislative Oversight Committee, “Patriots Point Development Authority Response to Subcommittee Chair Jefferson (February 6, 2018),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence” https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Parrots%20Point%20Response%20to%20LOC%202_6_18.PDF (accessed March 16, 2018).

¹¹⁴ S.C. House of Representatives, House Legislative Oversight Committee, “Letter from Patriots Point Development Authority to Subcommittee Chair Jefferson (December 1, 2017),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence” https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Parrots%20Point%20Letter%20to%20Subcommittee%2012_1.PDF (accessed March 16, 2018).

¹¹⁵ Dr. Eric Emerson, Director of the Department of Archives and History, and State Preservation Officer email message to House Oversight Committee Auditor/Research Analyst Carmen J.M. Simon, March 15, 2018.

JOHN DE LA HOWE SCHOOL

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Notification of the Education and Cultural Subcommittee's Study of the John de la Howe School

April 27, 2018

In accordance with Standard Practice 12.5, notice is hereby provided that the Education and Cultural Subcommittee's oversight study of the John de la Howe School is available for consideration by the full Committee.

The Honorable Joseph H. Jefferson Jr.
Education and Cultural Subcommittee Chair

cc: The Honorable Chandra E. Dillard
The Honorable Tommy M. Stringer
The Honorable John Taliaferro "Jay" West, IV

Please note: this report's appendices are not included in the meeting packet.

You may view the full report, including appendices, at

http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Subcommittee%20Study_Final.PDF

Legislative Oversight Committee

Study of the John de la Howe School *April 27, 2018*



FULL COMMITTEE OPTIONS STANDARD PRACTICE 13	FULL COMMITTEE ACTION(S)	DATE(S) OF FULL COMMITTEE ACTION(S)
(1) Refer the study and investigation back to the Subcommittee or an ad hoc committee for further evaluation; (2) Approve the Subcommittee's study; or (3) Further evaluate the agency as a full Committee, utilizing any of the available tools of legislative oversight		

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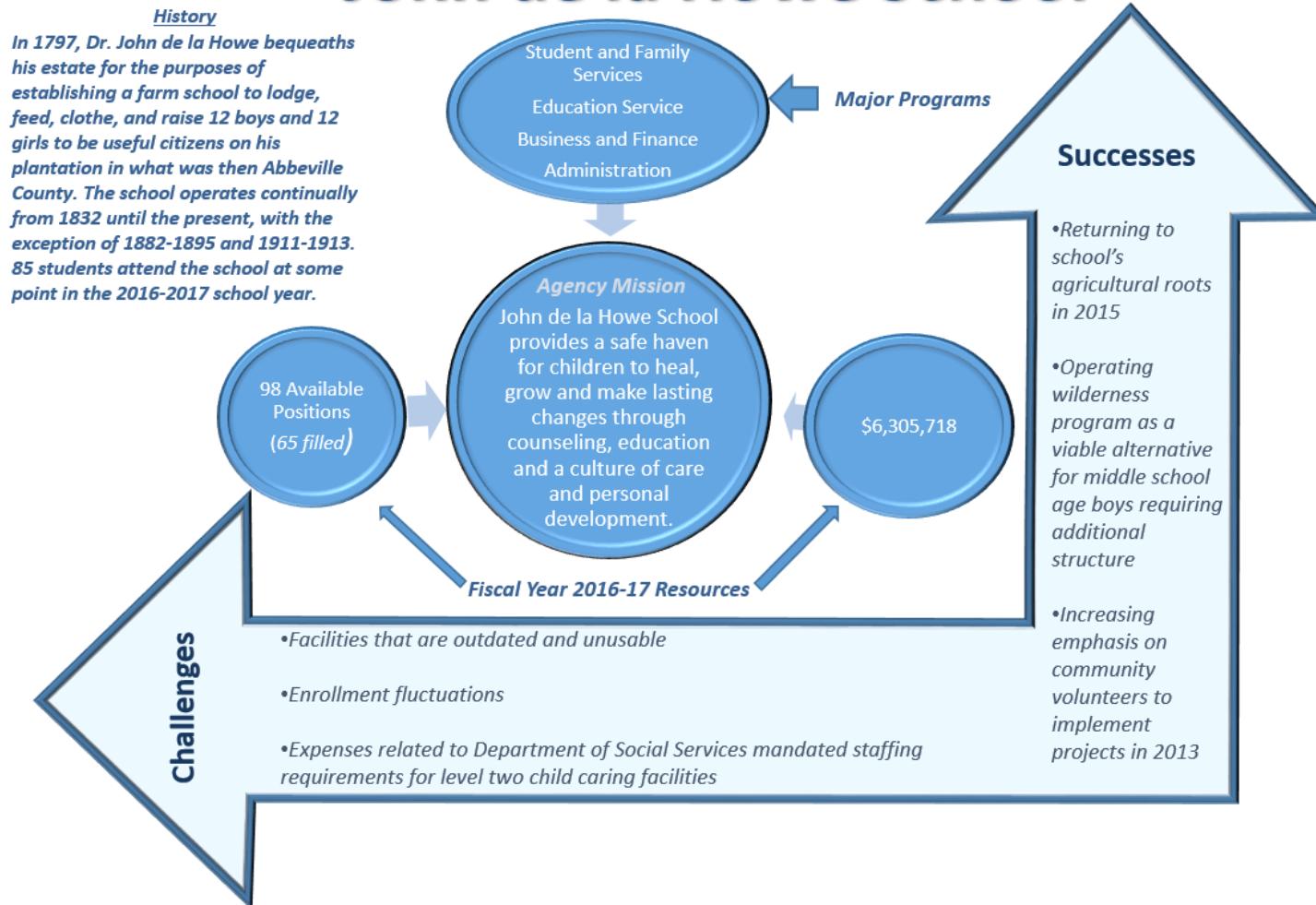
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AGENCY SNAPSHOT

John de la Howe School



Visual Summary Figure 1. Snapshot of agency's history, mission, fiscal year 2016-2017 resources, successes, and challenges.¹

EXECUTIVE SUMMARY

Purpose of Oversight Study

As stated in S.C. Code of Laws § 2-2-20(B), “[t]he **purpose of oversight studies** and investigations is to determine if agency laws and programs within the subject matter jurisdiction of a standing committee: (1) **are being implemented** and carried out in accordance with the intent of the General Assembly; and (2) **should be continued, curtailed, or eliminated.**” In making these determinations, the Subcommittee evaluates (1) the application, administration, execution, and effectiveness of the agency’s laws and programs, (2) the organization and operation of the agency, and (3) any

conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.²

Study Process

The House Legislative Oversight Committee’s (Committee) process for studying the John de la Howe School (agency, school, JDLH) includes actions by the full Committee; Education and Cultural Subcommittee (Subcommittee); the agency; and the public. A summary of the key dates and actions are listed below in Figure 2.

Legislative Oversight Committee Actions

- January 10, 2017 - Prioritizes agency for study
- January 17, 2017 - Provides agency with notice about the oversight process
- February 9, 2017 - March 13, 2017 - Solicits input from the public about agency in the form of an online public survey
- March 2, 2017 - Holds **Meeting 1** to obtain public input about agency
- May 10, 2017 - Places study on hold, pending adoption of the 2017-2018 General Appropriations Act

Education and Cultural Subcommittee Actions

- October 4, 2017- Holds **Meeting 2** with agency to discuss the study process and agency’s **history, strategic plan, services, and human resources**
- November 6, 2017 - Holds **Meeting 3** with agency to discuss its **financial resources and partners**
- December 5, 2017 - Holds **Meeting 4** with agency to discuss a **feasibility study**
- December 7, 2017 - Education and Cultural Subcommittee members visit the John de la Howe School
- February 8, 2018 - Holds **Meeting 5** with agency to discuss **PowerSchool data and performance**
- April 5, 2018 - Holds **Meeting 6** with agency to **discuss recommendations**, either to the agency itself or for changes to the law

John de la Howe School Actions

- March 31, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- January 12, 2016 - Submits its **2016 Annual Restructuring Report**
- September 15, 2016 - Submits its **2015-16 Accountability Report**
- March 31, 2017 - Submits its **Program Evaluation Report**
- January, 2017 - April, 2018 - Responds to **Subcommittee’s inquiries**

Public’s Actions

- February 9, 2017 - March 13, 2017 - Provides input about agency via **online public survey**
- March 2, 2017 - Provides **testimony** to the Committee
- Ongoing - **Submits written comments on the Oversight Committee’s webpage** on the General Assembly’s website (www.scstatehouse.gov)

Figure 2. Summary of key dates and actions of the study process.

Recommendations

The Subcommittee has **one specific recommendation** with regards to **continuance of agency programs**. The Subcommittee has **eight recommendations for revisions**. The Subcommittee's recommendations are to the General Assembly and John de la Howe School, and fall into four categories: **(1) governance, (2) wilderness program performance, (3) marketing and partner relationships, and (4) records management**.

Table 1. Summary of recommendations arising from the study process.

Recommendation		
	Continue Program	1. The John de la Howe School should continue operating the Wilderness Program for at-risk boys in grades 6-8.
Wilderness Program	Performance Measures	2. The John de la Howe School should amplify its measurement of the wilderness program by tracking and monitoring students who leave the program for any reason in the following areas: <ol style="list-style-type: none"> Completion of the grades following departure from the wilderness program; High school graduation; Higher education application and acceptance rates; and Military service.
	Board of Trustees Meeting Attendance	3. The General Assembly should consider amending S.C. Code §59-49-40, to require board members to attend, in person, at least half of the regularly scheduled John de la Howe School board meetings per year.
Governance	Title of Chief Administrator	4. Amend S.C. Code of Laws §59-49-30 to allow the Governor to consider failure to attend half of the regularly scheduled meetings to be a board member's resignation.
		5. The General Assembly should consider amending S.C. Code §59-49-90 to change the title of the school's chief administrator to "President," and remove the requirement that the chief administrator execute a bond.
Marketing and Partner Relationships	Marketing Plan	6. The John de la Howe School board should consider and approve the marketing plan, and the school should include an update on the implementation of the plan in its annual accountability report to the Governor and General Assembly.
	Potential Students	7. In the event the purpose of John de la Howe School does not change, John de la Howe School staff should include communication with the Department of Juvenile Justice's juvenile arbitration program in its list of marketing targets.
	Follow Up with Schools	8. John de la Howe School should take every opportunity it has to acquire forms, sent to schools students return to, so as to substantiate the record of student progress.
Records Management	Records Management	9. John de la Howe School staff should contact the Department of Archives and History and do the following: <ol style="list-style-type: none"> Seek advice on creating an updated records retention plan; Determine what is required of an agency to remain active; and Implement a compliant state records retention policy.

There are **no specific recommendations with regards to elimination of agency programs**.

AGENCY OVERVIEW

History

The John de la Howe School provides the Committee with an overview of the agency's history.³ In addition, Committee staff confirm the accuracy of assertions of legislative action.

Creation of the John de la Howe School

Dr. John de la Howe leaves his native France, and immigrates to North America. Arriving in Charleston, S.C. in 1764, he establishes a medical practice and acquires land in different sections of South Carolina, including acreage near the Long Cane area in the South Carolina backcountry. Dr. Howe moves to the New Bordeaux settlement at Long Cane (present-day McCormick County), and establishes a farm he names "Lethe."⁴ In 1797 he dies at Lethe Farm and is interred in a tomb there. In his will, he leaves **his estate for the establishment of a farm school to educate, lodge, feed and clothe "twelve poor boys, and twelve poor girls."**⁵

The school is **established in 1832** and is commonly known as "Lethe" until the 1880s, at which time it takes the name of its benefactor. School operations cease in 1882 but begin again in 1895. In the interim, various farmers in the area manage the land. The school again closes from 1911-13. The first recorded minutes of a John de la Howe School Board of Trustees minutes is dated November 11, 1913.

Transfer to State Control

In 1918, the S.C. General Assembly and Governor R.I. Manning, at the request of Senator J.M. Nickles of Abbeville County, **appoint a board of trustees** to take charge of the John de la Howe Industrial School. The transfer to state control is consistent with Dr. de la Howe's will: "And it is my will, that in the case the Agricultural Society of South Carolina should against my expectation decline or neglect, I beg the

Honorable Legislature to be graciously pleased to keep the Institution under its fatherly protection."⁶

He leaves his estate for the establishment of a farm school to educate, lodge, feed and clothe "twelve poor boys, and twelve poor girls." -Still Caring, Still Dreaming

In 1919, the board names **Reverend J.B. Branch superintendent** and the **main campus of JDLH moves from Lethe to its present location**, in McCormick, S.C. In 1926, a new **administrative building is constructed** and named de la Howe Hall. This allows the **school's capacity to grow from the original 24 students to more than 100**. In 1927,

JDLH expands, new roads are built, water and sewer issues are resolved, and forests are managed.

Evolution into Educational and Social Institution

Reverend Branch dies unexpectedly in 1931, and **Mr. E.F. Gettys follows him as superintendent**. Gettys serves until 1966 and places added emphasis on the primacy of the family as JDLH serves children from across the state. JDLH introduces **vocational training**, giving children a practical means of earning a livelihood. In 1937, a fire destroys de la Howe Hall. In addition to a new administrative building, construction begins on nine new cottages to offer a more family friendly environment.

In the 1940s, understanding the day of the traditional orphanage was fast fading, Superintendent Gettys guides the school to serve "more unpromising, yet needy children."⁷ In a 1949 letter to the State

Reorganization Commission, Superintendent Gettys points out the state insists JDLH is an educational institution, but also notes every community in the state has a school. "We are really a social institution," he writes, noting the majority of the children served are from broken homes and require temporary training and care.⁸ "The children manifest behavior patterns which local communities will not tolerate," he adds.⁹ "We look forward to the restoration of children to their home, but the institution has to afford 24-hour care and training so that the total family unit may have an opportunity to work out their problems and live together again."¹⁰ Superintendent Gettys calls services at JDLH unique, adding JDLH should not be placed under any other agency. Superintendent Gettys said another role of the school is "to help parents be helpful and not hurtful."¹¹

In 1966, the board names **Mr. L.S. Brice**, principal of the school since 1949, **superintendent**. In the 1970s, Superintendent Brice **establishes relationship with the Forestry Commission** to help manage the school's timber resources. Construction begins on three new cottages; an infirmary; a cafeteria; and educational facilities including a new gym, shop, and recreational area. In 1971, JDLH becomes **one of the first two children's home in the state to integrate racially**. In 1979, to comply with the passage of federal law 94-142 in 1975 guaranteeing a free public education to children with disabilities, **Governor Richard Riley looks to JDLH to address the state's children facing emotional and behavioral issues**. Palmetto Cottage is designated to house these students on JDLH campus.

Development of Therapeutic Wilderness Program

In 1979, the board names **John Shiflet superintendent**. Ninth and tenth graders receive education on campus, while eleventh and twelfth graders attend McCormick High. JDLH expands its use of volunteers, especially seniors. The agency's "family-centered" approach to treatment is enhanced, leading to the creation of a center for family and program enrichment. In 1986, JDLH moves children with emotional and behavioral challenges, formerly housed in Palmetto Cottage, to a new therapeutic wilderness program, funded through a \$100,000 grant from the Duke Endowment, along with Education Improvement Act funding. In 1997, JDLH celebrates its bicentennial, and a **book detailing the school's history is published**.

Recent History

In 1999, the board names **Mr. Rubert Austin superintendent**. Also, the **John de la Howe School Foundation is established** to support JDLH's mission of positively impacting the behavioral, educational, and social needs of children and their families. In 2004, the Board of Trustees adopts a code of ethics as a guide to effective and efficient service. **Mr. Mark Williamson serves as superintendent from 2005-2010**. In 2010, **Thomas Mayer is named superintendent**. In 2013, volunteers associated with the local Habitat for Humanity program begin working at least one day each week on remodeling projects on the JDLH campus. Resources for projects are donated.

In 2014, the board names **Dr. Danny Webb superintendent**, and the board approves a new mission statement for JDLH, namely to "[p]rovide a safe haven for children to heal, grow and make lasting changes." In 2017, the board names **Dr. James Franklin interim superintendent**, upon Dr. Webb's resignation.

Legal Obligations

"We look forward to the restoration of children to their home, but the institution has to afford 24-hour care and training so that the total family unit many have an opportunity to work out their problems and live together again." -Superintendent Gettys (1931-1966)

In the Program Evaluation Report, the Committee asks the agency to list the laws applicable to it. Listed below is a summary of the information the agency provides.¹²

John de la Howe School is primarily governed by Title 59, Chapter 49 of the S.C. Code of Laws. In addition S.C. Code of Laws §63-11-20 exempts John de la Howe School from the group of child welfare agencies that fall under the Department of Social Services' (DSS) administration of child welfare laws, unless the board requests, by resolution, that DSS license the school.

In addition to statutory language, the purpose of the school must remain within the purposes delineated in Dr. de la Howe's will. The South Carolina Supreme Court opinion in *Mars v. Gibert* interprets and provides a restatement of the will.¹³

As we have seen, it is perfectly obvious that the main purpose of this trust is the maintenance of a school in the neighborhood where the testator lived for the benefit primarily of 24 poor boys and girls without charge, and generally of the boys and girls of the entire community, with incidental benefits to all the people of the community. When the trust was created, the state made little provision for the teaching of poor boys and girls, while now nearly all the schools are free, and there is little difference between the school facilities of the rich and the poor. But the main branches, namely, agriculture and mechanic arts, which the testator proposed to have taught to the children of the neighborhood, are still little taught in the public schools. It is now generally recognized that the teaching of these branches is not only practicable and advisable, but absolutely essential to the progress of every community. It may not be practicable to conduct such a school at the precise place in the community designated by the will—that is not essential to the main purpose of the trust. It may not be possible to make such a school successful, except when conducted in conjunction with the public school of the neighborhood, but that is no objection. It is true that the trustees of the De la Howe School could not surrender their trust to the control of the public school trustees, but they could elect the superintendent and teachers of the public school head master and teachers of the De la Howe Agricultural and Mechanical School, and the two institutions could be thus conducted in conjunction to the benefit of the community. This would not defeat, but accomplish, the purpose of the benevolent testator, and it would carry out the scheme laid down by him for the accomplishment of his purpose with only such variation in detail as changed conditions have made necessary. Any plan of administration like this, keeping in view and carrying out the main purpose of the trust, would be within the discretion of the trustees.¹⁴

Appendix A includes the case and will in their entirety.

Purpose, Mission, and Vision

The **purpose** of the agency is explained in S.C. Code § 59-49-100.

It is declared to be the purpose and policy of the State to maintain and develop the school property in accordance with the purposes of the will of Dr. John De La Howe as interpreted by the Supreme Court of South Carolina, *Mars v. Gibert*, 93 S.C. 455, which

for historical reference reads: "First, the establishment and maintenance of an agricultural and mechanical school as an institution in Abbeville County, stimulating and improving the industrial life of the entire community; second, the training, free of charge, of twenty four boys and girls, not as college men and women, but in the beginning of school life; and, third, the like training of the children of the neighborhood not supported by the fund." It is declared that the term "Abbeville County" shall be understood to mean that portion of South Carolina known as Abbeville County at the time the will of Dr. John De La Howe was dated, namely January 2, 1797. The property is now in McCormick County. It is further declared that, given the above historical perspective, the Board of Trustees of John De La Howe School shall instruct the Superintendent of the school to implement programs which shall meet the needs of children from all of South Carolina who for some urgent reason need to be separated from their home or community.

The agency's **mission** is "[t]o provide a safe place for children to heal, grow and make lasting changes through counseling, education and a culture of care and personal development."¹⁵ Its **vision** is "John de la Howe School will be a state leader in delivering relevant and effective programs that advance behavioral health care, education, and positive family relations for children and adolescents."¹⁶

Partners and Entities with Similar Goals

Partners

In the 2016-2017 Accountability Report, John de la Howe School provided the following list of partners. The agency provides the information below.¹⁷

Table 2. John de la Howe School partners.

Name of Partner Entity	Type of Partner Entity	Description of Partnership	Associated Objective(s)
Clemson Extension Service	State Government	Advises on agriculture and wildlife projects on campus	Promote farm program (1.2.2, 3.2.1, 3.2.2)
Hickory Knob State Park	State Government	Provides golf venue for students and fundraisers	Mentoring and philanthropy (1.2.2, 3.2.1, 3.2.2)
McCormick Children's Home	State Government	Residential children's home	Community partnership (1.2.2, 3.2.1, 3.2.2)
Department of Juvenile Justice	State Government	Refers students to JDLH	Address behavior and family issues (1.1.2, 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.2.1, 3.2.2)
Department of Mental Health	State Government	Refers students to JDLH	Address behavior and family issues (1.1.2, 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.2.1, 3.2.2)
Department of Natural Resources	State Government	Teaches wildlife skills, gun safety, educate on food plots, etc.	Mentor and teach students responsibility (1.2.2, 3.2.1, 3.2.2)

Name of Partner Entity	Type of Partner Entity	Description of Partnership	Associated Objective(s)
Department of Social Services	State Government	Refers students to JDLH	Address behavior and family issues (1.1.2, 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.2.1, 3.2.2)
Forestry Commission	State Government	Provides bulldozer and truck for farm projects	Teach marketable skills (2.2.3)
Legislature	State Government	Provides funding and direction	Assist school with its mission 1.1.1, 1.1.2, 1.1.3, 1.2.1, 1.2.2, 1.3.1, 2.1.1, 2.1.2, 2.1.3, 2.2.1, 2.2.2, 2.2.3, 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.2.1, 3.2.2)
JDLH Foundation	Private Business Organization	Solicits and raises funds from private sector	Benefit mission of JDLH (1.2.2, 3.2.1, 3.2.2)
National Wild Turkey Federation	Private Business Organization	Provides hunting and outdoor opportunities	Mentor and teach students responsibility (1.2.2, 3.2.1, 3.2.2)
Self Family Foundation	Private Business Organization	Funds projects (e.g., commercial generator for campus)	Provide safe environment (2.2.3)
Area Churches	Non-Governmental Organization	Provide philanthropy and support to students	Improve liveability of campus (1.2.2, 3.2.1, 3.2.2)
Area Lions Clubs	Non-Governmental Organization	Assist with funding of activities for students	Provide safe environment (1.2.2, 3.2.1, 3.2.2)
Beaufort Land Trust	Non-Governmental Organization	Provides JDLH youth tour of Frank Lloyd Wright plantation	Educate students (3.2.1)
Clark's Hill Stripper Club	Non-Governmental Organization	Provides annual fishing tournament for JDLH youth	Mentoring and recreation (1.2.2, 3.2.1, 3.2.2)
JDLH Alumni Association	Non-Governmental Organization	Provides philanthropy and support to students	Provide stable and safe campus (1.2.2, 3.2.1, 3.2.2)
JDLH Volunteers	Non-Governmental Organization	Assist with construction projects on campus	Improve liveability of campus (2.2.3)
Linus Project	Non-Governmental Organization	Provides blankets for JDLH students annually	Improve liveability of campus (1.2.2, 3.2.1, 3.2.2)
McCormick County Sheriff's Department	Local Government	Provides school resource officer for JDLH	Increase school and campus safety (2.2.3)

Name of Partner Entity	Type of Partner Entity	Description of Partnership	Associated Objective(s)
McCormick School District	K-12 Education Institute	Serves JDLH students in grades 10-12	Education services (1.1.1, 1.1.2, 1.1.3, 1.2.1, 1.2.2, 1.3.1)
School Districts	K-12 Education Institute	Refer students to JDLH	Address behavior and family issues (1.1.1, 1.1.2, 1.1.3, 1.2.1, 1.2.2, 1.3.1)
Marine Corps Special Operations Command, Camp Lejune	Federal Government	Use of JDLH property for bi-annual training	Mentor and teach students (1.2.2, 3.2.1, 3.2.2)

Other Entities with Similar Goals

During the study of an agency, the Committee asks the agency if there are any **other entities serving, or which could serve, similar customers or providing similar products or services**. In the Program Evaluation Report and during the study of an agency, the Committee asks how the entities work together to effectively and efficiently achieve both entities' goals. John de la Howe School lists the following entities as having similar goals, and servicing children with similar needs:

- Winwood Farms - Charleston County;
- Carolina Youth Development - Charleston;
- Palmetto Behavioral Health - Charleston;
- Connie Maxwell Children's Home - Greenwood;
- Camden Military Academy - Camden;
- Wingate Wilderness Therapy - statewide;
- Wil Lou Gray Opportunity School - Columbia;
- Palmetto Youth Challenge - Eastover;
- Brookland Boys Plantation - Orangeburg;
- Fair Play Wilderness - Fair Play; and
- Job Corps - Bamberg.¹⁸

Of those listed, three are public - Wil Lou Gray Opportunity School (state), Palmetto Youth Challenge (federal program administered by the state), and Job Corps (federal).¹⁹ John de la Howe School staff also assert the school's agricultural practice, forestry practice, and mechanical training may fit within the missions of two higher education institutions: Clemson University and Piedmont Technical College.²⁰

Agency Organization

Governing Body

In the Program Evaluation Report, the Committee asks the agency to provide information about the agency's governing body. The agency provides the information below.²¹

The governing body of the department is the John de la Howe School Board of Trustees (board). S.C. Code § 59-49-10 and 20 address the composition of the board.

The business, property, and affairs of the school must be under the control of a board of trustees, consisting of nine members, appointed by the Governor, subject to confirmation by the Senate. The terms of the members of the board must be for terms of five years. Appointments to fill vacancies must be for the remainder of the terms in

the same manner of original appointments. The members of the board may at any time be removed by the Governor for good cause. The failure of any member of the board to attend at least one meeting thereof in any year, unless excused by formal vote of the board, may be construed by the Governor as the resignation of such nonattending member.

The board is to meet quarterly and at least once a year on campus, and establish the school's general policies.²² Any board member with three consecutive unexcused absences from regularly scheduled meetings is to be removed from the board. The board approves the budget for each fiscal year and annual request for appropriations. The superintendent reports directly to the board and is evaluated annually. Also the board also approves the hiring, terms of employment, salary, and dismissal for all senior management staff.²³

Table 3. *John de la Howe School Board of Trustees. (Current as of April 15, 2018).*²⁴

Position Title	Current Members	Appointed By	Appointed Date	Term Expiration Date
Member	Patricia Sara Silva*	Governor Nikki R. Haley	2/21/2014	4/1/2018
Member	Thomas R. Love	Governor Nikki R. Haley	4/17/2014	4/1/2019
Member	Melissa A. Tilden*	Governor Nikki R. Haley	1/26/2015	4/1/2018
Member	Barbara Devinney*	Governor Nikki R. Haley	6/28/2013	4/1/2014
Member	Jerry Michael Griffin	Governor Nikki R. Haley	4/7/2016	4/1/2020
Chair	Daniel B. Shonka*	Governor Nikki R. Haley	4/8/2014	4/1/2018
Member	VACANT			
Member	VACANT			
Member	VACANT			
Interim Superintendent	James Franklin, Sr.	Board of Trustees	6/29/2017	

Table Note: An asterisk (*) denotes the member is serving on the board in a hold-over capacity.

Agency Organizational Units, Services, and Customers

Every agency has an organization or hierarchy that is reflected in the agency's organizational chart. Within the organization are separate units. An agency may refer to these units as departments, divisions, functional areas, cost centers, etc. Each unit is responsible for contributing to the agency's ability to provide services and products.

During the study process the Committee asks the agency about its organization and major operating programs.²⁵ John de la Howe School informs the Committee it is comprised of four major organizational units, which are described in Tables 3 through 6. The organization of the entire agency is shown in Figure 3.

The **Student and Family Services (residential and wilderness programs, clinical, and admissions)** unit includes residential and wilderness programs, clinical, and admissions. It supports the agency's core mission by providing direct care in the residential and wilderness programs; providing clinical therapy support to students; and overseeing the enrollment of new students in care of the agency.

Table 4. John de la Howe School Organizational Unit: Student and Family Services.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
What is the turnover rate?	36.95%	45.97%	46.67%
Is employee satisfaction evaluated?	Yes		
Is anonymous employee feedback allowed?	Yes		
Do any positions require a certification?	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some		

The **Education Services (principal and teachers)** unit includes principals and teachers. This unit provides academic education to the client students in care of the agency.

Table 5. John de la Howe School Organizational Unit: Education Services.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
What is the turnover rate?	14.28%	29.78%	41.86%
Is employee satisfaction evaluated?	Yes		
Is anonymous employee feedback allowed?	Yes		
Do any positions require a certification?	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some		

The **Business and Finance (procurement, trades, dining services, and IT)** unit includes procurement, trades, dining services, and IT. It manages the fiscal accountability through purchasing and dining services and to maintain the agency's physical plant.

Table 6. John de la Howe School Organizational Unit: Business and Finance.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
What is the turnover rate?	22.85%	25%	51.61%
Is employee satisfaction evaluated?	Yes		
Is anonymous employee feedback allowed?	Yes		
Do any positions require a certification?	Yes		
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?	Some		

The **Administration (president, human resources, and support services)** unit includes the superintendent, human resources, and support services. This unit manages day-to-day operations and human capital of the agency.

Table 7. John de la Howe School Organizational Unit: Administration.

<u>Details:</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
What is the turnover rate?	22.85%	20%	22.22%
Is employee satisfaction evaluated?		Yes	
Is anonymous employee feedback allowed?		Yes	
Do any positions require a certification?		Yes	
Did the agency pay for, or provide classes/instruction needed to maintain all, some, or none of required certifications?		Some	

Organizational Chart

**John de la Howe School
Organizational Chart**

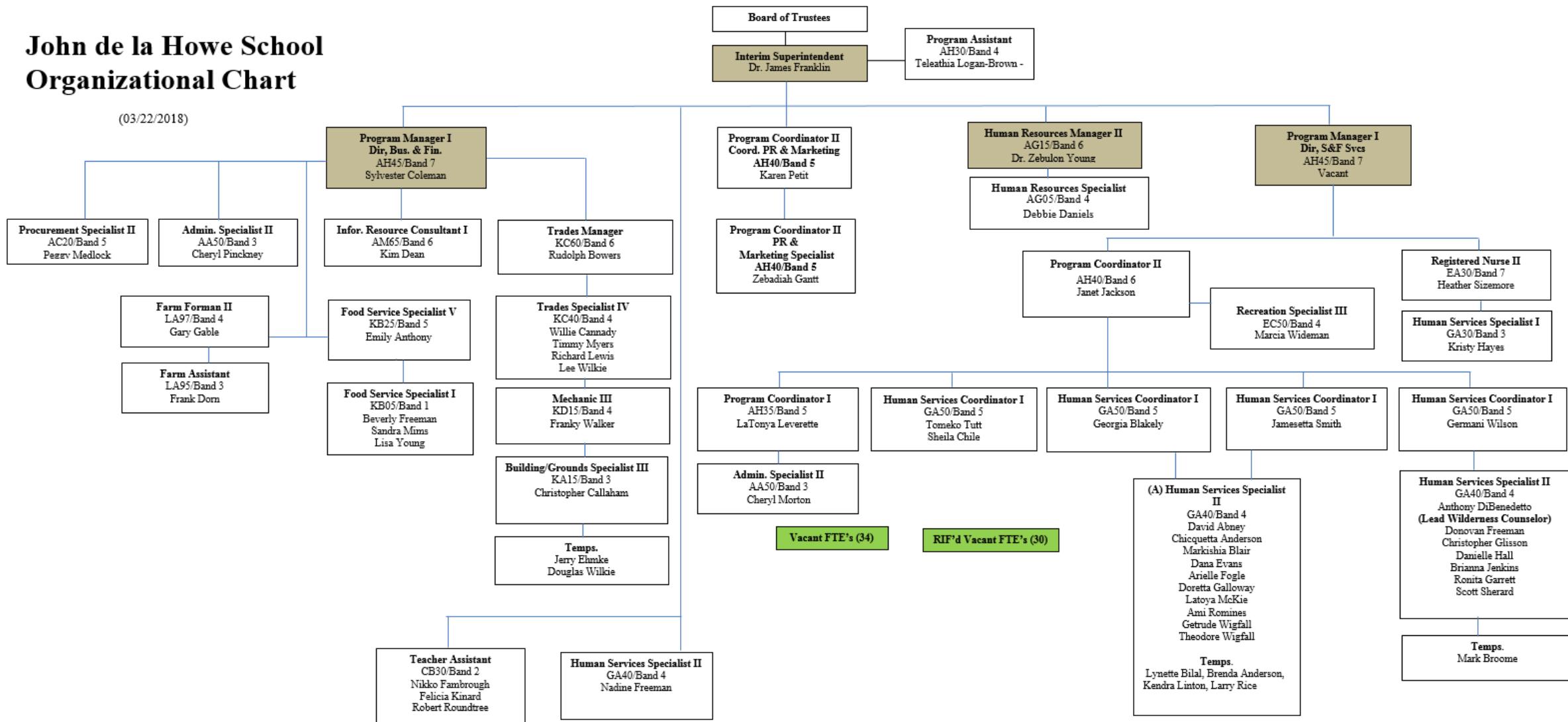


Figure 3. Organizational chart provided by the agency. (Current as of March 22, 2018).²⁶

Agency Resources

Financial

The South Carolina Revenue and Fiscal Affairs Office provides summary funding data for all agencies.²⁷ Table 8 includes John de la Howe School's FY 2016 and FY 2017 appropriations. John de la Howe School has several revenue generating activities, including tuition and fees, timber sales, farm and nursery product sales, meal sales, rent, grants, and investment earnings. In fiscal year 2017, JDLH generates \$583,678.49.²⁸

Table 8. John de la Howe School FY 2016 and FY 2017 appropriations.

	Adjusted General Fund				EIA Agency Allocation	Non-Recurring Employee Bonuses
	Total Funding Available	Fund Appropriation	Federal Funds	Other Funds		
FY 2016	\$6,207,805	\$4,652,797	\$353,227	\$784,047	\$417,734	\$48,580
FY 2017	\$6,305,718	\$4,750,710	\$353,227	\$784,047	\$417,734	N/A

The Comptroller General's office provides annual summary spending for each state agency, on the fiscal transparency website. The annual summaries are broken down by categories of spending.²⁹ The table below includes John de la Howe School's FY 2016 and FY 2017 spending.

Table 9. John de la Howe School FY 2016 and FY 2017 spending.

Category and Description	Fiscal Year	General	Earmarked	Restricted	Federal	Total Fund
CONTRACTUAL SERVICES All expenditures for services, other than by officials and employees of the state, which involve the use of equipment, materials, or commodities. Such services are performed without giving the state authority to direct or control the ability or skill of the persons performing such services.	2016	\$187,109.13	\$81,869.99	\$116,875.00	\$0.00	\$385,854.12
	2017	\$634,804.23	\$56,750.00	\$0.00	\$0.00	\$691,554.23
EMPLOYER CONTRIBUTIONS This classification should include all earnings made by a state department or institution on behalf of employees with respect to the employer's portion of social security and retirement.	2016	\$1,068,241.35	\$961.53	\$141,257.50	\$3,677.74	\$1,214,138.12
	2017	\$930,717.14	\$404.59	\$0.00	\$0.00	\$931,121.73
FIXED ASSETS (CAPITALIZED)	2016	\$24,423.84	\$60,410.06	\$0.00	\$0.00	\$84,833.90
	2017	\$181,322.10	\$0.00	\$0.00	\$0.00	\$181,322.10

Category and Description	Fiscal Year	General	Earmarked	Restricted	Federal	Total Fund
FIXED CHARGES AND CONTRIBUTIONS (OTHER OPERATING) All expenditures for fixed charges against the State and gifts or contributions made by the State.	2016	\$137,467.24	\$0.00	\$166.00	\$500.00	\$138,133.24
	2017	\$122,665.46	(\$1,818.02)	\$0.00	\$0.00	\$120,847.44
LAND BUILDINGS INFRASTRUCTURE CONSTRUCTION Expenditures for the purchase of land and buildings, expenditures related to the construction of new facilities and construction of land improvements, building improvements, or infrastructure, and expenditures to acquire intangible assets, including computer software.	2016	\$0.00	\$279,887.01	\$0.00	\$0.00	\$279,887.01
	2017	\$0.00	\$42,153.20	\$0.00	\$0.00	\$42,153.20
PERSONAL SERVICES All expenditures for the direct services of persons who are in the employment of the state, regardless of whether such employment is on a permanent, temporary, or fee basis.	2016	\$2,917,417.00	\$4,941.49	\$430,411.75	\$18,983.06	\$3,371,753.30
	2017	\$2,297,140.04	\$1,098.83	\$0.00	\$0.00	\$2,298,238.87
SUPPLIES AND MATERIALS To include all expenditures for articles or substances which have specific uses and when applied to their respective uses are subject to such changes that will consume them or render them unfit for continuous and permanent use.	2016	\$306,458.85	\$8,197.09	\$0.00	\$43,983.18	\$358,639.12
	2017	\$375,018.79	(\$2,664.10)	\$0.00	(\$62.86)	\$372,291.83
TRAVEL All expenditures by state employees for transportation, mileage, lodging, meals, and other legal charges necessary to the travel directed.	2016	\$64,599.46	(\$500.00)	\$0.00	\$11,704.53	\$75,803.99
	2017	\$70,936.22	\$0.00	\$0.00	\$0.00	\$70,936.22
UTILITIES Expenditures for utility services necessary to operate an office or building for state use.	2016	\$327,455.88	(\$12,881.42)	\$0.00	\$0.00	\$314,574.46
	2017	\$299,893.39	(\$5,193.05)	\$0.00	\$0.00	\$294,700.34

Annually, each agency submits a strategic plan.³⁰ Of interest in the oversight process are the total resources available to an agency and how the agency allocates human and financial resources to the goals and objectives in the agency's strategic plan. The agency's allocation across the strategic plan is not included here because of a shift in the school's strategic direction during the course of the study.

Human Resources

The Department of Administration's Division of State Human Resources provides the numbers of authorized, actual, and filled full time employee (FTE) positions for the last five fiscal years.³¹ Tables 10, 11, and 12 provide that information. The Authorized Total FTE is as of July 1 of the fiscal year, as stated in the Appropriations Act. The Actual Total FTE is the sum of Filled FTE and Vacant FTE, based on what the agency has entered in South Carolina Enterprise Information System (SCEIS) and is as of June 30. If Actual is more than Authorized, it may be because during the course of the year, the Executive Budget Office authorizes interim FTE positions. The agency typically requests authorization for these positions in the next budget. If Actual is less than Authorized, it is because the agency has not set up all of the Authorized positions in SCEIS yet. Filled FTEs are positions the agency has set up in SCEIS in which someone is actually working. The Division of State Human Resources also provides the total salaries associated with the agency's filled FTEs. Figure 4 is a chart that shows the agency's gain/loss of filled FTEs and the gain/loss of salary burden on the agency at the same time.³²

Table 10. John de la Howe School Authorized FTE Positions (FY 2013-FY 2017).

	2012-13	2013-14	2014-15	2015-16	2016-17
Total	107.410	107.410	107.410	106.410	98.390
State	94.950	94.520	94.520	93.520	86.750
Federal	1.490	1.490	1.490	1.490	1.170
Other	10.970	11.400	11.400	11.400	10.470

Table 11. John de la Howe School Actual FTE Positions (FY 2013-FY 2017).

	2012-13	2013-14	2014-15	2015-16	2016-17
Total	105.118	105.636	106.314	106.314	105.314
State	97.400	96.534	95.642	95.642	94.642
Federal	0.808	0.000	0.000	0.000	0.000
Other	6.910	9.102	10.672	10.672	10.672

Table 12. John de la Howe School Filled FTE Positions (FY 2013-FY 2017).

	2012-13	2013-14	2014-15	2015-16	2016-17
Total	67.505	68.929	77.678	76.082	64.984
State	62.702	63.794	69.672	68.362	58.244
Federal	0.000	0.000	0.000	0.000	0.000
Other	4.803	5.135	8.006	7.720	6.740

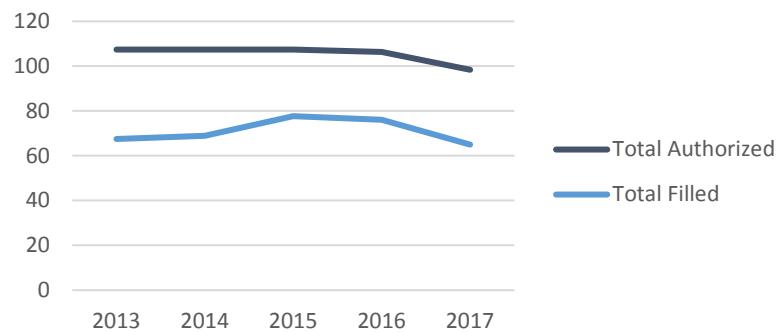


Figure 4. Total Authorized and Filled FTEs (FY 2013-FY 2017).



Figure 5. Total Filled FTEs and Total Salary Associated with FTEs (FY 2013-FY 2017).

Agency Performance

Of interest during the study process is how the agency measures its performance in implementing the goals, strategies, and objectives of its strategic plan. Tables 14 through 16 show performance measures associated with the agency's strategic plan.

Types of Measures Utilized

There are four types of performance measures, which are explained below.

- **Inputs** are human or material resources used, such as number of staff hours or classroom space used to conduct welfare-to-work programs.
- **Outputs** are the amount of service, effort, or activity produced or delivered, such as number of clients receiving job training or number of students in AP courses.
- **Efficiency** measures are the amount of output or outcome achieved in terms of input, such as cost per participant in welfare-to-work programs, or cost per student.
- **Outcomes** are results or the effectiveness of a service or effort, such as the number of clients employed for at least half time within six months of job training or the percentage of students who graduate from high school.

Targets and Results of Agency Performance Measures

John de la Howe School provides performance measure data in its Annual Restructuring Report and other submissions to the Committee.³³

GOAL 1- IMPROVE THE COST EFFECTIVENESS OF JDLH THERAPEUTIC, RESIDENTIAL AND EDUCATIONAL SERVICES

<i>Strategy 1.1</i>	<i>Increase the number of participants in the campus program</i>
Objective 1.1.1	Increase by 10% the average number of residential campus-served participants by June 2017
Objective 1.1.2	Increase the number of residential beds that meet health and safety standards and licensing regulations to serve 96 youth by December of 2016
Objective 1.1.3.	Serve at least 96 residential youth over the fiscal year by June of 2017
<i>Strategy 1.2</i>	<i>Increase the number of participants in the Wilderness Program</i>
Objective 1.2.1	Increase the number of campsites from 2 to 3 by March of 2017
Objective 1.2.2	Increase the number of youth served in Wilderness Program from 14 to 20 by March of 2017
<i>Strategy 1.3</i>	<i>Increase the effectiveness of therapeutic staff who will have accurate position descriptions and employee performance management systems planning and evaluation objectives that are aligned to the agency's mission by May 2017</i>
Objective 1.3.1	Increase to 100% the number of therapeutic staff who will have accurate position descriptions and employee performance management systems planning and evaluation objectives aligned to the agency's mission by May 2016

Table 13. Performance measures associated with Goal 1 - Improve the cost effectiveness of JDLH therapeutic, residential, and educational services.

Performance Measure	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Calculation Method
Increase residential occupancy capacity	80	120	120	Department of Social Services (DSS) approval
Increase number of youth served annually	106	120	85	Enrollment counts
Increase number of licensed cottages	10	10	10	DSS approval

Increase number of youth placements from Department of Social Services	5	6	5	Enrollment counts
Increase number of youth placements from Department of Juvenile Justice	10	0	10	Enrollment counts
Increase number of youth placements from school districts	10	0	27	Enrollment counts
Reduce average daily cost of services for each youth	\$121	\$15	\$159	Operating costs/(number of youth X calendar days per year)
Reduce average annual cost of services for each youth	\$42,857	\$42,857	\$58,365	Operating cost/number of youth
Improve supervisor feedback to employees	100%	100%	100%	Number of non-education employees with accurate position descriptions, employee personnel management system (EPMS) planning documents, EPMS evaluations
Increase the average residential occupancy rate	104	94	85	Average daily occupancy

GOAL 2 - IMPROVE THE EFFICIENCY OF ADMINISTRATIVE AND SUPPORT SERVICES

<i>Strategy 2.1</i>	<i>Ensure administrative support processes facilitate the mission of the agency</i>
Objective 2.1.1	Ensure that staff attend at least one training session offered by South Carolina Enterprise Information System
Objective 2.1.2	Reduce time to process requisitions to pay vendors by 20% by June, 2017
Objective 2.1.3	Continue to secure and back up agency data as completed in 2015 project
<i>Strategy 2.2</i>	<i>Evaluate facility, equipment and staffing resources and needs</i>
Objective 2.2.1	Continue to inventory information technology assets as completed in past year and inventory 50% of agency property not currently recorded
Objective 2.2.2	Maintain deferred maintenance schedule by June, 2017(Completed 8 roofs on JDLH buildings)
Objective 2.2.3	Campus wide facility assessment performed in 2015 and will be maintained going forward

Table 14. Performance measures associated with Goal 2 - Improve the efficiency of administrative and support services.

Performance Measure	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Calculation Method
Reduce time to complete work orders	70%	50%	80%	Processing time (in business days)
Reduce time to process requisitions to pay vendors	10%	15%	10%	Processing time (in business days)
Increase parent satisfaction with improvement to child's behavior	90%	86%	Intentionally left blank	Survey feedback from exiting parents
Improve employee satisfaction with work environment	70%	69%	70%	JDLH employee surveys

GOAL 3 - IMPROVE YOUTH BEHAVIOR TO ENSURE POSITIVE LIFE OUTCOMES

<i>Strategy 3.1</i>	<i>Reduce youth demonstrating at-risk behaviors</i>
Objective 3.1.1	Percentage of exiting students achieving successful discharge with 3 or higher (on 5 point) success criterion scale for their individual care plans will increase to 90% by June, 2017
Objective 3.1.2	Provide 100% of youth with therapeutic services as specified in their individual care plan ongoing
Objective 3.1.3	Ensure 100% of youth receive clinical therapy sessions according to their individual care plan, an average of three by June, 2017
Objective 3.1.4	Increase percent of recreational activities that advance student progression their individual care plans to 85% by June, 2017
Objective 3.1.5	Increase percent of JDLH exited youth who demonstrate improved behavior 12 months after leaving to 85% by June, 2017
<i>Strategy 3.2</i>	<i>Provide youth with life skills that prepare them for productive citizenship</i>
Objective 3.2.1	Increase percentage of students acquiring life skills by 10% by June, 2017
Objective 3.2.2	Increase the number of social activities provided by 10% to the students

Table 15. Performance measures associated with Goal 3 - Improve youth behavior to ensure positive life outcomes.

Performance Measure	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Calculation Method
Increase percent students improving on success criterion	Not yet measured	65%	62%	Behavior rating
Increase incentives for positive behavior changes	5	5%	6%	Conduct incentives
Conduct the number of monthly therapeutic sessions established for each youth (ranges from 1-4)	3	3	4	Number of therapeutic sessions provided by JDLH counselors and partnering agencies, as established in youth's Individual Plan of Care
Increase integration of frontline services for youth	80%	80%	100%	Percent of youth with documented feedback from all treatment team components
Increase percentage of students with life skills	Not yet measured	60%	61%	Successful completion of training course

STUDY PROCESS

Agency Selection

John de la Howe School is an agency subject to legislative oversight.³⁴ On January 10, 2017, during the 122nd General Assembly, the Committee prioritizes the agency for study.³⁵

As the Committee encourages **collaboration in its legislative oversight process**, the Committee notifies the following individuals about the agency study: Speaker of the House, standing committee chairs in the House, members of the House, Clerk of the Senate, and Governor.³⁶

Subcommittee Membership

The **Education and Cultural Subcommittee of the House Legislative Oversight Committee** studies the **agency**.³⁷ The study begins during the 122nd General Assembly. The Honorable James E. Smith, Jr., serves as chair through the first Subcommittee meeting. The Honorable Joseph H. Jefferson, Jr., serves as chair for the remainder of the study. Subcommittee members include:

- The Honorable Joseph H. Jefferson, Jr., Chair (121st and 122nd General Assemblies);
- The Honorable James E. Smith, Jr., Chair (121st and 122nd General Assemblies, resigns from Committee on November 6, 2017);
- The Honorable Chandra E. Dillard (122nd General Assembly, is appointed to Committee November 6, 2017);
- The Honorable Raye Felder (121st and 122nd General Assemblies, resigns from Committee on November 8, 2017);³⁸
- The Honorable Tommy Stringer (121st and 122nd General Assemblies); and
- The Honorable John Taliaferro “Jay” West, IV (122nd General Assembly, is appointed to Committee December 19, 2017).³⁹

Agency Reports to Legislative Oversight Committee

During the legislative oversight process, the **Committee asks the agency to conduct self-analysis** by requiring it to complete and submit annual Restructuring Reports, a Seven-Year Plan for cost savings and increased efficiencies, and a Program Evaluation Report. The Committee posts each report on the agency page of the Committee’s website.

Restructuring Report

The Annual Restructuring Report fulfills the requirement in S.C. Code of Laws §1-30-10(G)(1) that annually each agency report to the General Assembly “detailed and comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs, or personnel within each department to provide a more efficient administration of government services.” The report, at a minimum, includes information in the following areas - history, mission and vision, laws, strategic plan, human and financial resources, performance measures, and restructuring recommendations.

The John de la Howe School submits its Annual Restructuring Reports on March 31, 2015, and January 12, 2016.⁴⁰ The agency's 2015-2016 Annual Accountability Report to the Governor and General Assembly, which it submits in September 2016, serves as its 2016-2017 Annual Restructuring Report.⁴¹

Seven-Year Plan for Cost Savings and Increased Efficiencies

S.C. Code of Laws §1-30-10 requires agencies to submit "a seven year plan that provides initiatives and/or planned actions that implement cost savings and increased efficiencies of services and responsibilities within the projected seven-year period."⁴² The John de la Howe School submits its plan on March 31, 2015.⁴³

Program Evaluation Report

When an agency is selected for study, the Committee may acquire evidence or information by any lawful means, including, but not limited to, "requiring the agency to prepare and submit to the investigating committee a program evaluation report by a date specified by the investigating committee." S.C. Code of Laws § 2-2-60 outlines what an investigating committee's request for a program evaluation report must contain. Also it provides a list of information an investigating committee may request. The Committee sends guidelines for the John de la Howe School's Program Evaluation Report (PER) on February 9, 2017. The agency submits its report on March 31, 2017; the agency submits an amended report on October 2, 2017.

The PER includes information in the following areas – legal directives, strategic plan and resources, performance, agency ideas/recommendations, and feedback (optional). The **Program Evaluation Report serves as the base document for the Subcommittee's study of the agency.**

Information from the Public

Public input is a cornerstone of the House Legislative Oversight Committee's process.⁴⁴ There are a variety of opportunities for public input during the legislative oversight process. Members of the public have an opportunity to participate anonymously in a public survey, provide comments anonymously via a link on the Committee's website, and appear in person before the Committee.⁴⁵

Public Survey

From February 9 – March 13, 2017, the Committee posts an **online survey to solicit comments from the public about the John de la Howe School** and three other agencies. The Committee sends information about this survey to all House members to forward to their constituents. Additionally, in an effort to communicate this public input opportunity widely, the Committee issues a statewide media release.⁴⁶

There are 444 responses to the survey. Fifty-five respondents to the survey choose to answer questions about John de la Howe School, with at least one response coming from 21 of South Carolina's 46 counties. Fifty-three percent of respondents to questions about John de la Howe School are current or former state employees. These comments are not considered testimony.⁴⁷ As the survey notes, "input and observations from those citizens who [choose] to provide responses are very important . . . because they may help direct the Committee to potential areas for improvement with these agencies."⁴⁸ The Committee posts the survey results on the Committee's website. The **public is informed it may continue to submit written comments about agencies online** after the public survey closes.⁴⁹

Of those survey participants that respond to questions related to the John de la Howe School, **only 63% have a positive or very positive opinion of the agency.**⁵⁰ Over half of the public survey respondents base their opinions on personal, family, friend or business experience with the agency. Most of the respondents that provide comments mention they **have never heard of the agency; there is lack of leadership; or that the school is necessary and should continue operating.**⁵¹

Public Input via Committee Website

Throughout the course of the study, people are able to submit comments anonymously on the Committee website. The Committee posts comments verbatim to the website, but they are not the comment or expression of the House Legislative Oversight Committee, any of its Subcommittees, or the House of Representatives.⁵² There is no public input provided via the Committee website.

Public Input via In-Person Testimony

During the study, the Committee offers the opportunity for the public to appear and provide sworn testimony.⁵³ A press release announcing this opportunity is sent to media outlets statewide on February 9, 2017.⁵⁴ The Committee holds a meeting dedicated to public input about John de la Howe School and other agencies on March 2, 2017.⁵⁵ Testimony is received from eight individuals. Further detail on the public input meeting is in the meetings section of this report.

Meetings Regarding the Agency

The Committee meets with, or about, the agency on two occasions, and the Subcommittee meets with, or about, the agency on five occasions. Subcommittee members also tour the agency. All meetings are open to the public and stream live online; also, the videos are archived and the meeting packets and minutes are available online.

122nd General Assembly (2017-2018)

January 2017

On **January 10, 2017**, the full Committee selects the agency for study.⁵⁶

March 2017

On **March 2, 2017**, the full Committee holds its **first meeting** with the agency. Committee Chairman Wm. Weston J. Newton states the purpose of this meeting is to **receive public testimony** regarding the John de la Howe School and other agencies.⁵⁷

Agency representatives and constituents that have had experience with the school testify. Testimony focuses on how the school has helped at-risk youth. Further, the testimony expresses a continued need for the school, with the hopes of it remaining open.

May 2017

On **May 10, 2017**, the full Committee meets to discuss the agencies that have been suggested for study by constituents, legislators, and members. Further, because of a potential budget proviso that may suspend agency operations, Subcommittee Chair Smith moves that the Education and Cultural Affairs

Subcommittee study of the John de la Howe School be suspended, pending approval of the fiscal year 2017-2018 General Appropriations Act.⁵⁸ The final 2017-2018 General Appropriations Act does not suspend agency operations, and the study continues.⁵⁹

October 2017

On **October 4, 2017**, the Subcommittee holds **Meeting 2** with the agency to discuss the study process and the agency's **history, strategic plan, services, and human resources**.⁶⁰

November 2017

On **November 6, 2017**, the Subcommittee holds **Meeting 3** with the agency to discuss its **financial resources and partners**. Dr. James Franklin, Interim Superintendent; Mr. Sylvester Coleman, Director of Business and Financial Operations; and Mr. Johnathan Rose, Director of Education; testify about the agency's strategic spending and budgeting, and the agency's partners.

Subcommittee members ask questions about the following, which agency representatives answer:

- a. Internal and external audits;
- b. Risk assessment;
- c. Numbers of students and educational staff;
- d. Cost of online education provider;
- e. Scholarships;
- f. Partners that provide hands-on opportunities for students;
- g. Follow-up report;
- h. Board vacancies; and
- i. Graduation rates.⁶¹

December 2017

On **December 5, 2017**, the Subcommittee holds **Meeting 4** with the agency to hear testimony about the agency's **feasibility study**, performed under the authority of Proviso 7.5 in the fiscal year 2017-2018 General Appropriations Act. Dr. James Franklin provides an introduction to the John de la Howe School Feasibility Study performed by the Student-Centered Education Consulting Group, LLC.

Mr. Gerald Moore introduces and explains the purpose of the Student-Centered Education Consulting Group, LLC. Further, he presents the John de la Howe School Feasibility Study on the following topics: (a) findings; (b) general recommendations; and (c) options for future of school. Lastly, Dr. Jimmy Littlefield presents the finance portion of the John de la Howe School Feasibility Study.

On **December 7, 2017**, Subcommittee Chair Jefferson and Representative Dillard **tour the JDLH property**, including educational, administration, agricultural, and housing facilities.⁶²

February 2018

On **February 8, 2018**, the Subcommittee holds **Meeting 5** with the agency to discuss the agency's performance.

Ms. Emily Heatwole, Communications and Governmental Affairs Director for the Department of Education, discusses data regarding the performance of students, behaviorally and academically, before and after their time at John de la Howe School. Subcommittee members ask questions regarding records, reports, and PowerSchool, which Ms. Heatwole answers.

Dr. Franklin, Interim Superintendent of John de la Howe School, and other agency representatives provide testimony on the transition phase—specifically the hiring freeze, the spending freeze on new initiatives, and the enrollment cap. Subcommittee members ask questions, which Dr. Franklin and other agency representatives answer. Question topics include, but are not limited to, board members, success tracking, wilderness program, and average cost per student.

Representative Jay West makes a motion regarding efforts to ensure John de la Howe School student records are complete. A roll call vote is held, and the motion passes.⁶³

April 2018

On April 5, 2018, the Subcommittee holds **Meeting 6** with the agency to take what the Subcommittee has learned about the agency, and determine if there are any recommendations, either to the agency itself or for changes to the law. Dr. Franklin is available for questions.

Subcommittee members make various motions. A roll call vote is held for the various motions, and they pass. Motion topics include:

- a. Changes to the agency's purpose;
- b. Wilderness program;
- c. Board participation;
- d. Records management; and
- e. Marketing.⁶⁴

Study Process Completion

Pursuant to Committee Standard Practice 12.4, **Subcommittee members may provide a separate written statement for inclusion with the Subcommittee's Study report**. After receipt of any written statements, the Subcommittee Chair, pursuant to Committee Standard Practice 12.5, notifies the Committee Chair in writing that a Subcommittee Study is available for consideration by the full Committee.

Once the Committee Chair receives written notice from the Subcommittee Chair, the Committee Chair, pursuant to Committee Standard Practice 13.1, includes the Subcommittee Study on the agenda for a full committee meeting. During a full Committee meeting at which the Subcommittee Study is discussed, the Committee may vote, pursuant to Committee Standard Practice 13.2, to (1) refer the study and investigation back to the Subcommittee for further evaluation; (2) approve the Subcommittee's study; or (3) further evaluate the agency as a full Committee, utilizing any of the resources of legislative oversight available.

When the Committee approves a study, **any member of the Committee may provide a written statement for inclusion with the study**. The study and written statements are published online and the agency, as well as all House standing committees, receive a copy. The Committee shall offer at least one briefing to members of the House about the contents of the final oversight study approved by the Committee.⁶⁵ The Committee Chair may provide briefings to the public about the final oversight study.⁶⁶

To support the Committee's ongoing oversight by maintaining current information about the agency, the agency receives an annual Request for Information.

RECOMMENDATIONS

General Information

The following **recommendations include areas** the Subcommittee identifies **for potential improvement**. The Subcommittee recognizes these recommendations **will not satisfy everyone nor address every issue or potential area of improvement at the agency**. These recommendations are based on the agency's self-analysis requested by the Committee, discussions with the agency during multiple meetings, and analysis of the information obtained by the Subcommittee. This information, including, but not limited to, the Program Evaluation Report, Accountability Report, Restructuring Report and videos of meetings with the agency, is available on the Committee's website.

Continue

The Subcommittee has **one specific recommendation with regards to continuance of agency programs**. The Subcommittee recommends the agency continue operating the wilderness program for at-risk boys in grades six through eight.

The wilderness program provides middle school aged boys an environment "conducive to learning how to manage and cope with behavioral and emotional stressors."⁶⁷ According to agency staff, the program uses a modified Campbell-Loughmiller model, which teaches campers how to live and work together in order to solve basic problems. In 2017, the JDLH Board of Trustees approves an admission policy requiring attendees to be males, in grade levels six through eight, and ages 12 through 14. Violent offenders and children with extreme psychosis, intellectual developmental disorders, autism, and other conditions are not admitted. Also, children must reside in the state of South Carolina to be eligible for participation in the wilderness program.⁶⁸

Curtail (i.e., Revise)

The Subcommittee has **eight recommendations for revisions**. All of the Subcommittee recommendations are adopted through various motions at its Thursday, February 8, 2018 and Thursday, April 5, 2018 meetings; all members present at these meetings vote to approve the recommendations.⁶⁹ The Subcommittee's recommendations fall into four categories: (1) wilderness program, (2) governance, (3) marketing and partner relationships, and (4) records management.

Wilderness Program Performance

The Subcommittee has **one recommendation related to the performance of the wilderness program**, and a summary is set forth in Table 16.⁷⁰

Table 16. Summary of recommendations for revisions to the agency's wilderness program performance measures.

Recommendation to John de la Howe School	
Wilderness Program Performance Measures	Recommendation to John de la Howe School
	<p>2. The John de la Howe School should amplify its measurement of the wilderness program by tracking and monitoring students who leave the program for any reason in the following areas:</p> <ol style="list-style-type: none"> Completion of the grades following departure from the wilderness program; High school graduation; Higher education application and acceptance rates; and Military service.

John de la Howe School staff assert the wilderness program is working and is worth maintaining as an option for middle school aged male youth. During and after the February 8th meeting, the Subcommittee requests data regarding the performance of the wilderness program.⁷¹ The agency provides its methodology for measuring student performance; however, one has to infer program performance from student performance in the program.⁷² Table 17 provides the aggregated wilderness program student performance data.

*Table 17. John de la Howe School wilderness program student success.*⁷³

	Successful	To Be Determined	Unsuccessful	Total
Making progress with treatment goals	0	7	0	7
Minimal progress on treatment goals	0	1	11	12
No progress on treatment goals	0	2	12	14
Promoted to high school	9	0	0	9
Withdrawal by parent	0	0	4	4
Program requirements completed	22	0	0	22
Total	31(53%)	10(15%)	27(40%)	68

To truly evaluate the program, additional measures related to students who attend the wilderness program are needed, including high school graduation rate, higher education acceptance rates, and military service. Other pertinent information includes whether attendance in the John de la Howe School wilderness program impacts the achievement gaps that exist between different populations of South Carolina youth. A subcommittee member provides the example in Figure 6 of the preferred type of data needed to illustrate who the program is serving and how those students fare after the wilderness program.

New York City Outward Bound Example

Our network schools serve a high-needs student population.

Only 25% of our incoming 9th graders were proficient in English Language Arts (ELA) and 16% were proficient in Math.

22% of students are classified as having special education needs

6% of students are English Language Learners

74% of our students qualify for free/reduced lunch.

Our network schools primarily serve historically underserved subgroups.

Student Snapshot

40% Hispanic

30% black

20% white

7% Asian/Pacific Islander

3% are of mixed race or other backgrounds

Our 4-year graduation rate exceeded the citywide rate and we are helping to close the achievement gap.

Our 4-year graduation rate of 89% far exceeded the City's rate of 74%.

Our graduation rate for black students is 88%, 20 percentage points higher than citywide rates for black students.

Our graduation rate for Hispanic students is 83%, 16 percentage points higher than the citywide rate for Hispanic students.

Both rates surpassed the citywide graduation rate for white students of 82%.

Our college acceptance rate is almost 100%.

99% of our 2017 graduates were accepted to college.

Our college enrollment and persistence rates are extremely promising.

81% of our 2016 graduates enrolled in college within 6-months of their high school graduation.

81% of our 2015 graduates who enrolled in college were still enrolled by their sophomore year.

Our network schools consistently perform well on NYC Department of Education accountability measures.

In 97% of cases across categories of the School Quality Guide system, our schools were identified as good or excellent, compared to a citywide rate of 80%.

96% of the time our schools received one of the two highest Quality Review scores, compared to 87% of

Figure 6. Measures published by New York City Outward Bound Schools program.⁷⁴

When asked about comparisons to other programs, the agency representative provides an answer based on research limited to South Carolina.⁷⁵ There are three national organizations that may be a resource - Outdoor Behavioral Healthcare Council, National Association of Therapeutic Schools and Programs, and Outward Bound.⁷⁶

Governance

The Subcommittee has **three recommendations for the General Assembly related to the school's governance**. A summary is set forth in Table 18. Appendix B contains Chapter 49 of Title 59 of the S.C. Code of Laws, with the strikethrough/underline language contained in these recommendations.

Table 18. Summary of recommendations for revisions to the agency's governance.

Recommendation	
Board of Trustees Meeting Attendance	3. Amend S.C. Code of Laws §59-49-40, to require board members to attend, in person, at least half of the regularly scheduled John de la Howe School board meetings per year.
	4. Amend S.C. Code of Laws §59-49-30 to allow the Governor to consider failure to attend half of the regularly scheduled meetings to be a board member's resignation.
Title of Chief Administrator	5. Amend S.C. Code §59-49-90 to change the title of the school's chief administrator to "President," and remove the requirement that the chief administrator execute a bond.

The General Assembly entrusts the "business, property, and affairs" of the John de la Howe School to a Board of Trustees.⁷⁷ This board is the governing body and is directly responsible for the school's performance. The school will only be as strong as its board, and a very basic element of that strength is participation in board meetings. Current state law allows the Governor to consider a trustee's failure to attend at least one board meeting a year as a desire to resign from the board.⁷⁸ The Subcommittee's **third recommendation** amends state law to **require board members to attend at least half of the regularly scheduled board meetings** a year; the **fourth recommendation allows the Governor to consider anything less than attendance at half of the regularly scheduled meetings to be a resignation.**⁷⁹

The John de la Howe School board allows trustees to attend meetings telephonically, an option a number of the trustees regularly use. The John de la Howe School provides an accounting of board attendance since the beginning of 2016.⁸⁰ Table 19 illustrates that attendance.

Table 19. John de la Howe School trustee attendance at in-person board meetings.

Board Member	2016	2017	2018	% Meetings Attended
Dan Shonka, Central	9	7	2	100.00%
Tom Love, McCormick	9	7	2	100.00%
Barbara Devinney, McCormick	9	6	2	94.44%
Melissa Tilden, Laurens	5	4	2	61.11%
Mike Griffin, Rock Hill	4	2	1	41.18%
Donna Moore-Wesby, Aiken	2	0	N/A	20.00%
Patricia Silva, Aiken	1	0	1	11.11%
Felicia Preston, Columbia	0	0	N/A	0.00%
Steve Lize, Columbia	0	N/A	N/A	0.00%

Table Note: In the calculation for the percentage of meetings attended in person, the denominator is the number of meetings, not held solely telephonically, for which the person is included on the attendance list. Also "N/A" is used where the person is not on the board during that year.

Following a visit to the property, members of the Subcommittee determine it is unreasonable for a trustee to expect to effectively govern from afar.

The Subcommittee's **fifth recommendation aligns the bonding requirement of the chief administrator at John de la Howe School with the state's other special schools.** None of the chief administrators at the Governor's School for Science and Mathematics, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, and the School for the Deaf and the Blind are required to execute a bond.⁸¹

Marketing and Partner Relationships

The Subcommittee has **three recommendations related to marketing and relationships with partners**, and a summary is set forth in Table 20.⁸²

Table 20. Summary of recommendations for revisions to the agency's marketing.

Recommendations to John de la Howe School	
Marketing Plan	6. The John de la Howe School board should consider and approve the marketing plan, and the school should include an update on the implementation of the plan in its annual report to the Governor and General Assembly (Accountability Report).
Potential Students	7. In the event the purpose of John de la Howe School does not change, John de la Howe School staff should include communication with the Department of Juvenile Justice's juvenile arbitration program in its list of marketing targets.
Follow Up with Schools	8. John de la Howe School should take every opportunity it has to acquire forms, sent to schools students return to, so as to substantiate the record of student progress.

The **sixth and seventh recommendations** relate to the school's **marketing**. After learning about and visiting JDLH, Subcommittee members ask school staff how they market both the school and other amenities on the property (e.g., John de la Howe School historic barn built in 1931, as shown in Figure 7).⁸³ In response to the Subcommittee's inquiries, JDLH provides a marketing plan, presented to the JDLH board in February of 2018.⁸⁴ The plan is in Appendix C.

While John de la Howe School does not serve youth convicted of a felony, other youth who have interacted with the juvenile justice system are not automatically prohibited from attending.⁸⁵ The **Juvenile Arbitration Program** is a community-based diversion program for first-time juvenile offenders charged with committing a nonviolent crime. These youths are diverted from the juvenile justice system to an arbitration hearing conducted in or near the juveniles' communities. Trained volunteer arbitrators conduct the hearings and monitor the juveniles' progress throughout the program.⁸⁶



Figure 7. Barn event space on John de la Howe School campus.

Since the **juvenile arbitration program does not accept violent offenders, previous diversion program participants, or truants and other status offenders**, the Subcommittee recommends JDLH specifically target the program's arbitrators.⁸⁷

The **eighth recommendation** relates to the manner in which JDLH works with its school district partners to track students once they leave JDLH.⁸⁸ During testimony about available student data, JDLH staff express concern about schools returning six-month follow-up forms to John de la Howe School.⁸⁹

Records Management

The Subcommittee has **one recommendation related to records management**, and a summary is set forth in Table 21.⁹⁰

Table 21. Summary of recommendation for revisions to the agency's records management

Recommendation	
Records Management	9. John de la Howe School staff should contact the Department of Archives and History and do the following: a. Seek advice on creating an updated records retention plan; b. Determine what is required of an agency to remain active; and c. Implement a compliant state records retention policy.

The **ninth recommendation relates to the agency's management of state records**. During the study, Subcommittee members ask John de la Howe School staff if the school is current in transferring records to the Department of Archives and History.⁹¹

S.C. Code of Laws §30-1-80 directs the Department of Archives and History to administer a records management program. Also, the “head of each agency, the governing body of each subdivision, and every public records custodian shall cooperate with the Archives in complying with the provisions of this chapter and to establish and maintain an active, continuing program for the economical and efficient management of the records of the agency or subdivision.”⁹²

S.C. Code of Laws §30-4-20 (c) defines public records as “all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body.” There are exceptions, like individual tax records and academic records.⁹³

During the spring 2017 study of the Department of Archives and History (Archives) members of the Subcommittee request a list of agencies that have not provided records. In response, Archives includes a list of eleven agencies that the Department of Archives and History considers to be “inactive.”⁹⁴ The criteria for an agency being declared “inactive” are listed below.

Over the course of the past five years, the agency has failed to take any of the following steps:

- Submitted any records destruction forms for non-permanent records or submitted any forms authorizing the digitization of paper records;
- Created specific records retention schedules; or
- Transferred any permanently-valuable records, in any format, for accession into the Archives collection.

John de la Howe School appears on the list of eleven agencies; Archives staff confirm John de la Howe School’s status is unchanged.⁹⁵ As a result, the Subcommittee recommends JDLH work with Archives to become active.

Eliminate

The Subcommittee does not have any recommendations with regards to elimination of agency programs.

ADDITIONAL INFORMATION

The John de la Howe School proposes four recommendations which the Subcommittee receives for information purposes only.⁹⁶ They are reflected in the tables below.

Agency Recommendations for Changes to the Purpose of the School

Table 22. Agency recommendation for changes to the purpose of the school received for information purposes only.

Agency Recommendation	Agency Rationale for Recommendation
Develop and operate a magnet school for agricultural education for girls and boys in grades 11-12.	<p>While open to all youth in the state wishing to focus on agricultural and mechanical education, the magnet school would provide an important educational resources for secondary schools throughout the Upstate. This approach clearly meets the intention of the will of Dr. John de la Howe to maximize the use of the property for agricultural and mechanical education and to benefit the surrounding community. The magnet school can benefit both day students from the local area as well as residential students and coincides with the recommendation of Melanie Barton, Executive Director of the Education Oversight Committee that studied the agency in 2016. The Governor's School for Science and Mathematics would serve as a template as we set up much of our operating processes, and we would need to have similar latitude for such a special school. The Board ultimately hopes the magnet school will grow into the Governor's School for Agriculture at John de la Howe.</p> <p>Clearly, it would take time to renovate facilities, develop the curriculum and recruit the faculty and students for the magnet school, but this could be accomplished within two years. The first 11th-grade students could begin classes in August 2020. The Board recommends authorizing short-term flexibility in the agency's budget to prepare for the August 2020 start of magnet school. Students currently enrolled receive academic instruction through a memorandum of agreement with McCormick County School District. The Board recommends notifying students that residential care will not be provided beyond the end of the current school year, which ends June 1, 2018. The agency is preparing to begin publicity to recruit students and faculty for the new magnet school. Ideally, the potential number of students to be served is 100 in the first year, growing to 325 by 2026.</p> <p>These program approaches will provide sufficient flexibility over the coming decades to maximize the agricultural resources of the property while fulfilling the requirements of the will of Dr. John de la Howe.</p>

Agency Recommendations for Statutory Changes

The agency's general rationale for these recommended changes is "The law establishing John de la Howe School as a state agency was authorized in 1918 and has served the school well through its decades as a residential care facility and school for at-risk children. Any changes to that law should allow sufficient flexibility to serve the state for another one hundred years."⁹⁷

Table 23. Agency statutory change recommendations received for information purposes only.

Impacted Code Section	Suggested Amendment
SECTION 59-49 -00. Purpose of School.	It is declared to be the purpose and policy of the State to maintain and develop the school property in accordance with the purposes of the will of Dr. John De La Howe as interpreted by the Supreme Court of South Carolina, <i>Mars v. Gibert</i> , 93 S.C. 455, which for historical reference reads: "First, the establishment and maintenance of an agricultural and mechanical school as an institution in Abbeville County, stimulating and improving the industrial life of the entire community; second, the training, free of charge, of twenty four boys and girls, not as college men and women, but in the beginning of school life; and, third, the like training of the children of the neighborhood not supported by the fund." It is declared that the term "Abbeville County" shall be understood to mean that portion of South Carolina known as Abbeville County at the time the will of Dr. John De La Howe was dated, namely January 2, 1797. The property is now in McCormick County. It is further declared that, given the above historical perspective, the Board of Trustees of John De La Howe School shall instruct the Superintendent of the school to implement programs which shall meet the needs of children from all of South Carolina who for some urgent reason need to be separated from their home or community <u>wish to focus on agricultural and mechanical studies prior to high school graduation.</u>
SECTION 59-49-150. Expenses of students.	Pupils <u>in full-time residence</u> at the school whose estates are sufficient or the relatives of the pupils liable in law for their support whose estates are sufficient shall pay for the maintenance of the pupils in whole or in part. Policies concerning the manner and method of determining financial ability and the collecting and retention of amounts required to be paid must be determined by the Board of Trustees, in accordance with state policy.
SECTION 59-49-80. <u>Superintendent President;</u> employees.	The board shall elect a <u>superintendent president</u> for said school at such salary and for such term as it may fix. The <u>superintendent president</u> shall employ and discharge all employees of the school, subject to the approval of the board.

In addition, the John de la Howe Board of Trustees proposes the following changes to the agency's vision and mission.

Table 24. Board of Trustees proposals for changes to the JDLH mission and vision.

	CURRENT	PROPOSED
VISION	John de la Howe School will be a state leader in delivering relevant and effective programs that advance behavioral health care, education, and positive family relations for children and adolescents.	The vision of the agency is to be the state's leader in offering a rigorous agricultural education program that will challenge motivated high school students to develop their interest in agriculture and natural resources by providing classes and hands-on learning opportunities in one of South Carolina's largest industries, agribusiness.
MISSION	To provide a safe place for children to heal, grow and make lasting changes through counseling, education and a culture of care and personal development.	The mission of the agency is to provide quality agricultural education that will enable its students to be our state's future leaders in agribusiness, business, and education.

SELECTED AGENCY INFORMATION

John de la Howe School. "Program Evaluation Report, 2017."

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/Program%20Evaluation%20Report%20with%20attachments.pdf> (accessed April 11, 2018).

John de la Howe School. "Restructuring and Seven-Year Plan Report, 2015."

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2015AgencyRestructuringandSevenYearPlanReports/2015%20John%20de%20la%20Howe.pdf> (accessed April 11, 2018).

John de la Howe School. "Agency Accountability Report, 2016-2017."

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/2016-17%20Accountability%20Report%20\(pdf\).PDF](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Reports%20&%20Audits%20-%20Reports%20and%20Reviews/2016-17%20Accountability%20Report%20(pdf).PDF) (accessed April 11, 2018).

S.C. House of Representatives, Legislative Oversight Committee. "(February 9, 2017 - March 13, 2017 Survey Results."

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20from%202017%20Survey%20of%20DDSN;%20Election%20Commission;%20Human%20Affairs%20Commission;%20and%20John%20de%20la%20Howe%20School%20\(2_9%20-3_13\).PDF](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20from%202017%20Survey%20of%20DDSN;%20Election%20Commission;%20Human%20Affairs%20Commission;%20and%20John%20de%20la%20Howe%20School%20(2_9%20-3_13).PDF) (accessed April 11, 2018).

CONTACT INFORMATION

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Legislative Oversight Committee
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803-212-6810

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You may visit the South Carolina General Assembly Home Page (<http://www.scstatehouse.gov>) and click on "Citizens' Interest" then click on "House Legislative Oversight Committee Postings and Reports". This will list the information posted online for the Committee; click on the information you would like to review. Also, a direct link to Committee information is <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>.

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ENDNOTES

¹ Visual Summary Figure 1 is compiled from information in the John de la Howe School study materials available online under “Citizens’ Interest,” under “House Legislative Oversight Committee Postings and Reports,” and then under “John de la Howe School” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/JohndelaHoweSchool.php> (accessed April 19, 2018). Dr. James Franklin, John de la Howe School interim superintendent communication to House Oversight Committee Auditor/Research Analyst Carmen J.M. Simon, April 25, 2018.

² S.C. Code of Laws § 2-2-20(C).

³ S.C. House of Representatives, House Legislative Oversight Committee, “Program Evaluation Report (March 31, 2017),” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Oversight Reports and Studies,” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Reports%20%20Audits%20-%20Reports%20and%20Reviews/Program%20Evaluation%20Report%20with%20attachments.pdf> (accessed April 19, 2018). Hereinafter, “Program Evaluation Report (March 31, 2017).”

For additional information about the John de la Howe School’s more than two centuries of history, see The Bicentennial History Committee of the John de la Howe School, eds., *Still Caring, Still Dreaming: The First Two Hundred Years at John de la Howe School* (1996). Hereinafter, “Still Caring, Still Dreaming.”

⁴ In classical mythology, Lethe is a river in Hades whose water caused forgetfulness of the past in those who drank of it.

⁵ *Mars et al. v. Gibert et al.*, 93 S.C. 455 (S.C. 1913). Hereinafter, “Mars court case.”

⁶ Ibid.

⁷ Still Caring, Still Dreaming, p. 184.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid., p 187.

¹² Updated PER Spreadsheets (October 2, 2017).

¹³ Mars court case.

¹⁴ Ibid.

¹⁵ S.C. House of Representatives, House Legislative Oversight Committee, “2016-17 Agency Accountability Report,” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Oversight Reports and Studies.”

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Reports%20%20Audits%20-%20Reports%20and%20Reviews/2016-17%20Accountability%20Report%20\(pdf\).PDF](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Reports%20%20Audits%20-%20Reports%20and%20Reviews/2016-17%20Accountability%20Report%20(pdf).PDF) (accessed April 19, 2018). Hereinafter, “2016-17 Agency Accountability Report.”

¹⁶ Ibid.

¹⁷ 2016-17 Agency Accountability Report.

¹⁸ S.C. House of Representatives, House Legislative Oversight Committee, “Letter from the John de la Howe School to Subcommittee Chair Smith (November 6, 2017),” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Correspondence,”

https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Agency%20Response%2010_20%20letter.pdf (accessed April 19, 2018). Hereinafter, “Letter from the John de la Howe School to Subcommittee Chair Smith (November 6, 2017).”

¹⁹ Wil Lou Gray Opportunity School, <http://www.willougray.org/> (accessed April 20, 2018). S.C. Youth ChalleNGe Academy, <https://scyouthchallenge.com/> (accessed April 20, 2018). Jobs Corps, <https://www.jobcorps.gov/> (accessed April 20, 2018).

²⁰ S.C. House of Representatives, House Legislative Oversight Committee, “Updated PER Spreadsheets (October 2, 2017),” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Oversight Reports and Studies.” https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/JDLH%20Updated%20PER%202010_2.pdf (accessed April 19, 2018). Hereinafter, “Updated PER Spreadsheets (October 2, 2017).”

²¹ Ibid.

²² S.C. Code of Laws § 59-49-40.

²³ Senior management staff includes the agency director (superintendent), business and finance director, human resources director, director of student and family services, and public relations and marketing coordinator.

²⁴ S.C. Secretary of State, “John de la Howe School Board of Trustees,” http://search.scsos.com/boards_commissions/default.aspx (accessed April 20, 2018).

²⁵ Program Evaluation Report, Updated PER Spreadsheets (October 2, 2017).

²⁶ S.C. House of Representatives, House Legislative Oversight Committee, “Organization Chart (September 25, 2017),” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Structure/Employees.”

https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Organization%20Chart%209_25_17.pdf (accessed April 19, 2018).

²⁷ Table 8 information is compiled from a review of documents provided during and after an interview of Les Boles, Director of Budget Development at the South Carolina Revenue and Fiscal Affairs Office. Les Boles, interviewed by Charles Appleby, legal counsel for House Legislative Oversight Committee, June 2015 and February, 2016.

²⁸ Letter from the John de la Howe School to Subcommittee Chair Smith (November 6, 2017).

²⁹ S.C. Office of the Comptroller General, “Annual Summary Spending,”

<https://applications.sc.gov/SpendingTransparency/AnnualExpenditureSearch.aspx> (accessed April 19, 2018).

³⁰ S.C. House of Representatives, House Legislative Oversight Committee, “2015-16 Agency Accountability Report,” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Oversight Reports and Studies.” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Reports%20%20Audits%20-%20Reports%20and%20Reviews/Accountability%20Report%20-%202015-2016.pdf> (accessed April 19, 2018). Hereinafter, “2015-16 Agency Accountability Report.”

³¹ State HR S.C. House of Representatives, House Legislative Oversight Committee, “State HR Dashboard - John de la Howe School (September 6, 2017),” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Structure/Employees.”

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/State%20HR%20Dashboard%20-%20John%20De%20La%20Howe%20School%20\(September%206,%202017\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/State%20HR%20Dashboard%20-%20John%20De%20La%20Howe%20School%20(September%206,%202017).pdf)

³² Ibid.

³³ 2016-2017 Annual Restructuring Report.

³⁴ S.C. Code of Laws, §2-2-10(1).

³⁵ S.C. House of Representatives, House Legislative Oversight Committee, “January 10, 2017 - Meeting Minutes,” under “Committee Postings and Reports,” under “Legislative Oversight,” under “John de la Howe School,” and under “Meetings,”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/January102017.pdf>. A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php> (accessed April 19, 2018).

³⁶ S.C. House of Representatives, House Legislative Oversight Committee, “Letter from Oversight Committee to the John de la Howe School (January 17, 2017),” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Correspondence.”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/John%20de%20la%20Howe%20School%20-%20Notification%20Letter%20to%20Agency%201.17.17.pdf> (accessed April 19, 2018).

³⁷ S.C. House of representatives, House Legislative Oversight Committee, “Subcommittees -2018,” under “Committee Information,” under “Legislative Oversight,”

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittee%20-%202018%20\(4.3.18\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittee%20-%202018%20(4.3.18).pdf) (accessed April 19, 2018).

³⁸ S.C. House of representatives, House Legislative Oversight Committee, “Subcommittees – 2017,” under “Citizens’ Interest,” under “Agency Oversight by House Legislative Oversight Committee,” and under “Committee Information”

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittees%20-%202017%20\(current%20as%20of%20November%208,%202017\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittees%20-%202017%20(current%20as%20of%20November%208,%202017).pdf) (accessed March 16, 2018).

³⁹ S.C. House of representatives, House Legislative Oversight Committee, “Subcommittees -2018,” under “Committee Information,” under “Legislative Oversight,”

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittee%20-%202018%20\(4.3.18\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittee%20-%202018%20(4.3.18).pdf) (accessed April 19, 2018).

⁴⁰ 2015-16 Agency Accountability Report.

⁴¹ Ibid.

⁴² S.C. Code of Laws §1-30-10.

⁴³ S.C. House of Representatives, House Legislative Oversight Committee, “2016 Annual Restructuring Report,” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Oversight Reports and Studies.”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2016%20ARR/2016%20ARR%20-%20John%20de%20la%20Howe.pdf>

⁴⁴ A brochure about the House Legislative Oversight’s Committee process is available online. Also, there are ongoing opportunities to request notification when meetings are scheduled and to provide feedback about state agencies under study that can be found online:

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Brochure%20-%20Revised%201.3.18.pdf> (accessed April 19, 2018).

⁴⁵ S.C. House of Representatives, House Legislative Oversight Committee.

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed April 19, 2018).

⁴⁶ S.C. House of Representatives, House Legislative Oversight Committee, “Press Release announcing Public Survey (February 9, 2017),” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Public Survey & Public Input via LOC Webpage,”

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Media%20Release%20-%20Public%20Survey%20Open%20\(February%209,%202017\)%20\(pdf\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Media%20Release%20-%20Public%20Survey%20Open%20(February%209,%202017)%20(pdf).pdf) (accessed April 19, 2018). “Press Release announcing Public Survey (February 9, 2017). Hereinafter, “Press Release announcing Public Survey (February 9, 2017).”

⁴⁷ Committee Standard Practice 10.4.

⁴⁸ S.C. House of Representatives, House Legislative Oversight Committee, “Results from the 2017 Survey of the Department of Disabilities and Special Needs; State Election Commission; Human Affairs Commission; and John de la Howe School (February 9, 2017 - March 13, 2017),” under “Committee Postings and Reports,” under “Legislative Oversight,” under “The John de la Howe School,” and under “Public Survey & Public Input via LOC Webpage,”

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20from%202017%20Survey%20of%20DDSN;%20Election%20Commission;%20Human%20Affairs%20Commission;%20and%20John%20de%20la%20Howe%20School%20\(2_9%20-3_13\).PDF](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SurveysforAllAgencies/Results%20from%202017%20Survey%20of%20DDSN;%20Election%20Commission;%20Human%20Affairs%20Commission;%20and%20John%20de%20la%20Howe%20School%20(2_9%20-3_13).PDF) (accessed April 19, 2018). Hereinafter, “Results from the 2017 Survey of the Department of Disabilities and Special Needs; State Election Commission; Human Affairs Commission; and John de la Howe School (February 9, 2017 - March 13, 2017).”

⁴⁹ S.C. House of Representatives, House Legislative Oversight Committee, “Submit Public Input,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed May 23, 2017).

⁵⁰ Results from the 2017 Survey of the Department of Disabilities and Special Needs; State Election Commission; Human Affairs Commission; and John de la Howe School (February 9, 2017 - March 13, 2017).

⁵¹ Ibid.

⁵² Committee Standard Practice 10.4.2 allows for the redaction of profanity.

⁵³ Also, the chair of either the Committee or Education and Cultural Subcommittee has the discretion to allow testimony during meetings.

⁵⁴ Press Release announcing Public Survey (February 9, 2017).

⁵⁵ S.C. House of Representatives, House Legislative Oversight Committee, "March 2, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "Legislative Oversight," under "John de la Howe School," and under "Meetings," [https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/March%202,%202017%20%20Minutes%20\(Public%20Input%20for%20Archives%20and%20History,%20DDSN,%20John%20de%20la%20Howe\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/March%202,%202017%20%20Minutes%20(Public%20Input%20for%20Archives%20and%20History,%20DDSN,%20John%20de%20la%20Howe).pdf) (accessed April 19, 2018). Hereinafter, "March 2, 2017 - Meeting Minutes."

⁵⁶ S.C. House of Representatives, House Legislative Oversight Committee, "January 10, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "Legislative Oversight," under "John de la Howe School," and under "Meetings,"

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/January102017.pdf>. A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php> (accessed April 19, 2018).

⁵⁷ March 2, 2017 - Meeting Minutes. Agencies in attendance: Department of Archives and History; Department of Disabilities and Special Needs; and John de la Howe School.

⁵⁸ SC General Assembly, "Proviso 7.5," under "Fiscal Year 2017-2018 - General Appropriations Bill H. 3720 of 2017 as passed by the House," under "Legislation," and then under "Budget Bills" https://www.scstatehouse.gov/sess122_2017-2018/appropriations2017/hpp1b.htm#s7 (accessed April 19, 2018).

⁵⁹ SC General Assembly, "Proviso 7.5," under "Fiscal Year 2017-2018 - General Appropriations Bill H. 3720 of 2017 as passed by the House," under "Legislation," and then under "Budget Bills" http://www.scstatehouse.gov/sess122_2017-2018/appropriations2017/tap1b.htm#s7 (accessed April 20, 2018).

⁶⁰ ⁶⁰ S.C. House of Representatives, House Legislative Oversight Committee, "October 4, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "Legislative Oversight," under "John de la Howe School," and under "Meetings," <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/October%204,%202017%20Meeting%20Minutes%20-%20JDLH.docx> (accessed April 19, 2018).

⁶¹ S.C. House of Representatives, House Legislative Oversight Committee, "November 6, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "Legislative Oversight," under "John de la Howe School," and under "Meetings," https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Meeting%20Minutes%2011_6%20Final.docx (accessed April 19, 2018).

⁶² S.C. House of Representatives, House Legislative Oversight Committee, "December 5, 2017 - Meeting Minutes," under "Committee Postings and Reports," under "Legislative Oversight," under "John de la Howe School," and under "Meetings," https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Meeting%20Minutes%2012_5%20Complete.pdf (accessed April 19, 2018).

⁶³ S.C. House of Representatives, House Legislative Oversight Committee, "February 8, 2018 - Meeting Minutes," under "Committee Postings and Reports," under "Legislative Oversight," under "John de la Howe School," and under "Meetings," https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/Meeting%20Minutes%202_8%20Complete.pdf (accessed April 19, 2018). Hereinafter, "February 8, 2018 - Meeting Minutes."

⁶⁴ April 5, 2018 meeting minutes; minutes will be posted after approval at the next subcommittee meeting. A video of the meeting is available on the General Assembly's website, under "Archives," then "Video Archives," <http://www.scstatehouse.gov/video/archives.php> (accessed April 20, 2018). Hereinafter, "April 5, 2018 meeting."

⁶⁵ Committee Standard Practice 14.1.

⁶⁶ Committee Standard Practice 14.2.

⁶⁷ S.C. House of Representatives, House Legislative Oversight Committee, "John de la Howe Wilderness Program Admissions Policy," under "Committee Postings and Reports," under "Legislative Oversight," under "The John de la Howe School," and under "Other Materials." <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/JdlH%20Wilderness%20Program%20Admissions%20Policy.PDF> (accessed April 19, 2018).

⁶⁸ Ibid.

⁶⁹ February 8, 2018 - Meeting Minutes. April 5, 2018 meeting.

Subcommittee Members present at the meeting include: Rep. Raye Felder; Rep. Joseph H. Jefferson, Jr., and Rep. James E. Smith, Jr.

⁷⁰ April 5, 2018 meeting.

⁷¹ S.C. House of Representatives, House Legislative Oversight Committee, "Letter from Education and Cultural Subcommittee to the John de la Howe School (February 21, 2018)," under "Committee Postings and Reports," under "Legislative Oversight," under "The John de la Howe School," and under "Correspondence."

https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/JdlH%20Agency%20Meeting%20Preparation%20Letter%202_21_18.pdf (accessed April 19, 2018). Hereinafter, "Letter from Education and Cultural Subcommittee to the John de la Howe School (February 21, 2018)."

⁷² S.C. House of Representatives, House Legislative Oversight Committee, "Letter from John de la Howe School to Subcommittee Chair Jefferson (Received March 26, 2018)," under "Committee Postings and Reports," under "Legislative Oversight," under "The John de la Howe School," and under "Correspondence,"

https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/JohndelaHowe/JdlH%20Response%203_27_18%20Redacted.PDF (accessed April 19, 2018). Hereinafter, "Letter from John de la Howe School to Subcommittee Chair Jefferson (Received March 26, 2018)."

⁷³ Ibid.

⁷⁴ NYC Outward Bound Schools, <http://www.nycoutwardbound.org/our-schools/our-results.html> (accessed April 20, 2018).

⁷⁵ Letter from John de la Howe School to Subcommittee Chair Jefferson (Received March 26, 2018).

⁷⁶ Outdoor Behavioral Healthcare Council, <https://obhcouncil.com/>, (accessed April 20, 2018). National Association of Therapeutic Schools and Programs, <https://www.natsap.org/>, (accessed April 20, 2018). Outward Bound, <https://www.outwardbound.org/>, (accessed April 20, 2018).

⁷⁷ S.C. Code of Laws § 59-49-20.

⁷⁸ S.C. Code of Laws § 59-49-30.

⁷⁹ April 5, 2018 meeting.

⁸⁰ S.C. House of Representatives, House Legislative Oversight Committee, "JDLH 2016-2018 Board of Trustees Attendance Record," under "Committee Postings and Reports," under "Legislative Oversight," under "The John de la Howe School," and under "Other Materials."

LINK NOT POSTED (accessed April 20, 2018).

⁸¹ April 5, 2018 meeting.

S.C. Code of Laws § 59-47-10 *et seq.* (School for the Deaf and the Blind); S.C. Code of Laws § 59-48-10 *et seq.* (Special School of Science and Mathematics); S.C. Code of Laws § 59-50-10 *et seq.* (South Carolina Governor's School for the Arts and Humanities); and S.C. Code of Laws § 59-51-10 *et seq.* (The Wil Lou Gray Opportunity School). No bonding requirement appears in any of these sections.

⁸² April 5, 2018 meeting.

⁸³ Letter from Education and Cultural Subcommittee to the John de la Howe School (February 21, 2018).

⁸⁴ Letter from John de la Howe School to Subcommittee Chair Jefferson (Received March 26, 2018).

⁸⁵ Dr. James Franklin, John de la Howe School interim superintendent email communication to House Oversight Committee Auditor/Research Analyst Carmen J.M. Simon, April 20, 2018.

⁸⁶ S.C. Department of Juvenile Justice, <https://www.state.sc.us/djj/process-arbitration-popup.php>, (accessed April 20, 2018).

⁸⁷ "Status offense" is defined twice in the Children's Code. The minor, grammatical differences between the two definitions are underlined below.

- (1) § 63-1-40(6) "Status offense" means any offense which would not be a misdemeanor or felony if committed by an adult, such as, but not limited to, incorrigibility (beyond the control of parents), truancy, running away, playing or loitering in a billiard room, playing a pinball machine or gaining admission to a theater by false identification. (Applies to Title 63, SC Children's Code.)
- (2) "Status Offense," Definitions, § 63-19-20(9) "Status offense" means an offense which would not be a misdemeanor or felony if committed by an adult including, but not limited to, incorrigibility or beyond the control of parents, truancy, running away, playing or loitering in a billiard room, playing a pinball machine, or gaining admission to a theater by false identification. (Applies to Chapter 19 of Title 63, Juvenile Justice Code.)

⁸⁸ February 8, 2018 - Meeting Minutes.

⁸⁹ Ibid.

⁹⁰ April 5, 2018 meeting.

⁹¹ Letter from Education and Cultural Subcommittee to the John de la Howe School (February 21, 2018).

⁹² S.C. Code of Laws §30-1-80.

⁹³ S.C. Code of Laws § 30-4-20(c).

⁹⁴ S.C. House of Representatives, House Legislative Oversight Committee, "Letter from Department of Archives and History to Oversight Subcommittee (May 5, 2017)," under "Committee Postings and Reports," under "Legislative Oversight," under "the Department of Archives and history," and under "Correspondence,"

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ArchivesandHistory/Letter%20from%20Department%20of%20Archives%20and%20History%20to%20Oversight%20Subcommittee%20\(May%205,%202017\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/ArchivesandHistory/Letter%20from%20Department%20of%20Archives%20and%20History%20to%20Oversight%20Subcommittee%20(May%205,%202017).pdf) (assessed April 19, 2018).

⁹⁵ Dr. Eric Emerson, Director of the Department of Archives and History, and State Preservation Officer email communication to House Oversight Committee Auditor/Research Analyst Carmen J.M. Simon, March 15, 2018.

⁹⁶ Letter from John de la Howe School to Subcommittee Chair Jefferson (Received March 26, 2018).

⁹⁷ Ibid.



House of Representatives

State of South Carolina

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Committees:

Agriculture, Natural Resources and Environmental Affairs, Secy.
Ethics, Secy.
Legislative Oversight

April 18, 2018

The Honorable Henry D. McMaster
Office of the Governor
1205 Pendleton Street
Columbia, South Carolina 29201

RE: Concerns relating to the John de la Howe School Board of Trustees

Dear Governor McMaster:

I serve on the House Legislative Oversight Committee's Education and Cultural Affairs Subcommittee. Recently, this subcommittee completed a review of the John de la Howe School. As a result of this investigation, I have concerns about the John de la Howe School Board of Trustees. The purpose of this letter is to share those concerns with you, as the trustees are gubernatorial appointees.

The John de la Howe School Board of Trustees is tasked with leadership of one of the state's oldest educational institutions. An important quality of leadership is presence. Unfortunately, this quality is severely lacking with this school board, quite literally, as there are three vacancies on a nine member board. Moreover, there are four members serving in a holdover capacity. I understand several people are in the process of being appointed to the board, but even with those appointments, all seats may not be filled.

During the study, I was shocked to learn that some trustees have not attended a meeting on campus in more than a year. I firmly believe participation in board meetings by telephone should be reserved for the occasional instance a trustee faces a conflict; it should not be a standard practice. Much may be observed by a trustee, simply by setting foot on campus. A recommendation of the subcommittee is to explicitly authorize the Governor to remove trustees at any time for good cause, which includes failure to attend at least half of the regularly scheduled board of trustees meetings in a year.

April 18, 2018
Page Two

I urge you to take action sooner rather than later with regards to the composition of the John de la Howe School Board of Trustees.

Sincerely,



Chandra E. Dillard
House District 23

cc: Members of the House Legislative Oversight Committee's Education and Cultural Affairs Subcommittee

CED:jhm/April 18/18/2,3

COMMISSION FOR MINORITY AFFAIRS

Legislative Oversight Committee
South Carolina House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811
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Notification of the Economic Development, Transportation, and Natural Resources Subcommittee's Study of the Commission for Minority Affairs

April 30, 2018

In accordance with Standard Practice 12.5, notice is hereby provided that the Economic Development, Transportation, and Natural Resources Subcommittee's oversight study of the Commission for Minority Affairs is available for consideration by the full Committee.

The Honorable Bruce W. Bannister
Economic Development, Transportation, and Natural Resources Subcommittee Chair

cc: The Honorable Neal A. Collins
The Honorable Mandy Powers Norrell
The Honorable Robert L. Ridgeway, III

Please note: this report's appendices are not included in the meeting packet.

You may view the full report, including appendices, at

http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/MinorityAffairs/CMA_Subcommittee_Study_Report.PDF

Legislative Oversight Committee

Study of the Commission for Minority Affairs *April 30, 2018*



FULL COMMITTEE OPTIONS STANDARD PRACTICE 13	FULL COMMITTEE ACTION(S)	DATE(S) OF FULL COMMITTEE ACTION(S)
(1) Refer the study and investigation back to the Subcommittee or an ad hoc committee for further evaluation; (2) Approve the Subcommittee's study; or (3) Further evaluate the agency as a full Committee, utilizing any of the available tools of legislative oversight		

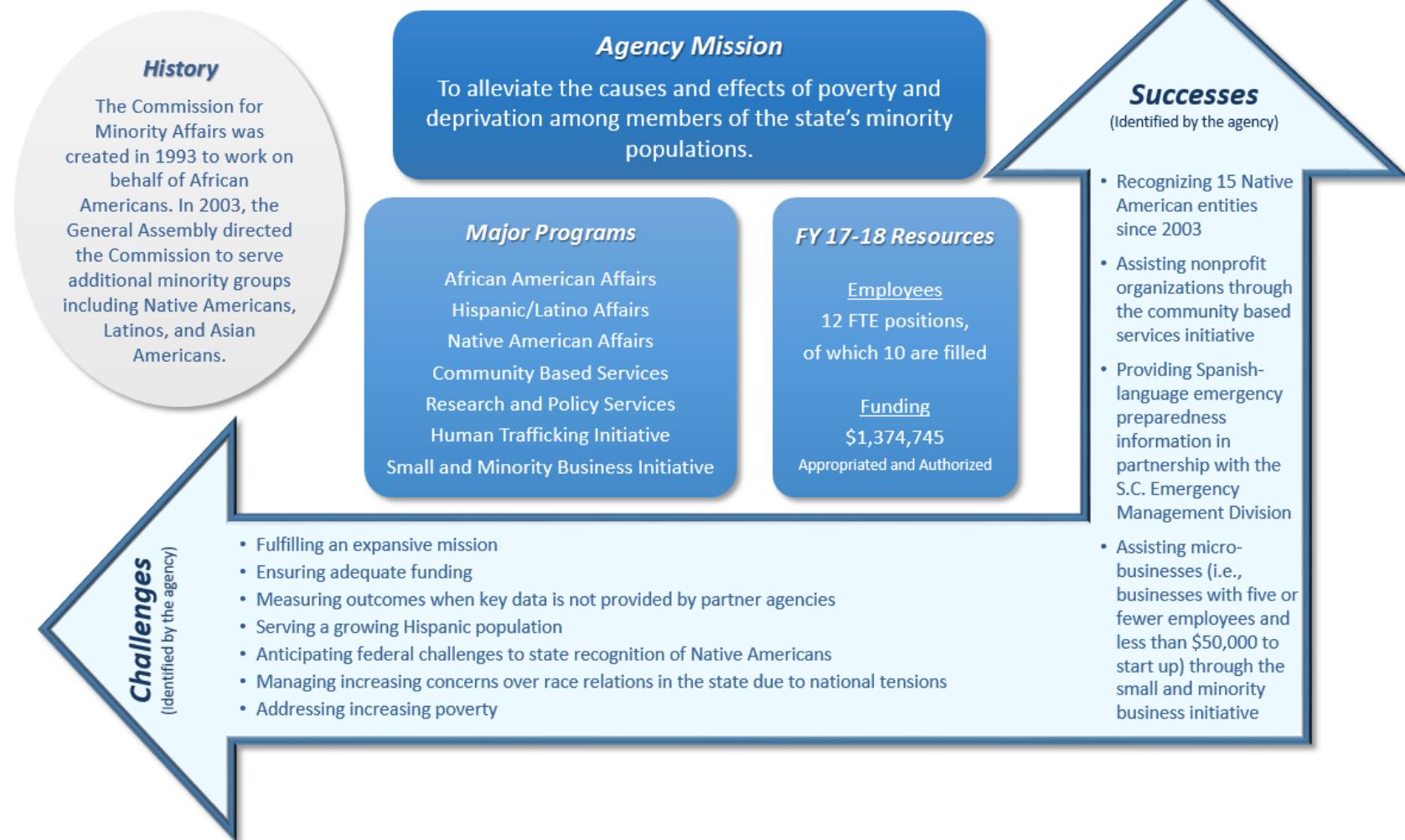
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AGENCY SNAPSHOT

S.C. Commission for Minority Affairs



Visual Summary Figure 1. Snapshot of agency's history, mission, major programs, fiscal year 2017-18 resources, successes, and challenges.¹

EXECUTIVE SUMMARY

Purpose of Oversight Study

As stated in S.C. Code Ann. § 2-2-20(B), “[t]he **purpose of these oversight studies** and investigations is to **determine if agency laws and programs** within the subject matter jurisdiction of a standing committee: (1) **are being implemented** and carried out in **accordance with the intent of the General Assembly**; and (2) **should be continued, curtailed, or eliminated.**” In making these determinations, the Subcommittee evaluates (1) the application, administration, execution, and effectiveness of the agency’s laws and programs, (2) the organization and operation of the agency, and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.²

Study Process

The House Legislative Oversight Committee’s (Committee) process for studying the Commission for Minority Affairs (CMA or agency) includes actions by the full Committee; Economic Development, Transportation, and Natural Resources Subcommittee (Subcommittee); the agency; and the public. The key dates and actions are summarized below in Figure 2.

Legislative Oversight Committee Actions

- May 10, 2017 - Prioritizes the agency for study
- May 11, 2017 - Provides the agency with notice about the oversight process
- June 27 - July 28, 2017 - Solicits input from the public about the agency in the form of an online survey
- October 16, 2017 - Holds **Meeting 1** to **obtain public input** about the agency
- November 13, 2017 - Holds **Meeting 3** to **allow the agency to respond to public input**

Economic Development, Transportation, and Natural Resources Subcommittee Actions

- October 24, 2017 - Holds **Meeting 2** with the agency to discuss its **purpose, mission, vision, laws enforced, organizational structure, major program areas, and relationships with other agencies**
- November 20, 2017 - Holds **Meeting 4** with the agency to discuss its responses to Subcommittee **follow-up questions**
- November 28, 2017 - Holds **Meeting 5** with the agency to discuss its **products, services, customers, and resources**
- December 19, 2017 - Holds **Meeting 6** with the agency to further discuss its **products, services, customers, and resources**
- January 25, 2018 - Holds **Meeting 7** with the agency to further discuss its **products, services, customers, and resources**
- February 8, 2018 - Holds **Meeting 8** with the agency to discuss its **strategic plan**
- February 22, 2018 - Holds **Meeting 9** with the agency to discuss its **performance measures**
- April 11, 2018 - Holds **Meeting 10** with the agency to discuss Subcommittee **recommendations**

Commission for Minority Affairs Actions

- August 7, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- March 30, 2016 - Submits its **2016 Annual Restructuring Report**
- September 2016 - Submits its **2015-16 Accountability Report/2017 Annual Restructuring Report**
- September 29, 2017 - Submits its **Program Evaluation Report**
- October 2017 - April 2018 - Meets with and **responds to Subcommittee inquiries**

Public's Actions

- June 27 - July 28, 2017 - Provides input about the agency via an **online public survey**
- October 16, 2017 - Provides **testimony** about the agency to the full Committee
- Ongoing - **Submits written comments on the Oversight Committee's webpage** on the General Assembly's website (www.scstatehouse.gov)

Figure 2. Summary of key dates and actions of the study process.

Findings and Recommendations

The Subcommittee has one finding and one recommendation arising from its study of the agency.³

Finding

The Subcommittee has no confidence that the Commission for Minority Affairs is efficiently or effectively fulfilling its mission.

Recommendation

The Subcommittee recommends that the Commission for Minority Affairs refrain from starting or maintaining any nonprofit organizations.

Internal Changes Implemented by Agency Related to Study Process

During the study process, the agency implements four internal changes directly related to participation in the study process. Two of these changes involve logging and tracking technical assistance requested and provided, and two relate to improving the public's ability to access information via the agency's website.⁴

Additional Information

The Subcommittee rejects two agency recommendations:

- (1) removing CMA's statutory duty to provide information and assistance to the minority community related to the federal Voting Rights Act, and
- (2) requiring term limits for members of the agency's Native American Advisory Committee.⁵

AGENCY OVERVIEW

History

The Commission for Minority Affairs has provided the Committee with the below overview of the agency's history.⁶ In addition, Committee staff has confirmed the accuracy of any assertion of legislative action.

- 1993 – The agency is created when Governor Carroll Campbell signs Act 164 into law.⁷
- 2000 – Hispanic leaders meet with Governor Jim Hodges to discuss the state's growing Hispanic population. These meetings lead to the creation of an ad hoc committee to study issues confronting this population and ultimately the establishment of the agency's Hispanic/Latino initiative.
- 2001 – The agency receives a Notable State Document Award from the S.C. State Library for its *State of Minorities Abstract* document.
- 2003 – The General Assembly amends state statute to authorize CMA to work on behalf of all minorities in the state as opposed to working exclusively on behalf of African Americans.⁸
 - The agency creates a Native American initiative.
- 2004 – The agency creates a Hispanic/Latino initiative and hires a coordinator to administer it.
- 2005 – CMA recognizes Native American entities for the first time.⁹
 - The agency receives a Notable State Document Award from the S.C. State Library for its 2004 edition of the *Statistical Profile by Counties* document.
- 2007 – The agency partners with the S.C. Emergency Management Division to provide outreach to the Hispanic/Latino community during emergencies.
- 2008 – The agency creates a small and minority business initiative and hires a coordinator to administer it.
 - The General Assembly amends state statute to include the agency's human trafficking and immigration initiative.¹⁰
- 2010 – The agency completes its Student Achievement and Vision Education (SAVE) report, which addresses the delivery of early childhood education for children ages 0 to 5.
- 2013 – The agency partners with Midlands Technical College to administer the ASSIST grant.
 - The agency produces the state's first *Native American Community Needs Assessment* report.
- 2016 – The agency develops a human trafficking resource notebook.
- 2017 – The agency's "Working Together Works" initiative is created to establish a statewide plan to address issues of poverty and deprivation among the state's minority populations.
 - The agency hires a coordinator to administer its human trafficking initiative.

Purpose, Mission, and Vision

CMA's **purpose**, as summarized in S.C. Code Ann. § 1-31-20, is "to study the causes and effects of the socio-economic deprivation of minorities in the State and to implement programs necessary to address inequities confronting minorities in the State." S.C. Code Ann. § 1-31-40 outlines a number of duties, including gathering and disseminating relevant data and other information; administering the state recognition of Native American entities; and liaising with various groups in the community.

The agency's **mission** is to alleviate the causes and effects of poverty and deprivation among members of the state's minority populations.

Its **vision** is the eradication of systemic poverty and the proliferation of prosperity for all South Carolinians.¹¹

Agency Organization

Governing Body

CMA is governed by a Board of Commissioners consisting of nine members and the Governor ex officio. The Governor must appoint one person from each of the seven congressional districts of the state and two people from the state at large upon the advice and consent of the Senate. The members serve for a term of four years and until their successors are appointed and qualify. Vacancies are filled in the same manner as original appointment for the remainder of the unexpired term. A majority of the members of the Commission must be African American. Table 1 lists the current agency board members.¹²

Table 1. CMA board members, congressional districts represented, and dates terms expire.

Board Member	Congressional District	Date Term Expires
Mr. Kenneth Battle, Chair	First <i>Beaufort*, Berkeley*, Charleston*, Colleton*, and Dorchester* Counties</i>	June 30, 2021
Dr. Kent T. Washington	Second <i>Aiken, Barnwell, Lexington, Orangeburg*, and Richland* Counties</i>	June 30, 2019
Dr. Lamont A. Flowers	Third <i>Abbeville, Anderson, Edgefield, Greenville*, Greenwood, Laurens, McCormick, Oconee, Pickens, Newberry*, and Saluda Counties</i>	June 20, 2021
Ms. Karen W. McGill	Fourth <i>Greenville* and Spartanburg* Counties</i>	June 30, 2019
Dr. William B. James, Jr.	Fifth <i>Cherokee, Chester, Fairfield, Kershaw, Lancaster, Lee, Newberry*, Spartanburg*, Sumter*, Union, and York Counties</i>	June 30, 2021
Rev. Eddie C. Guess^	Sixth <i>Allendale, Bamberg, Beaufort*, Berkeley*, Calhoun, Charleston*, Clarendon, Colleton*, Dorchester*, Florence*, Hampton, Jasper, Orangeburg*, Richland*, Sumter*, and Williamsburg Counties</i>	June 30, 2011
Rev. Michelle Law-Gordon	Seventh <i>Chesterfield, Darlington, Dillon, Florence*, Georgetown, Horry, Marion, and Marlboro Counties</i>	June 30, 2020
Ms. Tammie L. Wilson	At Large	June 30, 2021
Chief Louie C. Chavis^	At Large	June 30, 2013
Ms. Tia S. Brewer-Footman	Governor's Designee	N/A

Table Notes: A caret (^) denotes the board member is serving in a holdover capacity. An asterisk (*) denotes only part of the county is included in the district.

Agency Organizational Units

During the study process the Committee asks the agency about its organization and major operating programs.¹³ CMA has seven major organizational units. Table 2 includes the descriptions provided by the agency. The organization of the agency is shown in Figure 3.

Table 2. CMA organizational units.¹⁴

African American Affairs Initiative

Confronts the disparate facts regarding African-Americans by working with local, state, and federal entities, as well as other organizations to develop strategies and be a catalyst to improve conditions in the community.

Hispanic/Latino Affairs Initiative

Addresses issues concerning the Hispanic/Latino community of South Carolina, including economic opportunities, education, health, public safety, human rights and others.

Native American Affairs Initiative

Serves as the South Carolina Indian Affairs Office with the mission of establishing the framework to ensure social equity and economic prosperity for all Native American citizens throughout South Carolina through policy change, education, and increased awareness.

Small and Minority Business Initiative

Promotes social and economic self-sufficiency primarily for disadvantaged minorities by providing entrepreneurial education and training, technical assistance to businesses, and information about microloan programs.

Community Based Services Initiative

Assists and strengthens minority nonprofit organizations and church affiliates by providing technical assistance and building capacity, collaborations, and partnerships to better serve communities.

Research and Policy Services

Provides current statistical data, conducts simple to complex applied statistical and survey research, conducts policy analysis of state and federal legislation, and helps disseminate key statistical information to state leaders, for profit and nonprofit organizations, and individual citizens in the state of South Carolina. Contributes to the CMA mission by utilizing research to help study the causes and effects of socioeconomic poverty and deprivation in South Carolina.

Human Trafficking and Immigration Initiative

Addresses and raises awareness on issues regarding human trafficking and immigration laws and provides opportunities for reporting via telephone hotlines.*

Table Note:

* As of April 2018, the agency has not established a hotline to receive reports of violations of immigration laws. It has a memorandum of understanding with a nonprofit organization called Polaris that operates a national human trafficking hotline.¹⁵

Organizational Chart

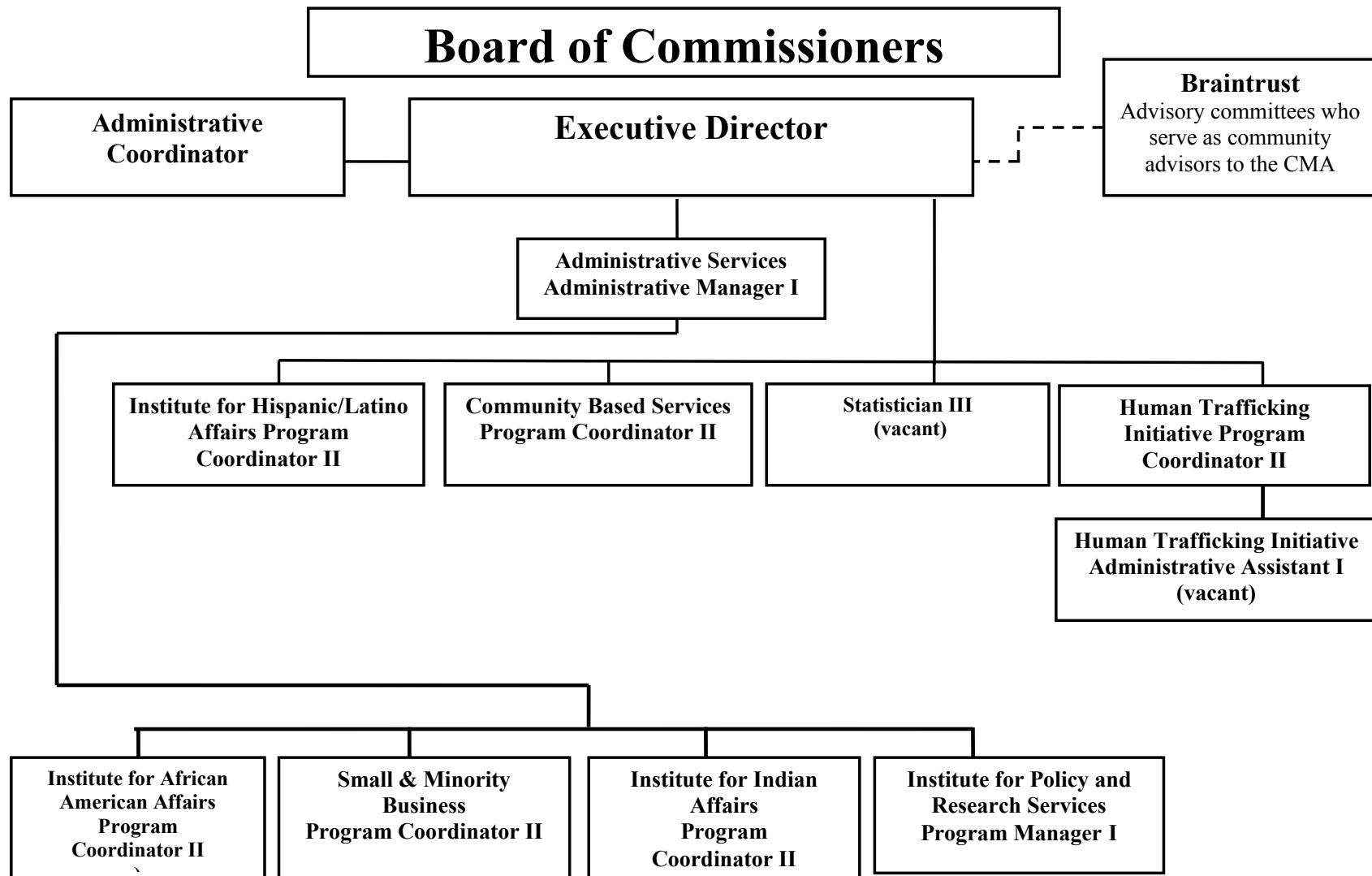


Figure 3. *Organizational chart provided by CMA. (Current as of November 2017).*¹⁶

Internal Audit

In the Program Evaluation Report, the Committee asks the agency to provide information about its internal audit process, if it has one. CMA does not have an internal audit process. The Office of the State Auditor conducts financial reviews according to procedures agreed to by the agency.¹⁷

Products, Services, and Customers

An estimated 1.75 million South Carolinians identify as members of racial and/or ethnic minority groups, comprising over one-third of the state's population (see *Appendix A* for relevant data about minorities in S.C.).¹⁸ CMA is charged with studying and addressing the socioeconomic deprivation of these individuals.¹⁹ To fulfill this purpose, CMA provides a variety of products and services.

In 2015-2016, the General Assembly and Governor's Office begin requesting agencies provide information on the services and products they provide as part of the combined Accountability Report and Annual Restructuring Report. CMA lists a variety of services it provides in the 2016-2017 Accountability Report.

During the study, the Committee asks the agency if there are any other state agencies serving similar customers or providing similar products or services. CMA indicates the deliverables it provides would not fit within the mission of any other state agency. However, the Subcommittee notes the following state agencies provide similar products and services:

- **State Library:** Provides courses and resources on grant proposal writing and fundraising for nonprofit organizations, similar to the technical assistance provided to nonprofits by CMA's community based services initiative.²⁰
- **Small Business Development Centers:** Its approximately 50 employees focus on providing technical assistance to small businesses, including microenterprises, in South Carolina, similar to the services provided by the small and minority business initiative.²¹
- **Revenue and Fiscal Affairs Office:** Provides research and analysis to the Governor, General Assembly, state and local government entities, and the private sector. Although this office does not share CMA's focus on minorities, it may be able to provide similar data and statistics.²²
- **South Carolina Human Trafficking Task Force:** Located in the Office of the Attorney General, the task force coordinates the efforts of a number of state agencies to combat human trafficking, including data collection and public awareness campaigns. This is similar to CMA's human trafficking initiative.²³
- **Department of Labor, Licensing and Regulation:** Administers and provides information about occupational safety, payment of wages, child labor, and migrant labor. Also conducts investigations and audits to ensure compliance with requirements to use the federal E-Verify system to verify the legal status of employees. CMA is charged with maintaining a hotline to receive allegations of violations of federal immigration laws, including E-Verify program violations.²⁴

Table 3, beginning on the next page, includes a sample of the products, services, and customers the agency includes in its Accountability Report along with other state agencies the Subcommittee has identified that may provide similar deliverables.

Table 3. Sample of products and services CMA provides.²⁵

Program Name	Product or Service	Customer	Other Agencies with Similar Goals (Identified by Subcommittee)
African American Affairs Initiative	Works with local historically black colleges and universities and African American male groups to mentor and tutor students in middle and junior high school to improve their reading and math skills. This facilitates on-time graduation and drop-out prevention.*	<p>General Public:</p> <ul style="list-style-type: none"> • African American males and low performing students in majority-minority school districts (i.e., school districts in which a majority of the students identify as members of racial and/or ethnic minorities) 	<i>None identified</i>
Community Based Services Initiative	Assists with state certification, tax-exempt status through the Internal Revenue Service (IRS), and internal capacity-building for nonprofit organizations.	<p>Professional Organizations:</p> <ul style="list-style-type: none"> • Community Outreach and Development Foundation • Mack House Charities • Pee Dee African American Chamber of Commerce • Inspire Youth and Family Services • Access Unlimited • The Triumphant Academy • Raising Up the Low-Country • Carolina Teen Center • Westside Community Center • Divine 9 Foundation of Columbia, S.C. • The Low Country Education Local Organizing Committee • Education Over Incarceration • RBA Corporation • Stroud Development Group • Peekaboo Pretty Foundation • The Hive • Palmetto Advantage Care • Beyond Differences • Circles Greenville County <p>Local Government</p>	State Library

Program Name	Product or Service	Customer	Other Agencies with Similar Goals (Identified by Subcommittee)
Hispanic/ Latino Affairs Initiative	Provides information and referral services for technical assistance, capacity building, cultural diversity training, and organizational development for the Hispanic/Latino community. Also provides assistance in the development of language access plans, policies, and procedures.	<p>General Public:</p> <ul style="list-style-type: none"> South Carolina is home to an estimated 258,000 Hispanics/Latinos.[†] <p>Government:</p> <ul style="list-style-type: none"> Federal Emergency Management Agency State Agencies, including the S.C. Emergency Management Division Mexican Consulate <p>Professional Organizations:</p> <ul style="list-style-type: none"> Hispanic/Latino nonprofit organizations 	<i>None identified</i>
Research and Policy Services	Provides statistical data to members of the legislature on an as-needed basis.	Legislative Branch	Revenue and Fiscal Affairs Office
	Provides professional organizations with data, primarily census and related statistical data.	<p>Government:</p> <ul style="list-style-type: none"> Revenue and Fiscal Affairs Office <p>Professional Organizations:</p> <ul style="list-style-type: none"> Children's Trust of South Carolina South Carolina Conference of Black Mayors 	
	Provides the general public with data that is relevant to their community, city, and county in the state.	<p>General Public:</p> <ul style="list-style-type: none"> Organizations that are interested in receiving statistics pertaining to each population the Commission is charged with serving (i.e., African American, Hispanic/Latino, Native American, and Asian American populations) 	

Program Name	Product or Service	Customer	Other Agencies with Similar Goals (Identified by Subcommittee)
Human Trafficking and Immigration Initiative	Works with local and state government, community providers, etc. to provide awareness and information through campaigns and community events targeting youth and the minority population to prevent human trafficking and immigration infractions.	<p>General Public:</p> <ul style="list-style-type: none"> Trafficked victims, at-risk youth, and the surrounding minority communities in South Carolina. 	Human Trafficking Task Force (Office of the Attorney General) Department of Labor, Licensing and Regulation
Small and Minority Business Initiative	Provides business management, technical assistance, education, and training to aspiring or existing entrepreneurs.	<p>General Public:</p> <ul style="list-style-type: none"> Primarily focused on the populations the Commission is legislatively required to serve, (i.e., African American, Hispanic/Latino, Native American, and Asian American populations) 	Small Business Development Centers
	Assists the business development industry by supporting and being a catalyst for economic development in the largest segment of business ownership, which is microenterprises. Supports organizations that provide resources to microenterprises.	<p>Industry:</p> <ul style="list-style-type: none"> Business development organizations, such as: <ul style="list-style-type: none"> Small Business Administration Community Development Corporations Microlenders (i.e., issuers of small loans) 	

Program Name	Product or Service	Customer	Other Agencies with Similar Goals (Identified by Subcommittee)
Native American Affairs Initiative	<p>Provides information, referral, technical assistance, capacity building, cultural diversity training, and organizational development to the Native American community and tribes. In addition, oversees the process of state recognition of Native American entities. Serves as a liaison between state, federal, and local governments and tribal entities nationally. Administers an emerging Native American professionals program and works with the S.C. Department of Social Services on the Indian Child Welfare Act and Food Share S.C. program.</p>	<p>General Public:</p> <ul style="list-style-type: none"> Native Americans are an estimated 0.9% of the state's population.^a There are nine state tribes, one federally recognized tribe, four groups, and two special interest organizations. <p>Government:</p> <ul style="list-style-type: none"> General Assembly Executive branch/state agencies <p>Professional Organizations:</p> <ul style="list-style-type: none"> National Partnership for Action to End Health Disparities- Health and Human Services National Congress of American Indians Catawba Indian Nation S.C. state recognized tribes, groups, and special interest organizations Non-recognized Native American entities in S.C. (i.e., tribes or groups that have not received state recognition) Southeastern Indian Affairs Offices (GA, NC, AL, LA, VA) Lumbee Tribe Machis Creek Tribe 	<i>None identified</i>

Table Notes:

* On February 22, 2018, agency personnel testify CMA is no longer operating this tutoring program. On January 25, 2018, agency personnel testify about the activities of the CMA African American affairs initiative at the time, including providing support for a Richland County Sheriff's Office program to work with School Resource Officers and working with S.C. State University to decrease the dropout rate of African American male students.²⁶

[†] Agency personnel assert this number, provided by the U.S. census bureau, grossly underestimates the Hispanic/Latino population, and a more accurate estimate is three to four times larger. This number does not imply that CMA has reached every individual in this population. However, services and information are available to the Hispanic/Latino community and the general public if needed.²⁷

^a Agency personnel assert this population is undercounted.²⁸

In the Program Evaluation Report, the Committee asks the agency to provide a list of its deliverables (i.e., products and services) as well as additional information related to laws, customers, costs, and potential negative impacts. CMA provides a list of 11 deliverables, all of which it reports it is required by law to provide free of charge. CMA also indicates that none of these deliverables fit within the mission of another state agency.

CMA provides the following recommendations to the General Assembly as ways to help avoid potential harm to the public if these deliverables are not provided:

1. Provide additional FTEs to carry out these duties.
2. Require other agencies to partner and collaborate with the Commission regarding data and outreach initiatives to make current programs more effective.
3. Support legislative and policy changes to positively affect minority communities as suggested through reports and research conducted by CMA.

Table 4 includes additional information CMA has provided about its deliverables.²⁹

Table 4. CMA deliverables.

Deliverable	Applicable Laws	Customer satisfaction evaluated?	Does the agency know the...			Greatest potential harm to the public if the deliverable is not provided (Identified by the agency)
			cost/unit?	annual # of potential customers?	annual # of customers served?	
Provide the minority community consisting of African Americans, Native Americans, Hispanics/Latinos, Asian Americans, and others with a single point of contact for statistical and technical assistance in the areas of research and planning for a greater economic future	S.C. Code Ann. § 1-31-40(A)(1)	✓	✗	✓	✓	The agency will not be able to serve citizens, state agencies, and other organizations through technical assistance and better access to cultural and community based research or statistical data for economic and community development.
Work with minority officials on the state, county, and local levels of government in disseminating statistical data and its impact on their constituencies	S.C. Code Ann. § 1-31-40(A)(2)	✓	✗	✓	✓	The agency will not be able to serve citizens, state agencies, and other organizations through technical assistance and better access to cultural and community based research or statistical data for economic and community development.

Deliverable	Applicable Laws	Customer satisfaction evaluated?	Does the agency know the...			Greatest potential harm to the public if the deliverable is not provided (Identified by the agency)
			cost/unit?	annual # of potential customers?	annual # of customers served?	
Provide for publication of a statewide statistical abstract on minority affairs	S.C. Code Ann. § 1-31-40(A)(3)	✓	✗	✓	✓	Without the production of the "State of Minorities Report," the agency will not be able to provide statistics on how minorities fare and compare to the majority population or information to the legislature with the hopes of influencing changes in policy and law(s).*
Provide statistical analysis for members of the General Assembly on the state of minority communities as the state experiences economic growth and changes	S.C. Code Ann. § 1-31-40(A)(4)	✗^	✗	✗	✗	The agency will not be able to serve citizens, state agencies, and other organizations through technical assistance and better access to cultural and community based research or statistical data for economic and community development.
Provide the minority community with assistance and information on Voting Rights Act submissions in the state, as well as other related areas of concern to the minority community	S.C. Code Ann. § 1-31-40(A)(5)	✗	✗	✗	✗	The agency believes this is no longer applicable due to a change in the federal Voting Rights Act. ^a
Determine, approve, and acknowledge by certification state recognition for Native American entities; however, notwithstanding their state certification, the tribes have no power or authority to take any action which would establish, advance, or promote any form of gambling in this state	S.C. Code Ann. § 1-31-40(A)(6); § 1-31-50; § 20-1-20; § 50-11-515 Code of Regs, § 139-100; § 139-105; § 139-108; § 139-109	✓	✗	✓	✓	Without the process of state recognition, Native American entities will not have formal acknowledgement from the state of South Carolina establishing a "government-to-government" relationship and will not be able to access programs and services from all levels of government and non-governmental agencies. This would also prevent compliance with federal and state laws. ^t

Deliverable	Applicable Laws	Customer satisfaction evaluated?	Does the agency know the...			Greatest potential harm to the public if the deliverable is not provided (Identified by the agency)
			cost/unit?	annual # of potential customers?	annual # of customers served?	
Establish advisory committees representative of minority groups, as the commission considers appropriate to advise the commission	S.C. Code Ann. § 1-31-40(A)(7); Code of Regs, § 139-106; § 139-200; § 139-202	✓	✗	✓	✓	The agency will not be able to serve citizens, state agencies, and other organizations through technical assistance and better access to cultural and community based research or statistical data for economic and community development.
Act as liaison with the business community to provide programs and opportunities to fulfill its statutory duties	S.C. Code Ann. § 1-31-40(A)(8)	✓	✗	✗	✓	The agency will not be able to serve citizens, state agencies, and other organizations through technical assistance and better access to cultural and community based research or statistical data for economic and community development.
Seek federal and other funding on behalf of the state of South Carolina for the express purpose of implementing various programs and services for African Americans, Native Americans, Hispanics/Latinos, Asians, and other minority groups	S.C. Code Ann. § 1-31-40(A)(9)	✗	✗	✗	✗	The agency will not be able to serve citizens, state agencies and other organizations through technical assistance and better access to cultural and community based research or statistical data for economic and community development.

Deliverable	Applicable Laws	Customer satisfaction evaluated?	Does the agency know the...			Greatest potential harm to the public if the deliverable is not provided (Identified by the agency)
			cost/unit?	annual # of potential customers?	annual # of customers served?	
Promulgate regulations as may be necessary to carry out the provisions of this article of state law including, but not limited to, regulations regarding state recognition of Native American entities in South Carolina	S.C. Code Ann. §1-31-40(A)(10); § 1-31-50; § 20-1-20; § 50-11-515; Code of Regs, § 139-100; § 139-105; § 139-108; § 139-109; § 139-106; § 139-200; § 139-202	×	×	×	×	Without the process of state recognition, Native American entities will not have formal acknowledgement from the State of South Carolina establishing a “government-to-government” relationship and will not be able to access programs and services from all levels of government and non-governmental agencies. This would also prevent compliance with federal and state laws. [†]
Establish and maintain a twenty-four hour toll free telephone number and electronic website in accordance with S.C. Code Ann. § 8-30-10	S.C. Code Ann. §1-31-40(A)(11); § 8-30-10; § 8-30-20	×	×	×	×	The agency will not be able to serve citizens, state agencies, and other organizations through technical assistance and better access to cultural and community based research or statistical data for prevention and prosecution of labor law violations including all forms of human trafficking. [‡]

Table Notes:

* CMA has only produced one “State of Minorities” report. It was published in 2001.

^ CMA has distributed an online survey to state and local policymakers seeking feedback on statistical information the agency provides. However, the agency reports receiving no responses to its most recent survey, which was distributed to 450 individuals.³⁰

¤ In the Subcommittee meeting on April 11, 2018, Subcommittee members express concern that although South Carolina is not currently subject to the pre-clearance requirement of the Voting Rights Act, it is still subject to other requirements of this act, about which CMA should be providing assistance and information. The Subcommittee unanimously rejects the agency’s recommendation to remove this duty from statute (see *Additional Information* section on p. 39).³¹

† H. 3177 has been passed by the House and the Senate. If it becomes law, it will require CMA to cease recognition of Native American groups. However, it will not affect the agency’s recognition of Native American tribes and special interest organizations, and all groups that are already recognized will maintain their status (see *Appendix B*). The agency has not amended any of its regulations in 12 years. Most regulations were originally promulgated in 2004 and last amended in 2006.

‡ As of April 2018, the agency has not established a hotline to receive reports of violations of immigration laws. It has a memorandum of understanding with a nonprofit organization called Polaris that operates a national human trafficking hotline.³²

Strategic Resource Allocation and Performance

Annually, each agency submits a strategic plan.³³ Of interest in the oversight process is how an agency's human and financial resources are allocated to the goals and objectives in the agency's strategic plan.

Human Resources

Table 5 includes information CMA provided in its Program Evaluation Report about its full-time equivalent (FTE) positions:³⁴

Table 5. Summary of CMA's FTE positions.

	FY 2016-17	FY 2017-18
Available FTEs at Start of Year	12	12
Filled FTEs at Start of Year	9	10

Financial Resources

Figure 4 shows the historical trend of funding CMA has received from the state General Fund, including a pre-recession high of nearly \$700,000 and the current level of over \$1 million, as calculated by the S.C. Revenue and Fiscal Affairs Office. This does not include the bingo tax revenues and others funds that CMA receives, as shown in Table 6.

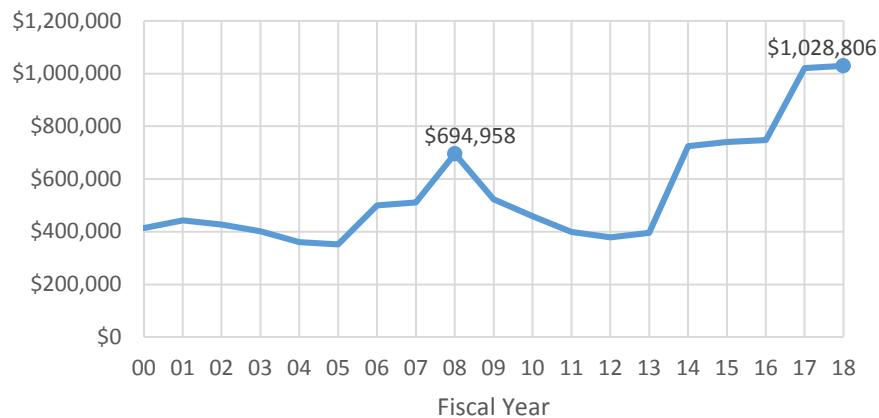


Figure 4. CMA's general funds.

In the Program Evaluation Report, the Committee asks the agency to provide information about its revenue sources. CMA reports all of its revenues remain with the agency. Table 6 is a summary of the information from the agency.³⁵

Table 6. CMA revenue sources.

Revenue Sources	Recurring?	Type of Funds	FY 16-17			FY 17-18 (Budgeted)				
			Revenue		Carried from Previous Year	Spent on Strategic Plan	Revenue		Budgeted for Strategic Plan	
			Amount	% of Total			Amount	% of Total		
General Fund	Recurring	State	\$1,020,729	86.7%	\$39,585	\$884,827	\$1,028,806	84.2%	\$102,073	\$1,130,879
Bingo	Recurring	State	\$131,000	11.1%	\$29,240	\$136,476	\$131,000	10.7%	\$23,764	\$154,764
Other Funds Authorization	Non-Recurring	Other Funds	\$825	0.1%	\$27,062	\$160	\$1,375	0.1%	\$27,727	\$29,100
U.S. Department of Agriculture grants	Non-Recurring	Federal	\$24,885	2.1%	\$0	\$16,688	\$60,000	4.9%	\$0	\$60,000
TOTAL			\$1,177,439		\$95,887	\$1,038,152	\$1,221,181		\$153,564	\$1,374,743

Resource Allocation

Table 7 illustrates the agency's reported allocation of its financial and human resources among its goals and strategies in fiscal years 2016-17 and 2017-18. The objectives that fall under each of the strategies in the plan are available in the agency's Program Evaluation Report.³⁶

Table 7. Allocation of resources to CMA's strategic plan.

Goal or Strategy	FY 2016-17			FY 2017-18 (budgeted)		
	# FTEs	Total Spent	% of All Agency Funds Available	# FTEs	Total Budgeted	% of All Agency Funds Available
Goal 1 - Be the single point of contact for statistical data and information for South Carolina regarding minority communities, poverty, and socio-economic deprivation.	0.58	\$85,485	7%	0.58	\$151,359	11%
Strategy 1.1 - Disseminate relevant statistical data and information to legislators and stakeholders regarding poverty, socio-economic deprivation, and minority populations.	0.45	\$54,118	4%	0.45	\$117,101	9%
Strategy 1.2 - Create policies and/or legislation to require 100% of state agencies collecting data to provide data sets and/or raw data to CMA for research and analysis.	0.13	\$31,367	2%	0.13	\$34,258	2%
Goal 2 - Address the needs of minority populations through collaboration and engagement with legislators, public officials, and stakeholders to effect change.	1.4	\$177,091	14%	1.5	\$191,714	14%
Strategy 2.1 - Establish liaison relationships with policy makers, officials, and stakeholders to assist with the creation of policy, legislation, and community engagement.	0.9	\$98,010	8%	0.95	\$104,053	8%
Strategy 2.2 - Promulgate regulations to carry out provisions outlined in CMA's statute to streamline programs, duties, and functions to address the needs of the populations served.	0.35	\$47,406	4%	0.4	\$53,226	4%
Strategy 2.3 - Determine, approve, and acknowledge by certification, state recognition for Native American entities on behalf of the state of South Carolina.	0.15	\$31,675	2%	0.15	\$34,435	3%
Goal 3 - Address the needs of minority populations through technical assistance, capacity building, outreach, and program initiatives.	3.28	\$404,439	32%	4.67	\$618,033	45%
Strategy 3.1 - Revise agency and program initiatives to address needs of minority populations (African American, Asian American, Hispanic/Latino, and Native American).	0.45	\$56,962	4%	0.85	\$112,899	8%
Strategy 3.2 - Conduct capacity building, outreach, minority specific, and micro-business assistance initiatives and trainings	2.83	\$347,477	27%	2.26	\$285,194	21%
Strategy 3.3 - Increase collaboration and/or partnerships to address emergency preparedness needs of S.C. minority populations	<i>Strategy did not exist in FY 16-17.</i>			0.15	\$48,615	4%
Strategy 3.4 - Implement new human trafficking and immigration initiative	<i>Strategy did not exist in FY 16-17.</i>			1.41	\$171,325	12%

Goal or Strategy	FY 2016-17			FY 2017-18 (budgeted)		
	# FTEs	Total Spent	% of All Agency Funds Available	# FTEs	Total Budgeted	% of All Agency Funds Available
Goal 4 - Reduce the contributing factors causing poverty in S.C.'s minority populations.	1.06	\$144,646	11%	1.9	\$300,133	22%
Strategy 4.1 - Secure funding to increase CMA's budget to a minimum of two dollars per minority person to support work to address the needs of minority populations and administer all programs.	0.08	\$26,923	2%	0.08	\$29,684	2%
Strategy 4.2 - Research and assess currently funded poverty and minority programs within the state to identify and reduce gaps in services by June 2020.	0.55	\$65,863	5%	0.55	\$68,623	5%
Strategy 4.3 - Seek federal and other funding on behalf of the state for the purpose of implementing various programs and services for minority groups (African American, Asian American, Hispanic/Latino, and Native American) including business, economic development, capacity building, and outreach.	0.43	\$51,860	4%	0.87	\$87,206	6%
Strategy 4.4 - Develop a state-wide strategy with recommendations for state agencies and partners to collaborate to reduce poverty in S.C.	<i>Strategy did not exist in FY 16-17.</i>			0.4	\$114,620	8%
Goal 5 - Increase agency capacity through staff training opportunities.	0.75	\$104,264	8%	0.72	\$113,506	8%
Strategy 5.1 - Provide professional development opportunities for agency staff.	0.48	\$63,669	5%	0.45	\$70,150	5%
Strategy 5.2 - Provide cross training opportunities for agency staff.	0.27	\$40,595	3%	0.27	\$43,355	3%

Table Notes:

- Percentages are rounded, so percentages for strategies may not exactly add up to the percentage for the corresponding goal.
- Due to changes in the strategic plan between FY 16-17 and FY 17-18, not all of the agency's FY 16-17 resources are reflected in this table.

Performance Measures

Also of interest during the study process is how the agency measures its performance in implementing the goals, strategies, and objectives of its strategic plan. CMA provided its performance measures in its PER. The agency was asked to categorize each measure based on the definitions below:³⁷

Types of Performance Measures:

Outcome Measure - A quantifiable indicator of the public and customer benefits from an agency's actions. Outcome measures are used to assess an agency's effectiveness in serving its key customers and in achieving its mission, goals and objectives. They are also used to direct resources to strategies with the greatest effect on the most valued outcomes. Outcome measures should be the first priority. Example - % of licensees with no violations.

Efficiency Measure - A quantifiable indicator of productivity expressed in unit costs, units of time, or other ratio-based units. Efficiency measures are used to assess the cost-efficiency, productivity, and timeliness of agency operations. Efficiency measures measure the efficient use of available resources and should be the second priority. Example - cost per inspection

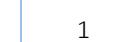
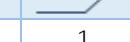
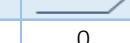
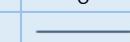
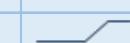
Output Measure - A quantifiable indicator of the number of goods or services an agency produces. Output measures are used to assess workload and the agency's efforts to address demands. Output measures measure workload and efforts and should be the third priority. Example - # of business license applications processed.

Input/Activity Measure - Resources that contribute to the production and delivery of a service. Inputs are "what we use to do the work." They measure the factors or requests received that explain performance (i.e. explanatory). These measures should be the last priority. Example - # of license applications received.

Table 8 shows CMA's performance measures along with the last five years of results, which it reports in the PER. A result of "0" may indicate that a measure was not tracked in the corresponding year. For all measures shown, the goal is to meet or exceed the target number.

Table 8. CMA performance measures.

Performance Measure	Type*	FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18
1. Statistical Reports (See list below)		Target	0	0	0	2	3
		Actual	0	0	0	2	3
1A. 2017 S.C. County Statistical Abstract (i.e., the "Statistical Profile by Counties" document)	Outcome	Target	0	0	0	1	1
		Actual	0	0	0	1	—
1B. 2016 State of Minorities Report, which provides statistics comparing minorities and the majority population	Outcome	Target	0	0	0	0	1
		Actual	0	0	0	0	—
1C. 2017 CMA annual survey of state agencies that produce data	Input/Activity	Target	0	0	0	2	1
		Actual	0	0	0	2	—
2. Other Agency Reports and Documents (See list below)		Target	0	0	0	8	8
		Actual	0	0	0	8	—
2A. 2015 CMA Key Findings Promulgation of Regulations Report (internal)	Input/Activity	Target	0	0	0	1	1
		Actual	0	0	0	1	—
2B. Review of CMA statute and program areas (internal)	Input/Activity	Target	0	0	0	1	1
		Actual	0	0	0	1	—
2C. CMA agency strategic plan	Input/Activity	Target	0	0	0	1	1
		Actual	0	0	0	1	—
2D. 2016 CMA Staff Internal Process and Procedures Manual (update of internal document)	Input/Activity	Target	0	0	0	1	1
		Actual	0	0	0	1	—

Performance Measure	Type*		FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	
2E. CMA Policies and Procedures Standards document (update of internal document)	Input/Activity	Target	0	0	0	1	1	1	
		Actual	0	0	0	1	1		
2F. CMA staff training index (internal document)	Input/Activity	Target	0	0	0	1	1	1	
		Actual	0	0	0	1	1		
2G. CMA Strategic Framework on Poverty and Minority Programs (internal document)	Outcome	Target	0	0	0	1	1	1	
		Actual	0	0	0	1	1		
2H. CMA-GRIT (Growing Resources for Information Technology) and CFP (Community Food Project) grants final reports	Outcome	Target	0	0	0	1	1	1	
		Actual	0	0	0	1	1		
2I. CMA-RBEG (Rural Business Enterprise Grant) final report	Outcome	Target	0	0	0	1	1	1	
		Actual	0	0	0	1	1		
3. Statistical Surveys (See list below)		Target	0	0	0	4	4	1	
		Actual	0	0	0	4	4		
3A. CMA annual survey of policymakers and stakeholders	Input/Activity	Target	0	0	0	1	1	1	
		Actual	0	0	0	1	1		
3B. CMA Technical Assistance Form	Input/Activity	Target	0	0	0	1	1	0	
		Actual	0	0	0	1	1		
3C. CMA Information and Referral Form	Input/Activity	Target	0	0	0	1	1	0	
		Actual	0	0	0	1	1		
3D. CMA Outreach Form	Input/Activity	Target	0	0	0	1	1	0	
		Actual	0	0	0	1	1		
4. Public Policy and Legislation (See list below)		Target	0	0	0	4	4	0	
		Actual	0	0	0	0	1		
4A. S196-Human Trafficking (passage of bill)	Outcome	Target	0	0	0	1	1	0	
		Actual	0	0	0	0	1		
4B. S279-Small-Minority Business Assistance Office (passage of bill)	Outcome	Target	0	0	0	1	1	0	
		Actual	0	0	0	0	0		
4C. S356-State Recognition of Groups (passage of bill)	Outcome	Target	0	0	0	1	1	0	
		Actual	0	0	0	0	0		
4D. S674-Workers Compensation Act (passage of bill)	Outcome	Target	0	0	0	1	1	0	
		Actual	0	0	0	0	0		
5. Funds Collected; Grants and Other Agency Funded Partnerships		Target	0	0	0	1	1	2	
		Actual	0	0	0	1	1		
6. Technical Assistance, Capacity Building and Outreach To County Public and Congressional Officials, Legislators, Cities and Towns in SC (# of policymakers contacted/served)	Outcome	Target	0	0	0	456	456	500	
		Actual	0	0	0	456	456		
7. Training - External (# of staff receiving external training)	Outcome	Target	0	0	0	8	8	10	
		Actual	0	0	0	8	8		
8. Training - Internal (# of staff receiving internal training)	Input/Activity	Target	0	0	0	3	8	10	
		Actual	0	0	0	3	8		

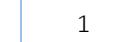
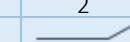
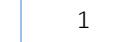
Performance Measure		Type*		FY 12-13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	
9. Research Partnerships (See list below)		Target	0	0	0	8	15	13		
		Actual	0	0	0	8	15	15		
9A. Research partnerships and collaborations	Input/Activity	Target	0	0	0	1	3	3		
		Actual	0	0	0	1	3	3		
9B. Partnerships and collaborations - federal, state, and nonprofit organizations	Input/Activity	Target	0	0	0	5	10	10		
		Actual	0	0	0	5	10	10		
9C. College and university partnerships related to the U. S. Department of Education	Input/Activity	Target	0	0	0	1	1	0		
		Actual	0	0	0	1	1	1		
9D. Partnership with one Native American entity to identify grant opportunities	Input/Activity	Target	0	0	0	1	1	0		
		Actual	0	0	0	1	1	1		
10. Events and Workshops (See list below)		Target	0	0	0	9	8	7		
		Actual	0	0	0	11	10	10		
10A. S.C. Statistical Abstract event (i.e., presentation of the "Statistical Profile by Counties" document)	Outcome	Target	0	0	0	1	1	0		
		Actual	0	0	0	1	1	1		
10B. Number of Advisory Committee meetings	Outcome	Target	6	6	6	6	6	6		
		Actual	6	7	8	8	8	8		
10C. Number of S.C. Native American state recognition application workshops	Outcome	Target	2	2	2	2	1	1		
		Actual	2	2	2	2	1	1		
11. Internal Planning Events (See list below)		Target	0	0	0	0	3	2		
		Actual	0	0	0	0	3	3		
11A. CMA strategic planning meeting (i.e., meeting of agency staff and board members)	Input/Activity	Target	0	0	0	0	1	1		
		Actual	0	0	0	0	1	1		
11B. Number of CMA staff professional development meetings	Input/Activity	Target	0	0	0	0	1	1		
		Actual	0	0	0	0	1	1		
11C. CMA staff technical assistance, capacity building, information referral process training	Input/Activity	Target	0	0	0	0	1	0		
		Actual	0	0	0	0	1	1		

Table Note:

* Type of measure as determined by CMA.

STUDY PROCESS

Agency Selection

The Commission for Minority Affairs is an agency subject to legislative oversight.³⁸ During the 122nd General Assembly, the Committee prioritizes the agency for study by the Economic Development, Transportation, and Natural Resources Subcommittee on May 10, 2017.³⁹

As the Committee encourages **collaboration in its legislative oversight process**, the Speaker, standing committee chairs in the House, members of the House, Clerk of the Senate, and Governor are also notified about the agency study.

Subcommittee Membership

The **Economic Development, Transportation, and Natural Resources Subcommittee of the House Legislative Oversight Committee is studying the agency.**⁴⁰ The study begins and is completed during the 122nd General Assembly. The Honorable Laurie Slade Funderburk, Committee vice-chair, chairs the Subcommittee's first meeting with the agency. For the remainder of the study, the Honorable Bruce W. Bannister serves as Subcommittee chair. The members listed below serve on the Subcommittee during the entire study:

- The Honorable Neal A. Collins;
- The Honorable Mandy Powers Norrell; and
- The Honorable Robert L. Ridgeway, III.

Agency Reports to Legislative Oversight Committee

During the legislative oversight process, the **Committee asks the agency to conduct self-analysis** by requiring it to complete and submit Annual Restructuring Reports, a Seven-Year Plan for cost savings and increased efficiencies, and a Program Evaluation Report. Each report is posted on the agency page of the Committee's website.

Restructuring Report

The Annual Restructuring Report fulfills the requirement in S.C. Code Ann. § 1-30-10(G)(1) that each agency annually report to the General Assembly "detailed and comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs, or personnel within each department to provide a more efficient administration of government services." The report, at a minimum, includes information in the following areas: history, mission and vision, laws, strategic plan, human and financial resources, performance measures, and restructuring recommendations.

The Commission for Minority Affairs submits its Annual Restructuring Report on March 30, 2016.⁴¹ Since the end of FY 2015-16, the agency's Annual Accountability Report to the Governor and General Assembly also serves as its Annual Restructuring Report.⁴²

Seven-Year Plan for Cost Savings and Increased Efficiencies

S.C. Code Ann. § 1-30-10 requires agencies to submit “a seven year plan that provides initiatives and/or planned actions that implement cost savings and increased efficiencies of services and responsibilities within the projected seven-year period.” The Commission for Minority Affairs submits its plan on June 19, 2015.⁴³

Program Evaluation Report

When an agency is selected for study, the Committee may acquire evidence or information by any lawful means, including, but not limited to, “requiring the agency to prepare and submit to the investigating committee a program evaluation report by a date specified by the investigating committee.” S.C. Code Ann. § 2-2-60 outlines what an investigating committee's request for a program evaluation report must contain. Also it provides a list of information an investigating committee may request. The Committee sends guidelines for the Commission for Minority Affairs' Program Evaluation Report (PER) on June 27, 2017. The agency submits the report on September 29, 2017.

The PER includes information in the following areas:

- Agency overview;
- Agency legal directives, plan, and resources;
- Performance; and
- Agency ideas and recommendations.

The Program Evaluation Report serves as the base document for the Subcommittee's study of the agency.

Information from the Public

Public input is a cornerstone of the House Legislative Oversight Committee's process. There are a variety of opportunities for public input during the legislative oversight process. Members of the public have an opportunity to participate anonymously in a public survey, provide comments anonymously via a link on the Committee's website, and appear in person before the Subcommittee.⁴⁴

Public Survey

From June 27 - July 28, 2017, the Committee posts an **online survey to solicit comments from the public about the Commission for Minority Affairs** and three other agencies.⁴⁵ Communication about this survey is sent to all House members to forward to their constituents. In an effort to communicate this public input opportunity widely, a statewide media release is issued.⁴⁶

Twenty-six survey respondents choose to provide input about CMA, with 9 of South Carolina's 46 counties indicated as the residence of at least one of those respondents.⁴⁷ These comments are not considered testimony.⁴⁸ As the survey notes, "input and observations from those citizens who [choose] to provide responses are very important . . . because they may help direct the Committee to potential areas for improvement with these agencies." The survey results are posted on the Committee's website. **The public is informed it may continue to submit written comments about agencies online** after the public survey closes.⁴⁹

Of the 24 respondents who give their overall opinion about CMA, nearly 60% indicate it is negative or very negative.⁵⁰

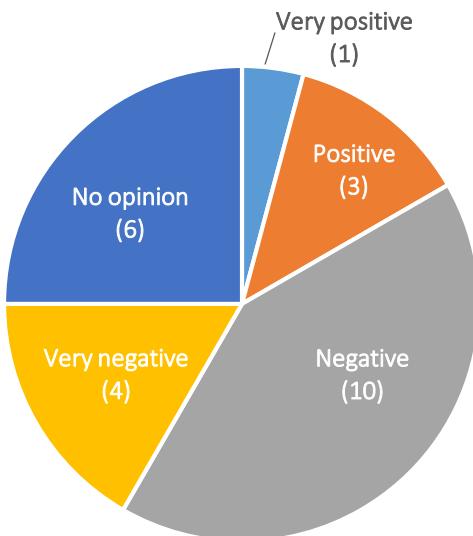


Figure 5. Survey respondents' opinions of CMA.

In open-ended comments, several respondents express doubt about the continued need for the agency and concern that it does not make good use of taxpayer money.⁵¹

Public Input via Committee Website

Throughout the course of the study, people are able to submit comments anonymously on the Committee website. Those comments are posted to the website verbatim, but are not the comment or expression of the House Legislative Oversight Committee, any of its Subcommittees, or the House of Representatives.⁵²

Eighteen such comments are received during the course of the study. The majority of these express support for the agency, while a few cite concerns about topics such as the Native American recognition process, conduct of a board member, agency effectiveness, and the agency's need for more staff to accomplish its mission.⁵³

Public Input via In-Person Testimony

The Committee offers the opportunity for the public to appear and provide sworn testimony.⁵⁴ The Committee holds a meeting dedicated to public input on Monday, October 16, 2017.⁵⁵ A press release announcing this opportunity is sent to media outlets statewide on October 2, 2017.⁵⁶ The Committee receives testimony about CMA from nine individuals on October 16, 2017, and the Subcommittee receives additional testimony at several meetings.⁵⁷ Further detail on the testimony the Committee and Subcommittee receives is in the *Meetings Regarding the Agency* section of this report.

Meetings Regarding the Agency

The Committee meets with the agency on two occasions, and the Subcommittee meets with the agency on eight occasions. All meetings are open to the public and stream live online; also, the videos are archived and the minutes are available online. A timeline of meetings is set forth in *Figure 2* on page 5.

May 2017

On **May 10, 2017**, the full Committee selects the Commission for Minority Affairs for study. The meeting packet and a video recording of the meeting are available online.⁵⁸

October 2017

On **October 16, 2017**, the full Committee holds **Meeting 1** with the agency. Committee Chair Wm. Weston J. Newton states that a purpose of this meeting is to hear **public testimony** regarding CMA and three other agencies. Nine individuals provide testimony about CMA. A synopsis of their testimony is available in the meeting minutes on the Committee website.⁵⁹ A video recording of the meeting is also available online.⁶⁰

On **October 24, 2017**, the Subcommittee holds **Meeting 2** with the agency. Committee Vice-Chair Laurie Slade Funderburk, acting as Subcommittee chair, swears in a number of agency representatives who are testifying for the first time during the study. CMA Director Thomas J. Smith then presents information on the agency's purpose, mission, vision, legal directives, organizational structure, major program areas, and relationships with other agencies. The Subcommittee members ask questions on these topics, which are

answered by various agency representatives.⁶¹ The meeting packet, CMA's presentation materials, and a video recording of the meeting are available online.⁶²

November 2017

On **November 13, 2017**, the full Committee holds **Meeting 3** with the agency. Director Smith provides a brief response to public comments received at the meeting on October 16, 2017.⁶³ The meeting packet and a video recording of the meeting are available online.⁶⁴

On **November 20, 2017**, the Subcommittee holds **Meeting 4** with the agency.⁶⁵

Two individuals provide **testimony**:

- Chief Louie Chavis of the Beaver Creek Indians testifies about his experience as a CMA board member and his perspective on the state recognition process for Native American entities. He responds to Subcommittee members' questions.
- Ms. Erica Canady, Director of Social Services for the Catawba Indian Nation, testifies about her experience working with county social workers, the federal Indian Child Welfare Act (ICWA), and her professional relationship with the Commission for Minority Affairs.

Subcommittee Chair Bruce W. Bannister swears in two CMA representatives who have not previously testified, then agency representatives present **information in response to the Subcommittee's November 3, 2017 letter**.⁶⁶

- Director Smith discusses:
 - the June 2015 S.C. Office of the Inspector General performance review;
 - agency recommendations for statute or regulation changes;
 - CMA's governing board;
 - nonprofit organizations affiliated with the agency, including the S.C. Micro-Enterprise Network (SCMEN);
 - referrals to the Human Affairs Commission;
 - statutory basis for the small and minority business initiative; and
 - CMA's community based services initiative.

Director Smith also answers questions from Subcommittee members on these topics.

- Ms. Marcy Hayden, CMA program coordinator for Native American affairs, discusses the agency's recommendation to amend the regulation outlining the composition of the Native American Advisory Committee and the agency's involvement with the Indian Child Welfare Act. Ms. Hayden responds to questions from Subcommittee members about these topics and state recognition of Native American entities.
- Mr. Rogie Nelson, CMA program coordinator for small and minority business, and Ms. Lauretha Whaley, CMA Administrative Manager, present information about the S.C. Micro-Enterprise Network (SCMEN). Subcommittee members ask questions, which Mr. Nelson, Ms. Whaley, and Director Smith answer.
- Ms. Christina Hyppolite, CMA program coordinator for community based services, presents information about the agency's community based services program. Subcommittee members ask questions, which Ms. Hyppolite and Director Smith answer.

The meeting packet, agency materials, and a video recording of the meeting are available online.⁶⁷

On November 28, 2017, the Subcommittee holds **Meeting 5** with the agency.⁶⁸

Two individuals provide testimony:

- Ms. Lisa McQueen-Starling, Chief Executive Officer of the Wassamasaw Indian Nation in Berkeley County, testifies about her tribe's unsuccessful petition to CMA to obtain state recognition. She responds to Subcommittee members' questions.
- Chief Chavis testifies about the problems he sees at the agency.

Director Smith provides opening comments, and then he and the following agency representatives testify and respond to Subcommittee members' questions:

- Ms. Hayden presents information about the Native American affairs initiative, which she coordinates;
- Mr. Benjamin Washington presents information about research and policy services, which he coordinates; and
- Mr. Nelson addresses a Subcommittee question about SCLEN conference participants.

The meeting packet and a video recording of the meeting are available online.⁶⁹

December 2017

On December 19, 2017, the Subcommittee holds **Meeting 6** with the agency.⁷⁰

Chief Chavis testifies about his hopes for CMA's future.

Then, the following agency representatives testify and respond to Subcommittee members' questions:

- Director Smith provides opening comments;
- Ms. Kaneshia Greene presents information about the human trafficking and immigration initiative, which she coordinates; and
- Mr. Nelson presents information about the small and minority business initiative, which he coordinates.

The meeting packet, agency presentation, and a video recording of the meeting are available online.⁷¹

January 2018

On January 25, 2018, the Subcommittee holds **Meeting 7** with the agency.⁷²

The following agency representatives testify and respond to members' questions:

- Director Smith provides opening comments;
- Ms. Lee McElveen presents information on the Hispanic/Latino affairs program, which she coordinates;
- Ms. Hypolite presents information on the community based services program, which she coordinates; and
- Mr. George Dennis presents information on the African American affairs program, which he coordinates.

The meeting packet and a video recording of the meeting are available online.⁷³

February 2018

On **February 8, 2018**, the Subcommittee holds **Meeting 8** with the agency.⁷⁴

Chief Chavis addresses the Subcommittee with a question about financial audits of state agencies.

Then, the following agency representatives testify:

- Director Smith provides opening comments and then discusses the agency's strategic plan;
- Ms. Hayden, Mr. Dennis, and Ms. McElveen testify about the objectives of the Native American affairs, African American affairs, and Hispanic/Latino affairs programs; and
- Mr. Nelson testifies about the objectives of the U.S. Department of Agriculture Rural Business Enterprise grant, which funds part of the small and minority business initiative.

Agency representatives respond to Subcommittee members' questions on a variety of topics, including:

- reducing recidivism;
- the Indian Child Welfare Act;
- grants; and
- small business training courses.

Finally, Mr. Ronnie D. Williams of the Beaver Creek Tribe testifies about communication problems he has experienced with CMA. The meeting packet and a video recording of the meeting are available online.⁷⁵

On **February 22, 2018**, the Subcommittee holds **Meeting 9** with the agency.⁷⁶

Three constituents address the Subcommittee:

- Chief Michelle Mitchum of the Pine Hill Indians testifies as to her opinion that CMA is retaliating against her tribe because of her testimony at the October 2017 meeting of the full Committee;
- Chief Chavis testifies about a variety of issues with the agency; and
- Ms. McQueen-Starling quotes from the "United Nations Declaration of the Rights of Indigenous Peoples" and discusses her disappointment regarding the petition her tribe filed five years earlier.

Then, agency representatives Director Smith, Ms. Hayden, and Ms. Whaley testify about the agency's performance measures. They respond to Subcommittee members' questions on a variety of topics, including: public surveys; bill tracking; grants; outreach; training; and events.

The meeting packet and a video recording of the meeting are available online.⁷⁷

April 2018

On April 11, 2018, the Subcommittee holds **Meeting 10** with the agency.⁷⁸

Subcommittee Chair Bannister notes that the following two bills relating to CMA have been approved by the House:

- H. 5090, which allows the use of wild turkey parts (not just feathers) in Native American crafts sold by members of state recognized tribes; and
- H. 3177, which requires CMA to cease recognition of Native American “groups” but not tribes or special interest organizations.

Director Smith testifies the CMA board has opted not to take an official position on these bills, but the Native American Advisory Committee supports both.

Two constituents testify and respond to Subcommittee members’ questions:

- Ms. Jennifer Powers of JD Powers, LLC, General Contractors discusses the beneficial assistance that CMA and other state agencies have provided to her as a minority business owner; and
- Ms. Bonita Clemons of Bonita Global, LLC, testifies that CMA has assisted her with her tea business for several years.

At Subcommittee Chair Bannister’s request, Director Smith addresses the internal changes the agency has made or plans to make as a result of the Subcommittee study (see *Internal Changes Implemented by Agency Related to Study Process* section on p. 39). Director Smith and other agency representatives respond to questions from Subcommittee members on various topics.

Before discussion of recommendations and findings, each Subcommittee member addresses the agency individually. Then, the Subcommittee members make a number of motions related to study findings, recommendations, and report drafting (see *Finding* and *Recommendation* sections on p. 36 and p. 37).

The meeting packet and a video recording of the meeting are available online.⁷⁹

Study Process Completion

Pursuant to Committee Standard Practice 12.4, **Subcommittee members may provide a separate written statement for inclusion with the Subcommittee's Study.** After receipt of any written statements from Subcommittee members, the Subcommittee chair, pursuant to Committee Standard Practice 12.5, shall notify the Committee chair in writing that a Subcommittee Study is available for consideration by the full Committee.

Once the Committee chair receives written notice from the Subcommittee chair, the Committee chair shall, pursuant to Committee Standard Practice 13.1, include the Subcommittee Study on the agenda for a full Committee meeting. During a full Committee meeting at which the Subcommittee Study is discussed, the Committee may vote, pursuant to Committee Standard Practice 13.2, to (1) refer the study and investigation back to the Subcommittee for further evaluation; (2) approve the Subcommittee's study; or (3) further evaluate the agency as a full Committee, utilizing any of the resources of legislative oversight available.

When the Committee approves a study, **any member of the Committee may provide a written statement for inclusion with the study.** The study, and written statements, are published online and the agency, as well as all House Standing Committees, receive a copy. The Committee shall offer at least one briefing to members of the House about the contents of the final oversight study approved by the Committee.⁸⁰ The Committee chair may provide briefings to the public about the final oversight study.⁸¹

To support the Committee's ongoing oversight by maintaining current information about the Commission for Minority Affairs, the agency receives an annual Request for Information.

FINDING

After spending nearly 13 hours hearing testimony and meeting with agency personnel and other interested parties, the Subcommittee finds that **it has no confidence that CMA is efficiently or effectively fulfilling its mission.** This finding is adopted unanimously at the Subcommittee meeting on April 11, 2018.⁸² There are a number of specific concerns arising from the study, including:

- **Failure to fulfill statutory duties related to research and statistics.** Although several of the duties listed in S.C. Code Ann. § 1-31-40 relate to production and dissemination of statistical data, CMA has produced only four research reports in the last five years. Further, this issue is identified in the June 2015 performance review of CMA conducted by the S.C. Office of the Inspector General, and it remains unresolved nearly three years later.⁸³
- **Failure to fulfill statutory duty to maintain hotline to receive reports of violations of immigration laws.** S.C. Code Ann. § 8-30-10, enacted in 2008, requires CMA to “establish and maintain a twenty-four hour toll free telephone number and electronic website to receive, record, collect, and report allegations of violations of federal immigration laws or related provisions of South Carolina law.” Nine years after the enactment of that law, in October 2017, CMA has signed a memorandum of understanding with a nonprofit organization called Polaris that operates a national human trafficking hotline. Now, a decade after the law’s enactment, the agency has not yet established a hotline to receive reports of violations of immigration laws, but it plans to contract with a private company to provide one.⁸⁴
- **Board member divisions.** Although the CMA board chair testifies in support of the agency, two other board members testify about serious concerns they have with agency operations and the inability of the board to rectify these problems. Director Smith testifies that efforts to establish formal board training for new members have been unsuccessful. The 2015 Inspector General review of CMA also identifies concerns about the agency’s board. This is a second issue that remains unresolved nearly three years later.⁸⁵
- **Misleading testimony.** Subcommittee members express concerns that some testimony given by agency personnel during the study is misleading. Examples include:
 - An assertion that another state agency is uncooperative with CMA requests for data, when in fact CMA staff have not made a request of that agency in several years;
 - Testimony that the only financial support provided to the South Carolina Micro-Enterprise Network (SCMEN), the nonprofit organization operated by the agency, is “sponsorship” of SCMEN’s conference, when in fact 80-95% of the total expenses for each of the last four annual conferences have been paid from CMA’s budget (see *Recommendation* section and *Table 9* below); and
 - Overrepresentation of agency efforts, such as: a survey of state and local policy makers that turned out to be a mass email to which no one responded; and a goal of encouraging the introduction and passage of legislation that is actually carried out by simply tracking a few bills online.⁸⁶
- **Ineffective use of staff training.** Director Smith testifies that information gleaned from staff training is not used to revise agency policies or practices.⁸⁷

- **Mission drift.** Subcommittee members express concerns that CMA is not focusing on the policy research and support for the statewide minority community that should be its primary mission. This is also identified as a major issue in the 2015 Inspector General review of CMA, and it is a third issue that remains unresolved nearly three years later.⁸⁸

RECOMMENDATION

General Information

The following **recommendation relates to an area identified for potential improvement** by the Subcommittee. The Subcommittee recognizes this recommendation will not satisfy everyone nor address **every issue or potential area of improvement at the agency**. This recommendation is based on the agency's self-analysis requested by the full Committee, discussions with the agency during multiple meetings, and analysis of the information obtained by the Subcommittee. This information, including, but not limited to, the Program Evaluation Report, Accountability Report, Restructuring Report and videos of meetings with the agency, is available on the Committee's website.

Continue

The Subcommittee does not have any specific recommendations with regards to continuance of agency programs.

Curtail (i.e. Revise)

The Subcommittee recommends that the **Commission for Minority Affairs refrain from starting or maintaining any nonprofit organizations**. This recommendation is adopted unanimously at the Subcommittee meeting on April 11, 2018.⁸⁹

During the study, agency representatives testify that CMA currently operates a nonprofit organization called the South Carolina Micro-Enterprise Network (SCMEN). It is a network that provides training, technical assistance, and advice to small and minority businesses. The intent is for SCMEN to become independent of CMA. However, two CMA staff members currently serve on its board, one as president. The only people who receive pay from SCMEN are consultants hired to provide training, none of whom are CMA staff.⁹⁰

On October 24, 2017, agency representatives testify that CMA's only financial contribution to SCLEN is "sponsorship" of its annual Microbusiness Conference.⁹¹ However, documents provided by the agency at the Subcommittee's request reveal the following contributions from the CMA budget to each SCLEN conference:⁹²

Table 9. CMA contributions to conference of the S.C. Micro-Enterprise Network, a nonprofit organization.

Year	CMA Contribution to SCLEN Conference	% of Total Conference Cost Paid by CMA
2013	\$0.00	0%
2014	\$5,134.00	92%
2015	\$42,448.51	84%
2016	\$46,209.34	91%
2017	\$27,592.04	95%

Agency representatives also testify that CMA employees have previously started two other nonprofit organizations. One was designed specifically to obtain funding through the Supplemental Educational Services (SES) program of the U.S. Department of Education, which agency representatives indicate could not be awarded directly to a state agency. They report that the nonprofit received the funding, then distributed it to local teachers who provided tutoring services for students struggling in reading and math. The nonprofit also reimbursed CMA for the office space and staff time it provided.⁹³

Agency representatives testify that the other nonprofit organization started by agency staff was created to apply for a specific grant that was not awarded, so the nonprofit organization never received any money and is not currently functional.⁹⁴

The S.C. Office of the Attorney General has opined that a state agency may create a nonprofit organization "for fundraising and to assist the entity in carrying out its statutory purpose and mission," and also notes this is common practice for public colleges and universities.⁹⁵ However, professional resources for nonprofits caution against the conflict of loyalties that can result when representatives of those funding a nonprofit serve on its board.⁹⁶ Questions about the relationship between CMA and the nonprofit organizations its staff have created are raised in constituent testimony before the Committee.⁹⁷ Subcommittee questioning spurred by this testimony evidences a concern that the appearance of such a conflict may impede CMA's ability to effectively utilize nonprofit organizations it creates to assist it in carrying out its statutory purpose and mission.⁹⁸

Eliminate

The Subcommittee does not have any specific recommendations with regards to elimination of agency programs.

INTERNAL CHANGES IMPLEMENTED BY AGENCY RELATED TO STUDY PROCESS

On April 11, 2018, Director Smith testifies that CMA has implemented the following internal changes as a result of the oversight process:⁹⁹

- Consistently logging telephone calls requesting technical assistance;
- Developing a spreadsheet to track technical assistance provided;
- Adding a language translation feature to the agency's website; and
- Posting dates and times of board and advisory committee meetings on the agency's website.

ADDITIONAL INFORMATION

During the study process, CMA presents three recommendations for changes to laws or agency operations. The Subcommittee unanimously rejects two of these; the Subcommittee takes no action on the third. **The recommendations that are rejected are as follows:**¹⁰⁰

Agency Recommendation 1: Delete S.C. Code of Laws § 1-31-40(5), which states, “Provide the minority community with assistance and information on Voting Rights Act submissions in the State, as well as other related areas of concern to the minority community.”

CMA representatives assert that because South Carolina is no longer subject to the pre-clearance requirement of the Voting Rights Act, this statutory duty no longer applies. Subcommittee members indicate that even without the pre-clearance requirement, there continues to be a role for CMA in providing information and assistance to the minority community related to other provisions of the Voting Rights Act.¹⁰¹

Agency Recommendation 2: Amend the regulation which mandates the composition of the Native American Advisory Committee to include term limits for members.

Opposition to this recommendation is expressed because it relates directly to the personal conflicts noted during the study between agency employees and board members.¹⁰²

SELECTED AGENCY INFORMATION

Commission for Minority Affairs. "Program Evaluation Report, 2016."

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Agency Contact Information

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⁵ S.C. House of Representatives, House Legislative Oversight Committee, "April 11, 2018 Meeting Packet," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Minority Affairs, Commission for," and under "Meetings," pp. 7-9, http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/MinorityAffairs/4.11.18_Meeting_Packet_EDTNR.pdf (accessed April 13, 2018).

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⁸ Act 85 of 2003.

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¹⁰ Act 280 of 2008.

¹¹ CMA 2016-2017 Accountability Report, p. 1.

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⁴⁴ A brochure about the House Legislative Oversight’s Committee process and ongoing opportunities to request notification when meetings are scheduled and to provide feedback about state agencies under study are available online under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” and under “Public Participation,” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed April 7, 2018).

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⁴⁹ S.C. House of Representatives, House Legislative Oversight Committee, “Submit Public Input,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” and under “Public Participation,” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed April 7, 2018).

⁵⁰ Results of Survey (June 27-July 28, 2017), p. 7.

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⁵² Committee Standard Practice 10.4.2 allows for the redaction of profanity.

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⁵⁴ Also, the chair of either the Committee or a Subcommittee has the discretion to allow testimony during meetings.

⁵⁵ S.C. House of Representatives, House Legislative Oversight Committee, “October 16, 2017 Meeting Minutes,” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Minority Affairs, Commission for,” and under “Meetings,” <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/October%2016,%202017%20Meeting%20Minutes.pdf> (accessed April 7, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/archives.php>. Hereinafter, “October 16, 2017 Meeting Minutes and Video.”

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[Video Archives](#).

⁷² January 25, 2018 Meeting Minutes and Video.

⁷³ [CMA Meetings](#);

[Video Archives](#).

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⁷⁵ [CMA Meetings](#);

[Video Archives](#).

⁷⁶ February 22, 2018 Meeting Minutes and Video.

⁷⁷ [CMA Meetings](#);

[Video Archives](#).

⁷⁸ April 11, 2018 Meeting Minutes and [Video](#) (Minutes will be posted when approved at the next Subcommittee meeting).

⁷⁹ [CMA Meetings](#);

[Video Archives](#).

⁸⁰ Committee Standard Practice 14.1.

⁸¹ Committee Standard Practice 14.2.

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⁸⁵ October 16, 2017 Meeting [Minutes](#) and [Video](#). See video at 1:03:02, 57:52, and 1:39:40.

October 24, 2017 Meeting [Minutes](#) and [Video](#). See video at 1:51:45.

[2015 Inspector General Review of CMA](#).

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⁹⁰ October 24, 2017 Meeting [Minutes](#) and [Video](#). See video at 1:56:00.

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⁹⁶ Masaoka, Jan, "Nonprofit Conflict of Interest: A 3-Dimensional View," <http://www.blueavocado.org/content/nonprofit-conflict-interest-3-dimensional-view> (accessed April 17, 2018).

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⁹⁷ October 16, 2017 Meeting [Minutes](#) and [Video](#). See video at 1:54:30.

⁹⁸ October 24, 2017 Meeting [Minutes](#) and [Video](#). See video at 1:55:55.

November 20, 2017 Meeting [Minutes](#) and [Video](#). See video at 1:17:40.

December 19, 2017 Meeting [Minutes](#) and [Video](#). See video at 1:25:30.

April 11, 2018 Meeting Minutes and [Video](#) (Minutes will be posted when approved at the next Subcommittee meeting). See video at 1:38:00.

⁹⁹ April 11, 2018 Meeting Minutes and [Video](#) (Minutes will be posted when approved at the next Subcommittee meeting). See video at 17:00.

¹⁰⁰ S.C. House of Representatives, House Legislative Oversight Committee, "April 11, 2018 Meeting Packet," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Minority Affairs, Commission for," and under "Meetings," pp. 7-9, http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/MinorityAffairs/4.11.18_Meeting_Packet_EDTNR.pdf (accessed April 13, 2018).

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¹⁰¹ November 20, 2017 Meeting [Minutes](#) and [Video](#). See video at 24:30.

April 11, 2018 Meeting Minutes and [Video](#) (Minutes will be posted when approved at the next Subcommittee meeting). See video at 58:00 and 1:50:30.

¹⁰² November 20, 2017 Meeting [Minutes](#) and [Video](#). See video at 26:00.

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¹⁰³ Act 164 of 1993, Part II, Section 110.

¹⁰⁴ U.S. Census Bureau, "ACS Demographic and Housing Estimates - 2012-2016 American Community Survey 5-Year Estimates."

<https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> (accessed April 18, 2018).

¹⁰⁵ U.S. Census Bureau, "Selected Economic Characteristics - 2011-2015 American Community Survey Selected Population Tables."

<https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> (accessed April 18, 2018). See Civilian Labor Force Unemployment Rate. Note that the racial categories include people who indicated each race alone or in combination with one or more other races.

¹⁰⁶ U.S. Census Bureau, "Selected Economic Characteristics - 2011-2015 American Community Survey Selected Population Tables."

<https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> (accessed April 18, 2018). See per capita income. Note that the racial categories include people who indicated each race alone or in combination with one or more other races.

¹⁰⁷ U.S. Census Bureau, "Selected Economic Characteristics - 2011-2015 American Community Survey Selected Population Tables."

<https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> (accessed April 18, 2018). See percent of all people under 18 whose income in the past 12 months is below the poverty level. Note that the racial categories include people who indicated each race alone or in combination with one or more other races.

¹⁰⁸ U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Health Statistics, "Health, United States, 2016," pp. 125-127, <https://www.cdc.gov/nchs/data/hus/hus16.pdf> (accessed April 19, 2018). See 2012-2014 annual average in Table 12, Infant mortality rates, by race and Hispanic origin of mother, state, and territory on pp. 125-127. Note that the categories "white" and "African American" exclude Hispanics/Latinos.

¹⁰⁹ Measure of America of the Social Science Research Council, "American Human Development Report – The Measure of America 2013-2014," pp. 45-51, <http://www.measureofamerica.org/wp-content/uploads/2013/06/MOA-III.pdf> (accessed April 19, 2018). See "American Human Development Index by State, 2010" tables.

¹¹⁰ S.C. Department of Education, "State Scores by Grade Level and Demographic Category (2017)," under "Data," under "Test Scores," under "State Assessments," under "SC READY," under "2017," and under "Grade 8," <https://ed.sc.gov/data/test-scores/state-assessments/sc-ready/2017/state-scores-by-grade-level-and-demographic-category/?ID=999999> (accessed April 19, 2018). Note that unlike other data used in Appendix B, these do not include people of multiple races.

¹¹¹ S.C. Department of Corrections, "Profile of inmates in Institutional Count (Including Inmates on Authorized Absence) as of June 30, 2017," under "Research," under "Statistics," under "Inmate Population at Fiscal Year-End," and under "Statistics by Race and Gender On June 30, 2017," http://www.doc.sc.gov/research/InmatePopulationStats/ASOF_InstitutionalCountProfile_FY17.pdf (accessed April 19, 2018).

¹¹² S.C. Department of Juvenile Justice, "Annual Statistical Report 2016-2017," under "Pubs and Videos," under "DJJ Reports," and under "Annual Statistical Reports," p. 8, <http://www.state.sc.us/djj/pdfs/2016-17%20Annual%20Statistical%20Report.pdf> (accessed April 19, 2018).

¹¹³ S.C. Code Ann. Regs. 139-102 *et seq.*

¹¹⁴ S.C. Commission for Minority Affairs, "SC Native American Recognized Entities," under "Native American," <http://cma.sc.gov/native-american-affairs/> (accessed April 20, 2018);

S.C. House of Representatives, House Legislative Oversight Committee, "Native American Affairs Documents," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Minority Affairs, Commission for," under "Meetings," and under "Monday, November 20, 2017," pp. 4-5, http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/MinorityAffairs/CMA_Native_American_Affairs_Documents.PDF (accessed April 16, 2018).

¹¹⁵ S.C. Code Ann. Regs. 139-107.

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House of Representatives

State of South Carolina

Member Statement for the Subcommittee Study of the Commission for Minority Affairs

During the Economic Development, Transportation, and Natural Resources Subcommittee's study of the Commission for Minority Affairs (CMA), I listened intently to hours of testimony and reviewed hundreds of pages of documents submitted during the legislative oversight process. This thorough review of the agency left me with significant concerns as to the agency leadership's ability to fulfill its vital mission.

The roles and responsibilities of the CMA are noble and important to minority communities in South Carolina. As I stated in the Subcommittee's final meeting with the agency, the minority populations of South Carolina deserve a CMA that fulfills its functions. Unfortunately, as outlined in the report, testimony and materials presented during the study did not reflect engaged leadership at the agency. As the great American poet Maya Angelou observed, "Nothing will work unless you do." As these are wise and true words, I recommend the Governor consider replacing the board members who bear the ultimate responsibility for setting the course of the agency and choosing an executive director who can effectively lead the staff in their daily activities.

It is my sincere hope that now that this Subcommittee's concerns about the CMA have been brought to light, the Governor and the agency will take necessary action to ensure this agency fulfills its vital mission.

A handwritten signature in black ink, appearing to read "Mandy Powers Norrell".

The Honorable Mandy Powers Norrell
Subcommittee Member

Legislative Oversight Committee



South Carolina House of Representatives

Committee Mission

Determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed or eliminated. Inform the public about state agencies.

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