

Chair Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

Legislative Oversight Committee

*Katherine E. (Katie) Arrington
William K. (Bill) Bowers
Neal A. Collins
MaryGail K. Douglas
William M. (Bill) Hixon
Jeffrey E. (Jeff) Johnson
Robert L. Ridgeway, III
Bill Taylor
John Taliaferro (Jay) West, IV*



South Carolina House of Representatives

*Bruce W. Bannister
Gary E. Clary
Chandra E. Dillard
Phyllis J. Henderson
Joseph H. Jefferson, Jr.
Mandy Powers Norrell
Tommy M. Stringer
Edward R. Tallon, Sr.
Robert Q. Williams*

*Jennifer L. Dobson
Research Director*

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Research Analyst/Auditor*

*Kendra H. Wilkerson
Fiscal/Research Analyst*

Legislative Oversight Committee Meeting

**Tuesday, October 23, 2018
Blatt Building Room 110
10:00 a.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 Chairman Weston Newton on Tuesday, October 23, 2018, in Room 110 of the Blatt Building. The following members are in attendance for all or a portion of the meeting: Representative Bruce Bannister; Representative William K. (Bill) Bowers; Representative Gary E. Clary; Representative Chandra E. Dillard; Representative Laurie Slade Funderburk; Representative Phyllis Henderson; Representative William M. (Bill) Hixon; Representative Joseph H. Jefferson, Jr.; Representative Robert L. Ridgeway, III; Representative Edward R. (Eddie) Tallon; Representative John T. (Jay) West, IV; Representative Robert Q. Williams; and Representative Wm. Weston Newton.

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 Wm. Weston Newton calls the meeting to order.
- III. Representative Gary E. Clary moves to approve the minutes from the Committee's meeting on June 26, 2018. A roll call vote is held, and the motion passes.

Representative Clary's motion to approve the minutes from the June 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.	✓			
Jeffrey 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 Department of Disabilities and Special Needs

- I. Representative Phyllis Henderson introduces the study of the Department of Disabilities and Special Needs. Representative Henderson discusses the history of the department, the background of the study, and the study process.
- II. Director Poole provides remarks and answers questions from the committee members. Chairman Newton reminds Director Poole that he is under oath.
- III. Representative Edward Tallon moves that the subcommittee study include the new DDSN director’s recommendations for onboarding training and continuing education for commissioners and provide and update to the committee in six months. Also, an update would be warranted on the status of additional mechanisms for feedback from stakeholders.

Representative Tallon’s motion that the subcommittee study include the new DDSN director’s recommendations for onboarding training and continuing education for commissioners and provide and update to the committee in 6 months. Also, an update would be warranted on the status of additional mechanisms for feedback from stakeholders:	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.	✓			
Jeffrey 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 Henderson moves that the subcommittee study include a recommendation that DDSN become a cabinet agency. Specifically, the agency head will be appointed by the Governor with advice and consent of the Senate. Also, the Commission on Disabilities and Special Needs would continue to exist, but in an advisory capacity. All responsibilities currently assigned to the Commission would devolve to the Department.

Representative Henderson’s motion that the subcommittee study include a recommendation that DDSN become a cabinet agency. Specifically, the agency head will be appointed by the Governor with advice and consent of the Senate. Also, the Commission on Disabilities and Special Needs would continue to exist, but in an advisory capacity. All responsibilities currently assigned to the Commission would devolve to the Department:	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.	✓			
Jeffrey 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	✓			
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V. Representative Henderson moves that the subcommittee study include a recommendation that the county disability and special needs boards as defined in S.C. Code § 44-20-30, serve in an advisory capacity to the county director. All responsibilities currently assigned to the county boards, including hiring of the county director would devolve to the Department. The county disabilities and special needs board offices would become county offices of DDSN.

Representative Henderson’s motion that the subcommittee study include a recommendation that the county disability and special needs boards as defined in S.C. Code § 44-20-30, serve in an advisory capacity to the county director. All responsibilities currently assigned to the county boards, including hiring of the county director would devolve to the Department. The county disabilities and special needs board offices would become county offices of DDSN:	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.	✓			
Jeffrey 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	✓			

- VI. Mr. Courtney provides remarks regarding his perspective on DDSN as an agency, the funding and payment of employees, oversight at the county level and explanation of the Aiken county system. Chairman Newton reminds Mr. Ralph Courtney, Executive Director of the Aiken County Board of Disabilities that he is under oath.
- VII. Representative Henderson moves to approve the subcommittee study of DDSN as amended.

Representative Henderson’s motion that the subcommittee study of DDSN be approved as amended:	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.	✓			
Jeffrey 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 Department of Revenue

- I. Representative Bruce Bannister introduces the study of the Department of Revenue, including the history of DOR, the background of the study, and the study process. Representative Bannister provides a summary of the agency recommendations.
- II. Director Powell provides testimony regarding the agency and answers questions from the committee members. Chairman Newton reminds DOR Director Hartley Powell that he is under oath.
- III. Representative Bill Hixon moves that the subcommittee study include a recommendation that DOR study S.C. Code Section 12-36-150 and return to the committee with a recommendation that applies to that code section.

Representative Hixon's motion that the subcommittee study include a recommendation that DOR study S.C. Code Section 12-36-150 and return to the committee with a recommendation that applies to that code section:	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.	✓			
Jeffrey 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 Bannister moves that the Committee adopt the subcommittee study of the Department of Revenue in full, omitting recommendation 3, amending recommendation 4 as discussed, and adding Representative Hixon’s motion.

Representative Bannister’s motion that the Committee adopt the subcommittee study of the Department of Revenue in full, omitting recommendation 3, amending recommendation 4 as discussed, and adding Representative Hixon’s motion:	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.	✓			
Jeffrey 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 Commission on Prosecution Coordination

- I. Representative Tallon introduces the subcommittee study of the Commission on Prosecution Coordination, including the study process, background of study, and a summary of the agency recommendations and findings.
- II. Representative Tallon moves to adopt the subcommittee study of the Prosecution Coordination Commission.

Representative Tallon’s motion to adopt the subcommittee study of the Prosecution Coordination Commission:	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.	✓			
Jeffrey 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 Department of Parks, Recreation, and Tourism

- I. Representative Gary E. Clary introduces the subcommittee study of the Department of Parks, Recreation and Tourism (PRT), including the background of the study, the study process, and a summary of the recommendations and findings for the agency.
- II. Representative Clary moves that the subcommittee study include a recommendation that: (1) PRT work with the Department of Natural Resources (DNR) and the Conservation Bank to create a comprehensive list of properties, which a citizen could search by different fields. These fields may include the area of the state, accessibility, and amenities available; and (2) All three agencies post the same list on their respective websites so it is easily accessible by a citizen. This will help provide access to the citizen, regardless of the agency with which the citizen may be most familiar.

Representative Clary’s motion that (1) PRT work with DNR and the Conservation Bank to create a comprehensive list of properties, which a citizen could search by different fields. These fields may include the area of the state, accessibility, and amenities available; and (2) All three agencies post the same list on their respective websites so it is easily accessible by a citizen. This will help provide access to the citizen, regardless of the agency with which the citizen may be most familiar:	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.	✓			
Jeffrey 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	✓			

III. Representative Funderburk moves that the subcommittee study include a recommendation that SCPRT and DOR collaborate on how to utilize each agency's different expertise to ensure the auditing required for film incentives is accomplished as efficiently as possible. Further, the General Assembly consider adopting any statutory revisions the agencies recommend to assist in implementing this recommendation.

Representative Funderburk's motion that the subcommittee study include a recommendation that SCPRT and DOR collaborate on how to utilize each agency's different expertise to ensure the auditing required for film incentives is accomplished as efficiently as possible. Further, the General Assembly consider adopting any statutory revisions the agencies recommend to assist in implementing this recommendation:	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.	✓			
Jeffrey 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	✓			
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IV. Representative Clary moves that the subcommittee study include a recommendation that the General Assembly consider revising Proviso 117.21, or placing similar language in statute, to clarify the information required must come from not just organizations to which agencies are directed to provide funds in budget line items or provisos, but also organizations to which agencies are directed to provide funds in statute, if the agency has no control over how that organization spends the funds. The information required is already set forth in the Proviso.

Representative Clary’s motion that the subcommittee study include a recommendation that the General Assembly consider revising Proviso 117.21, or placing similar language in statute, to clarify the information required must come from not just organizations to which agencies are directed to provide funds in budget line items or provisos, but also organizations to which agencies are directed to provide funds in statute, if the agency has no control over how that organization spends the funds. The information required is already set forth in the Proviso:	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.	✓			
Jeffrey 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	✓			
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V. Representative Clary moves to adopt the subcommittee study of SCPRT in full, with the addition of the recommendations and findings added during the full committee meeting.

Representative Clary's motion to adopt the subcommittee study of SCPRT in full, with the addition of the recommendations and findings added during the full committee 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.	✓			
Jeffrey 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 Commission on Indigent Defense

- I. Representative Tallon introduces the subcommittee study on the Commission on Indigent Defense, including the Commission’s history, the background of the study, and the study process. Representative Tallon also provides a summary of agency recommendations and findings.
- II. Director Hugh Ryan provides testimony regarding the agency and answers questions from the committee members. Chairman Newton reminds Commission on Indigent Defense Director Hugh Ryan that he is under oath.
- III. Representative Tallon moves to adopt the subcommittee study of the Commission on Indigent Defense in full.

Representative Tallon’s motion to adopt the subcommittee study of the Commission on Indigent Defense in full:	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.	✓			
Jeffrey 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 Educational Television Commission

- I. Representative Joseph H. Jefferson, Jr. introduces the study of the Educational Television Commission, including the history of the commission, the background of the study, and the study process. Representative Jefferson also provides a summary of agency recommendations and findings for the Educational Television Commission.

- II. ETV President Anthony Padgett answers a question from the committee. Chairman Newton reminds President Padgett that he is under oath.

- III. Representative Jefferson moves to adopt the subcommittee study of the Educational Television Commission in full.

Representative Tallon’s motion to adopt the subcommittee study of the Commission on Indigent Defense in full:	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.	✓			
Jeffrey 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 discusses administrative matters for the committee, including the ability of members to submit written statements for inclusion in committee studies pursuant to standard practice rules 12.4 and 13.4.

- II. There being no further business, the meeting was adjourned.