

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*

*Cathy A. Greer
Administration Coordinator*

**Post Office Box 11867
Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811
Room 228 Blatt Building**

*Charles L. Appleby, IV
Legal Counsel*

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

*Kendra H. Wilkerson
Fiscal/Research Analyst*

Economic Development, Transportation, and Natural Resources Subcommittee

Monday, September 10, 2018

10:00 a.m.

Blatt Room 110

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 Economic Development, Transportation, and Natural Resources Subcommittee meeting was called to order by Chair Bruce W. Bannister on Monday, September 10, 2018, in Room 110 of the Blatt Building. The following other members of the Subcommittee were present for either all or a portion of the meeting: Representative Neal Collins, Representative Mandy Powers Norrell, and Representative Robert L. Ridgeway III.

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. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meetings.

- II. Representative Collins makes a motion to approve the minutes from the August 13, 2018, meeting. A roll call vote is held, and the motion passes.

Rep. Collins' motion to approve the minutes from the August 13, 2018, meeting:	Yea	Nay	Not Voting
Rep. Collins	✓		
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

Discussion of the Department of Labor, Licensing and Regulation (LLR)

- I. After being sworn in by Chair Bannister, Mr. Anthony Thomas addresses the Subcommittee. He testifies about his concerns related to the role of LLR's Occupational Safety and Health Administration (OSHA) in an investigation into an injury he suffered in his workplace.
- II. Chair Bannister swears in the following LLR employees:
 - a. Kristina Baker, Deputy Director, OSHA
 - b. Jim Knight, Deputy Director, Immigration Compliance and Elevators and Amusement
- III. The following LLR representatives testify:
 - a. LLR Director Emily Farr discusses the finances and employees of the agency as a whole and several agency divisions/offices (OSHA, Wages and Child Labor Enforcement, Immigration Compliance, and Elevators and Amusement Rides).
 - b. Deputy Director Baker discusses the goals and legal requirements of the OSHA Division and the Office of Wages and Child Labor. She also explains the agency's law recommendations related to both offices.
 - c. Deputy Director Knight discusses the goals and legal requirements of the Office of Immigration Compliance and the Office of Elevators and Amusement Rides. He also explains the agency's law recommendation related to the Office of Elevators and Amusement Rides.

They each respond to questions from Subcommittee members during and after their testimony.

Discussion of the Department of Revenue (DOR)

- I. Chair Bannister explains that the purpose of this portion of the meeting is to consider Subcommittee recommendations for the study of DOR.
- II. DOR Director Hartley Powell responds to opening questions from Subcommittee members.
- III. Subcommittee members discuss the agency’s recommendations for law changes. Director Powell answers questions during the discussions. The following motions are made and pass by roll call vote:

Rep. Ridgeway’s motion that the Subcommittee recommend that the General Assembly amend S.C. Code § 12-54-265 to allow DOR to participate in the Financial Institution Data Match (FIDM) program to share data files with financial institutions to identify financial assets of debtors with past due liabilities, using the draft language proposed by DOR:	Yea	Nay	Not Voting
Rep. Collins	✓		
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

Rep. Ridgeway’s motion that the Subcommittee recommend that the General Assembly amend S.C. Code § 12-54-122(G) to allow DOR to implement a centralized system of filing and indexing of tax liens that is accessible to the public through SCDOR’s website, using the draft language proposed by DOR:	Yea	Nay	Not Voting
Rep. Collins	✓		
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

Rep. Ridgeway’s motion that the Subcommittee recommend that the General Assembly amend S.C. Code § 61-2-145 to allow the liability coverage provided by the tort claims act for governmental entities to satisfy the liability coverage required for a governmental entity to hold an alcohol beverage on premise consumption license, using the draft language proposed by DOR:	Yea	Nay	Not Voting
Rep. Collins			✓
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

Rep. Bannister's motion that the Subcommittee include for information purposes the agency's recommendation that the General Assembly amend S.C. Code Title 61, Chapter 2 to provide consistent statutory guidance for the SCDOR and the courts in applying penalties for alcohol licensing violations, using the draft language proposed by DOR:	Yea	Nay	Not Voting
Rep. Collins	✓		
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

Rep. Ridgeway's motion that the Subcommittee recommend that the General Assembly amend S.C. Code Title 12, Chapter 6 to provide clear guidelines to determine eligibility for the income tax credit for the purchase of new energy efficient vehicles, using the draft language proposed by DOR:	Yea	Nay	Not Voting
Rep. Collins	✓		
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

Rep. Bannister's motion that the Subcommittee recommend that the General Assembly amend definitions in S.C. Code § 12-36-70 to ensure that third party sales will be subject to tax, using the draft language proposed by DOR:	Yea	Nay	Not Voting
Rep. Collins	✓		
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

- IV. The following motion regarding an additional Subcommittee recommendation is made, and passes by roll call vote:

Rep. Bannister’s motion that the Subcommittee recommend that DOR investigate the costs and benefits of giving local governments the option of collecting local taxes through the MyDORWAY system and update the Committee on its findings within 6 months of the publication of the full Committee report:	Yea	Nay	Not Voting
Rep. Collins	✓		
Rep. Norrell			✓ (absent)
Rep. Ridgeway	✓		
Rep. Bannister	✓		

- V. Chair Bannister directs Committee staff to draft the report of the study of DOR and provide it to Subcommittee members by October 1, 2018.

Tour of the South Carolina Fire Academy (LLR)

- I. State Fire Marshal Jonathan Jones, Fire Academy Superintendent/Assistant State Fire Marshal Dennis Ray, and LLR Director Farr lead the Subcommittee members in a tour of the South Carolina Fire Academy. They provide an overview of the training and other activities that take place at the Academy and answer questions from Subcommittee members.
- II. There being no further business, the meeting is adjourned.