

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO CHANGES FOR CONSIDERATION FOR FY 2024-25**

SECTION 42 - L320 - HOUSING FINANCE AND DEVELOPMENT AUTHORITY

- 42.6 DELETE** (HFDA: SC Housing Statewide Assessment) Directs that \$100,000 shall be used by the Authority for a statewide housing needs assessment prepared by the Darla Moore School of Business. Provides reporting requirements of the assessment. Directs that a copy of the assessment be provided by June 30, 2023, to the Chairmen of the Senate Finance and House Ways and Means Committees.
WMC: DELETE proviso.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~42.6. (HFDA: SC Housing Statewide Assessment) For Fiscal Year 2022-23, of the funds appropriated to the Housing Finance and Development Authority, \$100,000 shall be used for a comprehensive statewide housing needs assessment prepared by the Darla Moore School of Business. The assessment must include the following:~~

~~(1) a statement by the authority on housing policies and recommendations for South Carolina; and~~

~~(2) an evaluation and summary of housing conditions and trends in South Carolina broken down by geographic regions including, but not limited to, the Upstate, the Midlands, and the Lowcountry, including housing stock of all types and housing costs analyses, general population and household composition demographic analyses, and housing and demographic forecasts.~~

~~The assessment also must include an evaluation of housing assistance needs that is based in part on the evaluation described in item (2). Further, the assessment must include a discussion of major housing issues, including housing production, housing and neighborhood conservation, housing for persons with special needs, fair housing and accessibility, and housing affordability. In preparing the assessment, the authority and the Darla Moore School of Business may obtain input from housing authorities, community-based organizations, the private housing industry, and other persons interested in housing assistance and development. A copy of the assessment must also be provided to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by June 30, 2023.~~

- 42.7 ADD** (HFDA: Collaboration) **WMC:** ADD new proviso to direct HFDA to collaborate with Habitat for Humanity to explore funding opportunities to increase and preserve the supply of affordable and workforce housing.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

42.7. (HFDA: Collaboration) To address the issues of lack of affordable home ownership across the state, the South Carolina Housing Finance and Development Authority shall collaborate with Habitat for Humanity South Carolina to explore funding opportunities aimed at increasing and preserving the supply of affordable housing and workforce housing in the State.

SECTION 44 - P160 - DEPARTMENT OF AGRICULTURE

- 44.11 AMEND** (AGRI: State Farmers Market Escrow Accounts) Allows the department to retain remaining revenues from the State Farmers Market Escrow and State Farmers Market Sale Proceeds and expend the funds on planning, development, construction, improvement, and maintenance of the State Farmers Market.
WMC: AMEND proviso to add “Lease Escrow” in regards to retained revenues.

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HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

44.11. (AGRI: State Farmers Market Escrow Accounts) The department may retain remaining revenues associated with the State Farmers Market Escrow, *Lease Escrow*, and the State Farmers Market Sale Proceeds and may expend these funds for the planning, development, construction, improvement, and maintenance of the State Farmers Market including, but not limited to, capital improvements approved by the Joint Bond Review Committee and the State Fiscal Accountability Authority.

SECTION 45 - P200 - CLEMSON UNIVERSITY - PSA

45.11 **DELETE** (CU-PSA: Feasibility Study) **WMC:** ADD new proviso to direct Clemson PSA to conduct a study for the establishment of a Center for Civic Engagement to cultivate a culture of civic engagement and leadership.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*45.11. (CU-PSA: Feasibility Study) Clemson PSA shall conduct a feasibility study for the establishment of a Center for Civic Engagement to work with students, individuals, organizations, and others at all levels to cultivate and encourage a culture of civic engagement and leadership. The Center's primary focus is to establish collaboratives to empower grassroots and community-based stakeholders, committed to making a positive impact and build their capacity to protect public values, provide opportunities to influence public concerns, and improve and enhance overall quality of life.*~~

SECTION 47 - P240 - DEPARTMENT OF NATURAL RESOURCES

47.16 **AMEND** (DNR: Matching Grant Programs) Directs \$1,000,000 of the funds appropriated to the SC Conservation Bank to be provided to DNR as the state match for the NAWCA matching grant program, and \$3,000,000 be provided as the state match for the Pittman-Robertson Wildlife Restoration Act for the matching grant program. Requires the department to annually report to SFC, HWM, and the SC Conservation bank on the utilization of the funds and the impact on conservation efforts.

WMC: AMEND proviso to extend matching opportunities to similar wetland projects. Changes the Pittman Robertson Wildlife Restoration Act to the Wildlife and Sportfish Restoration. Requested by Department of Natural Resources.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

47.16. (DNR: Matching Grant Programs) Of the funds appropriated and/or authorized to the South Carolina Conservation Bank, \$1,000,000 shall be provided to the Department of Natural Resources as the state match for the North American Wetlands Conservation Act (NAWCA) ~~matching grant program~~ *or similar wetland enhancement and restoration projects that benefit waterfowl subject to the prior consent of the Bank*, and \$3,000,000 as the state match for the ~~Pittman-Robertson Wildlife Restoration Act matching~~ *Wildlife and Sportfish Restoration* grant program. The department annually shall report to the Senate Finance Committee, the House Ways and Means Committee, and the South Carolina Conservation Bank regarding utilization of the funds and the impact of the funds on conservation efforts in the State of South Carolina.

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- 47.19** **AMEND** (DNR: Deer Processing Pilot Program) Allows funds appropriated to the department to be utilized to create a pilot program awarding grants to deer processors who agree to process antlerless deer without a fee to the hunter, with the purpose of harvesting antlerless deer in areas where they impact the agriculture sector. States the processors must agree to donate the processed meat to non-profit organizations. Requires a report to be provided to the Chairmen of SFC and HWM on the implementation of the program and the grants awarded by June 30.
WMC: AMEND proviso to update fiscal year reference.
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

47.19. (DNR: Deer Processing Pilot Program) Funds appropriated to the Department of Natural Resources for the Pilot Deer Donation Program shall be used for the creation and implementation of a deer processing pilot program. This program shall be designated to incentivize the harvesting of antlerless deer in areas that are having impacts on the agriculture sector of the State’s economy. The grants to processors will allow hunters to deliver antlerless deer to the processors without a processing fee if the deer is to be donated as established by the department in the grant. The department is authorized to create a program and provide grants year-round to deer processors in this state. Grants shall only be provided to deer processors who agree to donate the processed meats to non-profit organizations. The department shall establish a fee structure to be paid to cooperating deer processors before awarding grants. The department may contract with vendors without competition. A report shall be provided by the department to the Chairmen of the Senate Finance and House Ways and Means Committees by June 30, 2024 2025, on the implementation of the pilot program and the grants awarded.

- 47.bc** **ADD** (DNR: Barnwell County) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to redirect funds appropriated for the Steel Creek Boat Landing Repair to the County of Barnwell for the Barnwell Outdoor Amphitheater.

47.bc. (DNR: Barnwell County) Funds remaining of the \$200,000 appropriated in Act 94 of 2021, Section 118.18(B)(77) to the Department of Natural Resources for the Steel Creek Boat Landing Repair shall be redirected to the County of Barnwell for the Barnwell Outdoor Amphitheater.

SECTION 49 - P280 - DEPARTMENT OF PARKS, RECREATION, AND TOURISM

- 49.1** **CONFORM TO FUNDING/AMEND** (PRT: Tourism and Promotion) Provides for the distribution of Regional Promotions funds to the 11 Regional Tourism groups.
WMC: AMEND proviso to change the numerical disbursements to percentages.
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING.

49.1. (PRT: Tourism and Promotion) The funds appropriated in this act for Regional Promotions shall be distributed equally to the eleven Regional Tourism groups, except that the Grand Strand Tourism Region’s funds shall be divided, with ~~\$71,237~~ 22% distributed to the Myrtle Beach Chamber of Commerce, ~~\$163,784~~ 51.11% distributed to the Georgetown Chamber of Commerce, ~~\$42,717~~ 13.33% distributed to the City of Georgetown, and ~~\$42,717~~ 13.33% distributed to the Williamsburg Chamber of Commerce for tourism-related activities. In addition, \$150,000 shall be distributed to the Lake Wylie Chamber of Commerce. The Myrtle Beach

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Chamber of Commerce and the Georgetown Chamber of Commerce shall submit a report to the Senate Finance Committee and the House Ways and Means Committee by December first each year describing how these funds were expended in the prior fiscal year.

- 49.bc** **ADD** (PRT: Barnwell County) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to redirect funds appropriated for the Barnwell County YMCA to the County of Barnwell for the Barnwell Outdoor Amphitheater.

49.bc. (PRT: Barnwell County) Funds remaining of the \$1,500,000 appropriated in Act 102 of 2023, Section 118.19(B)(86)(i) to the Department of Parks, Recreation and Tourism for the Barnwell County YMCA shall be redirected to the County of Barnwell for the Barnwell Outdoor Amphitheater.

SECTION 50 - P320 - DEPARTMENT OF COMMERCE

- 50.23** **ADD** (CMRC: Job Development Tax Credit Program) **WMC:** ADD new proviso to allow state agencies responsible for the Jobs Development Tax Credit program to increase fees charged to companies to cover the operation expenses.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

50.23. (CMRC: Job Development Tax Credit Program) The state agencies responsible for management, reporting, approving, and auditing the Jobs Development Tax Credit program may increase fees charged to companies within the program as necessary to cover the operation expenses of the program. These fees would be included in each agency's Fines and Fees Annual Report.

- 50.24** **CONFORM TO FUNDING/ADD** (CMRC: SC Nexus Carryforward) **WMC:** ADD new proviso to allow the department to carry forward unexpended funds for SC Nexus into the current fiscal year.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING.

50.24. (CMRC: SC Nexus Carryforward) The Department of Commerce may carry forward unexpended funds from the prior fiscal year of allocation/grant funds appropriated and/or authorized for SC Nexus into the current fiscal year for the same purpose.

SECTION 52 - P360 - PATRIOTS POINT DEVELOPMENT AUTHORITY

- 52.2** **DELETE** (PPDA: Option to Lease Agreement) **WMC:** ADD new proviso to direct the Authority not to amend any Option to Lease Agreement with the Congressional Medal of Honor Museum Foundation without approval from JBRC. Requires the Authority to report if the conditions of the agreement have not been satisfied within 60 days of the expiration. Directs the Authority to report by December 1 to the Chairmen of SFC and WMC and provides the required information for the report.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

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~~52.2. (PPDA: Option to Lease Agreement) (A) For Fiscal Year 2024-25, the Patriots Point Development Authority shall not amend any Option to Lease Agreement with the Congressional Medal of Honor Museum Foundation, Inc. without approval by the Joint Bond Review Committee (JBRC). Furthermore, the Patriots Point Development Authority shall report if the conditions of the Option to Lease Agreement have not been satisfied within sixty (60) days prior to the expiration of the Option to Lease Agreement Term to JBRC.~~

~~(B) The Patriots Point Development Authority shall provide a report by December 1, 2024, to the Chairman of Senate Finance Committee and the Chairman of House Ways and Means Committee with the following information:~~

~~(1) an inventory of all current lease agreements for real property including the terms of each lease agreement and the fair market value of the property;~~

~~(2) current and projected capital improvement costs;~~

~~(3) annual maintenance efforts and an updated deferred maintenance schedule; and~~

~~(4) an updated debt and obligation schedule.~~

SECTION 54 - P450 - RURAL INFRASTRUCTURE AUTHORITY

54.6 ADD (RIA: Carry Forward - Planning and Technical Assistance Funds) **WMC:** ADD new proviso to allow unexpended funds for Planning and Technical Assistance to be carried forward into the current fiscal year.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

54.6. (RIA: Carry Forward - Planning and Technical Assistance Funds) The Rural Infrastructure Authority may carry forward unexpended funds appropriated for Planning and Technical Assistance - Small & Rural Utilities from the prior fiscal year into the current fiscal year to be used for the same purpose.

SECTION 81 - R360 - DEPARTMENT OF LABOR, LICENSING AND REGULATION

81.16 ADD (LLR: Meals in Emergency Operations) **WMC:** ADD new proviso to allow the cost of meals or food products to be provided to state employees and volunteers who are not permitted to leave their duty stations during emergencies and emergency exercises. Requested by Department of Labor, Licensing, and Regulation.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

81.16. (LLR: Meals in Emergency Operations) The cost of meals, or the advanced purchase of food products to be stored and prepared for meals, may be provided to state employees and volunteers who are not permitted to leave assigned duty stations during actual emergencies and emergency simulation exercises.

SECTION 88 - Y140 - STATE PORTS AUTHORITY

88.1 AMEND (SPA: Charleston Cooper River Bridge Project) Directs the State Ports Authority to pay the State Transportation Infrastructure Bank \$1,000,000 before June 30, 2024 to continue the Charleston Cooper River Bridge Project.

WMC: AMEND proviso to update fiscal year references.

HOU: ADOPT proviso as amended.

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SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

88.1. (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, ~~2023~~ 2024, pay to the State Transportation Infrastructure Bank one million dollars before June 30, ~~2024~~ 2025, to continue the Charleston Cooper River Bridge Project.

88.4 **DELETE** (SPA: Transfer of Port of Georgetown) Allows the State Ports Authority to transfer the Port of Georgetown real property to the County of Georgetown in “as-is” condition through a quit-claim deed no later than June 30, 2023. Requires all funds in the Georgetown Port Maintenance to be transferred to the State Ports Authority and to be approved by the Georgetown County Council and the State Ports Authority Board of Directors. Allows the approval to satisfy the fiduciary duties of each approving body.

WMC: DELETE proviso.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~**88.4.** (SPA: Transfer of Port of Georgetown) The South Carolina State Ports Authority will transfer the Port of Georgetown real property, including buildings, fixtures, and certain equipment, to the County of Georgetown in “as is” condition including, but not limited to, any appurtenances and the assumption of any existing leases through a quit claim deed no later than June 30, 2023. Any and all funds in the Georgetown Port Maintenance Dredging Fund shall be transferred to the South Carolina State Ports Authority in full consideration for such transfer, which is deemed to be just and fair compensation. Only the approval of the Georgetown County Council and the South Carolina State Ports Authority Board of Directors is required for this transaction, and such approval shall satisfy the fiduciary duties of each approving body related to this transfer.~~

88.7 **DELETE** (SPA: Transfer of Funds to Georgetown County) Directs funds appropriated in Act 298 of 2014 to the State Ports Authority for Georgetown Port Dredging to be transferred to Georgetown County. Allows the county to use up to \$1,500,000 for the purchasing and development of excess port property within the county.

WMC: DELETE proviso.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~**88.7.** (SPA: Transfer of Funds to Georgetown County) Funds appropriated in Act 298 of 2014 to the State Ports Authority for Georgetown Port Dredging shall be transferred to Georgetown County. Of the funds transferred, the county may use up to \$1,500,000 for the purchase of excess port property within the county and shall use the balance of the funds for development of county property previously owned by the State Ports Authority.~~

88.8 **AMEND** (SPA: Transfer of Interest in Joint Venture Analysis) Directs the South Carolina State Ports Authority (SCSPA) to distribute up to \$1,500,000 of funds previously appropriated in the Jasper Ocean Terminal Facility Permitting and Infrastructure Fund to the Southern Carolina Regional Development Alliance (SCRDA) for service as an intermediary and professional service provider with counties with economic interests in Jasper County’s ocean terminal-related improvements and to engage in negotiations with Georgia Ports Authority (GPA) regarding SCSPA’s one-half interest in the Jasper Ocean Terminal Joint Venture Agreement. Directs that

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SCRDA shall submit a written request to the Department of Commerce for review and approval of a distribution from SCSPA to SCRDA before the distribution of funds. Directs SCRDA to provide a report summarizing negotiations and communications with GPA to the President of Senate, Speaker of the House, and the Governor by 1/31/24.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year reference.

88.8. (SPA: Transfer of Interest in Joint Venture Analysis) Of the funds previously appropriated to the South Carolina State Ports Authority (SCSPA) in the Jasper Ocean Terminal Facility Permitting and Infrastructure Fund, SCSPA is directed to distribute, in installments and subject to the approvals as hereinafter provided, up to \$1,500,000 to the Southern Carolina Regional Development Alliance (SCRDA) for SCRDA's service as an intermediary and service provider on behalf of a coalition of its interested member counties with economic interests in Jasper County's ocean terminal-related improvements to procure legal, financial, and other professional services necessary to analyze, and to the extent appropriate, engage in negotiations with the Georgia Ports Authority (GPA) regarding a potential assignment of SCSPA's one-half interest in the Jasper Ocean Terminal Joint Venture Agreement to either SCRDA or an entity comprised of its interested member counties. Prior to receiving funds from SCSPA, SCRDA shall submit a written request to the Department of Commerce for the review and written approval of a distribution from SCSPA to SCRDA, which approval shall not be unreasonably withheld, with a copy of the written request by SCRDA and the written approval from the Department of Commerce to be provided to SCSPA prior to the distribution of funds. On or before January 31, ~~2024~~ 2025, SCRDA shall submit a written report to the President of the South Carolina Senate, the Speaker of the South Carolina House of Representatives, and the Governor of South Carolina, summarizing the substance of its negotiations and communications with GPA and recommending a course of action for consideration.

SECTION 92D - D300 - OFFICE OF RESILIENCE

92D.1 **AMEND** (SCOR: Catastrophic Weather Event) Directs that improvements to real or personal property used as a residence, such as a mobile home or manufactured housing unit, resulting from damage caused by the catastrophic weather event in October 2015, Hurricane Matthew of 2016, or Hurricane Florence of 2018, made after the event and before June 30, 2024, is not considered an improvement and may not be reassessed at a higher rate as a result of the improvement. Directs that for the current fiscal year, an eligible property's tax value shall remain the same unless an assessable transfer of interest occurs.

WMC: AMEND proviso to update fiscal year reference and update technical reference.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

92D.1. (SCOR: Catastrophic Weather Event) (A) Any improvements made to real property or personal property used as a residence, such as a mobile home or manufactured housing unit, damaged during the catastrophic weather event in October 2015, Hurricane Matthew of 2016, or Hurricane Florence of 2018, after the event and before June 30, ~~2024~~ 2025, is not considered an improvement and may not be reassessed at a higher rate as a result of the assistance provided. This provision only applies if, as a result of the catastrophic weather event, the improvements made to the property were funded by the United States Department of Housing and Urban Development Block Grant - Disaster Recovery program implemented by the Office of Resilience, or its predecessor the Disaster Recovery Office. This provision also applies if, at the discretion

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of the county and using qualifications determined by the county, the improvements were made with the assistance of a volunteer organization active in disaster, or a similar volunteer organization.

(B) During the current fiscal year, the property tax value of an eligible property shall remain the same unless an assessable transfer of interest occurs. No refund is allowed on account of values adjusted as provided in this provision.

92D.2 CONFORM TO FUNDING/AMEND (SCOR: Leave Balances) Directs that temporary grant employees transferred from DOA’s Disaster Recover Office who become full-time equivalent employees at the Office of Resilience shall retain any leave they accrued prior to being transferred.

WMC: AMEND proviso to delete reference to DOA in regards to the Disaster Recovery Office and add language to allow TGEs with SCOR who become full time FTEs with SCOR to retain leave.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING.

92D.2. (SCOR: Leave Balances) Any temporary grant employees (*TGEs*) transferred from the ~~Department of Administration’s~~ *former South Carolina* Disaster Recovery Office to the Office of Resilience, *or who are TGEs with SCOR* who become full time *equivalent (FTE)* employees *with SCOR*, shall retain any leave accrued prior to the transfer.

92D.4 DELETE (SCOR: MUSC Flooding Safety) **WMC:** ADD new proviso to direct SCOR to use \$34 million of the Disaster Relief and Resilience Fund or the remaining ARPA relief funds allocated to SCOR to construct two elevated pedestrian bridges to ensure MUSC staff access during stormwater events and flooding events.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*92D.4. (SCOR: MUSC Flooding Safety) The Office of Resilience shall utilize \$34 million in appropriations from Act 244 of 2022 and/or Act 84 of 2023 for the Disaster Relief and Resilience Reserve Fund to partner with the Medical University of South Carolina and construct two elevated pedestrian bridges to ensure patient and staff access to university property during stormwater events and other flooding events.*~~

92D.cb ADD (SCOR: Carolina Bays Study) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the Office of Resilience, in collaboration with DNR, to study and identify wetlands and streams that should be covered to attain resilience objectives of the Disaster Relief and Resilience Act and the water quality and biological integrity objectives of the Pollution Control Act. Directs the Conservation Bank, the Office of Resilience, and DNR to collaborate on a report of the findings for conservation and protection. Directs that the report and agency recommendations be submitted to the President of the Senate, the Speaker of the House, the Chairmen of the Senate Finance and House Ways and Means Committees, and the DES for their consideration.

92D.cb. (SCOR: Carolina Bays Study) (A) Of funds appropriated and with the advice and guidance of the Conservation Bank, the Office of Resilience, in collaboration with the Department of Natural Resources, shall study and identify which of the State’s wetlands and streams, or categories of wetlands and streams, including Carolina Bays, should be covered to attain the resilience objectives of the Disaster Relief and Resilience Act and the water quality

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and biological integrity objectives of the Pollution Control Act, other than wetlands and other waters subject to federal jurisdiction under the Clean Water Act.

(B) In performing the duties outlined above, the Office of Resilience, the Department of Natural Resources, and the Conservation Bank shall consult and coordinate with the Department of Environmental Services, the Department of Agriculture, the Forestry Commission, the Department of Parks, Recreation and Tourism, and any other public or private stakeholders, as appropriate and necessary.

(C) The Conservation Bank, the Office of Resilience, and the Department of Natural Resources shall collaborate on a report of the findings identifying wetlands and streams referenced in section (A) for conservation and protection. Under the guidance and authority of the Conservation Bank, the report also shall enumerate goals, policies, and strategies for prioritizing the preservation of wetlands; make recommendations for a state permitting and mitigation programs for identified wetlands and streams while allowing reasonable development through a fair, flexible, and balanced permit decisions; and explore, develop, and recommend possible financial incentives for wetlands preservation, restoration, and rehabilitation.

(D) The report of findings and agency recommendations shall be submitted to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Department of Environmental Services for their consideration and further action.

SECTION 112 - V040 - DEBT SERVICE

- 112.1 CONFORM TO FUNDING/DELETE** (DS: Ports Authority Loan) Directs the State Ports Authority to reimburse the General Fund the loan amount and interest accrued for the Charleston Harbor Deepening Project once they receive the federal government’s share of the Charleston Harbor Deepening Project.
WMC: DELETE proviso.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING.

~~112.1. (DS: Ports Authority Loan) Upon receipt of the federal government’s share of the Charleston Harbor Deepening Project, the State Ports Authority shall reimburse the General Fund the amount of the loan received pursuant to Proviso 112.2 of Act 264 of 2018 for cash flow needs related to the Charleston Harbor Deepening Project, together with interest accrued to the date of reimbursement, calculated at the rate earned on the General Fund for the period during which the loan remains outstanding.~~

- 112.2 CONFORM TO FUNDING/AMEND** (DS: Excess Debt Service) Directs that excess debt service funds available in FY 2022-23 may be used to pay down general obligation bond debt. Requires the Treasurer to notify the Chairman and the Vice Chairman of JBRC before funds are used.
WMC: AMEND proviso to update the fiscal year reference.
HOU: ADOPT proviso as amended.
SFC SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING.

~~112.2. (DS: Excess Debt Service) Excess debt service funds available in Fiscal Year 2023-24 2024-25 may be expended in the fiscal year to pay down general obligation bond debt for which the State (1) is paying the highest rate of interest; (2) will achieve relief in constrained debt capacity; or (3) reduce the amount of debt issued. Prior to the use of these funds, the Office~~

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of the State Treasurer shall notify the Chairman and Vice Chairman of the Joint Bond Review Committee.

SECTION 117 - X900 - GENERAL PROVISIONS

117.15 AMEND (GP: Allowance for Residences & Compensation Restrictions) Authorizes specific positions to occupy agency-owned residences without charge and provides compensation guidelines.

WMC: AMEND proviso to delete the reference to DHEC and update to the Department of Public Health and the Department of Environmental Services and to include Francis Marion in the permission to occupy residences owned by the respective department without charge.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.15. (GP: Allowance for Residences & Compensation Restrictions) *(A)* That salaries paid to officers and employees of the State, including its several boards, commissions, and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee. The charge for these items may be payroll deducted at the discretion of the Comptroller General or the chief financial officer at each agency maintaining its own payroll system. This shall not apply to the Governor's Mansion, nor to guards at any of the state's penal institutions and nurses and attendants at the Department of Disabilities and Special Needs, and registered nurses providing clinical care at the MUSC Medical Center, nor to the Superintendent and staff of the Governor's School for Agriculture at John de la Howe, nor to the cottage parents and staff of Wil Lou Gray Opportunity School, nor to full-time or part-time staff who work after regular working hours in the SLED Communications Center or Maintenance Area, nor to adult staff at the Governor's School for Science and Mathematics and the Governor's School for Arts and Humanities who are required to stay on campus by the institution because of job requirements or program participation. Any state institution of higher learning may provide complimentary membership privileges to employees who work at their wellness centers. The presidents of those state institutions of higher learning authorized to provide on-campus residential facilities for students may be permitted to occupy residences on the grounds of such institutions without charge.

(B) Any state institution of higher learning may provide a housing allowance to the president in lieu of a residential facility, the amount to be approved by the State Fiscal Accountability Authority.

(C) That the following may be permitted to occupy residences owned by the respective departments without charge: the Farm Director, Farm Managers, and Specialists employed at the Wateree River Correctional Institution; the South Carolina State Commission of Forestry fire tower operators, forestry aides, and caretaker at central headquarters; the Department of Natural Resources' Wildlife Management Area Personnel, Fish Hatchery Personnel, and Heritage Trust Personnel; Director of Wil Lou Gray Opportunity School; President of the School for the Deaf and the Blind; houseparents for the Commission for the Blind; South Carolina Department of Public Health and Environmental Control personnel at the State Park Health Facility and Camp Burnt Gin; South Carolina Department of Environmental Services personnel at the State Park Health Facility; Residence Life Coordinators at Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at Winthrop University and Francis Marion University; Farm Superintendent at Winthrop University;

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Residence Hall Directors at the College of Charleston; the Department of Disabilities and Special Needs' physicians and other professionals at Whitten Center, Clemson University Off-Campus Agricultural Staff and Housing Area Coordinators; and TriCounty Technical College's Bridge to Clemson Resident and Area Directors; and housing maintenance night supervisors, residence life directors, temporary and transition employees, and emergency medical personnel occupying residences owned by the University of South Carolina. Except in the case of elected officials, the fair market rental value of any residence furnished to a state employee shall be reported by the state agency furnishing the residence to the Agency Head Salary Commission, and the Department of Administration by October first of each fiscal year.

(D) All salaries paid by departments and institutions shall be in accord with a uniform classification and compensation plan, approved by the Department of Administration, applicable to all personnel of the State Government whose compensation is not specifically fixed in this act. Such plan shall include all employees regardless of the source of funds from which payment for personal service is drawn. The Department of Administration is authorized to approve temporary salary adjustments for classified and unclassified employees who perform temporary duties which are limited by time and/or funds. When approved, a temporary salary adjustment shall not be added to an employee's base salary and shall end when the duties are completed and/or the funds expire. Academic personnel of the institutions of higher learning and other individual or group of positions that cannot practically be covered by the plan may be excluded therefrom but their compensations as approved by the Department of Administration shall, nevertheless, be subject to review by the State Fiscal Accountability Authority. Salary appropriations for employees fixed in this act shall be in full for all services rendered, and no supplements from other sources shall be permitted or approved by the State Fiscal Accountability Authority. With the exception of travel and subsistence, legislative study committees shall not compensate any person who is otherwise employed as a full-time state employee. Salaries of the heads of all agencies of the State Government shall be specifically fixed in this act and no salary shall be paid any agency head whose salary is not so fixed. As long as there is no impact on appropriated funds, state agencies and institutions shall be allowed to spend public funds and/or other funds for designated employee award programs which shall have written criteria approved by the agency governing board or commission. For purposes of this section, monetary awards, if any, shall not be considered a part of an employee's base salary, a salary supplement, or a perquisite of employment. The names of all employees receiving monetary awards and the amounts received shall be reported annually to the Department of Administration.

(E) In the case of lodging furnished by certain higher education institutions to employees, the prevailing local rate does not apply if the institution meets the exceptions for inadequate rent described in the current Internal Revenue Code Section 119(d)(2). To meet the exception, rental rates must equal the lesser of five percent of the appraised value of the qualified campus lodging, or the average of the rentals paid by individuals (other than employees or students of the educational institution) during the calendar year for lodging provided by the educational institution which is comparable to the qualified campus lodging provided to the employee, over the rent paid by the employee for the qualified campus lodging during the calendar year. The appraised value shall be determined as of the close of the calendar year in which the taxable year begins, or, in the case of a rental period not greater than one year, at any time during the calendar year in which the period begins.

117.131 AMEND (GP: Offshore Oil) Prohibits funds appropriated or authorized to DHEC or to local government entities to be expended to approve a plan, permit, license application or other authorization for: (1) the transportation of unrefined or unprocessed oil or gas into the state's territorial waters or onto its lands, from offshore oil and gas production platforms and related infrastructure in the Atlantic Ocean; (2) for exploration, development, or production of unrefined

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or unprocessed oil or gas from within the state’s territorial waters; and (3) for exploration, development, or production of unrefined or unprocessed oil or gas in the Atlantic Ocean. Provides definitions for development, exploration, production and territorial waters of SC.

WMC: AMEND proviso to change reference from DHEC to the Department of Environmental Services.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.131. (GP: Offshore Oil) (A) For the current fiscal year, no funds appropriated or authorized to the Department of ~~Health and Environmental Control~~ *Environmental Services*, or to local governmental entities, including but not limited to counties, municipalities and special purpose districts, may be expended to approve a plan, permit, license application or other authorization for:

(1) the construction or use of infrastructure for which the principal purpose is to facilitate the transportation of unrefined or unprocessed oil or gas into the territorial waters of South Carolina, or onto the lands of South Carolina, from offshore oil and gas production platforms and related infrastructure in the Atlantic Ocean;

(2) activities for which the principal purpose is the exploration, development, or production of unrefined or unprocessed oil or gas from within the territorial waters of South Carolina; or

(3) activities for which the principal purpose is the exploration, development, or production of unrefined or unprocessed oil or gas in the Atlantic Ocean.

(B) For purposes of this proviso:

(1) “Development” means the design, planning, permitting, licensing, authorization or construction of infrastructure for which the principal purpose is the production of oil or gas.

(2) “Exploration” means any activity for which the principal purpose is to define, characterize, test for or evaluate oil or gas resources for possible commercial development or production.

(3) “Production” means any activity for which the principal purpose is to engage in, monitor, or conduct operations or maintenance related to the active extraction of unrefined or unprocessed oil or gas.

(4) “Territorial waters of South Carolina” means waters located within the state of South Carolina and waters of the Atlantic Ocean extending out to three nautical miles from the mean low-water mark of South Carolina’s naturally occurring coastline.

117.148 AMEND (GP: Electricity Market Reform) Directs that the Electricity Market Reform Measures Study Committee issue a report on its findings no later than January 31, 2024. Directs that the committee may continue to meet past that date and issue additional reports.

WMC: AMEND proviso to update the fiscal year reference.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.148. (GP: Electricity Market Reform) The Electricity Market Reform Measures Study Committee shall issue a report on its work to the General Assembly no later than January 31, ~~2024~~ 2025; however, nothing in this provision prohibits the committee from continuing to meet past January 31, ~~2024~~ 2025 and issue additional reports pursuant to Act 187 of 2020.