

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

SECTION 43 - P120 - FORESTRY COMMISSION

43.5 ADD (Sale of Promotional Items) **WMC:** ADD new proviso to authorize the Forestry Commission to sell promotional items that advocate for forestry and forest culture to generate funds for agency operations. Allow unexpended funds to be carried forward and used for the same purpose. Requested by Forestry Commission.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

43.5. (FC: Sale of Promotional Items) The Forestry Commission may sell promotional items that advocate for the forestry and forest culture, including items featuring the South Carolina Forestry Commission Forest Life brand logo, for the purposes of generating funds for the agency operations. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and used for the same purposes.

SECTION 45 - P200 - CLEMSON UNIVERSITY - PSA

45.10 ADD (Regulatory Services Programs) **WMC:** ADD new proviso to direct the PSA to lead the effort to eradicate the Asian Longhorned Beetle. Direct that all revenues and recoveries from USDA-APHIS shall be retained by the PSA Regulatory Services Program to carry out program operations. Requested by Clemson University - PSA.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

45.10. (CU-PSA: Regulatory Services Programs) For the current fiscal year, Clemson University Public Service Activities shall lead state and federal eradication efforts of the Asian Longhorned Beetle (Anoplophora glabripennis). All revenues and recoveries from USDA Animal and Plant Health Inspection Service (USDA-APHIS) for Clemson University PSA's Regulatory Services Programs and its departments shall be retained by Clemson University-PSA's Regulatory Services Program for purposes of carrying out the operation of its programs.

SECTION 47 - P240 - DEPARTMENT OF NATURAL RESOURCES

47.14 ADD (Waterfowl Impoundments Projects) **WMC:** ADD new proviso to authorize the department to enter into agreements with a qualified, not for profit entity that has received NAWCA funds for a project and that specializes in waterfowl impoundment development, on land owned by the department or by the state and managed by the department. Direct that the entity is considered a sole source provider. Require the department have a representative present to view the opening of the bids. Requested by Department of Natural Resources.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

47.14. (DNR: Waterfowl Impoundments Projects) The Department of Natural Resources, when procuring goods and services for the planning, development, construction, improvement, and/or maintenance of waterfowl impoundments on land owned by the department or owned by the state and managed by the department, may enter into agreements with a qualified, not-for-profit entity that has received North American Wetlands Conservation Act (NAWCA) funds for a project and specializes in waterfowl impoundment development, and that entity is considered a sole source provider under the provisions of Section 11-35-1560 of the 1976 Code. The

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

department shall be required to have a representative of the agency present to view the opening of bids with this provision.

- 47.nw** **ADD** (Non-native Wildlife) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct DNR to spend up to \$100,000 to develop and implement a program to encourage the voluntary surrender of Black and White Tegus. Direct that SC residents shall be eligible to receive a \$100 payment for each live Tegus surrendered to the department. Direct the department to establish a time period to accept the Tegus of not more than 120 days.

47. nw. (DNR: Non-native Wildlife) From the funds appropriated to the Department of Natural Resources, the department shall expend up to \$100,000 to develop and implement a program to encourage the voluntary surrender of Black and White Tegus (Salvator merianae, and its hybrids). South Carolina residents shall be eligible to receive a payment of \$100 for each live Black and White Tegus surrendered to the department and payment must be remitted in an expedited manner. The department shall provide for a time period to accept Black and White Tegus that shall not exceed one-hundred twenty days.

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

- 49.14** **DELETE** (Beach Access) Directs PRT to use state park funds to open pedestrian, non-motorized vehicular and golf cart ingress and egress to Myrtle Beach State Park at the intersection of US Hwy 17 and Center South Road and/or at other locations which legally and safely affords such ingress and egress. Directs that this access is subject to department rules and regulations that govern uniform closure of park ingress during periods of peak usage.
WMC: DELETE proviso. Requested by Department of Parks, Recreation and Tourism.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~49.14. (PRT: Beach Access) Of the funds appropriated for state parks, the department shall utilize such funds to open pedestrian, non-motorized vehicular and golf cart ingress and egress to Myrtle Beach State Park at the intersection of US Highway 17 and Center South Road in Myrtle Beach, and/or at other location(s) which legally and safely affords such ingress and egress. Said access shall be subject to the rules and regulations of the department governing uniform closure of park ingress during periods of peak usage.~~

- 49.18** **ADD** (Destination Specific Tourism) **WMC:** ADD new proviso to allow the agency director to reduce the Destination Specific Tourism Marketing recurring funds grant match requirement for FY 21-22. Direct that the adjustment shall be based on prior fiscal year financial statements and cash balances submitted with the application, along with the forecast data proved by the destination. Direct that there shall not be a match requirement for non-recurring funds.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

49.18. (PRT: Destination Specific Tourism) The agency director shall be allowed to reduce the grant match requirement for the recurring funds appropriated to the Destination Specific Tourism Marketing grant program for Fiscal Year 2021-22. The adjustment to the match requirement shall be based on the financial statements and cash balance on hand at the end of the prior fiscal year submitted with the application, along with the forecast data provided by

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

each destination. There shall not be a match requirement on non-recurring funds appropriated to this program.

- 49.19 ADD** (State Park Employee Housing) **WMC:** ADD new proviso to direct the Comptroller General, at the request of a PRT State Park Service employee and with department authorization, to make deductions from the employee's compensation for rental payments for residential housing located within a SC State Park. Direct the Comptroller General to pay the amounts collected by the payroll deduction to PRT for the department to use exclusively for state park operations. Requested by Department of Parks, Recreation, and Tourism.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

49.19. (PRT: State Park Employee Housing) The Comptroller General shall, upon request of an employee of the South Carolina Department of Parks, Recreation & Tourism's State Park Service, and with the authorization of the department, make deductions from the employee's compensation for rental payments of an employee's residential housing that is located within a South Carolina State Park. The Comptroller General shall pay over to the Department of Parks, Recreation and Tourism all amounts collected by payroll deduction for this purpose for the exclusive use by the department for state park operations.

SECTION 52 - P360 - PATRIOTS POINT DEVELOPMENT AUTHORITY

- 52.3 ADD** (USS Laffey Loan Principal Payment Exemption) **WMC:** ADD new proviso to exempt Patriots Point from paying the principal amount due for FY 2021-22 on the outstanding USS Laffey Loan.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

52.3. (PPDA: USS Laffey Loan Principal Payment Exemption) Patriots Point Development Authority shall be exempt from paying the principal amount due for Fiscal Year 2021-22 on the outstanding USS Laffey loan.

SECTION 53 - P400 - S.C. CONSERVATION BANK

- 53.1 ADD** (Trust Program Carry Forward) **WMC:** ADD new proviso to authorize the Conservation Bank to carry forward unexpended funds allocated to the Conservation Bank Trust Program. Requested by S.C. Conservation Bank.
HOU: ADOPT new proviso.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

53.1. (CB: Trust Program Carry Forward) The Conservation Bank may carry forward any unexpended funds allocated to the Conservation Bank Trust Program 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

- 81.13 ADD** (First Responder PTSD Treatment) **WMC:** ADD new proviso to direct the department to distribute First Responder PTSD treatment funds appropriated to the State Fire Marshal's Office to the S.C. Firefighter Assistance Support Team to reimburse firefighters and EMT's for

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

actual out-of-pocket expenses for mental injury not covered through workers' compensation claims or other insurance. Allow the funds to also be used to provide services through the support team. Direct LLR to promulgate any necessary administrative regulations. Requested by Department of Labor, Licensing and Regulation.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

81.13. (LLR: First Responder PTSD Treatment) Of the funds appropriated to the Department of Labor, Licensing and Regulation - State Fire Marshal's Office for first responder PTSD treatment, the department shall distribute funds to the South Carolina Firefighter Assistance Support Team (FAST) to reimburse firefighters and emergency medical technicians who incur mental injury as a result of a critical incident during the scope of employment for actual out-of-pocket expenses not covered through workers compensation claims and/or other insurance. These funds may also be utilized to provide services through the South Carolina Firefighter Assistance Support Team. The department shall promulgate any administrative regulations necessary to carry out these provisions.

81.14 ADD (Compensatory Payment) **WMC:** ADD new proviso to allow exempt Office of State Fire Marshal employees, at the agency director's discretion and if funds are available, to be paid for actual hours worked in lieu of accruing comp time during a Governor declared State of Emergency or in a situation that requires the use of mutual assistance under Section 25-1-450 [DUTIES OF STATE, COUNTY, AND MUNICIPAL GOVERNMENTS FOR MUTUAL ASSISTANCE IN EMERGENCIES]. Requested by Department of Labor, Licensing and Regulation.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

81.14. (LLR: Compensatory Payment) In the event a State of Emergency is declared by the Governor or in the event of a situation requiring the use of mutual assistance under Section 25-1-450 of the 1976 Code, exempt employees of the Department of Labor, Licensing and Regulation's Office of State Fire Marshal may be paid for actual hours worked, in lieu of accruing compensatory time, at the discretion of the agency director, and providing funds are available.

SECTION 88 - Y140 - STATE PORTS AUTHORITY

88.1 AMEND (Charleston Cooper River Bridge Project) Directs the State Ports Authority to pay the State Transportation Infrastructure Bank \$1,000,000 before June 30, 2021 to continue the Charleston Cooper River Bridge Project.

WMC: AMEND proviso to update fiscal year references from "2019" to "2021" and from "2021" to "2022." *Meets the obligations of the State Ports Authority and the State Infrastructure Bank's financial agreement. Per the Ports Authority, the commitment of the agency is to provide \$1,000,000 per year for 25 years, until 2027.* Requested by State Ports Authority.

HOU: ADOPT proviso as amended.

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, ~~2019~~ 2021, pay to the State

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

Transportation Infrastructure Bank one million dollars before June 30, ~~2021~~ 2022, to continue the Charleston Cooper River Bridge Project.

- 88.5 DELETE** (Jasper Ocean Terminal Permitting) Directs that not more than \$5,000,000 of the funds specifically appropriated for the Jasper Ocean Terminal be spent to purchase a portion of the real property available for purchase through the Option Agreement by and between Sherwood Plantation, Inc and Southern Carolina Regional Development Alliance dated September 20, 2017. Provides for the purchased property to be transferred to Jasper County under certain conditions. Directs the authority to use Jasper Ocean Terminal funds for activities approved and directed by the joint venture governing board that are associated with advancing the project during FY 2019-20. Prohibits the funds from being used to reimburse the authority's prior fiscal year expenditures. Requires the authority to provide progress reports to the General Assembly by the first day of the 2020 legislative session and by June 30, 2020.
WMC: DELETE proviso. Requested by State Ports Authority.
HOU: ADOPT deletion.
SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~88.5. (SPA: Jasper Ocean Terminal Permitting) From funds specifically appropriated to the State Ports Authority (SPA) for the Jasper Ocean Terminal, not more than \$5,000,000 shall be spent on the purchase of real property as may be available for purchase through that certain Option Agreement by and between Sherwood Plantation, Inc., and Southern Carolina Regional Development Alliance (SCRDA) dated September 20, 2017, as may be amended, so long as SCRDA secures the right to and assigns said Option Agreement to the SPA no later than September 30, 2019. In no event and under no circumstance shall the cost, expense, purchase price, payments, fees, or any associated charges for the acquisition of such property cause the SPA to expend more than the \$5,000,000 appropriated for this purpose. It is understood that this limitation shall result in less than the full acreage currently under option being purchased by the SPA.~~

~~Should the Option Agreement be exercised by the SPA, then SPA shall take title and include in the deed language providing that such property purchased pursuant to the Option Agreement shall be transferred to Jasper County by operation of law in the event that upon the fifth anniversary of the closing on such property the property has not been sold, leased, or otherwise utilized for an economic development project that will utilize port facilities. The intent of such condition is to develop the property in a manner that highlights the necessity of the Jasper Ocean Terminal.~~

~~Any funds appropriated to the (SPA) for the Jasper Ocean Terminal remaining after the exercise of and purchase of real property pursuant to the Option Agreement or in the event the SCRDA does not assign the Option Agreement by September 30, 2019, shall be utilized by the SPA to pay for activities approved and directed by the joint venture governing board and associated with advancing the Project during FY 2019-20. In connection with activities that are approved and directed by the joint venture, SPA shall comply with the directive of Section 54-3-115 of the South Carolina Code in regard to taking "all action necessary to expeditiously develop a port in Jasper County." Activities undertaken during FY 2019-20 may include, but are not limited to, the following:~~

- ~~1. working on a corporate governance model for the joint venture as an operating port;~~
- ~~2. working on terminal simulation for design and operation;~~
- ~~3. working on plans, studies, and modeling in conjunction with the respective South Carolina and Georgia Departments of Transportation and the metropolitan planning organization to identify and assess supporting road and rail infrastructure for the terminal footprint including, but not limited to, supporting infrastructure that may have independent utility;~~

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

- ~~4.— working on sedimentation modeling for impacts on construction and dredging;~~
- ~~5.— taking actions in furtherance of obtaining: (a) a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act; (b) a permit pursuant to Section 404 of the Clean Water Act, to prepare a Channel Modification Feasibility Study; and (c) studies necessary in connection with developing an Environmental Impact Statement for the Project; and~~
- ~~6.— discharging its obligations pursuant to its Joint Venture Agreement with the Georgia Ports Authority.~~

~~The funds appropriated to SPA for the Jasper Ocean Terminal Permitting may not be used for reimbursement of SPA expenditures made in a prior fiscal year and must be used only for one or more of the purposes set forth above.~~

~~SPA shall provide a detailed report in writing to the members of the South Carolina General Assembly on or before the first day of the 2020 legislative session and another such report on or before June 30, 2020, describing the progress made as of the dates of those reports in regard to the Jasper Ocean Terminal, such to include a description of the ongoing and planned work.~~

88.6 DELETE (Jasper Ocean Terminal Port Facility Infrastructure Fund) Creates the Jasper Ocean Terminal Port Facility Infrastructure Fund. Directs the State Ports Authority to maintain the fund. Directs the fund be separate from the General Fund and used exclusively by the authority for the Jasper Ocean Terminal Port facility. Directs that these funds be carried forward and used for the same purpose.

WMC: DELETE proviso. Requested by State Ports Authority.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~**88.6.** (SPA: Jasper Ocean Terminal Port Facility Infrastructure Fund) There is created within the State Ports Authority the Jasper Ocean Terminal Port Facility Infrastructure Fund. The State Ports Authority shall maintain the Jasper Ocean Terminal Port Facility Infrastructure Fund and any funds appropriated in this act for this purpose shall be deposited into this account. This fund shall be separate and distinct from the General Fund and interest accrued by the fund must remain in the fund. This fund must be used exclusively by the State Ports Authority for activities associated with the development of the Jasper Ocean Terminal Port facility and infrastructure necessary to support the facility. These funds shall be carried forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.~~

88.7 AMEND NEW PROVISO (Jasper Ocean Terminal) **WMC:** Create the Jasper Ocean Terminal Port Facility Infrastructure Fund. Direct the State Ports Authority to maintain the fund. Direct the fund be separate from the General Fund and used exclusively by the authority for capital infrastructure expenditures supporting development of the Jasper Ocean Terminal Port facility. Prohibit the authority from spending or committing funds that exceeds the amount of funds appropriated or designated by Georgia without written consent from the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees. Direct that these funds be carried forward and used for the same purpose. Requested by State Ports Authority.

HOU: ADOPT new proviso.

SFC SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to include “Permitting” in the name of the fund. Amend the purposes for which the fund must be used to include any and all permits and associated matters that are required by the Army Corps of Engineers in order to develop the Port. Delete the requirement that written consent from the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees be received before the Port may spend or commit funds that exceeds the amount appropriated or designated by Georgia and delete the carry forward authority. Require the State Ports Authority

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

(SPA) to ensure that permits and activities qualify the Port to be considered an alternative by the Corps of Engineers for consideration of other permits for ports-related activity in the Savannah River, including development of port-related facilities on Hutchinson Island. Require monies in the Fund to be expended in the current fiscal year. Direct the authority to take action against the Georgia Ports Authority (GPA) in accordance with the Joint Venture Agreement if the GPA does not contribute the appropriate amount of funds for the joint venture. Direct that if the GPA consents to the SPA assigning their interest in the Port to Jasper County, the Jasper Ocean Terminal Port Facility Permitting and Infrastructure Fund shall be transferred to DOA for disbursement to Jasper County and direct that Jasper County shall assume all of the SPA associated obligations.

88.7. (SPA: Jasper Ocean Terminal) There is created within the State Ports Authority the Jasper Ocean Terminal Port Facility Permitting and Infrastructure Fund. The State Ports Authority shall maintain the Jasper Ocean Terminal Port Facility Permitting and Infrastructure Fund and any funds appropriated in this act for this purpose shall be deposited into this account. This fund shall be separate and distinct from the General Fund and interest accrued by the fund must remain in the fund. This fund must be used exclusively by the State Ports Authority for permitting and capital infrastructure expenditures supporting the development of the Jasper Ocean Terminal Port facility, including, but not limited to, any and all permits and matters associated therewith that are required by the United States Army Corps of Engineers in order to develop the Jasper Ocean Terminal Port, roads, utilities, dredge disposal areas, and acquisition of property and property rights (such as easements, rights-of-way, and licenses) and any other matter reasonably related to the authorization and development of the Jasper Ocean Terminal Port. ~~Absent written consent from the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee, the State Ports Authority may not expend or commit an amount from this Infrastructure Fund that exceeds the amount of appropriated or designated funds by the State of Georgia, Georgia Ports Authority, or similarly situated governmental obligation from the State of Georgia committed to the infrastructure development of the Jasper Ocean Terminal Port facility and supporting infrastructure. These funds shall be carried forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.~~ In regard to the permits and other activities associated with the Corps of Engineers, the State Ports Authority must ensure that the legal posture of the permitting is at all times such that the Jasper Ocean Terminal Port is qualified to be considered an alternative by the Corps of Engineers in connection with its consideration of any other permits for ports-related activity in the Savannah River, including, without limitation, any attempt to permit the development of port-related facilities on Hutchinson Island. These funds must be expended by the State Ports Authority for the stated purpose within the current fiscal year. The State Ports Authority is directed to take action against the Georgia Ports Authority in accordance with the Joint Venture Agreement between the parties dated December 15, in the event the Georgia Ports Authority fails to expend funds in furtherance of that joint venture that are equal to the funds expended by the State Ports Authority, such action to include, without limitation, invocation of the mediation provisions of the Joint Venture Agreement. In the event the assignment by the State Ports Authority of its interest in the Jasper Ocean Terminal Project to Jasper County is consented to by the Georgia Ports Authority, the funds appropriated pursuant to this provision shall be transferred by the State Ports Authority to the Department of Administration, for subsequent disbursement by the department for the purposes set forth herein, upon applications for such made by Jasper County, and Jasper County shall assume all of the State Ports Authority's obligations hereunder.

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

SECTION 92D - D300 - OFFICE OF RESILIENCE

92D.cwe ADD MOVED PROVISO (Catastrophic Weather Event) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct 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, 2022, is not considered an improvement and may not be reassessed at a higher rate as a result of the improvement. Direct that for the current fiscal year, an eligible property’s tax value shall remain the same unless an assessable transfer of interest occurs. *Moved from General Provisions 117.121*

92D.cwe. (SCOR: Catastrophic Weather Event) 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, 2022, 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, Disaster Recovery Office. This provision also applies if, at the discretion 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.

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.lb ADD (Leave Balances) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct 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.

92D.lb. (SCOR: Leave Balances) Any temporary grant employees transferred from the Department of Administration’s Disaster Recovery Office to the Office of Resilience who become full time employees shall retain any leave accrued prior to the transfer.

92D.cf ADD (Carry Forward) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize unexpended funds to be carried forward and used for the same purposes.

91D.cf. (SCOR: Carry Forward) The Office of Resilience shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year and expend the funds for the same purposes.

SECTION 112 - V040 - DEBT SERVICE

112.1 REINSERT (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.

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

SFC SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

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.

SECTION 117 - X900 - GENERAL PROVISIONS

117.15 AMEND (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 authorization for field personnel in the State Parks Division of PRT to occupy residences owned by the department without charge. *See proviso 49.14.*

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.15. (GP: Allowance for Residences & Compensation Restrictions) 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.

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.

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; ~~the Department of Parks, Recreation and Tourism field personnel in the State Parks~~

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

~~Division;~~ 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 Health and Environmental Control personnel at the State Park Health Facility and Camp Burnt Gin; Residence Life Coordinators at Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at Winthrop University; Farm Superintendent at Winthrop University; 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.

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.

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.

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

117.101 AMEND (State Ports Authority Property) Directs that if the Authority has not sold its remaining property on Daniel Island, with certain exceptions, by June 30, 2020, it must transfer the property to the Department of Administration.

WMC: AMEND proviso to update the year of sale from “2020” to “2022.”

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.101. (GP: State Ports Authority Property) If the State Ports Authority has not completed the sale of its real property on Daniel Island, except for the dredge disposal cells that are needed in connection with the construction of the North Charleston terminal on the Charleston Naval Complex and for harbor deepening and for channel and berth maintenance, by June 30, ~~2020~~ 2022, the authority must transfer the property to the Department of Administration. The authority shall sell the real property under terms and conditions it considers most advantageous to the authority and the State of South Carolina.

117.120 DELETE (Distribution Facility) Directs that the State Ports Authority be considered a distribution facility for sales tax exemptions associated with the purchase of equipment and construction materials.

WMC: DELETE proviso. Requested by State Ports Authority.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

117.120. (GP: Distribution Facility) ~~The State Ports Authority shall be considered a distribution facility for the purpose of sales tax exemptions associated with the purchase of equipment and construction materials.~~

117.121 DELETE / MOVE (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, 2021, is not considered an improvement and does not require a re-appraisal under certain funding conditions. 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 change “June 30, 2021” to “June thirtieth of the current fiscal year.” Delete the directive that for the current fiscal year, an eligible property’s tax value shall remain the same unless an assessable transfer of interest occurs. Requested by Department of Administration.

HOU: ADOPT proviso as amended.

SFC SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

117.121. (GP: 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, 2021 thirtieth of the current fiscal year, is not considered an improvement and does not require a re-appraisal. 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. This provision also applies if, at the discretion 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.~~

**SENATE FINANCE COMMITTEE
NATURAL RESOURCES SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2021-22**

~~(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.~~

117.136 DELETE (Georgetown County Boat Ramps) Directs DOT to transfer to DNR the remaining funds from the \$150,000 originally appropriated in Proviso 118.17 (B), item 43(f) of the 2013 Appropriations Act for the Sandy Island Boat Ramp. Directs DNR to credit the transfer to the Water Recreation Resource fund for use in Georgetown County and exempts the amount from being considered part of the annual allocation formula.

WMC: DELETE proviso. Requested by Department of Natural Resources.

HOU: ADOPT deletion.

SFC SUBCOMMITTEE RECOMMENDATION: ADOPT deletion.

~~**117.136.** (GP: Georgetown County Boat Ramps) The Department of Transportation shall transfer the remaining funds appropriated for the Sandy Island Boat Ramp in Proviso 118.17 (B), item 43(f), Act 101 of 2013 to the Department of Natural Resources. The Department of Natural Resources shall credit the transfer to the Water Recreation Resource fund for use in Georgetown County and the transfer amount is not to be considered part of the annual allocation formula for Water Recreation Resource funds.~~