

**SUMMARY OF PROVISO CHANGES FOR FY 2017-18
AS RECOMMENDED BY
THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 1 - H630 - DEPARTMENT OF EDUCATION

- 1.3** **AMEND** (EFA Formula/Base Student Cost Inflation Factor) States the General Assembly's intent to fully implement the EFA including an inflation factor to match the inflation wages of public school employees in the southeast; states that for FY 16-17, the base student cost has been determined to be \$2,350; that the per pupil count is projected to be 723,953, and projects the average per pupil funding. Provides for the distribution of funds to the SC Public Charter School District. Requires the Revenue and Fiscal Affairs Office post each school district's projections on their website and for each school district to also post their numbers. Requires the department and the EOC provide links to this information on their websites. Provides pupil classification weightings.
WMC: AMEND proviso to update the projections for FY 17-18 as follows: base student cost \$2,400; total pupil count, 721,401; average per pupil funding: \$6,096 state, \$1,294 federal, and \$5,726 local, for an average total funding level of \$13,116, excluding revenues of local bond issues. Change reference to "school year 2016-17" to "the current" school year.
- 1.26** **AMEND** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. *Note: Companion EIA proviso is 1A.14.*
WMC: AMEND proviso to delete the suspension of formative assessments for grades one, two, and nine. *Funding has been requested for formative assessments.* Requested by Education Oversight Committee.
- 1.28** **AMEND** (Budget Reduction) Requires local districts to give priority to preserving classroom teachers and operations when compensating for any funding reduction and to first apply reductions to administrative and non-classroom expenses.
WMC: AMEND proviso to also give priority to preserving classroom teachers and operations in the event of a deficit.
- 1.50** **AMEND** (Health Education) Requires school districts to ensure compliance with Chapter 32 of Title 59 [COMPREHENSIVE HEALTH EDUCATION PROGRAM]; provides a complaint process for compliance concerns, a process for corrective action if the complaint is determined to be founded, and requires the department to withhold 1% of a district's Student Health and Fitness Act funds until the district is in compliance with the corrective action. Requires the department to withhold 1% of the district's Student Health and Fitness Act funds if the department determines the district is non-compliant with mandated health education, or if a district fails to publish required information on their website until the district is in compliance.
WMC: AMEND proviso to require school districts to also use curriculum that aligns to all standards and regulations adopted by the State Board of Education. Specify that the department will review the district's annual CHE Compliance Survey in determining district compliance with mandated health education. *The department states this amendment clarifies the process; reinserts a language deleted last year when two provisos were combined; and does not add any additional requirements.* Requested by Department of Education.
- 1.58** **AMEND** (Full-Day 4K) Provides guidelines for participation in and funding for the CDEPP program. *Note: Companion EIA proviso is 1A.30.*

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WMC: AMEND proviso to direct that public and private providers “shall be funded” rather than “will be reimbursed” and change the rate from “\$4,323” to “\$4,422” and change the private providers transportation reimbursement from “\$550” to “\$563.” Direct that the department only provide funds for public school students whose complete records have been entered into PowerSchool. Authorize the department and First Steps to expand services to additional eligible students who reside in districts that meet certain qualifications if the department or First Steps determine that sufficient carry forward funds and appropriations exist and direct the department and First Steps report to the General Assembly by October 1st on the number of estimated children to be served. Direct the department to annually audit the allocations to public providers to ensure allocations are accurate and properly aligned and to adjust current year allocations if the audit determines the prior year allocations are not accurate. Direct the department to provide audit findings to the General Assembly by December 1st. Direct First Steps to adjust current year allocations if the audit determines the prior year allocations are not accurate. Fiscal Impact: First Steps states that the \$99 increase in tuition per child supports RFA’s inflation factor and the additional cost of \$254,727 would be supported by current budget levels based on 2,573 children currently enrolled for SC First Steps. The \$13 increase in the transportation reimbursement would cost an additional \$3,757 and would be supported by current budget levels based on 289 children. Requested by SC First Steps for School Readiness and the Department of Education.

- 1.62** **AMEND** (Reading/Literacy Coaches) Provides for the allocation and use of funds appropriated for Reading/Literacy Coaches to school districts. Requires the department publish guidelines defining reading/literacy coach minimum qualifications; develop procedures to monitor the use of these funds; and requires the funds to be retained and carried forward for the same purpose and not flexed. *Note: Companion EIA proviso is 1A.61.*

WMC: AMEND proviso, item (A)(1) to change “proficient” to “meets expectations;” specify the reading “sub score of the English language arts” test; and delete reference to “research” test. Amend item (A)(2) to delete reference to scoring below “proficient on the reading and research test during the same period” and instead direct “as referenced in (A)(1).” Amend item (K) to update fiscal year reference to “2017-18.” Requested by Department of Education.

- 1.68** **AMEND** (First Steps 4K Technology) Authorizes First Steps to spend up to \$75,000 of 4K carry forward funds to purchase electronic devices, with certain restrictions, for administering required school readiness assessments to children enrolled in the full-day 4K program in private centers. Requires First Steps to provide a report on these expenditures to the Chairmen of the Senate Finance and Ways and Means Committees by January 15, 2017.

WMC: AMEND proviso to update report due date from January 15, “2017” to “2018.” Requested by SC First Steps to School Readiness.

- 1.69** **AMEND** (Teacher Salary Schedule Structure) Directs the department to convene certain stakeholders to examine and make recommendations on changes to the statewide minimum state teacher salary schedule and include extending steps, the beginning teacher salary and each district’s salary schedule structure in the examination. Directs that information on salary needs for each of the districts that are or were in the original trial and plaintiff school districts in the Abbeville law suit be included. Directs recommendations be provided to the Chairmen of the Senate Finance and House Ways and Means Committees.

WMC: AMEND proviso to direct the department to provide recommendations on modifying the structure of the teacher salary schedule along with the potential fiscal impact of implementing

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the modifications to the Chairmen of the Senate Finance and House Ways and Means Committees by October 1, 2017. Requested by Department of Education.

- 1.72** **AMEND** (CDEPP Unexpended Funds) Provides for the retention and expenditure of prior year CDEPP funds by First Steps and requires a report to the Chairmen of the Senate Finance and House Ways and Means Committees on how the funds were spent. *Note: Companion EIA proviso is 1A.65.*
WMC: AMEND proviso to update fiscal year reference to "2017-18;" delete calendar year reference on report due of April 1, "2017;" and also require the Department of Education report on how these funds were spent. Requested by SC First Steps to School Readiness and Department of Education.
- 1.74** **DELETE** (First Steps Accountability) Requires First Steps to meet federal compliance for Part C of the IDEA and to report to the Chairmen of the Senate Finance and House Ways and Means Committees and the Governor by 12/31/16 on the specific steps, timeline, and progress made in improving meeting compliance standards for indicators the office was scored on as being low performing and on whether the additional employees authorized by this act are sufficient for compliance. Authorizes First Steps to used funds appropriated for BabyNet to meet these requirements.
WMC: DELETE proviso. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017.* Requested by SC First Steps to School Readiness.
- 1.79** **DELETE** (Teacher Salaries Increase) Directs the department to increase the statewide salary schedule by 2%; requires a local school district board of trustees to provide all certified teachers paid on the teacher salary schedule the 2% increase; specifies that districts are to use the prior year's district salary schedule as its base; directs school districts to use the additional funds from the Teacher Salary Supplement to provide 1% of the required 2% increase; and provides for salary increases for all eligible certified teachers entering the 23rd year if the district's salary schedule does not go beyond 22 years. Allows for a waiver from the requirements of this provision under certain conditions. *Note: Companion General Education proviso is 1A.73.*
WMC: DELETE proviso.
- 1.80** **DELETE** (Facilities Tracking System and Assessment Assistance) Directs the department to issue a RFP to contract with one or more vendors to complete facilities assessments and efficiency studies reviews; provides guidelines as to what must be included, at a minimum; and directs which school districts are to be assessed and studied first. Directs that the completed assessments and studies be provided to each local school board of trustees and that the department publish them on the department's website.
WMC: DELETE proviso. *The assessments and studies are currently being conducted.* Requested by Department of Education.
- 1.83** **AMEND** (Abbeville Equity Districts Comprehensive Report) Requires the department submit a comprehensive report to the General Assembly by January 1, 2017 on the current allocation of funds and services provided to the Abbeville equity districts.
WMC: AMEND proviso to update report due date from January 1, "2017" to "2018." Requested by Department of Education.

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- 1.84** **AMEND** (~~Coding~~ Computer Science Curriculum) Directs the department to use the funds appropriated for “Coding” to develop or secure a basic computer science course that includes coding and to recommend that introductory keyboarding and computer skills be taught in elementary and primary schools.
WMC: AMEND proviso to direct the department to use the funds appropriated for “computer science” to develop grade appropriate computer science standards that include computational thinking and computer coding for 9th through 12th grades; to include higher education, business, and industry experts and officials in developing the standards; and to support teachers in designing interdisciplinary units and instructional practices that engage students to apply literacy, math, and computational thinking skills to solve problems. *Reflects portions of H.3427 “South Carolina Computer Science Education Initiative.”* Requested by Department of Education.
- 1.85** **ADD** (Military Child Care Centers) **WMC:** ADD new proviso to allow First Steps to extend 4K provider eligibility to military child care settings that are regulated by the US Department of Defense. Fiscal Impact: First Steps states that the fiscal impact is estimated to be \$442,200, which is an estimated 100 additional children as well as \$50,000 in class room supplies which comes to a total of \$492,000, but that these costs can be absorbed by the program with its current funding. Requested by SC First Steps to School Readiness.
- 1.86** **ADD** (First Steps 4K Underserved Communities) **WMC:** ADD new proviso to direct First Step to use CDEPP funds to develop a pilot program to expand 4K enrollment in underserved communities and direct that newly created and/or approved private providers, under certain conditions, may receive up to \$30,000 in supplemental, needs-based incentives. Direct First Steps to submit an expenditure and expanded enrollment report to the Chairman of the House Ways and Means and Senate Finance Committees by March 15, 2018.
- 1.87** **ADD** (School Leadership) **WMC:** ADD new proviso to direct the department to use \$400,000 of Professional Development funds to contract with a non-profit leadership development provider that specializes in multiple assessments, executive coaching, and leadership development that provides school leadership progressive career path skills. Requested by SC Association of School Administrators.
- 1.88** **ADD** (CDEP Overpayment) **WMC:** ADD new proviso to direct that school districts are not required to return any overpayment of CDEP funds they received in school year 2015-16 due to a department calculation error. Prohibit the department from requiring school districts to return such overpayment.

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- 1A.2** **AMEND** (African-American History) Authorizes African-American curricula development funds to be carried forward and used for the same purpose. Requires at least 70% of carry forward funds be spent in FY 2016-17 to develop additional instructional materials by non-profit organizations selected through a grant process.
WMC: AMEND proviso to update fiscal year reference to “2017-18.” Requested by Department of Education.
- 1A.9** **AMEND** (Teacher Supplies) Provides guidelines for distributing teacher supply reimbursement of up to \$275 each school year to offset the expenses teachers have incurred for teaching supplies

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and materials. Allows any classroom teacher, including those at a S.C. private schools that are not eligible for this reimbursement to claim a refundable income tax credit on their 2016 tax return.

WMC: AMEND proviso to delete references to receiving “reimbursement” of \$275 and instead provide a method and timeframe to disburse the funds to eligible teachers by direct deposit or by prepaid card. Amend to update tax return references to “2017.” Requested by School Districts.

- 1A.14** **AMEND** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. *Note: Companion General Education proviso is 1.26.*

WMC: AMEND proviso to delete the suspension of formative assessments for grades one, two, and nine. *Funding has been requested for formative assessments.* Requested by Education Oversight Committee.

- 1A.15** **AMEND** (Teacher Salary Supplement) Directs the department to carry forward unobligated teacher salary supplement and employer contribution funds to be used for the same purpose and allows unexpended teacher salary supplement funds to be used for shortfalls in associated employer contributions funds.

WMC: AMEND proviso to replace “same purpose” with “Abbeville Equity Districts Capital Improvement Plan pursuant to proviso 1A.50.” Delete directive for funding shortfalls.

- 1A.16** **AMEND** (Dropout Prevention and High Schools That Work Programs) Requires the department to report annually on the effectiveness of drop-out prevention programs funded by the EEDA and on the progress and effectiveness of the High Schools That Work Programs. Authorizes High Schools That Work funds to be carried forward.

WMC: AMEND proviso to delete carry forward authorization.

- 1A.17** **AMEND** (Assessment) Authorizes assessment funds to be carried forward to pay for state assessment activities and directs that PSAT pre-ACT or 10th grade Aspire reimbursements shall resume in the current fiscal year.

WMC: AMEND proviso to delete the requirement that reimbursements resume in the current fiscal year and instead direct the department to contract with the test publishers for administration of PSAT, pre-ACT or 10th grade Aspire as required in Section 59-18-340 [PSAT OR PLAN TESTS OF TENTH GRADE STUDENTS; AVAILABILITY; USE OF RESULTS]. *The department states that ACT, Inc. will not provide the agency with student scores for the pre-ACT unless there is a contract between the agency and ACT, Inc. and the agency pays ACT, Inc. directly. The requested amendment is to contract for the three assessments rather than reimbursing districts.* Requested by Department of Education.

- 1A.24** **AMEND** (Students at Risk of School Failure) Directs the expenditure of funding allocated for students at risk of school failure.

WMC: AMEND proviso to direct that funds must be allocated to districts based “on the number of weighted pupil units in the district” and delete the requirement allocation be based on two factors (poverty add on weight and prior fiscal year weighted pupil units in need of academic assistance). Require 5% of the funds be spent on formative assessment for K-9 students. Amend the definition of students at academic risk.

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- 1A.25 AMEND** (Professional Development) Allows up to \$500,000 of professional development funds to be used for gifted and talented teacher endorsement and certification activities and provides for the allocation of the funds. Authorizes the department to retain up to 25% for administration and for providing professional development services targeted to the original Abbeville law suite trial and plaintiff school districts. Requires the department to post professional development standards on its website and provide training through telecommunication methods. Authorizes unexpended professional development funds to be carried forward and used for the same purpose.
WMC: AMEND proviso to allow professional development funds to also be used for technology in classroom instruction.
- 1A.26 AMEND** (Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Directs that up to \$5,400,000 of assessment funds be used for assessments to determine gifted and talented programs eligibility and for the cost of AP and IB exams.
WMC: AMEND proviso to delete “up to \$5,400,000.” *Assessment costs increase each year due to an increase in testing costs and in student participation.* Fiscal Impact: The department state the fiscal impact for 2017-18 is estimated at \$560,000. However, costs will increase each year as individual student testing costs and enrollment increases. Requested by Department of Education.
- 1A.29 DELETE** (Incentive for National Board Certification After June 30, 2010) States the parameters for individuals who complete the application process after 6/30/10 for the National Board Certification Program including the salary supplement, the administration of applications, and administration fees.
WMC: DELETE proviso. *See new proviso 1A.80.*
- 1A.30 AMEND** (Full-Day 4K) Provides guidelines for participation in and funding for the CDEPP program. *Note: Companion General Education proviso is 1.58.*
WMC: AMEND proviso to direct that public and private providers “shall be funded” rather than “will be reimbursed” and change the rate from “\$4,323” to “\$4,422” and change the private providers transportation reimbursement from “\$550” to “\$563.” Direct that the department only provide funds for public school students whose complete records have been entered into PowerSchool. Authorize the department and First Steps to expand services to additional eligible students who reside in districts that meet certain qualifications if the department or First Steps determine that sufficient carry forward funds and appropriations exist and direct the department and First Steps report to the General Assembly by October 1st on the number of estimated children to be served. Direct the department to annually audit the allocations to public providers to ensure allocations are accurate and properly aligned and to adjust current year allocations if the audit determines the prior year allocations are not accurate. Direct the department to provide audit findings to the General Assembly by December 1st. Direct First Steps to adjust current year allocations if the audit determines the prior year allocations are not accurate. Fiscal Impact: First Steps states that the \$99 increase in tuition per child supports RFA’s inflation factor and the additional cost of \$254,727 would be supported by current budget levels based on 2,573 children currently enrolled for SC First Steps. The \$13 increase in the transportation reimbursement would cost an additional \$3,757 and would be supported by current budget levels based on 289 children. Requested by SC First Steps for School Readiness and the Department of Education.

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- 1A.33 AMEND** (IDEA Maintenance of Effort) Provides for the use of Aid to Districts to supplement support of programs and services for students with disabilities; to meet the estimated maintenance of effort for IDEA; or to resolve pending IDEA maintenance of effort litigation. Directs that IDEA maintenance of effort funds may not be transferred for any other purpose and are not subject to flexibility. Requires the department submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor by December, 2016. Authorizes IDEA Maintenance Effort funds to be carried forward and used for the same purpose.
WMC: AMEND proviso to delete previous directive on the use of funds to meet IDEA maintenance of effort and that these funds are not subject to flexibility and instead authorizes the department, if state funds are reduced or changes in the EFA Base Student Cost would reduce support for children with disabilities, to use Aid to District funds in Section VIII.A.1. to ensure maintenance of state financial support for the IDEA. Amend distribution of these funds to delete the requirement that they be distributed as directed “in any litigation settlement agreement” and instead by distributed as directed “by the United States Department of Education. Change references to maintenance of “efforts” to “state financial support.” Delete specific reference to “2016.” Delete the carry forward authorization. Requested by Department of Education.
- 1A.37 AMEND** (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary for FY 2016-17 is \$51,495. Requires a local district board of trustees to provide a step increase for all eligible certified teachers. Directs the department to continue to use the FY 2012-13 statewide minimum teacher salary schedule in FY 2016-17 and to increase the schedule by 2%.
WMC: AMEND proviso to change “\$51,495” to \$51,966;” change “2012-13” to “2016-17;” change “2016-17” to “2017-18;” and delete the requirement that the schedule be increased by 2%.
- 1A.40 DELETE** (National Board Certification Incentive) Provides for the National Board Certification Incentive for teachers certified by the National Board or who completed the application process prior to July 1, 2010.
WMC: DELETE proviso. *See new proviso 1A.80.*
- 1A.50 AMEND** (Surplus) Requires EIA funds carried forward from the prior fiscal year that are not appropriated or authorized to be carried forward and spent for specified purposes and directs that any additional funds carried forward and not otherwise appropriated or authorized to be used for Instructional Materials.. Allows the funding items to be reduced pro rata if there are not sufficient monies to fund the items.
WMC: AMEND proviso to update fiscal year reference to “2017-18;” delete previously funded items; add the following items: \$400,000 for Computer Science Task Force, \$3,650,000 to EOC - Partnerships, \$3,000,000 for Industry Certification, and \$100,000,000 for Abbeville Equity Districts for Capital Improvements; and delete carry forward funds authorization.
- 1A.52 AMEND** (South Carolina Public Charter School District Funding) Provides for the allocation of S.C. Public Charter School District funds for virtual and brick and mortar charter schools. Provides a timeline extension for ruling on charter school applications and requires the Public Charter School District provide an outcomes report on the extended time frame to the Senate Finance Committee.
WMC: AMEND proviso to update fiscal year reference to “2017-18.” Requested by Department of Education.

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- 1A.56 DELETE** (BabyNet Early Intervention Autism Therapy) Requires the \$814,348 appropriated to First Steps for BabyNet Autism Therapy be used only to increase the BabyNet autism therapy provider hourly rate to \$13.58 or the current Medicaid rate, whichever is higher, and the individual hourly pay of line therapists to a minimum of \$10.00. Requires First Steps send a quarterly compliance report to the Chairmen of the Senate Finance and House Ways and Means Committees and directs that the report include information on the expenditure of state funds as well as receipt and expenditure of Federal Medicaid funds associated with the program.
WMC: DELETE proviso. *Executive Order 2016-20 transferred the BabyNet lead agency status to HHS.*
- 1A.58 DELETE** (EIA: Technology Professional Development) Directs that \$4,000,000 of Professional Development funds be designated for professional development for use of classroom technology. Requires districts report by June 15th on the amount of funds expended, type of activities funded, and the number of teachers participating in the activity.
WMC: DELETE proviso.
- 1A.61 AMEND** (Reading/Literacy Coaches) Provides for the allocation and use of funds appropriated for Reading/Literacy Coaches to school districts. Requires the department publish guidelines defining reading/literacy coach minimum qualifications; develop procedures to monitor the use of these funds; and requires the funds to be retained and carried forward for the same purpose and not flexed. *Note: Companion General Education proviso is 1.62.*
WMC: AMEND proviso, item (A)(1) to change “proficient” to “meets expectations;” specify the reading “sub score of the English language arts” test; and delete reference to “research” test. Amend item (A)(2) to delete reference to scoring below “proficient on the reading and research test during the same period” and instead direct “as referenced in (A)(1).” Amend item (K) to update fiscal year reference to “2017-18.” Requested by Department of Education.
- 1A.63 AMEND** (4K Early Literacy Competencies Assessments) Provides for the use of full-day 4K program carry forward funds to procure and administer pre-kindergarten and kindergarten readiness assessments.
WMC: AMEND proviso to specify that “up to \$2,000,000” of 4K half-day program and assessment carry forward funds be used to administer the “Kindergarten Readiness Assessment (KRA)” rather than that “\$2,000,000” of those funds being used to administer Developmental Reading Assessment(®) 2nd Edition Plus” to each child entering kindergarten in public schools. Delete the requirement that the assessment also be administered once during the last forty-five days of the school year. Delete the authorization for the department to pilot other more comprehensive readiness assessments. Require the department collect certain data from schools and school districts on each student’s prior early learning experience if they are assessed with the KRA. Requested by Department of Education and Education Oversight Committee.
- 1A.65 AMEND** (CDEPP Unexpended Funds) Provides for the retention and expenditure of prior year CDEPP funds by First Steps and requires a report to the Chairmen of the Senate Finance and House Ways and Means Committees on how the funds were spent. *Note: Companion General Education proviso is 1.72.*
WMC: AMEND proviso to update fiscal year reference to “2017-18;” delete calendar year reference on report due of April 1, “2017;” and also require the Department of Education report on how these funds were spent. Requested by SC First Steps to School Readiness and Department of Education.

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- 1A.67 AMEND** (Industry Certifications/Credentials) Directs that Industry Certification/Credentials funds be allocated to school districts based on the number of national industry exams administered in the prior school year. Directs the department to work with the Department of Commerce and DEW, state and local chambers of commerce and economic development offices, and the Tech board to ensure students are aware of industry required credentials for current job availability.
WMC: AMEND proviso to specify that “\$3,000,000” of Industry Certifications/Credentials funds be allocated to school districts based on the number of national industry exams administered in the prior school year with each district receiving a \$10,000 base amount. Direct that any additional funds be allocated based on the number of national industry exams/credentials earned in the prior school year. Require districts use these funds to pay for the cost of the industry exams or to support students in preparing for the exams. Fiscal Impact: EOC requested an additional \$1,000,000 in funding for this purpose. Requested by Education Oversight Committee.
- 1A.68 AMEND** (Career and ~~Technical Equipment Funding~~ *Technology Education*) Provides for the distribution and use of Modernize Career and Technical Equipment funds to school districts and multi-district career centers. Requires the district plan contain certain information on other available career and technical equipment and to include charter schools offering at least one career and technical education completer program. Authorizes school districts and career centers to carry forward these funds for the same purpose.
WMC: AMEND proviso to change “Modernize Career and Technical Equipment” to “Career and Technology Education.” Include “regional career specialists and such evidence-based initiatives like High Schools that Work and Project Lead the Way” to list of authorized fund expenditures. Direct that \$125,000 be allocated to the Palmetto Partners for Science and Technology for robotics competition, curriculum, and support.
- 1A.73 DELETE** (Teacher Salaries Increase) Directs the department to increase the statewide salary schedule by 2%; requires a local school district board of trustees to provide all certified teachers paid on the teacher salary schedule the 2% increase; specifies that districts are to use the prior year’s district salary schedule as its base; directs school districts to use the additional funds from the Teacher Salary Supplement to provide 1% of the required 2% increase; and provides for salary increases for all eligible certified teachers entering the 23rd year. Allows for a waiver from the requirements of this provision under certain conditions. *Note: Companion General Education proviso is 1.79.*
WMC: DELETE proviso.
- 1A.74 DELETE** (College Readiness Assessments) Provides for administration of college readiness assessments for students in the 11th grade. Provides guidelines if a student chooses to use the results of this assessment for post-secondary admission or placement.
WMC: DELETE proviso. *Codified in Section 59-18-325.*
- 1A.77 DELETE** (Baby Net Financial Audit Reimbursement) Directs First Steps to use their appropriated or carried forward funds to reimburse the Department of Education up to \$50,000 for Baby Net financial audit costs.
WMC: DELETE proviso. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017.* Requested by SC First Steps to School Readiness.

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- 1A.79 DELETE** (Report Cards) Directs the EOC to not calculate absolute or absolute growth performance ratings for the 2016-17 school year for schools or districts, but instead to determine the format of a transitional report card for release in the fall of 2016 that will also identify underperforming schools and districts.
WMC: DELETE proviso. *Codified in Act 281 of 2016.* Requested by Education Oversight Committee.
- 1A.80 ADD** (EIA: National Board Certification Incentive) **WMC:** ADD new proviso to direct that a \$7,500 salary supplement be paid to public school classroom teachers, including special schools, who are certified by the State Board of Education and the National Board for Professional Teaching Standards if they completed the application process before July 1, 2010 and a \$5,000 salary supplement if they completed the application process after July 1, 2010 as long as they maintain their national board certification. Direct CERRA, for the current fiscal year, to suspend the acceptance of new applications for the program. *Combines provisos 1A.29 and 1A.42 to reflect the changes in the national board per the recommendations of the NBPTS.*
- 1A.81 ADD** (Revolving Student Loan Program Transfer) **WMC:** ADD new proviso to direct the State Treasurer to transfer \$16,000,000 from the EIA Revolving Student Loan Program, Fund 41L1, to the department for the Abbeville Equity Districts Capital Improvement Plan.
- 1A.82 ADD** (EIA: Abbeville Equity Districts Capital Improvement Plan) **WMC:** ADD new proviso to direct that funds appropriated for the Abbeville Equity Districts Capital Improvement Plan be allocated by the department to eligible school districts to fund school facility upgrades. Define “eligible school district” and “school facility” for purposes of this provision. Direct that school facilities does not include unimproved real property, centralized district administration facilities, or other facilities, including those identified with interscholastic sports activities. Direct the department to develop and maintain an application process and establish policies, procedures and priorities. Direct the department, at least twice a year, to prioritize eligible projects and submit recommended grant awards to the State Board of Education and require the State Board to affirmatively vote to award a grant. Direct the department to prepare an annual report on Plan activities for the preceding year and submit the report to the Governor and the Chairmen of the Senate Finance, House Ways and Means, Senate Education, and House Education and Public Works Committees.

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

- 3.1 AMEND** (Audit) Directs each state agency that receives lottery funds to develop and implement procedures to monitor lottery expenditures to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations. Directs the Executive Budget Office to ensure that these state agencies have effective monitoring procedures in place.
WMC: AMEND proviso to update calendar year reference from “2016” to “2017.”
- 3.3 DELETE** (FY 2016-17 Lottery Funding) Directs expenditure of lottery funds for Fiscal Year 2016-17.
WMC: DELETE proviso.
- 3.4 ADD** (FY 2017-18 Lottery Funding) **WMC:** ADD new proviso to direct expenditure of lottery funds for FY 17-18. Suspend, for the current fiscal year, the provisions of Section 2-75-30

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regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment. Direct that net lottery proceeds and investment earnings in excess of certified net lottery proceeds and investment earnings are appropriated and must be used to ensure that LIFE, Palmetto Fellows, and HOPE scholarships are fully funded for FY 17-18. Provide for lottery appropriations to be reduced on a pro rata basis, excluding LIFE, HOPE, and Palmetto Fellows Scholarships, if lottery revenue is less than the amounts appropriated. Authorize Higher Ed Tuition Grants to use up to \$70,000 of Tuition Grants funds to support the grants award process. Direct that Workforce Scholarships and Grants funds are to be used to provide grants for tuition, fees, transportation, or textbook expenses to S.C. residents enrolled in a career education program that meets eligibility requirements.

SECTION 6 - H750 - SCHOOL FOR THE DEAF AND THE BLIND

- 6.4 DELETE** (Adult Vocational Program Fees) Authorizes the school to charge tuition, room and board and other fees to students in the Adult Vocational Program. Directs that fees be determined by the School Board of Commissioners and that the revenue be retained and carried forward.
WMC: DELETE proviso. *Program is no longer offered.* Requested by School for the Deaf and the Blind.

SECTION 7 - L120 - JOHN DE LA HOWE SCHOOL

- 7.4 DELETE** (Transition) Directs the John de la Howe Board of Trustees to work with an advisory group to recommend an educational, vocational, and life skills training program for older children who are at risk and aging out of the foster care or juvenile justice DSS or DJJ supervisory programs. Directs the Board of Trustees, in consultation with the advisory group to contract with a child-service provider to operate the program. Directs the Board of Trustees, with technical assistance from Clemson University, DOA, and EBO to continue to provide wilderness camp programs and identify initiatives to provide agricultural education opportunities on campus. Directs the school to work with DSS and DJJ to safely transition existing students into appropriate placements, programs and services. Provides for a status and progress report to be made to certain legislative committees by June 30th. Directs the Board of Trustees, in consultation with the advisory group to made recommendations to the Governor and General Assembly on the future role of the school.
WMC: DELETE proviso. Requested by John de la Howe School.
- 7.5 ADD** (Transition) **WMC:** ADD new proviso to suspend all John de la Howe School operations for Fiscal Year 2017-18 and to terminate all employees, effective July 1, 2017. Provide for final compensation payout and direct all remaining funds and vacant FTEs be transferred to Clemson University PSA. Direct Clemson PSA to use the funds to evaluate and report on what agricultural educational programs can be offered that align with the Will, what land management and operational changes are needed and what the projected costs and timeframe would be for these changes. Direct that findings and recommendations be reported by December 1 to the Senate Finance and House Ways and Means Committees.

SECTION 8 - H670 - EDUCATIONAL TELEVISION COMMISSION

- 8.2** (Spectrum Auction) Authorizes ETV to receive and retain proceeds from the FCC TV Auction and directs how ETV is to use the proceeds. Authorizes unexpended funds to be carried forward

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and used for the same purpose. Directs ETV, subject to FCC specified quiet period requirement, to report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees on their intent to enter the auction; auction dates; estimated potential revenue; and actual revenue received from the auction.

WMC: AMEND proviso to authorize ETV to receive and retain all proceeds received from the FCC TV Auction. Delete the requirements that the funds be used to develop a capital reserve declining fund balance; that up to \$40,000,000 of the proceeds be used to fund ETV critical capital needs; that proceeds received above \$40,000,000 be placed into a segregated account that will require General Assembly approval prior to expenditure; and the reporting requirement.

SECTION 11 - H030 - COMMISSION ON HIGHER EDUCATION

11.15 **AMEND** (Abatements) Requires higher education institutions report to CHE by November 1st on the total number of out-of-state undergraduate students that received abatement of rates during the prior fiscal year and requires the report include certain student related information and the calculation method used to determine the amount of abatement awarded as well as the number of students that received education fee waivers.

WMC: AMEND proviso to direct CHE to compile the information received from the institutions into a comprehensive report and submit such report to the Chairmen of the Senate Finance and House Ways and Means Committees by January 5th each year.

11.17 **ADD** (Longitudinal Data Reports) **WMC:** ADD new proviso to direct CHE to provide quarterly reports to the Chairmen of the Senate Finance and House Ways and Means Committees on tuition and fees longitudinal data.

11.18 **ADD** (Suspend Governor's Professor of the Year Award) **WMC:** ADD new proviso to suspend the Governor's Professor of the Year Award for FY 2017-18.

11.19 **ADD** (Council of Presidents) **WMC:** ADD new proviso to require the Council of Presidents to convene meetings at least four times a years to investigate and report to CHE on academic planning, business and financial coordination, and library utilization and coordination a mandated by the code.

11.20 **ADD** (Deans' Committee on Medical Education) **WMC:** ADD new proviso to require the Deans' Committee on Medical Education to convene at least quarterly to ensure and coordinate the development and implementation of a strategic plan for medical education research and related clinical services as mandated by the code.

11.21 **ADD** (Capital Project Vetting) **WMC:** ADD new proviso to direct CHE to only evaluate true, new capital projects and instruct institutions of higher learning to submit auxiliary, maintenance or renovation projects directly to JBRC.

SECTION 15 - H150 - UNIVERSITY OF CHARLESTON

15.1 **DELETE** (Science Center Renovation) Authorizes the University of Charleston to use funds appropriated in FY 2005-06 for the School of Science and Mathematics' Grice Marine Biology Laboratory for the renovation of the Rita L. Hollings Science Center.

WMC: DELETE proviso.

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SECTION 20 - H450 - UNIVERSITY OF SOUTH CAROLINA

- 20.4 DELETE** (Palmetto College - Operating) Directs USC to allocate \$373,010 to the USC campuses at Lancaster, Salkehatchie, Sumter, and Union to reduce the per-student funding disparity that exists between the campuses. Directs USC to determine the appropriate enrollment measure to guide the distribution of these funds and to report the allocation to CHE and the Chairmen of the Senate Finance and House Ways and Means Committees.

WMC: DELETE proviso. *The funds have been permanently transferred to the four campuses and will now be reflected in their respective base budgets.* Requested by University of South Carolina.

SECTION 23 - H510 - MEDICAL UNIVERSITY OF SOUTH CAROLINA

- 23.2 DELETE** (Telemedicine) Directs the MUSC Hospital Authority to continue to develop the Telemedicine network. Directs the S.C. Telehealth Alliance to submit a proposal to the authority to determine which hospitals are best suited for a Telemedicine partnership. Directs the authority to provide bi-annual reports on the distributions of funds to the chairmen of the Senate Finance and House Ways and Means Committees.

WMC: DELETE proviso. *Deleted language has been moved to new proviso 117.135.*

SECTION 25 - H590 - STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION

- 25.7 DELETE** (Study of Employment of Entry-Level CDL Drivers by State and Local Agencies) Directs the State Board for Tec and Comp Ed to establish a 12 member study committee to identify the best way to facilitate and incentivize state and local government fleet operations in the hiring of entry-level Commercial Drivers' License holders and to develop recommendations for the General Assembly's consideration. Directs that findings and recommendations be submitted to the General Assembly by October 31, 2016.

WMC: DELETE proviso. *Agency states is no longer necessary as the report required will be completed and submitted to the General Assembly on or before October 31, 2016.* Requested by State Board for Technical and Comprehensive Education.

- 25.8 AMEND** (Workforce Pathways Funding Distribution) Directs the State Board to distribute Workforce Pathways Program funds as follows: \$740,000 to Tri-County Technical College and \$602,000 to Central Carolina Technical College for those schools to maintain operations of their existing Workforce Pathways programs and directs that any remaining funds be set-aside in a separate account until the State Board develops a distribution formula. Specifies that certain criteria that must be included in the formula and directs that the State Board report the distribution formula and required criteria to the Chairmen of the Senate Finance and House Ways and Means Committees by August 31, 2016.

WMC: AMEND proviso to update calendar year reference from "2016" to "2017."

SECTION 28 - H910 - ARTS COMMISSION

- 28.5 AMEND** (Distribution to Subdivisions) Directs the Arts Commission to use appropriated and or authorized funds to distribute Distribution to Subdivision funds for specific purposes in the same manner they were distributed in the prior fiscal year, subject to requests received and availability of funds and designates funding.

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WMC: AMEND proviso to delete references to specific distribution amounts and instead direct the Arts Commission to report to the Chairmen of the House Ways and Means and Senate Finance Committees by December 1st, the amounts of allocations distributed to subdivisions for the prior fiscal year. *To provide actual amounts distributed versus an estimation based on total funds allocated.* Requested by Arts Commission.

SECTION 33 - J020 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

33.9 **AMEND** (Medicaid Eligibility Transfer) Authorizes the department to determine SC Medicaid Program applicant eligibility. Requires counties to provide office space and facility services for this function as they do for DSS functions.

WMC: AMEND proviso to require the DHHS director, by November 1st, to provide each county governing authority and legislative delegation with information on the condition of space furnished for this purpose and to identify any known ADA deficiencies. Require the governing authorities to report to its legislative delegation and the DHHS director by May 1st on progress being made in correcting any identified ADA deficiencies. Requested by Department of Health and Human Services.

33.16 **AMEND** (Carry Forward) Authorizes the department to carry forward prior year cash balances from any earmarked or restricted trust, agency, or special revenue account or subfund. Requires the department submit a comprehensive reporting of all cash balances brought forward from the prior fiscal year to the President Pro Tempore of the Senate, Speaker of the House, and Chairmen of the Senate Finance and Ways and Means Committees, within 15 days after the Comptroller General closes books on the fiscal year.

WMC: AMEND proviso authorize the department to carry forward and “expend” any “General Fund balance” as well as expend cash balances carried forward. *Merged proviso 33.22 into this proviso.* Requested by Department of Health and Human Services.

33.20 **AMEND** (Medicaid Accountability and Quality Improvement Initiative) Directs the department to implement accountability and quality improvements initiatives for: (A) Healthy Outcomes Initiative; (B) Improve Community Health; (C) Rural Hospital DSH Payment; (D) Primary Care Safety Net; (E) Rural and Underserved Area Provider Capacity; (F) Obesity Education; (G) Provider Eligibility Data; (H) Pilot of All-Inclusive Health Intervention for Vulnerable Mental Health Patients; and (I) Publish Quarterly Progress Reports.

WMC: AMEND proviso subsection (D) to change the following allocations: innovative care strategies from “\$4,000,000” to “\$3,600,000;” FQHCs from “\$6,400,000” to “\$5,000,000;” Free Clinics from “\$1,600,000” to “\$1,500,000;” and local alcohol and drug abuse authorities from “\$1,600,000” to “\$1,500,000.” Delete the requirement that the department also explore a transition to a prospective payment system for FQHCs. Delete subsection (E) Rural and Underserved Area Provider Capacity. Amend renumbered subsection (G) to change the requirement that the department pilot “an all-inclusive” to “a behavioral” health intervention program. *For FY 2017-18, the department is proposing a \$2 million reduction designed to minimize the impact on the providers who have the most constrained access to other revenue sources (free clinics and 301s).* Fiscal Impact: Agency states it would reduce expenditures by approximately \$2 million (100% state funds) compared to FY 2016-17. *Deleted telemedicine language has been moved to new proviso 117.135 and rural health language has been moved to proviso 33.23.* Requested by Department of Health and Human Services.

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- 33.22 DELETE** (Carry Forward Authorization) Authorizes the department to carry forward any general fund balance and spend the funds for the Medicaid program. Requires the department report the balance carried forward to the Chairmen of the Senate Finance and House Ways and Means Committees within thirty days after the close of the fiscal year.
WMC: DELETE proviso. *Combined with proviso 33.16.* Requested by Department of Health and Human Services.
- 33.23. AMEND** (Rural Health Initiative) Directs the department to partner with various state agencies, institutions, and other key stakeholders to implement components of the Rural Health Initiative to address the needs of medically underserved communities and to leverage federal funds to implement the initiative. (A)(1) Rural Healthcare and Education - Directs the USC School of Medicine to consult with the S.C. Office of Rural Health in preparing a proposal for a Center of Excellence to support and develop rural medical education and delivery infrastructure with a statewide focus. Directs the department to authorize at least \$1,500,000 to support the center and prohibit these funds from being used by recipients to supplant existing resources; Requires the USC School of Medicine report on the how the funds designated through this provision were used and/or expended. (A)(2) Rural Medicine Workforce Development - Directs the department, in consultation with the Medical Education Advisory Committee, to support development of additional residency and/or fellowship slots or programs. (B) Directs the department to investigate the potential use of DSH and/or other allowable and appropriate sources of funds to improve access to emergency medical services in communities whose access has been degraded due to a hospital's closure during the past five years and to establish a DSH pool for this purpose.
WMC: AMEND proviso to authorize recurring and non-recurring Rural Health Initiative funds to be carried forward and expended for the same purpose. Amend subsection (A) to direct the department to incentivize development of primary care access in rural and underserved areas; leverage Medicaid spending on Graduate Medical Education by implementing new methodologies that support recommendations contained in the January 2014 SC GME Advisory Group report; and continue to leverage the use of teaching hospitals to ensure rural physician coverage. Add subsection (A)(1) Rural and Underserved Area Provider Capacity to direct the department to partner with USC School of Medicine to develop a statewide Rural Health Initiative and to use \$1,000,000 to contract with the MUSC Hospital Authority and \$2,000,000 to contract with the USC School of Medicine to further develop statewide teaching partnerships. Amend subsection (A)(3) to delete the requirement that applications to the ACGME must be developed by June 30, 2017. Add subsection (A)(4) Statewide Health Innovations to direct the department to spend at least \$2,000,000 to contract with the USC School of Medicine and at least \$1,000,000 to contract with the MUSC Hospital Authority to develop and continue innovative healthcare delivery and training opportunities via ICARED and other innovative programs. Amend subsection (B) to authorize the department to carry forward DSH capacity from a previous period as federally permissible. Requested by Department of Health and Human Services.
- 33.24 ADD** (BabyNet Compliance) **WMC:** ADD new proviso to direct the department to report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by December 31, 2017, on the status of the department's efforts to bring the BabyNet program into compliance with federal requirements. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017. Agency states this would replace Proviso 1.74, which imposed similar obligations upon First Steps during its administration of the BabyNet program.* Requested by Department of Health and Human Services.

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- 33.25 ADD** (Personal Emergency Response System) **WMC:** ADD new proviso to direct the department to develop RFPs to provide for Personal Emergency Response Systems (PERS) to be issued to Medicaid recipients based on the department's Medicaid Home and Community-based waiver. Direct that PERS devices must include unlimited 24-7 live phone contact with RNs for triage services. Require the PERS nurse triage call centers be accredited and separate from PERS emergency response call centers. Require PERS devices comply with all FCC rules and regulations. Require the department apply for any necessary waivers.

SECTION 34 - J040 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

- 34.17 AMEND** (Nursing Home Medicaid Bed Day Permit) Authorizes the transfer of the Medicaid patient day permit to a nursing home receiving a patient from a facility that has violations of state or federal law or Medicaid certification requirements that necessitate the transfer. Requires the receiving facility to apply to retain the Medicaid patient day permit within sixty days of receipt of the patient.
WMC: AMEND proviso to direct that the Medicaid patient day permit is transferred with the patient if the receiving nursing home is an enrolled Medicaid provider that already holds Medicaid patient day permits. Requested by Department of Health and Environmental Control.
- 34.18 DELETE** (Mineral Sets Revenue) Authorizes the department to charge a reasonable fee for mineral sets and to retain the funds in a revolving account with a maximum carry forward of \$2,000. Directs that funds must be expended for mineral set supplies and related mining and reclamation educational products.
WMC: DELETE proviso. *Mineral sets at a fee of \$3/each have not been sold in several years.* Fiscal Impact: Agency recommends closing the account and any remaining funds being transferred to the General Fund. Requested by Department of Health and Environmental Control.
- 34.42 DELETE** (Obesity) Directs that DHEC shall be the convener and coordinator of the fight against Obesity in South Carolina. Directs SDE, DHHS, DSS, DMH, MUSC, USC Arnold School of Public Health, PRT, Department of Commerce, DOT, and Commission for the Blind to cooperate with DHEC and its partners to facilitate an environment that decreases body mass index (BMI). Requires school district provide DHEC with information on their progress toward meeting certain provisions of the Student Health and Fitness Act of 2005. Authorizes DHEC to collect, compile and assess State and school districts progress in meeting these goals.
WMC: DELETE proviso. *Agency states partners are already working together voluntarily and have been doing so for 3 years as a part of the Scaledown Initiative and this proviso does not include all of the agencies and organizations involved.* Requested by Department of Health and Environmental Control.
- 34.48 AMEND** (~~Birthing~~ Birth Center Inspections) Requires accredited birthing centers to register an on-call agreement and any transfer policies with DHEC.
WMC: AMEND proviso to change "birthing" to "birth." Delete reference to centers being accredited by the Commission on Accreditation of Birth Centers. Require the on-call agreement contain provisions for the on-call physician "or his/her designee" to have "hospital admitting privileges" at the hospital that is within a 30 minute drive of the birthing center.

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- 34.50 AMEND** (Data Center Migration) Directs the department to use Data Center Migration funds for a variety of shared technology services offered by the DOA, Division of Technology Operations.
WMC: AMEND proviso to authorize unexpended data center migration funds to be carried forward. *To assist the Division of Technology with costs associated with migrating DHEC's data center.* Fiscal Impact: In the event carry forward funds remain, they would not lapse to the general fund. Requested by Department of Health and Environmental Control.
- 34.53 DELETE** (Coastal Zone Boundary) Directs DHEC to report to the General Assembly by January 1, 2017 on initial recommendations to revise the coastal zone boundary, if any, and directs the study begin with Dorchester County.
WMC: DELETE proviso.
- 34.54 ADD** (EMS Monetary Penalties) **WMC:** ADD new proviso to allow the Bureau of Emergency Medical Services to retain up to the first \$40,000 of civil monetary penalties against nonconforming providers collected each fiscal year and direct that the funds to be used solely to carry out and enforce the provisions of applicable regulations. Direct a report be submitted to the Governor and Chairmen of the Senate Finance and House Ways and Means Committees on how these funds are expended. *The department states it does not currently have the authority to retain these funds, however provisos 34.24, 34.25, and 34.26 authorize the retention of certain health related monetary penalties.* Fiscal Impact: The agency states approximately \$18,000 was collected in the prior fiscal year and remitted to the General Fund.
- 34.55 ADD** (Remedial Actions on Regulated Dams) **WMC:** ADD new proviso to allow DHEC to enter into contracts with one or more contractors to perform remedial actions on dams regulated under the SC Dams and Reservoir and Safety Act as necessary to protect life or property when an emergency order has been issued. Direct that these contracts shall be exempt from the Procurement Code's purchasing procedures.
- 34.56 ADD** (Greenwood Sewer Extension Line) **WMC:** ADD new proviso to redirect nonrecurring funds appropriated in the FY 2007-08 Appropriation Act for the Greenwood Sewer Extension Line to any project on the Eagles Harbor priority list, less outstanding expenses associated with the sewer extension line. Authorize unexpended funds to be carried forward.
- 34.57 ADD** (Lake Conestee Dam and Reservoir) **WMC:** ADD new proviso to direct DHEC to appropriate up to \$185,000 to the Conestee Foundation to conduct an expert dam engineering study to examine alternatives to rehabilitate and/or replace the Lake Conestee Dam. Direct that that study include related construction and long term care costs and identify a Final Recommended Alternative appropriate for final design and construction. Provide for the membership of a panel to select a contractor to conduct the study. Direct that funding of the study does not obligate the state for the future costs of anticipated dam rehabilitation or replacement.
- 34.58 ADD** (Ocean Water Quality Outfall Initiative) **WMC:** ADD new proviso to direct the department's Beach Renourishment Fund be made available as state matching funds for Horry County Ocean Water Quality Outfall Initiatives. Authorize funds to be retained and carried forward for the same purpose.

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SECTION 35 - J120 - DEPARTMENT OF MENTAL HEALTH

- 35.7 AMEND** (Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) Authorizes the department to establish an interest bearing fund with the State Treasurer to deposit deferred maintenance funds and other one-time funds from any source. Authorizes the department to spend these funds for deferred maintenance, capital projects and ordinary repair and maintenance. Authorizes the funds to be carried forward and used for the same purpose.
WMC: AMEND proviso to delete specific reference to depositing funds “appropriated” for deferred maintenance and other one-time funds from any source. Authorize the department to retain and deposit into the fund the proceeds from the sale of excess real property owned by, under the control of, or assigned to the department. Requested by Department of Mental Health.
- 35.8 ADD** (Lease Payments to SFAA for SVP Program) **WMC:** ADD new proviso to exempt Sexually Violent Predator Program lease payments to SFAA from any across-the-board base reductions.

SECTION 36 - J160 - DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

- 36.7 AMEND** (Unlicensed Medication Providers) Authorizes the department to license or certify select unlicensed persons in community-based programs to provide select medications. Limits the medications allowed to be administered. Requires the department to establish curriculum and standards for training and oversight. Directs that this provision does not apply to an intermediate care facility for individuals with intellectual and/or related disability.
WMC: AMEND proviso to change “selected” to “designated” unlicensed persons. Direct that unlicensed persons must have documented “successful completion of” medication training and direct that in addition to nurses, “licensed pharmacists and licensed medical doctors” may train and supervise designated unlicensed persons to provide medication. Amend the type of medications designated unlicensed persons may provide. Require a written or electronic record about each medication be provided as part of the provision of medication. Direct that nurses, pharmacists and medical doctors that train, approve, and supervise designated unlicensed persons shall be protected against tort liability. Requested by Department of Disabilities and Special Needs.
- 36.16 ADD** (Beaufort DSN Facility) **WMC:** ADD new proviso to authorize the department to retain the full amount of proceeds from the sale of the local DSN Board of Beaufort County property. Direct that funds from the sale must be used to purchase new property for the local DSN Board that better meets the needs of those served. Authorize unexpended funds to be carried forward and used for the same purpose. Direct the department to provide a status report to the Beaufort County Legislative Delegation by June 30, 2018 that details the retention of any sale proceeds and/or expenditures of the funds.

SECTION 38 - L040 - DEPARTMENT OF SOCIAL SERVICES

- 38.3 AMEND** (~~Foster Children~~ Burial Expenses) Directs that the expenditure of funds allocated for burials of foster children not exceed \$1,500 per burial.
WMC: AMEND proviso to include adults who are in DSS custody. Requested by Department of Social Services.

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- 38.27** **ADD** (Wilderness Therapeutic Camps) **WMC:** ADD new proviso to direct DSS to make and promulgate any licensing standards rules and regulations necessary to carry out the purposes of Article 1 of Title 63, Chapter 11 [CHILD WELFARE AGENCIES] as applied to Wilderness Therapeutic Camps. Define "Wilderness Therapeutic Camp."

SECTION 42 - L320 - HOUSING FINANCE AND DEVELOPMENT AUTHORITY

- 42.5** **ADD** (Housing Trust Fund Disaster Initiative) **WMC:** ADD new proviso to exclude Housing Trust Fund Disaster Initiative funds from the calculation of the percentage of trust fund expenditures per county. Requested by Housing Finance and Development Authority.

SECTION 44 - P160 - DEPARTMENT OF AGRICULTURE

- 44.6** **DELETE** (Farmers Market Revenue) Requires revenues from the sale of the State Farmers Market be deposited into a separate restricted special account under the State Fiscal Accountability Authority; authorizes the funds and accrued interest to be used to relocate and reestablish the State Farmers Market after JBRC and SFAA approval.
WMC: DELETE proviso. Requested by Department of Agriculture.

SECTION 47 - P240 - DEPARTMENT OF NATURAL RESOURCES

- 47.11** **ADD** (Water Recreation Resources Fund) **WMC:** ADD new proviso to allow the department to use the Water Recreation Resources Fund gasoline user fees for programs that support water and marine resources in addition to its current authorized uses. *Agency states that expanding use of the funds for Marine Resources will help in addressing needs of a growing salt-water recreational activity segment; while expanding use to the Water Resources section will allow for the further enhancement of water monitoring across the state.* Fiscal Impact: RFAO states this would have no expenditure or revenue impact on the General Fund, Federal Funds or Other Funds. Requested by Department of Natural Resources.
- 47.12** **ADD** (Saltwater License Revenue) **WMC:** ADD new proviso to allow the department to use the law enforcement portion of certain license fees to support the operations of the Marine Resources Division or for deferred maintenance on division facilities and ocean research vessel maintenance. *Agency states this would allow for deferred maintenance deficiencies to be addressed.* Fiscal Impact: RFAO states this would have no expenditure or revenue impact on the General Fund, Federal Funds or Other Funds. Requested by Department of Natural Resources.

SECTION 50 - P320 - DEPARTMENT OF COMMERCE

- 50.13** **AMEND** (Regional Economic Development Organizations) Designates funding for Regional Economic Development Organizations and provides a mechanism by which the funds should be distributed.
WMC: AMEND proviso to update fiscal year reference to 2017-18.
- 50.19** **DELETE** (Water System Corrective Action Plan) Redirects the non-recurring \$500,000 appropriated in Act 91 of 2015 for the Hartsville Downtown Revitalization - Center Theater to the Town of Lamar for the Water System Corrective Action Plan.

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WMC: DELETE proviso. *Funds were redirected in FY 2016-17.* Requested by Department of Commerce.

SECTION 53 - P40-S.C. CONSERVATION BANK

53.1 **AMEND** (Conservation Bank Trust Fund) Requires the South Carolina Conservation Bank to receive all revenues designated for it under Sections 12-24-95 [STATE DEED RECORDING FEE CREDITED TO SOUTH CAROLINA CONSERVATION BANK TRUST FUND] and 12-24-97 [STARTING DATE FOR TRANSFERS ON WHICH FEE BASED].

WMC: AMEND proviso to suspend revenues to the Conservation Bank pursuant to Section 12-24-95 of the 1976 Code.

SECTION 57 - B040 - JUDICIAL DEPARTMENT

57.5 **AMEND** (Judicial Expense Allowance) Provides a \$500 monthly expense allowance to full time judges.

WMC: AMEND proviso to change “five hundred” to “one thousand” dollars per month. Fiscal Impact: Agency states a projected fiscal impact of \$800,000. Requested by South Carolina Judicial Department.

SECTION 63 - K050 - DEPARTMENT OF PUBLIC SAFETY

63.7 **DELETE** (Hours of Service Rest Requirements) Directs DPS to establish a policy to allow commercial motor vehicle drivers who are involved in intrastate commerce to use time waiting in their trucks while on the job to satisfy any hours of the 30 minute rest requirements.

WMC: DELETE proviso. *Agency states it has satisfied the requirements of this proviso.* Requested by Department of Public Safety.

63.op **ADD** (Overtime Pay) **WMC:** ADD new proviso to require the department to pay current law enforcement officers, by October 1, for any comp time earned and not used in the prior fiscal year. Direct the department to use personal services and/or employer contributions carried forward funds for this purpose.

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

65.18 **AMEND** (Special Assignment Pay Level 2 & 3 Facilities) Directs that funds appropriated for special assignment pay are to address vacancies and turnover by providing pay differential for certain correctional officers, nursing staff, and food service staff at Level II and III facilities.

WMC: AMEND proviso to delete the directive that special assignment pay is a percentage of the base salary and shall not exceed the specified percentages. Delete references to previous staff categories and percentages assigned to each and add Cadets, Correctional Officers, Corporals I and II, Sergeants and Lieutenants; Captains and Majors; Nursing Staff, Food Services Staff, and Warden.

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SECTION 74 - R080 - WORKERS' COMPENSATION COMMISSION

- 74.1 DELETE** (Medical Services Provider Manual Revenue) Allows the commission to retain the revenue from the sale of Medical Services Provider Manual to fund the printing and distribution of future editions of the schedule.
WMC: DELETE proviso. *The commission no longer sells or receives revenue from the manual.* Requested by Workers' Compensation Commission.

SECTION 79 - R230 - BOARD OF FINANCIAL INSTITUTIONS

- 79.2 DELETE** (National Mortgage Settlement Carry Forward) Authorizes the Consumer Finance Division to retain, expend, and carry forward State-Federal National Mortgage Settlement funds received for enforcement and regulation.
WMC: DELETE proviso. *Funds received from the settlement have been expended.* Requested by Board of Financial Institutions.

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

- 82.2 DELETE** (Publish Headquarters Call Center Telephone Number) Directs DMV to publish the telephone number of the Headquarters Call Center in each county.
WMC: DELETE proviso. *Phone number is readily available therefore proviso is unnecessary.* Requested by Department of Motor Vehicles.
- 82.6 DELETE** (Facial Recognition Program) Directs DMV to continue the Facial Recognition Program using their authorized funds.
WMC: DELETE proviso. *DMV states it will continue to pay for the program therefore proviso is unnecessary.* Requested by Department of Motor Vehicles.
- 82.9 DELETE** (DOT Transfer) Directs DMV to transfer \$10,000,000 from any available cash balances to the Non-Federal Aid Highway Fund at the DOT.
WMC: DELETE proviso. *DOT one-time transfer has been accomplished.* Fiscal Impact: Agency states that another \$10,000,000 transfer would eliminate the ability to use funds to complete the Phoenix III system. Requested by Department of Motor Vehicles.
- 82.11 ADD** (Phoenix III Migration Pilot) **WMC:** ADD new proviso to authorize DMV, upon approval from DOA through the IT project governance process, to expend up to \$1,000,000 from any available other earmarked cash balances to conduct a proof-of-concept pilot for Phoenix III development and data migration.

SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND WORKFORCE

- 83.5 AMEND** (UI Tax System Modernization) Authorizes DEW to expend up to \$300,000 of funds made available to the State under Section 903 of the U.S. Social Security Act. Directs the funds to be used to replace the agency's unemployment tax information system with a modern technology solution. Prohibits the funds from being obligated after a 2-year period beginning July 1, 2015.
WMC: AMEND proviso to change "\$300,000" to "\$1,743,930" and update two-year period reference from "2015" to "2017." *Agency states Reed Act funds will be used to fund a portion of*

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the agency's unemployment tax system modernization project. Fiscal Impact: Agency states there would be up to \$1,743,930 of other funds will be utilized to fund a portion of the project. Requested by Department of Employment and Workforce.

- 83.6 AMEND** (Employment Training Outcomes Data Sharing) Directs DEW to require training and employment data integration; establish a Governance Policy; and develop a model data-sharing agreements with various agencies and entities.
WMC: AMEND proviso, item (A) to delete reference to "partner collaboration and sharing responsibilities" and change "2016" to "2017." Amend item (B) to change "July 22, 2016 to July 1, 2017;" delete the requirement that DEW "develop a model" and instead "enter into a" data sharing agreement; require ETPs submit "personally identifiable information" data "for the purpose of assessing program effectiveness." Delete language referencing the North American Industry Classification (NAIC) System and the Standard Occupation Classification (SOC) System. Delete items (C) (D) and (E) which reference deleting model data sharing agreements with specific entities. *DEW proposes deleting language referencing NAICS and SOC until a system for acquiring occupational data such as SOC is developed. Items C through E are deleted because the directives are duplicative due to the passage of Act 252 of 2016.* Requested by Department of Employment and Workforce.

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

- 84.9 DELETE** (Tree Removal) Prohibits DOT from using their authorized funds for tree removal or other similar activities in the median of I-26 from mile marker 170 to mile marker 199 between Summerville and I-95.
WMC: DELETE proviso. *The project is complete.* Requested by Department of Transportation.
- 84.12 DELETE** (CTC Project Expansion) Limits CTC to utilize no more than 20% of funds for ancillary initiatives that improve economic development or safety in areas adjacent to roads under its jurisdiction and defines ancillary initiatives for this purpose. Directs that if the CTC spends funds for this purpose, it must document the related anticipated results on economic development or safety.
WMC: DELETE proviso. *Agency states funds were distributed to CTCs in Fiscal Year 2015-16 in accordance with H.4230 of 2015 and therefore proviso is unnecessary.* Requested by Department of Transportation.

SECTION 85 - U150 - INFRASTRUCTURE BANK BOARD

- 85.1 ADD** (Board Meeting Coverage) **WMC:** ADD new proviso to direct the Transportation Infrastructure Bank Board to provide live-streamed coverage of all Board meetings.

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, 2017 to continue the Charleston Cooper River Bridge Project.
WMC: AMEND original proviso to change July 1, "2016" to "2017" and June 30, and "2017" to "2018." *Meets the obligations of the State Ports Authority and the State Infrastructure Bank's financial agreement.* Fiscal Impact: No impact on the General Fund. The funds used to pay the

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Transportation Infrastructure Bank are operating funds of the Ports Authority, none of which are state appropriated funds. Generates \$1,000,000 for the State Transportation Infrastructure Bank. 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.

- 88.5 DELETE** (Jasper Ocean Terminal Permitting) Designates \$1,000,000 of the funds allocated for the Jasper Ocean Terminal Permitting for a contract for the permitting process that the Corps of Engineers were previously scheduled to handle. Prohibits the Ports Authority from spending these funds until a contract is executed. Requires funds not committed by the contract to be returned to the General Fund at the end of FY 2017-18.
WMC: DELETE proviso. Requested by State Ports Authority.

SECTION 91 - A990 - LEGISLATIVE DEPARTMENT

- 91.23 AMEND** (Technology Panel) Directs the K-12 Technology Initiative partnership to provide a report that describes the state's efforts to facilitate providing cost effective connectivity and internet bandwidth to schools and libraries statewide and to report on certain technology related activities by June 1, 2017.
WMC: AMEND proviso to specify that the funds referenced are appropriated in SDE program VIII.D. and update report due date to June 1, "2018." Requested by Department of Administration.

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

- 93.11 AMEND** (Crime Victims Ombudsman) Directs the State Office of Victim's Assistance to transfer \$85,000 to the Crime Victims Ombudsman's Office for administrative and operations support.
WMC: AMEND proviso to change "\$85,000 to \$116,000." *Adjustments to funding amounts are needed to cover increased operating costs, payroll and employer contributions.* Fiscal Impact: Agency states there would be an increase in other fund expenditures of \$31,000 and is necessary as the carry forward funds for the Crime Victims Ombudsman Office will be depleted in FY 2018-19. Requested by Department of Administration.
- 93.13 DELETE** (Carillon Tower) Directs the DOA OEPP Veterans' Affairs Program to use any M.J. "Dolly" Cooper Veterans Cemetery carry forward funds to build the Carillon Tower to house the bell tower music sound system for the cemetery.
WMC: DELETE proviso. *Project is complete.* Requested by Department of Administration.
- 93.25 AMEND** (Emerging Leaders Program) Directs DOA Office of Human Resources to establish an Emerging Leaders Program designed to identify and develop the next generation of state government leaders. Requires the plans for the program be completed in time for the first cohort of participants to be selected by June 30, 2017.
WMC: AMEND proviso to update calendar year reference to "2018."
- 93.29 ADD** (Competitive Grants Review Committee) **WMC:** ADD new proviso to create the Competitive Grants Review Committee within DOA to award community grants, that benefit South Carolina citizens, to political subdivisions and nonprofit organizations in the areas of health, environmental, travel, tourism, economic development and parks and recreation. Direct

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that the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, and Chairmen of the Senate Finance and House Ways and Means Committees each appoint one member. Require the committee to meet at least twice a year to review grant applications. Direct that staff is to be provided by DOA. Direct the committee, in consultation with Senate Finance and House Ways and Means Committees staff, to establish guidelines. Direct grant funding shall come from the Litigation Recovery Account as provided in this act.

SECTION 95 - E040 - OFFICE OF THE LIEUTENANT GOVERNOR

- 95.5** **AMEND** (Home and Community-Based Services) Provides for the use, allocation, and carry forward of Home and Community-Based Services funds.
WMC: AMEND proviso to change technical references to allowable services. Authorize the Lieutenant Governor's Office on Aging to retain $\frac{1}{4}$ of 1% of the funds to monitor and oversee the program. Reduce from 5% to 3% the amount of funds which the Lt. Governor's Office on Aging may retain for allocation in case of a recognized emergency and/or natural disaster recognized by the Governor. Delete the requirement that funds be allocated based on the Intrastate Funding Formula methodology and instead direct that the formula be used as a guideline and direct the Lt. Governor's Office on Aging develop and implement a structured methodology to allocate the funding. *Reduction from 5% to 3% would provide more funds for core services to seniors.* Fiscal Impact: Agency states based on current appropriations 3% would provide \$329,160 for emergencies or natural disasters and $\frac{1}{4}$ of 1% would provide \$27,430 for monitoring. Requested by Lieutenant Governor's Office.
- 95.7** **DELETE** (Referring Agency) Designates the Lieutenant Governor's Office on Aging as a "referring agency" to the 14 Community Action Agencies in the state and to OEPP, Office of Economic Opportunity for services for the elderly. Requires OEPP provide a report by September 1st to the Chairmen of the Senate Finance and House Ways and Means Committees on the status of all referrals received from the Lt. Governor's Office on Aging in the prior fiscal year.
WMC: DELETE proviso. *The agency states that the objective has been met.* Requested by Lieutenant Governor's Office.

SECTION 99 - E190 - RETIREMENT SYSTEM INVESTMENT COMMISSION

- 99.1** **AMEND** (Retirement Investment Commission Audit) Suspends, for FY 2016-17, the requirement that the Inspector General employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission and directs any savings from not conducting the audit be used to conduct the required PEBA audit.
WMC: AMEND proviso to update fiscal year reference to "2017-18."
- 99.2** **DELETE** (Semi-Annual Meetings) Requires the Retirement System Investment Commission appear semi-annually before the Ways and Means Committee's Legislative, Executive, and Local Government Subcommittee, at the subcommittee's request, in order to review quarterly investment reports and agency operations.
WMC: DELETE proviso.
- 99.3** **DELETE** (Administrator Retention) Directs the Retirement System Investment Commission to retain 25% of the annual amount invoiced for its 3rd party administrator system to ensure the

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system's performance. Requires the funds be held in a retainage account and directs that they can only be distributed after satisfactory performance has been verified by the Investment Commission and Procurement Services. Authorizes undistributed funds to be carried forward and used for the same purpose.

WMC: DELETE proviso. *The 3rd party administrator's performance has been verified and the retained amount has been paid. The proviso is no longer necessary.* Requested by Retirement System Investment Commission.

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

100.9 AMEND (Billeting and Dining Facility Operations) Authorizes Billeting and Dining Facility Operations revenue to be retained and expended in their budgeted operations or to support SCMD operations, including use for matching federal funds, and armory maintenance and operations.

WMC: AMEND proviso to delete the authorization to expend billeting and dining facility revenue to support SCMD operations and armory maintenance and operations. *Audit findings from US Property and Fiscal Accounting Office have determined that use of the funds for that purpose is not authorized.* Requested by Office of Adjutant General.

100.19 AMEND (2015 Flood Expenditure Status Report) Requires the Emergency Management Division to prepare a quarterly report on the status of the expenditure of "FEMA State and Local Match for 2015 Flooding" funds appropriated by proviso 118.16 and submit the report to the Chairmen of the Senate Finance and House Ways and Means Committees beginning September 30, 2016.

WMC: AMEND proviso to direct that the quarterly expenditure report be for funds appropriated "in the current fiscal year or in a previous fiscal year." Amend to also include reporting on funds expended for Hurricane Matthew and the Pinnacle Mountain Fire. Direct that the quarterly reports are to begin September 30, 2017.

SECTION 101 - E280 - ELECTION COMMISSION

101.1 AMEND (County Boards of Voter Registration and Elections Compensation) Authorizes compensation for each County Boards of Voter Registration Elections Commissioners at the rate of \$1,500 annually and limits each county to \$12,500 per year. Exempts funds appropriated for this purpose from budget reductions.

WMC: AMEND proviso to change "Commissioners" to "board members." *All county boards of voter registration and election commissions were combined per Act 196 of 2014 and there are no longer any separate county election commissioners.* Requested by Election Commission.

101.9 DELETE (Help America Vote Act) Authorizes the Election Commission to use funds appropriated for primary and general elections to match the Help America Vote Act program to the greatest extent possible and ensure compliance with Uniformed and Overseas Citizens Absentee Voting Act.

WMC: DELETE proviso.

101.11 DELETE (HAVA Match Funds) Directs that funds appropriated from the General Fund for matching federal Help America Vote Act funds must be placed in a restricted account so that interest accrues to that account.

WMC: DELETE proviso.

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SECTION 102 - E500 - REVENUE AND FISCAL AFFAIRS OFFICE

- 102.3 DELETE** (SC Boundary Commission) Establishes the SC Boundary Commission which is directed to work with NC Boundary Commission to re-establish the boundaries between the two states. Directs RFA to submit a progress report to the Senate Finance and House Ways and Means Committees within 60 days of the close of each fiscal year until the boundaries have been re-established.
WMC: DELETE proviso. *Re-establishment is completed.* Requested by Revenue and Fiscal Affairs Office.
- 102.8 ADD** (NG9-1-1 Strategic Plan) **WMC:** ADD new proviso to authorize RFA to use wireless 9-1-1 fund compliance cost monies to further plan, develop and implement the comprehensive statewide NG9-1-1 system as outlined in the strategic plan; and define associated costs. Requested by Revenue and Fiscal Affairs Office.

SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY

- 104.2 DELETE** (Vacant Positions) Authorizes SFAA to delete positions that have been vacant more than 12 months.
WMC: DELETE proviso. *See proviso 117.14 for FTE management.* Requested by Department of Administration.
- 104.5 AMEND** (Insurance Coverage for Aging Entity Authorized) Authorizes the Insurance Reserve Fund to provide insurance coverage for certain local aging entities. Directs that the IRF and the State shall not be liable for any coverage insufficiencies.
WMC: AMEND proviso to update fiscal year references to "2017-18."

SECTION 108 - F500 - PUBLIC EMPLOYEE BENEFIT AUTHORITY

- 108.1 DELETE** (Lottery, Infrastructure Bank, and Magistrates Health Insurance) Allows Lottery Commissioners, Transportation Infrastructure Bank Board members, magistrates, if the magistrate's county participates in the plan, and eligible dependents, to participate in the State Health and Dental Plan upon payment of full premium costs.
WMC: DELETE proviso.
- 108.6 AMEND** (State Health Plan) Directs that for the 2017 State Health Plan, employer premiums will increase 0.8%; subscriber premiums and co-payments will not increase. Authorizes PEBA to adjust the plan, benefits, or contributions during Plan Year 2017 to ensure the plan remains fiscally stable.
WMC: AMEND proviso update employer premium increase from "0.8" to "3.3" and update fiscal year references from "2017" to "2018."
- 108.11 ADD** (Former Spouses on the State Health Plan) **WMC:** ADD new proviso to require the State Health Plan of Benefits, effective January 1, 2018, to cover a subscriber's former spouse, who is eligible to be covered pursuant to a court order, on the former spouse's individual policy at the full amount of the premium for the elected coverage. Direct that the former spouse may only elect such health, dental and vision coverage as required by the court order and may continue coverage as long as the subscriber remains a participant in the State Health Plan. Direct that this

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proviso does not affect a subscriber's ability to cover a current spouse on a policy when the subscriber's former spouse is covered on a separate policy.

SECTION 109 - R440 - DEPARTMENT OF REVENUE

109.11 AMEND (Educational Credit for Exceptional Needs Children) Creates the Educational Credit for Exceptional Needs Children Fund and provides for scholarship funding organizations and individual tax credits for the amount a person contributes for an exceptional needs child within specific parameters.

WMC: AMEND proviso definition of "Eligible school" in (A)(1)(f) to require a school to also be in good standing with the "Palmetto Association of Independent Schools." Amend definition of "Exceptional needs child" by adding (A)(2)(c) to include a child who has been identified by DSS as having special educational or developmental needs. Amend definition of "resident public school district" in (A)(6) to add "or in the case of dependents of active duty military personnel, the public school district which the student may attend." Amend (E)(1) to provide guidelines to reapply and apply to the EOC in order to participate in the program in the current fiscal year; provide for removal from the program if certain information is not received by specific deadlines; provide for verification that a school is a member in good standing with certain associations and with the Diocese of Charleston and that the school continues to serve exceptional needs children. Amend (E)(1)(c) to direct that the application must contain a copy of a compilation, review, or compliance audit of the organization's financial statement "as relating to the grants received" conducted by a CPA firm. Amend (E)(3)(a)(ii) to require an independent school's compliance audit be posted on the EOC website. Delete (J) which required scholarship funding organizations organized for the purpose of providing grants to qualifying students with exceptional needs to attend an independent school, to deposit all remaining funds into the Educational Credit for Exceptional Needs Children Fund by August 1, 2016 and direct that these organizations shall cease to exist on August 1, 2016.

SECTION 112 - V040 - DEBT SERVICE

112.1 AMEND (Excess Debt Service) Provides for the expenditure of excess FY 2015-16 debt service funds in FY 2016-17.

WMC: AMEND proviso to update fiscal year references.

SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE TREASURER

113.2 AMEND (Quarterly Distributions) Provides for the quarterly distribution of Aid to Subdivisions Local Government Fund.

WMC: AMEND proviso to update fiscal year references to "2017-18."

113.5 AMEND (LGF) Suspends Sections 6-27-30 [FUNDING OF LOCAL GOVERNMENT FUND FROM GENERAL FUND REVENUES] and 6-27-50 [RESTRICTIONS ON AMENDMENT OR REPEAL OF CHAPTER] for Fiscal Year 2016-17.

WMC: AMEND proviso to update fiscal year reference to "2017-18."

113.7 AMEND (Political Subdivision Flexibility) Authorizes political subdivisions that receive Local Government Fund monies to reduce the amount of support they provide to any state mandated program or requirement up to the percentage their Local Government Fund appropriation has

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been reduced compared to the amount required to be funded by law, but excludes the court system from the reductions.

WMC: AMEND proviso to update fiscal year reference to “2017-18.” Amend the list of entities for which political subdivisions may not reduce support to include “assessment for indigent medical care pursuant to Section 44-6-146” [COUNTY ASSESSMENTS FOR INDIGENT MEDICAL CARE; PENALTIES FOR FAILURE TO PAY ASSESSMENTS IN TIMELY MANNER]. *The department states that counties are using the current proviso to reduce their indigent medical care payments, however the department is obligated to continue covering MIAP beneficiaries and is not permitted to reduce the cost of the program.* Fiscal Impact: The department states they currently absorb up to \$4,000,000 in lost revenue from counties MIAP assessment reductions. Requested by Department of Health and Human Services.

SECTION 117 - X900 - GENERAL PROVISIONS

117.2 AMEND (Appropriations From Funds) Directs that funds appropriated from the General Fund, EIA Fund, Highways and Public Transportation Fund and other applicable funds are to meet the ordinary expenses of the State for FY 2016-17.

WMC: AMEND proviso to update fiscal year reference to “2017-18.” *Technical.*

117.3 AMEND (Fiscal Year Definitions) Defines current and prior fiscal year time frames.

WMC: AMEND proviso to update fiscal year references from “2016” to “2017;” “2017” to “2018;” and “2015” to “2016.” *Technical.*

117.14 AMEND (~~Personal Service Reconciliation, FTEs~~ FTE Management) Provides guidelines for the Executive Budget Office to monitor full-time equivalent (FTE) positions and directs that no agency may exceed the total FTEs authorized in the Appropriation Act except upon majority vote of the State Fiscal Accountability Authority. Directs that personal services funds in the Governor’s budget recommendations must be at least 97% funded.

WMC: AMEND proviso to delete the requirement in item (2)(a) that non-established positions be deleted and the directive that no positions be established in excess of the total number of authorized FTE positions. Amend item (2)(b) to change “personal service” analysis to “FTE” analysis and require the analysis be completed for the current and last two fiscal years. Delete item (2)(c) which allows SFAA to direct that unfunded or significantly underfunded positions be deleted. Amend item (5) to delete current directive to annually reconcile personal service funds with full-time employee count and instead permit the number of authorized positions in this act to be increased if an agency determines that the duties of Temporary, Time-Limited, and Temporary Grant positions created before July 1, 2017 will continue indefinitely and merit being classified as a FTE; exempt these newly created FTEs from the posting process; and direct that affected Temporary Grant and Time-Limited employees unused annual and sick leave shall transfer to their FTE position. Direct the Division of State Human Resources, in consultation with EBO, to formulate guidelines for administering this item and provide for certain information to be included in any request to convert a position. Direct DOA to review, approve, deny, or modify the request, as appropriate; ensure that FTE Constitutional limits are observed; and to submit a report on FTEs issued through this item to the Chairmen of the Senate Finance and House Ways and Means Committees by January 6.

117.58 AMEND (Year-End Financial Statements - Penalties) Provides timeframes for submission of annual audited financial statements by agencies, institutions, and other reporting entities to the

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Comptroller General for inclusion in the State's CAFR. Requires the Comptroller General to provide a report to SFFA by November 30th on each noncompliant agency, institution, or other reporting entity.

WMC: AMEND proviso to change the date by which agencies whose fiscal year ends on June 30th must submit their final audited financial statements to the Comptroller General from "October first" to "October fifteenth."

- 117.72 AMEND** (Printed Report Requirements) Directs that for Fiscal Year 2016-17, certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically and waives the submission of certain reports. Authorizes DOT to combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

WMC: AMEND proviso to update fiscal year references to "2017-18."

- 117.73 AMEND** (IMD Operations) Directs that funds received by State child placing agencies (SDE, DJJ, DDSN, DMH, DSS, and OEPP-Continuum of Care) for the Institution for Mental Diseases Transition Plan (IMD) be applied only for out of home placement in providers which operate DSS or DHEC licensed institutional, residential, or treatment programs. Requires an annual IMD transition funds expenditure report. Directs DHHS to review the numbers of out of home placements by type and agency each year and make recommendations to the General Assembly. **WMC:** AMEND proviso to delete the requirement that all funds received for IMD be applied only for out-of-home placement in providers which operate DSS or DHEC programs. Delete the requirement that "each state child placing agency" submit an IMD expenditure report on IMD transition funds and instead direct DHHS to produce an annual report on "Medicaid-funded out-of-home placements and associated" expenditures. Delete the requirement that DHHS review the numbers of out of home placements by type and agency each year and make recommendations to the General Assembly. *The department proposes to update the language to focus on providing information on out-of-town home placements as this information has represented the volume of the reports in recent years.* Requested by Department of Health and Human Services.

- 117.89 AMEND** (Funds Transfer to ETV) Requires funds appropriated to DOA for Legislative & Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council for City and Council municipal training to be transferred to ETV during July of 2016 for services as they were provided in the prior fiscal year.

WMC: AMEND proviso to update "2016" to "2017." Requested by Educational Television Commission.

- 117.90 DELETE** (Opt Out of Federal Patient Protection and Affordable Care Act) Directs that if federal law permits, the state opts out of specific provisions of the federal Patient Protection and Affordable Care Act (PL 111-148).

WMC: DELETE proviso.

- 117.93 AMEND** (WIA Service Advertising) Establishes Workforce Investment Act advertising guidelines.

WMC: AMEND proviso to update fiscal year reference to "2017-18."

- 117.94 AMEND** (WIA Training Marketability Evaluation) Directs the department to submit a report to the chairmen of various legislative committees on how funds were spent to provide marketable

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work skills training; on any restructuring or realignment of agency functions as well as changes in staffing levels or service; and to describe efforts the agency made to reassign or retrain employees who were terminated if the agency hired new employees for that position.

WMC: AMEND proviso to update fiscal year reference to "2017-18."

- 117.98 AMEND** (~~First Steps~~ BabyNet Quarterly Report) Requires the First Steps Board of Trustees to ensure compliance with Part C of the Individuals with Disabilities Act and to fully implement the LAC's BabyNet Program recommendations contained in the 2011 audit report. Directs First Steps to submit necessary statutory changes to appropriate Senate and House Education Committees and to submit budget recommendations to the Governor in their agency's budget request. Requires certain quarterly and monthly reports be submitted and directs First Steps to collaborate with the School for the Deaf and Blind, DDSN, DHHS, DMH, and DSS to develop a common reporting format.

WMC: AMEND proviso to delete the BabyNet responsibilities specifically associated with First Steps as the lead agency. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017.* Requested by SC First Steps to School Readiness.

- 117.107 AMEND** (State Ports Authority Property) Directs that if the Authority has not sold its real property on Daniel and Thomas Islands, with certain exceptions, by June 30, 2017, it must transfer the property to the Department of Administration.

WMC: AMEND proviso to change "2017" to "2018." Requested by State Ports Authority.

- 117.110 AMEND** (South Carolina Welcome Centers) Directs the PRT and DOT maintain a MOU that provides that PRT control operations of all SC Welcome Centers and specifies control of certain responsibilities. Directs DOT to transfer \$3,313,560, less any state funds appropriated by the General Assembly for Welcome Centers, to PRT. Directs that these funds be placed in a separate and distinct fund and authorizes these funds to be carried forward and used for the same purposes.

WMC: AMEND proviso to delete the requirement that DOT transfer \$3,313,560 to PRT.

- 117.113 AMEND** (Information Technology and Information Security Plans) Requires all state agencies to submit an information technology plan and an information security plan for FY 2016-17 to the Department of Administration by October 1, 2016; to submit updates to the plan if changes are made after initial submission; and specifies information required to be included in the plans. Excludes the Judicial and Legislative Departments, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies from the requirements of this provision.

WMC: AMEND proviso to change "October 1, 2016" to "August 1 of the current fiscal year" and to delete reference to "for Fiscal Year 2016-17." Requested by Department of Administration.

- 117.114 AMEND** (SCOIS Transfer) Directs that for FY 2016-17 the authorities and responsibilities of SCOIS shall continue to be transferred from DEW to SDE.

WMC: AMEND proviso to change fiscal year reference to "the current fiscal year."

- 117.116 AMEND** (Employee Compensation) Provides a plan to distribute employee pay increases for FY 16-17 in the amount of 3.25%. Directs allocations associated with the increases for retirement employer contributions be based on the rate of the retirement system in which employees

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participate. Authorizes the use of funding for statewide employer contributions for other statewide purposes and allow carry forward of those funds.

WMC: AMEND proviso to change employee compensation increase from “3.25” to “zero” percent.

- 117.119 AMEND** (First Steps Reauthorization) Reauthorizes Act 99 of 1999 as amended by Act 287 of 2014 (First Steps) for Fiscal Year 2016-17.

WMC: AMEND proviso to update fiscal year reference to “2017-18.” Requested by First Steps to School Readiness.

- 117.122 DELETE** (County Transportation Committee Road Program Supplement) Directs the Transportation Infrastructure Bank to transfer the \$50,000,000 appropriated by Act 92 of 2015 to DOT. Directs DOT to distribute these funds to the County Transportation Committee Road Program and directs County Transportation Committees to use the funds solely for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement or reconstruction. Prohibits these funds from being used on any road, bridge, or highway that is not part of the state owned system. Authorizes these funds to be carried forward and be spent for the same purpose.

WMC: DELETE proviso. *The transfer was completed in FY 2016-17.* Requested by Department of Transportation.

- 117.123 AMEND** (Sentencing Reform Oversight Committee Reauthorization) Reauthorizes the Sentencing Reform Oversight Committee for FY 2016-17 and adds four members to the committee: two members of the House, one appointed by the Speaker of the House and one appointed by the Ways and Means Committee Chairman, and two members of the Senate, one appointed by the President Pro Tempore and one appointed by the Senate Finance Committee Chairman.

WMC: AMEND proviso to change “Fiscal Year 2016-17” to “the current fiscal year.”

- 117.125 DELETE** (Endowed Chairs Funding) Directs CHE to transfer the Endowed Chairs Program funds set aside for “Commerce Awards” to the Department of Commerce’s Applied Research Centers by August 1, 2016.

WMC: DELETE proviso. *Funds were transferred in FY 2016-17.* Requested by Department of Commerce.

- 117.127 DELETE** (South Carolina State University Debt Fund Balance) Directs SFAA Executive Director, by July 31, 2016, to transfer to SC State University any remaining fund balance, not to exceed \$145,000, related to the debt incurred by the university from the April 30, 2014 loan. Directs that the university can only spend these funds on one-time projects necessary to meet accreditation standards and/or on critical repair and related maintenance.

WMC: DELETE proviso. *Funds were returned to the South Carolina State University in FY 2016.* Requested by State Fiscal Accountability Authority

- 117.128 DELETE** (Retail Facilities Revitalization Act Repeal Suspension) Suspends the repeal of Chapter 34 of Title 6 [RETAIL FACILITIES REVITALIZATION ACT] as specified in Act 285 of 2006 for sites that have provided DOR written notification of election of mode of credit before 7/1/16 and for which a building permit has been issued prior to 7/1/16.

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WMC: DELETE proviso. Fiscal Impact: RFAO states there would be no fiscal impact on state general fund income tax revenue and/or license tax revenue in FY 2017-18.

117.132 AMEND (Funds Exempt from Budget Reduction Calculations) Excludes specific funds from the calculation of any across the board base reductions mandated by the Executive Budget Office or the General Assembly as follows: the General Reserve Fund, the Capital Reserve Fund, Debt Service, the Local Government Fund, and the Tax Relief Trust Fund.

WMC: AMEND proviso to change F310 reference to "Capital and General Reserve Funds."

117.133 ADD (BabyNet) **WMC:** ADD new proviso to direct EBO to conduct an inventory of all BabyNet related spending and submit it to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by July 15, 2017. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017.*

117.134 ADD (Equestrian Center Therapy Program) **WMC:** ADD new proviso to direct Voc Rehab to transfer \$500,000 to Lander University for the Lander Equestrian Center and direct Lander to use these funds to operate the center and to create a Herd 2 Human pilot program to provide equine assisted psychotherapy geared towards the treatment of PTSD and other similar disorders for members of the military. Direct that the funds must be used for the center and may not be transferred and used for other purposes.

117.135 ADD (South Carolina Telemedicine Network) **WMC:** ADD new proviso to direct that Telemedicine funds appropriated to MUSC for the MUSC Hospital Authority must be used to continue development of the SC Statewide Telemedicine Network. Direct the SC Telehealth Alliance to submit a proposal to the authority and the Department of Health and Human Services to determine which entities are best suited for Telemedicine partnerships. Direct DHHS to develop or continue a program to leverage the use of teaching hospitals to provide rural physician coverage by expanding use of telemedicine. Direct DHHS to use \$9,000,000 to contract with the MUSC Hospital Authority to lead the statewide, open access, South Carolina Telemedicine Network. Direct that no less than \$1,000,000 be allocated toward Palmetto Care Connections and other hospitals in the state. Direct the authority provide DHHS with quarterly reports on the allocation of funds and the progress of telemedicine transformation efforts and networks. Direct the MUSC Hospital Authority to publish a summary progress report on the telemedicine transformation and submit it to the Governor and General Assembly by March 1, 2018.

117.136 ADD (Adult Protective Services Coordination Teams) **WMC:** ADD new proviso to direct the Department of Social Services Adult Protective Services Program to develop county level multi-agency interdisciplinary Adult Protective Services Coordination Teams to develop and implement strategies to ensure appropriate services are available to vulnerable adults during the investigation and adjudication of the report of alleged abuse, neglect and exploitation. Require DHHS, DDSN, and DMH, or their designed local entity, and with advice and resources from the Lt. Governor's Office on Aging to serve on the teams to address abuse and neglect and prevent or delay institutionalization. Direct DSS to submit a progress report on implementation and any necessary funding requests to the Governor and Chairmen of the House Ways and Means and Senate Finance Committees by January 1, 2018.

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- 117.137 ADD (Distribution Facility) WMC:** ADD new proviso to direct the State Ports Authority to be considered a distribution facility for the purpose of sales tax exemptions for equipment and construction materials purchases.
- 117.138 ADD (Catastrophic Weather Event) WMC:** ADD new proviso to direct (A) that improvements to real or personal property used as a residence, such as a mobile home or manufactured housing unit, as a result of damage from the catastrophic weather event in October 2015, made after the event and before July 1, 2018, is not considered an improvement and does not require an appraisal if it was funded through the US HUD Block Grant Disaster Recovery Program, or if at the discretion of individual counties, improvements were made with the assistance of volunteer organizations; and (B) direct property tax assessors to conform the values of eligible parcels which were improved before July 1, 2017, to the property tax value as that value may have been adjusted to reflect the provisions contained in (A). Fiscal Impact: RFAO states this provision is not expected to have an expenditure or revenue impact on the General Fund.
- 117.139 ADD (Statehouse Security Body Cameras) WMC:** ADD new proviso to require all law enforcement officers assigned to the Statehouse grounds and complex to be equipped with a body worn camera while performing their duties.
- 117.140 ADD (Land Management) WMC:** ADD new proviso to prohibit DNR, the Forestry Commission and PRT from accepting additional properties until adequate resources have been provided to manage currently owned lands. Excludes properties whose transfer to a state agency was in process prior to July 1, 2017.
- 117.141 ADD (Study Committee on Electronic Recording of Custodial Interrogations) WMC:** ADD new proviso to direct the Judicial Department, Court Administration Program to establish a committee to study statewide implementation of electronic recording of custodial interrogations in their entirety. Provide for the composition of the study committee; direct that Court Administration shall provide staff support; and require the committee submit its findings by March 1, 2018, to the House, Senate and Governor's Office.
- 117.142 ADD (Indigent Defense Screening Review) WMC:** ADD new proviso to direct the Commission on Indigent Defense and the Judicial Department Court Administration Program to consult with the Summary Court Judges' Association and Clerks of Court Association on screening indigent defense applications. Direct the Commission on Indigent Defense and Court Administration to make recommendations to the Chairmen of the House Ways and Means, House Judiciary, Senate Finance and Senate Judiciary Committees no later than December 1, 2017, regarding the applicant screening process.
- 117.143 ADD (IBC Requirements) WMC:** ADD new proviso to exempt high school stadiums, bleachers and grandstands from plumbing requirements contained in Section 2902.1 A-5 of the 2015 International Building Code.
- 117.144 ADD (Pilot Workforce Development Centers of Excellence) WMC:** ADD new proviso to direct the State Board for Technical and Comprehensive Education to establish Workforce Development Centers of Excellence as pilot programs to assist students in underserved communities with training, employment, and apprenticeship opportunities. Direct the centers to create a model to assist students in engaging in experiences and activities. Direct a center to

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enhance student engagement in the areas of Mechatronics and to establish curriculum development to provide students in bridge/transfer programs with course requirements needed to provide a seamless transition to a 4 year institution. Direct that curriculum must diversify Science, Technology, Engineering, Arts and Math modules to provide value-added academic preparation. Direct centers to provide students who successfully complete the curriculum with an industry-recognized certification. Direct that Centers of Excellence staff shall be employees of the State Board for Tech and Comp Ed.

- 117.145 ADD (Fuel Pump Inspection) WMC:** ADD new proviso to suspend Section 12-28-2355(C) [INSPECTION AND ENVIRONMENTAL IMPACT FEE CHARGED ON PETROLEUM PRODUCTS] and direct all affected revenues to be credited to the State Highway Fund to be used exclusively for repair, maintenance and improvement of the existing transportation system.
- 117.146 ADD (SCRS & PORS Rates) WMC:** ADD new proviso to direct that for FY 2017-18 the contribution rate for SCRS shall be 12.56% for employers and 9% for employees and for PORS shall be 15.24% for employers and 9.75% for employees. Direct that these funds are in lieu of an additional employer contribution increase and is equivalent to a 1% increase for state, local and school district employers that participate in the systems.

SECTION 118 - X910 - STATEWIDE REVENUE

- 118.1 AMEND (Year End Cutoff)** Directs year-end expenditure deadlines.
WMC: AMEND proviso to update calendar year references to "2018." Requested by Office of Comptroller General.
- 118.9 AMEND (Tax Relief Reserve Fund)** Creates the Tax Relief Reserve Fund; directs that accrued interest remain in the fund; and directs the State Treasurer, on December 31, 2016, to transfer from the General Fund any funds identified in this act designated for the Tax Relief Reserve Fund. Directs that the fund may only be used to provide tax relief to businesses and individuals as provided by law and authorizes these funds to be retained, carried forward, and used for the same purpose.
WMC: AMEND proviso to update calendar year reference from "2016" to "2017."
- 118.11 AMEND (Tobacco Settlement)** Directs expenditure of Tobacco Master Settlement Agreement (MSA) funds for Fiscal Year 2016-17. Suspends the requirements of Section 11-11-170 [USE OF REVENUES PAYABLE PURSUANT TO MASTER SETTLEMENT AGREEMENT] for Fiscal Year 2016-17.
WMC: AMEND proviso to fiscal year references from "2016-17" to "2017-18."
- 118.12 DELETE (Nonrecurring Revenue)** Appropriates non-recurring revenue to various agencies for Fiscal Year 2016-17, generated from specific sources.
WMC: DELETE proviso.
- 118.14 ADD (Nonrecurring Revenue) WMC:** ADD new proviso to (A) appropriate non-recurring revenue for FY 2017-18 generated from FY 2016-17 unobligated general fund revenue certified by the BEA, the Litigation Recovery Account, the S.C. Farm Aid Fund Lapse, FY 2016-17 Excess Homestead Exemption, and FY 2016-17 Conservation Bank Subfund 45D7 Carry Forward; (B) appropriate funds to various agencies for specific purposes; add item (1.1) to direct PRT to allocate the \$5,000,000 appropriated for Statewide Coastal Beach Renourishment to local

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governments and state agencies for beach renourishment to repair damage caused by 2015 and 2016 storms; provide for an application process; and require PRT report to the Governor and the Chairmen of the House Ways and Means and Senate Finance Committees by September 1, 2017 on the applications received and the funding prioritization; add item (4.1) to direct that the \$4,000,000 to HHS for the Rural Hospital Transformation Plan may only be used for site improvements associated with a HHS approved hospital transformation plan; and (C) authorize unexpended funds to be carried forward and spent for the same purpose.