

Proviso 1.23

Any procurement of school buses with funds appropriated in this act or any other appropriation bill must meet specifications developed by the School Bus Specification Committee as established by the State Superintendent of Education. The School Bus Specifications Committee shall allow for input from all school bus chassis and body manufacturers. However, if it is safe, more economical, and in the public interest, the department may use the school bus specifications of Georgia or North Carolina in the procurement of school buses. If the department uses the specifications of Georgia or North Carolina, the department must submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing the methodology by which the alternative specifications were determined to be safe, more economical, and in the public interest, when compared to the specifications set forth by the School Bus Specifications Committee. **The department is directed to purchase only school buses equipped with Wi-Fi technology. Disbursement of newly purchased school buses shall first go to rural districts submitting a locally approved plan to the State Board of Education that will ensure that at designated non-school times, buses are secured and then parked at a central, easily accessible, public location so that students may access the Wi-Fi. Further, school districts must adopt local board policies regarding the designation of these public locations, that access shall only be for educational purposes and on district approve devices and password protected to ensure only students and faculty may use the connection and the method by which all students and their families receive notice. The department shall submit a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the K-12 Technology Committee outlining which districts received buses and how the increased access has impacted students.**

1A.NEW. (SDE-EIA: Technology/Device Pilot) For Fiscal Year 2014-15, the Department of Education is authorized to use carry forward fund, non-recurring funds and funds allocated for the purchase of Instructional Materials to pilot a program in selected school districts around the state that will provide students, teachers and select necessary staff with handheld devices in order to offer expanded learning opportunities to include virtual course delivery and blended learning opportunities in the class room. The devices must upload information using internet connectivity at school in order to ensure that all students will have access to the curriculum without regard to their home internet access capabilities. Of the funds used for the pilot, ten percent may be used for professional development and ninety percent must be used for acquisition of devices. Districts desiring to participate in the pilot must submit a plan to the Department of Education no later than August 1, 2014 outlining which schools and students they desire to participate in the pilot and shall further outline the implementation plan as it will best fit and serve the students in thier district. By September 1, 2014 the department shall notify the districts selected to participate in the pilot. No later than December 15, 2014 the department shall provide a report outlining the implementation and use in the selected districts to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee and the Chairman of the House Education and Public Works Committee.

1.77. (SDE: Digital Instructional Materials) Utilizing the funds appropriated for digital instructional materials, the Department of Education shall determine a per pupil amount using the prior year's 135 ADM. These funds shall be made available to all school districts using the following procedure:

(1) The Department of Education shall create a digital instructional materials list composed of those items which have been requested by districts and that have received Board approval;

(2) Districts may request that the State Board of Education review digital instructional materials for inclusion on the list when the material has been reviewed by the district, received approval by the local board of trustees for use in its district and been found to reflect the substance and level of performance outlined in the state adopted grade specific educational standards, contain current content information, and are cost effective;

(3) Within thirty days of receiving the request, the State Board of Education must approve or disapprove the district's request. Those materials receiving approval shall be placed on the department's approved digital instructional materials list. Once items are placed on the approved list, all districts may choose items from that list; and

(4) On a form provided by the department, a district may request an allocation by denoting the number of students, grade level, and subject for which the digital materials will be used. Districts may only request digital materials in one subject area and may not receive textbooks for the students using digital materials in that subject area.

(5) Digital Instructional Materials shall include the digital equivalent of materials and devices

District requests must be submitted to the State Board of Education for consideration not later than August fifteenth of the current fiscal year. Any funds appropriated for digital instructional materials which have not been encumbered by January fifteenth, shall be distributed to school districts which have not previously received an allocation. These districts shall receive a per pupil allocation which must be used for technology infrastructure needed to prepare the district for using digital instructional materials. These funds shall not be subject to flexibility.

SPONSOR: REPRESENTATIVES LIMEHOUSE AND WHITE

ADD NEW PROVISIO

11.ar. (CHE: SC Higher Education Efficiency, Effectiveness and Accountability Review) There is created a nine member steering committee to oversee the procurement, execution, and implementation of the South Carolina Higher Education Efficiency, Effectiveness and Accountability Review. The committee shall serve as the primary client for the vendor selected to complete the review. Appointments to the committee shall include:

- (1) the Speaker of the House of Representatives or his designee;
- (2) the Chairman of the House Ways and Means Committee or his designee;
- (3) the President Pro Tempore of the Senate or his designee;
- (4) the Chairman of the Senate Finance Committee or his designee;
- (5) the Governor or her designee;
- (6) the Executive Director of the Commission on Higher Education; and
- (7) a college or university president, a college or university trustee and a college or university chief financial officer, each selected by a majority vote of the Commission on Higher Education.

Upon request of the committee, every college and university shall provide funds necessary to complete the review, not to exceed the amount provided in this act for this purpose; and the Budget and Control Board shall provide assistance with the procurement process. The committee shall deliver initial findings to the Governor and the General Assembly by February 1, 2015. Every college and university must implement process improvement strategies identified by the review.

**SECTION 28 - H91-ARTS COMMISSION
AMEND PROVISIO FY 14/15**

28.5. (ARTS: Distribution to Subdivisions) Of the funds appropriated and/or authorized to the Arts Commission for Distribution to Subdivisions, the following amounts shall be distributed in the same manner as the funds were distributed in the prior fiscal year: ~~\$11,420~~ \$4,358 for Alloc Mun-Restricted; ~~\$3,381~~ \$7,672 for Alloc Cnty-Restricted; ~~\$78,376~~ \$110,470 for Alloc School Dist; ~~\$12,336~~ \$12,300 for Alloc Other State Agencies; ~~\$429,845~~ \$551,930 for Alloc-Private Sector; ~~\$29,494~~ \$2,899 for Alloc - Private Sector; ~~\$31,581~~ \$70,500 for Aid Mun-Restricted; ~~\$15,485~~ \$46,439 for Aid Cnty-Restricted; ~~\$358,344~~ \$317,619 for Aid School Districts; ~~\$205,138~~ \$395,928 for Aid Other State Agencies; ~~\$794,598~~ \$1,478,332 for Aid To Private Sector; and ~~\$3,168~~ \$24,500 for Aid To Private Sector-Reportable.

Action Requested (Limehouse): AMEND

Action Taken:

Representatives Murrell Smith, Mike Sottile and Leon Stavrinakis

FY 14-15 Appropriations Bill

Amend the current year's proviso as follows:

DHEC

34.47. (DHEC: Sand-scraping and Sandbagging) Sand-scraping and sandbagging is allowed as protection for golf courses, if permitted by the department, until ~~December 31, 2013, July 31, 2015~~ at which time sand-scraping and sandbagging will no longer be allowed for the protection of golf courses. The payment of any fines assessed by the department regarding the use of sandbags, sand scraping or renourishment on golf courses are suspended. Any fines paid regarding the use of sandbags, sand scraping or renourishment on golf courses are to be refunded by the department.

January 11, 2014

Meeting of the W&M Healthcare Budget Subcommittee

Representative Murrell Smith

FY 14-15 Appropriations Bill

DHEC

34.PIN. (DHEC: Pinewood) Funds allocated under Program II. D. Land and Waste Management, Special Item Pinewood, are to be used solely for the purpose of maintaining the Pinewood Landfill. These funds are not subject to across the board budget cuts, nor can they be transferred to other agency programs. At the end of the fiscal year, any remaining balance in this special item must be transferred to the Hazardous Waste Permitted Site Fund and cannot be used for any other purpose. By July 15 of each year, the department shall submit a report to the Chairman of the Senate Finance Committee and to the Chairman of the House Ways and Means Committee itemizing spending from any source by the department for the operation of the Pinewood Landfill during the current fiscal year.

Note:

The subfund for the impairment fund is:

4641000 Hazardous Waste Permitted Site Fund.

Representative Murrell Smith

Proposes the further amend DHHS proviso 33.16

February 10, 2014

Meeting of Proviso Subcommittee of the W&M Committee

(DHHS requests additional wording on proviso regarding measures on cost effectiveness and quality).

33.16. (DHHS: Medicaid Cost and Quality Effectiveness) The Department of Health and Human Services shall establish a procedure to assess the various forms of ~~managed care (Health Maintenance Organizations and Medical Home Networks, and any other forms authorized by the department)~~ **health care delivery systems** to measure cost effectiveness and quality. These measures must be compiled on an annual basis **on identified targeted benchmarks. These measures must broadly address agency program areas and initiatives using national and state measures.** Cost effectiveness shall be determined in an actuarially sound manner and data must be aggregated in a manner to be determined by a third party. The methodology must use appropriate case-mix and actuarial adjustments. ~~that allow cost comparison of managed care organizations, medical home networks, and fee-for-service.~~ The department shall issue an annual healthcare report **of statewide measures deemed appropriate by the department required under state and federal guidelines.** ~~Medicaid managed care plan and Medical Home Network operating in South Carolina and the Medicaid fee-for-service program.~~ The report shall be formatted in a clear, concise manner in order to be easily understood by Medicaid beneficiaries **and other stakeholders.** The **annual** results of the cost effectiveness calculations, quality measures and the report cards shall be made public on the department's website by December thirty-first for the prior state fiscal year.

REPRESENTATIVE MERRILL

AMEND 110.pfp FURTHER

110.pfp. *(AS-TREAS: Processing Fee Prohibition) A political subdivision shall be prohibited from charging a taxpayer a processing fee for the payment of taxes by credit card. If a political subdivision accepted credit card payments in the prior fiscal year, they must continue to accept credit card payments in the current fiscal year. If a political subdivision violates this prohibition it shall have its Aid to Subdivisions Allocation reduced by an amount equal to the total of all processing fees charged to the taxpayers for that fiscal year.*

Rep. Pitts and M. Smith propose the following amendment:

117.NEW (Remittance of Court Fee and Fine Money) County and city treasurers are required to remit to the State Treasurer set percentages of revenues generated by assessments imposed by 14-1-206(A), 14-1-207(A), 14-1-208(A). This remittance is required on a monthly basis by the 15th day of each month.

Should a county and/or city treasurer fail to make the required remittance, the SC Criminal Justice Academy may withdraw the law enforcement certification granted pursuant to 23-23-10 for all law enforcement officers of all law enforcement agencies encompassed within the political subdivision if they have failed to make remittance for two months in a fiscal year. The finance director shall certify by July 1, under oath, that the county and/or city has remitted all funds or the SC Criminal Justice Academy may withdraw the law enforcement certification.

SPONSOR: REPRESENTATIVE MERRILL

SUBSTITUTE FOR 100.me

100.me. (ELECT: Municipal Elections) All municipal general elections in this State shall be held on the first Tuesday following the first Monday in November in each odd-numbered year at such voting places as have been or may be established by law. The Election Commission shall work with the Municipal Association of South Carolina to develop a plan to standardize municipal election dates across the state. Every effort should be made such that all municipal elections are held on the first Tuesday following the first Monday of November.

Representative Merrill Proposes the following:

PEBA - For the 2015 plan year PEBA shall adopt new policies for the state health plan that introduce market forces of competition and price conscientious into the state plan. These polices may include, but are certainly not limited to financial incentive for participates who make certain decisions regarding health care utilization. Any cost associated with these new policies shall be covered by the imbedded savings of the policy. PEBA shall monitor the effectiveness of these policies and report back to the Governor and the General Assembly their findings.

1. NEW. *(SDE: Alternative Fuel Transportation) For the current fiscal year, of the funds appropriated for School Bus Lease/Purchase, the Department of Education is directed to use up to 10 percent to lease or purchase school buses that are designed to use alternative fuel or are **dual fuel**. The department or any school district of this state is permitted to enter into an agreement to purchase alternative fuel and any needed fueling stations. School districts of this state are permitted to enter into an agreement to lease or purchase school buses that are designed to use alternative fuel or **dual fuel**. By June 1, 2015, the department must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee how many alternative fuel or dual fuel buses were purchased, the cost of each bus, the type of alternative fuel used and the cost of the alternative fuel.*

Rep. Pitts proposes the following:

~~61.5. (INDEF: Volunteer Guardian Ad Litem Appointments and Attorney Representation) The Commission on Indigent Defense working with the Guardian ad Litem's Office of the Division of Children's Services, shall allocate a portion of the funds provided for SC Appellate Court Rule 608 Appointments for payments of contracts with attorneys who agree to represent volunteer Guardians ad Litem in child abuse and neglect and termination of parental rights actions in Family Court, based on the rate of \$100 per completed hearing. In determining the amount to be allocated, the commission must take into account the total funds appropriated and weigh this sum against the other demands and obligations of the SC Appellate Court Rule 608 Appointment Fund. The Commission on Indigent Defense shall report to the Senate Finance Committee and the House Ways and Means Committee any payments to individual guardians ad litem from funds provided from the SC Appellate Court Rule 608 Appointment Fund.~~

GSSM Recruit Access Proviso Recommendation

1. (SDE: Governor's Schools Informational Access to Students) For the current fiscal year, school districts must permit both the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics to collaborate with individual schools and their staff to share information with students and families about the educational opportunities offered at the respective Governor's Schools, through avenues including school visits, informational presentations, and posters. By June 30, 2015 the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of these Informational Access efforts. Further, the two Governor's Schools will work with districts, SDE and School Report Card administrators, to ensure that SAT scores of current Governor's Schools' students are included in the School Report Card of those students' resident schools and districts.

1A.11. (SDE-EIA: XII.C.2-Teacher Supplies) All certified public school teachers, certified special school classroom teachers, certified media specialists, and certified guidance counselors who are employed by a school district or a charter school as of November thirtieth of the current fiscal year, based on the public decision of the school board may receive reimbursement of up to two hundred seventy-five dollars each school year to offset expenses incurred by them for teaching supplies and materials. Funds shall be disbursed by the department to School districts by July fifteenth based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of the school district these funds shall be disbursed in a manner separate and distinct from their payroll check on the first day teachers, by contract, are required to be in attendance at school for the current contract year. This reimbursement shall not be considered by the state as taxable income. Special schools include the Governor's School for Science and Math, the Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice, and Palmetto Unified School District. Funds distributed to school districts or allocated to schools must not supplant existing supply money paid to teachers from other sources. If a school district requires receipts for tax purposes the receipts may not be required before December thirty-first. Districts that do not wish to require receipts may have teachers retain the receipts and certify for the district they have received the allocation for purchase of teaching supplies and/or materials and that they have purchased or will purchase supplies and/or materials during the fiscal year for the amount of the allocation. Districts shall not have an audit exception related to non-retention of receipts in any instances where a similar instrument is utilized. Any district requiring receipts must notify any teacher from whom receipts have not been submitted between November twenty-fifth and December sixth that receipts must be submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement.

Any classroom teacher, including a classroom teacher at a South Carolina private school, that is not eligible for the reimbursement allowed by this provision, may claim a refundable income tax credit on the teacher's ~~2013~~ **2014** tax return, provided that the return or any amended return claiming the credit is filed prior to the end of the fiscal year. The credit is equal to two hundred seventy-five dollars, or the amount the teacher expends on teacher supplies and materials, whichever is less. If any expenditures eligible for a credit are made after December thirty-first, the teacher may include the expenditures on his initial return or may file an amended ~~2013~~ **2014** return claiming the credit, so long as the return or amended return is filed in this fiscal year. The Department of Revenue may require whatever proof it deems necessary to implement the credit provided by this part of this provision.

“1.80. (SDE: Educational Credit for Exceptional Needs Children) (A) As used in this proviso:

(1) ‘Independent school’ means a school, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.

(2) ‘Parent’ means the natural or adoptive parent or legal guardian of a child.

(3) ‘Qualifying student’ means a student who is a South Carolina resident and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the current school year.

(4) ‘Resident public school district’ means the public school district in which a student resides.

(5) ‘Tuition’ means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school and school-related transportation.

(6) ‘Eligible school’ means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

(a) offers a general education to primary or secondary school students;

(b) does not discriminate on the basis of race, color, or national origin;

(c) is located in this State;

(d) has an educational curriculum that includes courses set forth in the state’s diploma requirements and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;

(e) has school facilities that are subject to applicable federal, state, and local laws; and

(f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools or the South Carolina Independent Schools Association.

(7) ‘Nonprofit scholarship funding organization’ means a charitable organization that:

(a) is exempt from federal tax under Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the Code;

(b) allocates, after its first year of operation, at least ninety-five percent of its annual contributions and revenue received during a particular year to provide grants for tuition, transportation, or textbook expenses (collectively hereinafter referred to as tuition) or any combination thereof to children enrolled in an eligible school meeting the criteria of this section, and incurs administrative expenses annually, after its first year of operation, of not more than five percent of its annual contributions and revenue for a particular year;

(c) allocates all of its funds used for grants on an annual basis to children who are ‘exceptional needs’ students as defined herein;

(d) does not provide grants solely for the benefit of one school, and if the Department of Revenue determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this section may be disallowed;

(e) does not have as a member of its governing board any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this section from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member; and

(f) does not have as a member of its governing board any person who has been convicted of a felony, or who has declared bankruptcy within the last seven years.

(8) ‘Person’ means an individual, partnership, corporation, or other similar entity.

(9) ‘Transportation’ means transportation to and from school only.

(B) A person is entitled to a tax credit against income taxes imposed pursuant to Chapter 6 or Chapter 11, Title 12 or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of money the person contributes to a nonprofit scholarship funding organization up to the limits of this proviso if:

(1) the contribution is used to provide grants for tuition, transportation, or textbook expenses or any combination thereof to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

grants under this proviso must be transmitted to the Education Oversight Committee which in turn shall publish this information on its website with the most recent scores by category included.

(3) Any independent school not determined to be an eligible school under the provisions of this proviso may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

(4) The Education Oversight Committee, after consultation with its nine-member advisory committee, may exempt an independent school having students with exceptional needs who receive scholarship grants pursuant to this proviso from the curriculum requirements of subsection (A)(6)(d).

(H)(1) Every nonprofit scholarship funding organization providing grants under subsection (C), shall cause an outside auditing firm to conduct a comprehensive financial audit of its operations in conformity with generally accepted accounting principles and shall furnish the same within thirty days of its completion and acceptance to the Secretary of State and Department of Revenue which must be made available by them on their website for public review.

(2) Every independent school accepting grants for eligible students shall cause to be conducted a compliance audit by an outside entity or auditing firm examining its compliance with the provisions of this proviso, and shall furnish the same within thirty days of its completion and acceptance to the Secretary of State and Department of Revenue which must be made available by them on their website for public review."