SECTION 28 - H910 - ARTS COMMISSION

- **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.
 - **SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to update all allocation amounts. *Reflects actual expenditures in FY 14-15.* Fiscal Impact: Amended amounts reflect increase of \$925,000 over amounts listed in prior fiscal year act. Requested by Arts Commission.
 - **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, subject to requests received and availability of funds: \$65,000 for Alloc Mun-Restricted; \$10,000 \$34,012 for Alloc Cnty-Restricted; \$226,280 \$928,569 for Alloc School Dist; \$10,000 \$40,000 for Alloc Other State Agencies; \$368,148 \$459,026 for Alloc-Private Sector; \$25,750 \$42,750 for Alloc Private Sector; \$69,992 \$75,449 for Aid Mun-Restricted; \$25,889 \$41,155 for Aid Cnty-Restricted; \$305,306 \$243,241 for Aid School Districts; \$328,839 \$389,171 for Aid Other State Agencies; \$1,527,874 \$1,580,603 for Aid To Private Sector; \$54,014 \$45,221 for Aid To Private Sector-Reportable; and \$5,855 \$3,750 for Aid to County Libraries.

SECTION 73 - R060 - OFFICE OF REGULATORY STAFF

73.ad ADD (SSEB Annual Dues) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that Southern States Energy Board annual dues shall be paid from the Radioactive Waste Operating Fund.

73.ad. (ORS: SSEB Annual Dues) The annual dues of the Southern States Energy Board shall be paid from the Radioactive Waste Operating Fund.

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

81.13 DELETE (Wind and Structural Engineering Research Lab) Directs the department to use \$40,000 to contract with the Citadel to establish a research project to determine whether the wind and seismic residential building requirements for the state as prescribed in the 2015 International Residential Code are valid and to submit a preliminary report to the SC Building Council by June 30, 2016.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

81.13. (LLR: Wind and Structural Engineering Research Lab) The Department of Labor, Licensing, and Regulation is directed to utilize \$40,000 of the funds appropriated to the department to contract with the Citadel to establish a research project to determine the validity of wind and seismic residential building requirements for South Carolina, as prescribed in the 2015 International Residential Code (IRC). A preliminary report on the findings must be submitted to the SC Building Codes Council by June 30, 2016.

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

82.10 DELETE (Study of Motorcycle Usage and Safety) Directs that a committee be established to study available data related to motorcycle usage, safety, applicable laws, and regulations. Provides for the composition of the study committee and directs that findings and recommendations be issued to the Governor and the General Assembly before December 15, 2015.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The agency states this duplicates state agency efforts as Motorcycle Safety Task Force already exists in DPS.* Requested by Department of Motor Vehicles.

82.10. (DMV: Study of Motorcycle Usage and Safety) From the funds appropriated to the Department of Motor Vehicles, a committee shall be established to study motorcycle usage and safety in South Carolina.

The composition of the study committee shall be as follows: one member appointed by the governor; two members appointed by the Chairman of the Senate Transportation Committee, one of whom must be a member of A Brotherhood Against Totalitarian Enactments (ABATE) of South Carolina; two members appointed by the Chairman of the House Education and Public Works Committee, one of whom must be a member of ABATE of South Carolina; the Secretary of Transportation or his designee who shall have expertise in motorcycle safety issues; the Director of the Department of Public Safety or his designee who shall have expertise in motorcycle safety issues; and the Director of the Department of Motor Vehicles or his designee who shall have expertise in motorcycle safety issues.

The committee shall study available data related to motorcycle usage and applicable laws and regulations. Before December 15, 2015, the committee shall issue its findings and recommendations to the Governor and to the members of the General Assembly.

SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND WORKFORCE

- **DELETE** (SCOICC User Fee Carry Forward) Authorizes user fees collected by the S.C. Occupational Information Coordinating Committee through DEW to be retained and carried forward and used for operation of the SC Occupational Information System.
 - **SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *The program has been transferred to the Department of Education.* Requested by Department of Employment and Workforce.
 - **83.1.** (DEW: SCOICC User Fee Carry Forward) All user fees collected by the South Carolina Occupational Information Coordinating Committee through the Department of Employment and Workforce may be retained by the SCOICC to be used for the exclusive purpose of operating the South Carolina Occupational Information System. All user fees not expended in the prior fiscal year may be carried forward for use in the current fiscal year.
- **AMEND** (SUTA Contingency Assessment Funds) Requires 30% revenue collected through taxable wage base contingency assessments be spent (1) to enforce eligibility requirements by means of eligibility reviews, random verification of job contacts, and wage cross matches; (2) to ensure seated meetings are held with claimants; and (3) to require that SC Works Online System is used each week for one of the claimants job search contacts. Require the department notify claimants in advance that eligibility review and random verification of job contacts will be used for verification purposes.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to require all four weekly job search contacts be conducted through the SC Works Online System so that the searches can be verified electronically rather than only requiring one search use the system. *DEW indicates that claimant failure to document/submit the required number of weekly work searches is the number one cause of improper benefit payments for DEW.* Requested by Department of Employment and Workforce.

- **83.5.** (DEW: SUTA Contingency Assessment Funds) Thirty percent of the funds appropriated through the contingency assessment funds collected on taxable wages paid by employers shall be spent on enforcement of Section 41-35-110(3) and Section 41-35-120(5) of the 1976 Code, via Eligibility Reviews, Random Verification of Job Contacts and Wage Cross Matches during those weeks covered by the South Carolina State Unemployment Tax Authority (SUTA), and to ensure seated meetings with Unemployment Insurance claimants and requiring that one of the *all* four job search contacts required per week be conducted through SC Works Online System (SCWOS), so that it *searches* can be electronically verified. The agency must also inform claimants in advance that Eligibility Reviews and Random Verification of Job Contacts will be used by the department to verify compliance with laws administered by the agency.
- 83.6 AMEND (Negotiation of Interest) Requires DEW to develop and implement a plan by October 1, 2015 to seek a waiver of interest on the FUA Loan debt. Directs that upon final repayment of all Title XII advances from the Federal Unemployment Account, any funds remaining in the DEW Interest Assessment Fund are to be transferred to the Unemployment Compensation Fund. SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement that a plan be developed and implemented to week the waiver. Specify that "interest assessment" funds received by the Interest Assessment Fund are to be transferred to the Unemployment Compensation Fund. DEW indicates that all Title XII advances and all accrued interest have been paid so the need to request an interest waiver no longer exists. Allows DEW to transfer any interest received from pre Q1 2015 employer tax liabilities to the UC Fund. Requested by Department of Employment and Workforce.
 - **83.6.** (DEW: Negotiation of Interest) By October 1, 2015, the Department of Employment and Workforce must develop and implement a plan to seek a waiver of interest on the state's FUA loan debt in order to mitigate the impact of the interest payments on South Carolina employers. For the current fiscal year and upon final repayment of all Title XII advances from the Federal Unemployment Account received by the state beginning in December of 2008, any interest assessment funds remaining in received by the Department of Employment and Workforce Interest Assessment Fund authorized by pursuant to Section 41-33-810 of the 1976 Code shall be transferred to the Unemployment Compensation Fund.
- 83.eto **ADD** (Employment Training Outcomes Data Sharing) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to state that the Department of Employment and Workforce, in developing required Workforce and Labor Market Information System improvements, will require integration of training and employment data to improve longitudinal assessments of employment outcomes for various training providers eligible to receive funding appropriated or authorized by this Act. Direct DEW to establish a Governance Policy for management, development, security, partner collaboration, and sharing responsibilities by July 1, 2016. Direct DEW to develop a model data-sharing agreement with eligible training providers by July 22, 2016 and provide for specific data to be included in the agreement in order for DEW to assess the effectiveness and return on investment of training programs offered by the providers.

Direct DEW, by January 1, 2017, to develop a model data-sharing agreement with the Department of Education, the Center for Educator Recruitment, Retention and Advancement, the EOC, the Vocational Rehabilitation Department, CHE, and the Department of Commerce to capture and match data. Direct DEW and the SC Student Loan Corporation, by January 1, 2017, to enter into a data-sharing agreement to determine the average debt load carried by individuals who participate in the training programs. Direct DEW, by June 30, 2017, to develop a model data-sharing agreement with DSS to capture data related to New Hire status and social services data. Requested by Department of Employment and Workforce.

- 83.eto. (DEW: Employment Training Outcomes Data Sharing) The Department of Employment and Workforce, in developing the Workforce and Labor Market Information System (WLMIS) improvements required of the Workforce Innovation and Opportunity Act (WIOA) (P.L. 113-128), will require integration of training and employment data for the purposes of improving longitudinal assessment of employment outcomes for the various training providers eligible to receive funding appropriated or authorized by this Act.
- (A) As the entity with authority for the oversight and maintenance for the WLMIS, the department shall establish a Governance Policy for the management, development, security, partner collaboration, and sharing responsibilities no later than July 1, 2016.
- (B) No later than July 22, 2016, the department must develop a model data-sharing agreement with eligible training providers (ETPs). As specified by the WIOA Act, this agreement will require ETPs to submit data related to the types of training programs offered, individual student coursework and outcomes, program completion and time to complete, program costs, and tuition assistance. It will further require reporting of personally identifiable information (PII) to match training and employment data to determine placement in companies and jobs by the North American Industry Classification (NAIC) System and Standard Occupation Classification (SOC) System and other information necessary for the department to accurately and completely assess the effectiveness and return on investment of all training programs offered by the entity.
- (C) No later than January 1, 2017, the department must develop a model data-sharing agreement with the Department of Education, the Center for Educator Recruitment, Retention and Advancement, and the Education Oversight Committee, the Vocational Rehabilitation Department, and the Commission on Higher Education to capture and match data as enumerated in item (B) of this provision. This agreement will ensure collaborative sharing of matched data with each partner agency for the purpose of program assessment and effectiveness in compliance with state and federal laws.
- (D) The department and the South Carolina Student Loan Corporation shall, by January 1, 2017, enter into a data-sharing agreement to determine the average debt load carried by individuals who participate in training programs with eligible training providers. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.
- (E) No later than June 30, 2017, the department must develop a model data-sharing agreement with the Department of Social Services to capture data related to New Hire status and social service data and with the Department of Labor, Licensing and Regulation to capture licensing and licensing-related data. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

- **DELETE** (Hanahan Permit Application) Directs DOT to coordinate and facilitate negotiations between the City of Hanahan, the US Army Corps of Engineers, CSX Railroad, and other entities for the necessary permit required to complete the Railroad Avenue Extension Project. Requires DOT to submit the necessary applications on behalf of the entities by June 30, 2016.
 - **SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *DOT anticipates submitting the permits by June 30, 2016.* Requested by Department of Transportation.
 - **84.10.** (DOT: Hanahan Permit Application) With the funds authorized for the Department of Transportation, the department shall coordinate and facilitate negotiations between the City of Hanahan, the United States Army Corps of Engineers, CSX Railroad, and other applicable entities for the necessary permit required to complete the Railroad Avenue Extension project in the City of Hanahan. The department shall submit any and all necessary applications for the required permit on behalf of the applicable entities no later than June 30, 2016.
- **B4.13 DELETE** (Sunset Suspended) Suspends the provisions of Section 6 of Act 114 of 2007 [TERMINATION OF THE GOVERNOR'S AUTHORITY TO APPOINT THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION] for the current fiscal year.
 - **SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *DOT recommends replacing this proviso with permanent legislation governing the appointment of the Secretary of Transportation*. Requested by Department of Transportation.
 - **84.13.** (DOT: Sunset Suspended) The provisions of Section 6 of Act 114 of 2007 are suspended for the current fiscal year.
- **DELETE** (CTC Road Program) Directs that \$70,499,995 appropriated to DOT for the County Transportation Committee Road Program be distributed pursuant to Section 12-28-2740 [DISTRIBUTION OF GASOLINE USER FEE AMONG COUNTIES; REQUIREMENTS FOR EXPENDITURE OF FUNDS; COUNTY TRANSPORTATION COMMITTEES]. Directs CTCs to use the funds only on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction and bridge repair, replacement or reconstruction. Prohibits these funds from being used for any road, bridge, or highway that is not part of the state-owned system. Authorizes unexpended funds to be carried forward to succeeding years for the same purpose.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Non-recurring funds have been distributed.* Requested by Department of Transportation.

84.14. (DOT: CTC Road Program) The Department of Transportation shall distribute the \$70,499,995 appropriated for the County Transportation Committee Road Program pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.

Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

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, 2016 to continue the Charleston Cooper River Bridge Project.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change July 1, "2015" to "2016" and June 30, and "2016" to "2017." *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 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.

88.1. (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, 2015 2016, pay to the State Transportation Infrastructure Bank one million dollars before June 30, 2016 2017, to continue the Charleston Cooper River Bridge Project.

SECTION 117 - X900 - GENERAL PROVISIONS

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

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change Fiscal Year "2014-15" to "2016-17."

- 117.93. (GP: WIA Service Advertising) For Fiscal Year 2014-15 2016-17, the Workforce Investment Boards may promote outreach for their services via billboard, bus placard, newspapers, or radio in all workforce investment areas. This outreach may not be limited to e-mail, online, or other internet-based outreach, publicity, or other promotions. Workforce investment boards must adhere to all state procurement policies and procedures when utilizing outreach for the services provided by the Workforce Investment Act.
- **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 work skills training; on any restructuring or realignment of agency functions as well as changes in staffing levels or service; on employees terminated, hired, re-hired, reassigned, or reclassified by program area and location and to describe efforts the agency made to reassign or retrain employees who were terminated if the agency hired new employees for that position.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change Fiscal Year "2014-15" to "2016-17."

117.94. (GP: WIA Training Marketability Evaluation) (A) For Fiscal Year 2014-15 2016-17, the Department of Employment and Workforce shall submit a report that demonstrates how funds were expended in the prior fiscal year to provide marketable work skills training. The report shall include, but not be limited to the total number of local training recipients, a description of the training area in which each recipient participated, and the number and percentage of participants in each training area that, upon completion of training, have become employed in the field in which they were trained. The report shall be submitted to the Chairman

of the Senate Finance Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Labor, Commerce and Industry Committee on or before November sixteenth.

- (B) Also, the report must specifically describe any restructuring or realignment of agency functions, and any changes in staffing levels or service. The report must detail information on employees terminated, hired, re-hired, reassigned, or reclassified by program area and location. Further, the report must describe efforts made by the agency to reassign or retrain employees who were terminated for positions for which the department hired new employees.
- **117.108 AMEND** (State Ports Authority Property) Directs the State Ports Authority to transfer 50 acres of its Daniel Island property to PRT which shall make sure that the property is used for public recreation activities. Direct that if the Authority has not sold its remaining property on Daniel and Thomas Islands, with certain exceptions, by June 30, 2016, it must transfer the property to the Department of Administration.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement that 50 acres of Daniel Island property be transferred to PRT and change "2016" to "2017."

- 117.108. (GP: State Ports Authority Property) The State Ports Authority shall transfer fifty acres of its real property on Daniel Island to the Department of Parks, Recreation and Tourism, which shall ensure, in the manner it deems appropriate, that the property is used for public recreation activities. If the State Ports Authority has not completed the sale of its remaining real property on Daniel Island and Thomas (St. Thomas) Island, except for the dredge disposal cells that are needed in connection with the construction of the North Charleston terminal on the Charleston Naval Complex and for harbor deepening and for channel and berth maintenance, by June 30, 2016 2017, the authority must transfer the property to the Department of Administration. The authority shall sell the real property under terms and conditions it considers most advantageous to the authority and the State of South Carolina.
- 117.120 DELETE (Comprehensive Workforce Development Coordination Initiative) Directs the State Board for Tec and Comp Ed and the Departments of Commerce, Education, and Employment and Workforce to survey the state's workforce development needs to develop a comprehensive initiative where technical colleges, school districts and career centers work together to produce a qualified workforce and directs the survey be completed by September 15, 2015. Directs the entities develop a statewide Pathways program in alignment with the EEDA to facilitate the transition from education to employment in industries with critical workforce shortages. Directs that results be submitted to the Chairmen of the Senate Finance, House Ways and Means, Senate Labor Commerce and Industry, House Labor Commerce and Industry, Senate Education, and House Education and Public Works Committees by February 1, 2016 and include an analysis of program accountability measures and key performance indicators.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

117.120. (GP: Comprehensive Workforce Development Coordination Initiative) In the current fiscal year, the State Board for Technical and Comprehensive Education, the Department of Commerce, the Department of Education, and the Department of Employment and Workforce, shall survey the workforce development needs of the State to develop a comprehensive workforce development coordination initiative where the technical colleges, school districts, and career centers shall work together to increase pathways to coursework, equipment, and facilities as well as utilizing the EEDA, Dual Credit courses, Adult Education programs and Career and Technology courses and programs, to include the enhancing of existing, or creation of new, subsidized training programs in all regions of South Carolina that will confer the necessary skills

and training to prepare students for careers in high demand fields and critical need positions in businesses and industries experiencing difficulty recruiting and retaining qualified applicants. The survey must include, but is not necessarily limited to, a review and analysis of available labor market information from the Department of Employment and Workforce. This report must be completed no later than September 15, 2015. The State Board for Technical and Comprehensive Education, the Department of Commerce, the Department of Education, and the Department of Employment and Workforce are directed to use the report in order to develop a statewide Pathways program in alignment with the Education and Economic Development Act to facilitate a seamless transition from education to employment in industries with critical workforce shortages. This plan shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Ways and Means Committee, the Chairman of the Senate Labor Commerce and Industry Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee no later than February 1, 2016 and must include, at minimum, an analysis of program accountability measures and key performance indicators.

117.125 DELETE (Study Committee on Homeowners Associations) Creates a Study Committee on Homeowners Associations to review law, policies, practices, and procedures on homeowners associations in this State and other jurisdictions and to make recommendations on statutory law proposals to the General Assembly by December 31, 2015, after which the study committee must be dissolved.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

- 117.125. (GP: Study Committee on Homeowners Associations) (A) In the current fiscal year, and from the funds appropriated to the Senate and the House of Representatives, there is created the Study Committee on Homeowners Associations to review laws, policies, practices, and procedures regarding homeowners associations in this State and other jurisdictions, and to make recommendations to the General Assembly regarding proposals for South Carolina's statutory law. The study committee shall review information, including, but not limited to, case law, statutes, uniform laws, and other information from South Carolina and other jurisdictions concerning homeowners associations. Specifically, the study committee is authorized, but not limited to, reporting on the following issues:
 - (1) disclosure of governing documents to prospective buyers;
 - (2) education for homeowners and board members;
 - (3) manager certification or licensing;
 - (4) time period for developer control of an association; and
 - (5) need for a comprehensive or uniform planned community act.
 - (B) The study committee must be composed of thirteen members:
- (1) two members of the Senate, appointed by the Chairman of the Senate Judiciary Committee;
- (2) two members of the House of Representatives, appointed by the Chairman of the House Labor, Commerce and Industry Committee;
- (3) the following members jointly selected by the Chairman of the Senate Judiciary Committee and Chairman of the House Labor, Commerce and Industry Committee:
 - (a) three property owners who are:
- (i) required to be members of a homeowners association due to owning property in the homeowners association; and
 - (ii) governed by a homeowners association board;
- (b) two lawyers, one representing homeowners associations and boards and the other representing homeowners;

- (c) two managers, one in favor of certification or licensing and one opposed to certification or licensing;
 - (d) one realtor;
 - (e) one home builder or developer; and
- (4) the administrator for the Department of Consumer Affairs and the Director for the Department of Labor, Licensing and Regulations, or their designees, serving ex officio.
- (C) Vacancies in the study committee's membership must be filled in the same manner of original appointment.
- (D) The Chairmen of the Senate Judiciary Committee and House Labor, Commerce and Industry Committee shall provide appropriate staffing for the study committee.
- (E) The study committee shall make a report of its recommendations to the General Assembly by December 31, 2015, at which time the study committee must be dissolved.
- **117.127 DELETE** (Horry County CTC Allocation) Authorizes Horry County to use up to \$750,000 of its allocation from Sections 1(B)(3), 3(B)(3), and 5 for the Horry-Georgetown Evacuation Route. **SUBCOMMITTEE RECOMMENDATION:** DELETE proviso.
 - 117.127. (GP: Horry County CTC Allocation) Notwithstanding any provision in this act to the contrary, Horry County may use up to \$750,000 of its allocations pursuant to SECTION 1(B)(3), SECTION 3(B)(3), and SECTION 5 of H.4230, R 130, Act 92 of 2015, for the Horry Georgetown Evacuation Route.

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