

**PROVISO SUBCOMMITTEE
TRANSPORTATION, REGULATORY AND CULTURAL
RECOMMENDATIONS FOR FY 2015-16
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 28 - H91-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 and designates funding.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to specify that the distribution of the funds shall be subject to requests received and availability of funds; update all allocation amounts; and add \$5,855 for Aid to County Libraries.

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* : ~~\$4,358~~ \$65,000 for Alloc Mun-Restricted; ~~\$7,672~~ \$10,000 for Alloc Cnty-Restricted; ~~\$110,470~~ \$226,280 for Alloc School Dist; ~~\$12,300~~ \$10,000 for Alloc Other State Agencies; ~~\$551,930~~ \$368,148 for Alloc-Private Sector; ~~\$2,899~~ \$25,750 for Alloc Private Sector; ~~\$70,500~~ \$69,992 for Aid Mun-Restricted; ~~\$46,439~~ \$25,889 for Aid Cnty-Restricted; ~~\$317,619~~ \$305,306 for Aid School Districts; ~~\$395,928~~ \$328,839 for Aid Other State Agencies; ~~\$1,478,322~~ \$1,527,874 for Aid To Private Sector; and ~~\$24,500~~ \$54,014 for Aid To Private Sector-Reportable; *and \$5,855 for Aid to County Libraries.*

SECTION 78 - R20-DEPARTMENT OF INSURANCE

- 78.2** **AMEND** (Reimbursement Carry Forward) Authorizes the department to retain reimbursements received for providing various information requested by outside parties. Authorize the department to pay annual National Council of Insurance Legislators membership dues, not to exceed \$10,000, for members of the Senate and House of Representative.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the authorization to pay the membership dues.

78.2. (INS: Reimbursement Carry Forward) Reimbursements received for Data Processing Services, Revenue, Miscellaneous Revenue and Sale of Listings and Labels shall be retained for use by the department. These funds may be carried forward in the current fiscal year. ~~The Department of Insurance is authorized to pay the annual dues, not to exceed \$10,000 for the South Carolina Senate and the South Carolina House of Representatives for membership in the National Council of Insurance Legislators from funds collected under this proviso.~~

SECTION 82 - R40-DEPARTMENT OF MOTOR VEHICLES

- 82.1** **AMEND** (Miscellaneous Revenue) Authorizes DMV to collect, expend and carry forward revenues from various products and services.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the references to specific items from which revenue is derived and instead reference “miscellaneous” revenue. Fiscal Impact: Revenue and Fiscal Affairs Office states no impact on the General Fund or on agency revenue.

82.1. (DMV: Miscellaneous Revenue) ~~Revenue *Miscellaneous revenue* received from the sale of legal manuals and other publications, postal reimbursement, third party commercial driver license testing, photo copying, sale of miscellaneous refuse and recyclable materials, insurance~~

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claim receipts, and tuition from non-mandated, advanced, or specialized courses shall be retained by the department and expended in budgeted operations and other related services or programs as the Director of the Department of Motor Vehicles may deem necessary. The Department of Motor Vehicles shall report annually to the General Assembly the amount of miscellaneous revenue retained and carried forward.

82.3 **DELETE** (Publish County DMV Local Telephone Number) Directs DMV to publish the telephone number of the local field office in each county.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~82.3. (DMV: Publish County DMV Local Telephone Number) From the funds appropriated in Part IA, Section 82 to the Department of Motor Vehicles, it is the intent of the General Assembly that the Department of Motor Vehicles in each county should have a local telephone number that is published.~~

82.9 **AMEND** (DMV: Activities Allowed on Special Restricted Driver's License) Directs DMV to include church, church activities and parentally approved sports activities in the categories for which it may waive or modify special restricted driver's licenses for certain minors and requires certain statements be provided that are executed by the parents or legal guardian, church representatives, and/or representatives of the sports entity for which the waiver or modification is being requested.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to include employment and school in the categories for which DMV may waive or modify a special restricted driver's license for certain minors.

82.9. (DMV: Activities Allowed on Special Restricted Driver's License) In the current fiscal year, employing funds authorized or appropriated to the Department of Motor Vehicles pursuant to Section 82, Part IA of this act, the department must include ~~church~~ employment, school, church-related, ~~church~~ or sponsored activities, and parentally approved sports activities in the categories for which it may waive or modify restrictions in the special restricted driver's license for certain minors. The licensee must provide the department a statement of the purpose of the waiver or modification of restrictions executed by the parents or legal guardian of the licensee and documents executed by church representatives and/or representatives of the sports entity for which the waiver is being requested.

SECTION 83 - R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

83.6 **AMEND** (Negotiation of Interest) Requires DEW to develop and implement a plan by October 1, 2014 to seek a waiver of interest on the FUA Loan debt so that the impact of the interest payments is mitigated on SC employers.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update year to "2015." Requested by Department of Employment and Workforce.

83.6. (DEW: Negotiation of Interest) By October 1, ~~2014~~ 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.

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83.dt CONFORM TO FUNDING (Direct Training) PROVISO SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION...ADD new proviso to direct the department to use direct training funds to establish a program by August 1, 2015, to provide subsidized direct training for eligible individuals at eligible training institutions to improve employment outcomes for those individuals. Establish eligibility criteria for both individuals and institutions; and establish selection criteria for training programs. Direct that funds used for this purpose not supplant ReadySC funds and to refer employers who appear eligible for participation in ReadySC to the State Board for Tec and Comp Ed for inclusion in that program. Direct that funding for eligible individuals be made on a reimbursable basis and that participants must agree to repay the department on a schedule approved by the department. Direct DEW to partner with DOR to administer recovery of training funds through the state's income tax program. Require DEW report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committee by August 1, 2015 on accountability measures for program effectiveness. Authorize DEW to retain and expend not more than 7% of total funds appropriated for the program and to use these funds for program development, marketing and recruiting efforts, and for program administration. Authorize unexpended and recovered funds to be carried forward and used for the same purpose. Requested by Department of Employment and Workforce.

83.dt. (DEW: Direct Training) From the funds appropriated to the Department of Employment and Workforce for direct training, the department shall, by August 1, 2015, establish a program to provide subsidized direct training for eligible individuals at eligible training institutions for the purpose of improving employment outcomes for eligible individuals pursuant to the requirements of this section.

(A) Eligibility for individuals shall be determined by the department but shall include, at a minimum, negative screening for drugs of abuse, successful completion of Silver WorkKeys certification, participation in employment preparation activities as directed by the department, and maintaining adequate attendance and vocational progress in prescribed training programs subsidized by the program.

(B) Eligibility for institutions to provide training services shall be determined by the department but shall include, at a minimum, licensure as an eligible institution of higher education or postsecondary job skills training, a demonstrable record of positive employment outcomes as evaluated by the department, and a suitable return on investment of training dollars, and assessed by the department and steering committee.

(C) Eligible training programs selected shall be those most likely to produce long-term employment for the greatest number of eligible individuals, and display potential for long-term wage growth.

(1) The department shall select training programs at eligible institutions based on information received from unfilled jobs reports, surveys of businesses detailing employment needs, and feedback from local business associations and economic development professionals.

(2) In order to make appropriate determinations of employee demand and program eligibility, the department shall divide the state into four distinct regions and produce a separate analysis detailed in item (C)(1) for each region. The department may choose to provide direct training funds for different sets of eligible programs in each of the four regions, based on regional need. Nothing in this section precludes eligible individuals from seeking training in a region in which they do not reside.

(3) The department may negotiate the cost of eligible training programs with eligible training providers and enter into memorandums of agreement with training providers, including public institutions of higher education to ratify negotiated fee schedules.

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(4) The department may approve training programs established to address the training needs of a single employer or industry that does not result in a training certificate or nationally recognized trade certification. Funds used for this purpose shall not supplant those appropriated for ReadySC and, to the extent practicable, employers who appear to be eligible for participation in ReadySC must be referred by the department to the State Board for Technical and Comprehensive Education for inclusion in that program.

(D) Funding for eligible individuals pursuant to item (A) participating in eligible training programs pursuant to items (B) and (C) shall be made on a reimbursable basis. Individuals electing to participate in a subsidized training program pursuant to this provision must agree to repay the department on a schedule approved by the department. The department shall provide explanation of this requirement on applications and promissory notes produced by the department for the administration of this program. The department shall partner with the Department of Revenue to administer recovery of training funds through the state's income tax program.

(E) The department shall, by August 1, 2015, report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee, on accountability measures used to evaluate the success of training programs in terms of cost, completion, employment outcomes, wage growth, and other indicators deemed necessary by the department to measure program effectiveness.

(F) The department may retain and expend not more than seven percent of total funds appropriated for the program to be used for program development, marketing and recruiting efforts, and administration of the program.

(G) Unexpended funds appropriated for this program and those recovered pursuant to item (D) of this provision shall be carried forward and used for the same purpose.

SECTION 84 - U12-DEPARTMENT OF TRANSPORTATION

- 84.10** **AMEND** (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. Require DOT to submit the necessary applications on behalf of the entities by September 30, 2014.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete “no later than September 30, 2014.”

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 September 30, 2014.~~

- 84.11** **DELETE** (Horry-Georgetown Evacuation Route) Directs that \$500,000 of the funds authorized for DOT are to be made available for routing, planning and constructing the Horry-Georgetown Evacuation Route.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. DOT states they did not request this proviso, and the transferring of the department's funds will reduce funding for state maintenance. Requested by Department of Transportation.

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~~84.11. (DOT: Horry-Georgetown Evacuation Route) Of the funds authorized for the Department of Transportation, \$500,000 shall be made available for the routing, planning and construction of the Horry-Georgetown Evacuation Route.~~

84.12 DELETE (I-74 Funds to Horry-Georgetown Evacuation Route) Directs the department to transfer to the department's Horry-Georgetown Evacuation Route Project all the funds in the State Highway Fund that were allocated for development of I-74 by provisos from budget years 2005-2012 and to use these funds to complete studies needed for the project. Directs that after completion of the studies, any remaining funds shall be used for the permitting process.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *DOT states that the funds referenced have already been tagged and designated for the Horry/Georgetown project, so the proviso is no longer needed.* Requested by Department of Transportation.

~~84.12. (DOT: I-74 Funds to Horry-Georgetown Evacuation Route) The department shall transfer all funds in the State Highway Fund allocated by provisos from budget years 2005-2012 for the development of I-74 to the department's Horry-Georgetown Evacuation Route Project. These funds are to be used to complete studies needed for the Horry-Georgetown Evacuation Route. Any remaining funds after completion of the studies shall be used for the permitting process.~~

84.13 DELETE (Pedestrian Overpass) Directs DOT to perform a feasibility study for a pedestrian overpass at the intersection of the Septima P. Clark Parkway and Coming Street in Charleston and provide the results of the study to the Governor and General Assembly by January 1, 2015.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The study has been submitted.* Requested by Department of Transportation.

~~84.13. (DOT: Pedestrian Overpass) The Department of Transportation is directed to perform a feasibility study for a pedestrian overpass at the intersection of the Septima P. Clark Parkway and Coming Street in the City of Charleston. The department shall provide the results of its study to the Governor and the General Assembly by January 1, 2015.~~

SECTION 88 - Y14-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, 2015 to continue the Charleston Cooper River Bridge Project.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change July 1, "2014" to "2015" and June 30, and "2015" to "2016." *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, ~~2014~~ 2015, pay to the State Transportation

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Infrastructure Bank one million dollars before June 30, ~~2015~~ 2016, to continue the Charleston Cooper River Bridge Project.

SECTION 117 - X90-GENERAL PROVISIONS

117.105 AMEND (Prohibit Use of State Aircraft for Athletic Recruitment) Prohibits colleges and universities from using any state aircraft operated by the Division of Aeronautics for athletic recruitment purposes.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to allow the use of the aircraft provided they reimburse the division on an at cost basis using non-general funds.

117.105. (GP: Prohibit Use of State Aircraft for Athletic Recruitment) Institutions of higher learning may ~~not~~ use the state aircraft operated by the Division of Aeronautics for the purpose of athletic recruiting, provided that they reimburse the Division of Aeronautics on an at cost basis, using non-general funds.

117.eto ADD (Employment Training Outcomes Data Sharing) **PROVISO 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, 2015. Direct DEW to develop a model data-sharing agreement with eligible training providers by July 22, 2015 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, 2016, 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, and CHE to capture and match data. Direct DEW and the SC Student Loan Corporation, by January 1, 2016, 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, 2016, 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.

117.eto.(GP: Employment Training Outcomes Data Sharing) The Department of Employment and Workforce (DEW), 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, DEW shall establish a Governance Policy for the management, development, security, partner collaboration, and sharing responsibilities no later than July 1, 2015.

(B) No later than July 22, 2015, DEW 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

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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 DEW 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, 2016, DEW must develop a model data-sharing agreement with the South Carolina Department of Education, the Center for Educator Recruitment, Retention and Advancement, and the Education Oversight Committee, the South Carolina Vocational Rehabilitation Department, and the Commission on Higher Education to capture and match data as enumerated in item (A) of this section. 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) DEW and the South Carolina Student Loan Corporation shall, by January 1, 2016, 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, 2016, DEW must develop a model data-sharing agreement with the South Carolina Department of Social Services to capture data related to New Hire status and social service 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.