

## AMENDMENT #48

SPONSOR: REPRESENTATIVE MERRILL

~~89.110. (GP: FY 2011-12 Flexibility) In order to provide maximum flexibility in absorbing the general fund reductions mandated in this act as compared to Fiscal Year 2008-09 general fund appropriations, agencies are authorized for Fiscal Year 2011-12 to spend agency earmarked and restricted accounts designated as "special revenue funds" as defined in the Comptroller General's records, to maintain critical programs previously funded with general fund appropriations. Any spending authorization for these purposes must receive the prior approval of the Office of State Budget and must be reported to the Governor, Senate Finance Committee, and the House Ways and Means Committee. The Comptroller General is authorized to implement the procedures necessary to comply with this directive. This provision is provided notwithstanding any other provision of law restricting the use of earned revenue. Appropriation transfers may exceed twenty percent of the program budget upon approval of the Budget and Control Board, Office of State Budget in consultation with the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.~~

~~State institutions of higher learning whose budgets have been reduced from the Fiscal Year 2010-11 state funding level, shall have the authority to use other sources of available funds to support and maintain state funded programs affected by state reductions during Fiscal Year 2011-12 and may adjust appropriations from special items or programs contained in this act in an amount greater or less than the percentage of the reduction assessed to the institution's base budget. Institutions shall submit to the Office of State Budget, the Senate Finance Committee, and the House Ways and Means Committee the amount of base budget reductions associated with these programs.~~

~~Notwithstanding the flexibility authorized in this provision, the following agencies are prohibited from reducing or transferring funds from the following programs or areas:~~

~~(A) Department of Natural Resources~~

~~Law Enforcement Program/Enforcement Operations as contained in Program II. F.1~~

~~(B) Department of Parks, Recreation, and Tourism~~

~~Program II. A. Special Item: Regional Promotions~~

~~In addition the Department of Parks, Recreation and Tourism is prohibited from closing or reducing the FTE's in the State House Gift Shop and the Santee Welcome Center.~~

~~Notwithstanding the prohibition on reducing or transferring funds from the programs or areas listed above, the Department of Natural Resources may reduce the specified programs or areas by an amount not to exceed the percentage associated with any mandated reduction.~~

## AMENDMENT #49

**SPONSOR: REPRESENTATIVE SIMRILL**

**90.nms.** (SR: National Mortgage Settlement) Notwithstanding the requirements of proviso 45.7 (Litigation Recovery Account) contained herein, the Attorney General shall transfer the portion of the National Mortgage Settlement that would otherwise have been credited to the General Fund to the Department of Commerce's Deal Closing Fund.

## AMENDMENT #50

**SPONSOR: REPRESENTATIVE MERRILL**

**84.1.** (DS: Excess Debt Service Funds Carry Forward) Excess Debt Service funds from Fiscal Year ~~2010-11~~ 2011-12 may be carried forward and expended for debt service purposes in Fiscal Year ~~2011-12~~ 2012-13.

## **AMENDMENT #51**

**SPONSOR: REPRESENTATIVE BINGHAM**

**90.12.** (SR: Excess EIA Revenue) ~~Fiscal Year 2010-11 excess EIA revenues above the Fiscal Year 2010-11 appropriations are authorized for appropriation in Part IA, Section 1, of this act.~~

## AMENDMENT #52

### SPONSOR: REPRESENTATIVE MERRILL

**90.13.** (SR: Prohibits Public Funded Lobbyists) In order to eliminate taxpayer funded lobbying, the following state agencies and institutions, for Fiscal Year ~~2011-12~~ 2012-13, shall transfer the amounts indicated to the General Fund:

Administrative Law Court .....	\$ ....22,000
The Citadel .....	\$ ....16,881
Clemson University .....	\$ ....45,546
Coastal Carolina University.....	\$ ....20,230
College of Charleston .....	\$ ....34,000
Department of Health & Environmental Control .....	\$ ....26,553
State Board for Technical & Comprehensive Education.....	\$ ....22,431
Florence-Darlington Technical College.....	\$ ....10,001
Greenville Technical College .....	\$ ....31,783
Horry-Georgetown Technical College.....	\$ .... 1,183
Tri-County Technical College .....	\$ ....55,545
Francis Marion University .....	\$ ....23,500
Judicial Department.....	\$ ....59,164
Medical University of South Carolina.....	\$ ....80,380
Department of Natural Resources.....	\$ ....17,157
Prosecution Coordination Commission .....	\$ ....19,290
South Carolina State University .....	\$ ....20,000
University Of South Carolina .....	\$ ....53,368
University of South Carolina-Upstate .....	\$ ....11,000
Winthrop University .....	\$ .... 9,300
Lander University .....	\$ ....25,000
Total.....	\$ ..604,312 .

All state agencies and institutions are prohibited from using general fund appropriations to compensate employees who engage in lobbying on behalf of the state agency or institution. The State Ethics Commission shall require state agencies and institutions that report lobbying activities to the commission to certify that the lobbying activities were not funded by general fund appropriations.

All state agencies and institutions are prohibited from entering into contracts using general fund appropriations to provide lobbying services to the agency or institution.

## AMENDMENT #53

### SPONSOR: REPRESENTATIVE LIMEHOUSE

2.5. (LEA: FY 2012-13 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Budget and Control Board as directed below. These appropriations must be used to supplement and not supplant existing funds for education.

The Budget and Control Board is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.

All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.

For Fiscal Year 2012-13 certified net lottery proceeds and investment earnings and any other proceeds identified by this provision are appropriated as follows:

- (1) Commission on Higher Education and State Board  
for Technical and Comprehensive Education  
--Tuition Assistance.....\$ 52,933,000;
- (2) Commission on Higher Education--LIFE Scholarships as  
provided in Chapter 149, Title 59.....\$ 107,054,616;
- (3) Commission on Higher Education--HOPE Scholarships as  
provided in Section 59-150-370 .....\$ 7,823,474;
- (4) Commission on Higher Education--Palmetto Fellows  
Scholarships as provided in Section 59-104-20.....\$ 30,277,240;
- (5) Commission on Higher Education--Need-Based Grants .....\$ 11,631,566;
- (6) Tuitions Grants Commission--Tuition Grants .....\$ 7,766,604;
- (7) Commission on Higher Education--National Guard Tuition  
Repayment Program as provided in Section 59-111-75 .....\$ 1,700,000;
- (8) South Carolina State University .....\$ 2,500,000;
- (9) Technology--Public Four-Year Universities, Two-Year  
Institutions, and State Technical Colleges.....\$ 4,154,702;
- (10) Department of Education--K-5 Reading, Math, Science &  
Social Studies Program as provided in Section 59-1-525 .....\$ 26,291,798;
- (11) Department of Education--Grades 6-8 Reading, Math,  
Science & Social Studies Program .....\$ 2,000,000; and
- (12) School for the Deaf and the Blind--Technology  
Replacement .....\$ 200,000.

Fiscal Year 2012-13 funds appropriated to the Commission on Higher Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided in Section 59-150-360. Annually the State Board for Technical and Comprehensive Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds appropriated.

Of the funds appropriated to South Carolina State University, \$250,000 may be used for the BRIDGE Program.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least \$996 per student per term for full time students.

Fiscal Year 2012-13 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2012-13 are fully funded.

If the lottery revenue received for Fiscal Year 2012-13 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$260,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process.

The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.

For Fiscal Year 2012-13, of the funds certified from unclaimed prizes, \$6,200,000 shall be appropriated to the Department of Education for the purchase of new school buses; \$3,200,000 shall be appropriated to the Department of Education for K-5 Reading, Math, Science & Social Studies Program as provided in Section 59-1-525; and \$3,000,000 shall be appropriated to the Commission on Higher Education for the Higher Education Excellence Enhancement Program.

Of any unclaimed prize funds available in excess of the Board of Economic Advisors estimate, the first \$1,500,000 shall be directed to the Commission on Higher Education for the Partnership Among South Carolina Academic Libraries (PASCAL) Program. The next \$5,470,093 shall be directed for Technology: Public Four-Year Universities, Two-Year Institutions, and State Technical Colleges. The next \$2,000,000 shall be directed to the State Library for Aid to County Libraries. The next \$1,000,000 shall be directed to the Commission on Higher Education for the Higher Education Excellence Enhancement Program. The next \$4,000,000 shall be directed to the State Board for Technical and Comprehensive Education for the Allied Health Initiative. The next \$1,000,000 shall be directed to the Commission on Higher Education for the Critical Needs Nursing Program. All additional revenue in excess of the amount certified by the Board of Economic Advisors for unclaimed prizes shall be distributed to the Commission on Higher Education for LIFE, HOPE, and Palmetto Fellows Scholarships.

## AMENDMENT #54

**SPONSOR: REPRESENTATIVE MURRELL SMITH**

**90.3.** (SR: Tobacco Settlement) Contingent upon the approval of the Tobacco Settlement Revenue Management Authority and parties to the trust agreement, the State Treasurer shall transfer an amount equal to ~~\$10,000,000~~ \$8,481,912 from the unrestricted taxable proceeds portion of the principal of the Healthcare Tobacco Settlement Trust Fund established pursuant to Section 11-11-170(B)(1) of the 1976 Code to the Department of Health and Human Services to be expended ~~as follows: \$10,000,000~~ for Medicaid. The State Treasurer is authorized and directed to transfer to the Office of the Attorney General from funds available to the Tobacco Settlement Management Authority such amounts as shall be necessary for the enforcement of Chapter 47 of Title 11, The Tobacco Escrow Fund Act, which will protect the payments to the State under the Master Settlement Agreement.



## AMENDMENT #55

**SPONSOR: REPRESENTATIVE MURRELL SMITH**

**90.9.** (SR: Health Care Maintenance of Effort Funding) The source of funds appropriated in this provision is \$157,299,845 from the revenue collected during Fiscal Year ~~2010-11~~ 2011-12 and Fiscal Year ~~2011-12~~ 2012-13 from the 50 cent cigarette surcharge and deposited into the South Carolina Medicaid Reserve Fund and shall be utilized by the Department of Health and Human Services for the Medicaid Program's maintenance of effort. By this provision these funds are deemed to have been received and are available for appropriation.

The residual funds from the cigarette surcharge shall remain in the South Carolina Medicaid Reserve Fund and may be used by the director of the Department of Health and Human Services to ensure access to care in rural and underserved areas of the state. Within ninety days of the start of the fiscal year, the department shall develop methods and criteria for determining how access issues will be identified, assessed and addressed. Any use of these funds shall require thirty days prior notice to the Chairmen of the Senate Finance and House Ways and Means Committees. The department shall provide an assessment of access to care as part of the reporting requirements stipulated in Proviso 21.32, (DHHS: Medicaid Reporting). The director is not authorized to access any of the residual funds prior to January 31, ~~2012~~ 2013. The director must submit a proposal for any use of the funds to the General Assembly by January 1, ~~2012~~ 2013. If no action is taken on the proposal by the General Assembly by January 31, ~~2012~~ 2013, the director may access the residual funds as presented in the proposal.

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

## AMENDMENT #56

SPONSOR: REPRESENTATIVE MERRILL

~~90.14. (SR: Non-recurring Revenue – Increased Enforcement Collections) For Fiscal Year 2011-12, the Department of Revenue shall continue its efforts pertaining to increased enforcement collections as established in Fiscal Year 2009-10.~~

~~The department may collect revenues from foreign collections within its jurisdiction, which may include but is not limited to corporate, individual or sales tax collections but especially shall focus on enforced collections and outstanding liabilities.~~

~~Funding previously received by the department for enforced collections shall be used to fund foreign auditors to conduct foreign audits of multi-national and international corporations. Personnel may include revenue officers and criminal investigators. These employees will focus on collecting outstanding liabilities owed to this state.~~

~~During the current fiscal year, in applying the revenue statutes of this State, the department's interpretation of those statutes must be based solely on the plain meaning of the statute's text and the legislative intent giving rise to the enactment of the statutes. Terms contained in the tax statutes of this State may not be given broader meaning beyond the meaning of the statute. At least twice during the fiscal year, the department shall submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding any discovered ambiguity in the meaning of a revenue statute. The first report must be submitted no later than November first and the second report must be submitted no later than May first of the fiscal year.~~

~~The funds collected under this provision shall be deposited in a fund separate and distinct from the general fund as established within the Office of the State Treasurer, except that any motor fuel funds collected as a result of the enforced collection efforts shall be distributed in the same manner as other motor fuel tax revenues are currently distributed.~~

~~When the department determines that quarterly enforced collections have exceeded the schedule provided in this provision, the department shall deposit the excess funds into the separate and distinct fund not to exceed the totals as provided in this provision.~~

~~For the fiscal year beginning July 1, 2011 and ending June 30, 2012, of the first \$48,080,667 in enforced collections resulting from increased enforcement, the State Treasurer shall disburse 58.4% to the Department of Health and Human Services for Medicaid Maintenance of Effort and 41.6% to the Department of Education for the Education Foundation Supplement so that the resulting amount of remittances are:~~

~~J02-Department of Health and Human Services-Medicaid~~

~~Maintenance of Effort.....\$...28,080,667; and~~

~~H63-Department of Education-Education Foundation~~

~~Supplement.....\$...20,000,000.~~

~~For the fiscal year beginning July 1, 2011 and ending June 30, 2012, the State Treasurer shall disburse quarterly the following funds on a pro rata basis:~~

~~(1) E28-Election Commission~~

~~2012 Primary Election .....\$.....253,000;~~

~~(2) K05-Department of Public Safety~~

~~Highway Patrol Overtime .....\$.....5,000,000; and~~

~~(3) P16-Department of Agriculture~~

~~Agri-Business Economic Development .....\$.....500,000.~~

~~Prior to the close of the books on Fiscal Year 2011-12, the funds accumulated in the aforementioned separate and distinct fund shall be transferred to the General Reserve Fund, up to the amount necessary to meet the constitutional five percent requirement.~~

~~To insure that customary and usual enforced collections are unaffected by this provision, the Office of the State Treasurer may not disburse funds from this account until the following schedule of General Fund enforced collections are deposited by the Department of Revenue by the end of each quarter in the fiscal year. If quarterly General Fund enforced collections do not reach the required levels, distributions from this account are suspended for that quarter. The required deposits of quarterly General Fund enforced collections by the end of each quarter are:~~

~~July to September 2011 ————— \$11,250,000~~

~~October to December 2011 ————— \$22,500,000~~

~~January to March 2012 ————— \$33,750,000~~

~~April to June 2012 ————— \$45,000,000~~

~~The Department of Revenue shall report on a quarterly basis to the finance committees of the General Assembly and to the Board of Economic Advisors on the amount of customary and usual enforced collections and the excess collections from the enhanced collection activities. The Department of Revenue shall provide assistance to the Board of Economic Advisors to assist in monitoring revenue collection seasonal flows that impact the funding of state government programs.~~

~~By this provision these funds are deemed to have been received and are available for appropriation.~~

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

## AMENDMENT #57

SPONSOR: REPRESENTATIVE MERRILL

~~90.11. (SR: Non-recurring Revenue) (A) The source of revenue appropriated in this provision is \$255,804,144 of non-recurring revenue generated from the following sources, transferred to the State Treasurer. This revenue is deemed to have occurred and is available for use in Fiscal Year 2011-12 after September 1, 2011, following the Comptroller General's close of the state's books on Fiscal Year 2010-11.~~

- ~~(1) \$71,000,600 from Fiscal Year 2009-10 Contingency Reserve Fund;~~
- ~~(2) \$173,803,544 from Fiscal Year 2010-11 unobligated general fund revenue as certified by the Board of Economic Advisors;~~
- ~~(3) \$1,000,000 from F03, Budget and Control Board, Subfund 4154, Ordinary Sinking Fund;~~
- ~~(4) \$3,000,000 from F03, Budget and Control Board, Subfund 3197, Motor Pool; and~~
- ~~(5) \$7,000,000 from R40, Department of Motor Vehicles from any earmarked or restricted account designated as "special revenue funds" as defined by the Comptroller General's records if the funds transferred from the Department of Motor Vehicles by Proviso 90.10 of Act 291 of 2010 have been repaid pursuant to Proviso 90.9 of Act 291 of 2010.~~

~~Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2010-11 and shall be available for use in Fiscal year 2011-12.~~

~~(B) The State Treasurer shall disburse the following appropriations by September 30, 2011, for the purposes stated:~~

- ~~(1) H63 Department of Education
  - ~~(a) EFA Base Student Cost.....\$.....56,174,107;~~
  - ~~(b) Transportation.....\$.....3,000,000;~~~~
- ~~(2) H03 Commission on Higher Education
  - ~~SREB Dues.....\$.....591,019;~~~~
- ~~(3) H59 State Board for Technical and Comprehensive Education
  - ~~CATT Program.....\$.....1,000,000;~~~~
- ~~(4) J02 Department of Health and Human Services
  - ~~Medicaid Maintenance of Effort.....\$.....45,577,252;~~~~
- ~~(5) R60 Department of Employment and Workforce
  - ~~Unemployment Insurance Trust Fund.....\$.....146,000,000;~~~~
- ~~(6) P20 Clemson University PSA
  - ~~Agency Operations.....\$.....250,000;~~~~
- ~~(7) K05 Department of Public Safety
  - ~~Illegal Immigration.....\$.....611,766;~~~~
- ~~(8) E23 Commission on Indigent Defense
  - ~~Civil Appointment Fund.....\$.....1,500,000;~~~~
- ~~(9) J04 Department of Health and Environmental Control
  - ~~Donate Life.....\$.....100,000; and~~~~
- ~~(10) D10 State Law Enforcement Division
  - ~~Methamphetamine Lab Clean Up.....\$.....1,000,000;~~~~

~~The funds appropriated above to the Department of Employment and Workforce may only be used by the department to make payments on outstanding loans from the Unemployment Insurance Trust Fund. As soon as practicable after the effective date of this act, the Department of Employment and Workforce is directed to recalculate premium rates. The recalculated premium rates shall be retroactive to January 1, 2011. Any cost savings to employers in rate class 2-20 due to general fund appropriations in any~~

~~particular year must be allocated proportionately to each employer with respect to each respective employer's responsibility in paying back the federal unemployment loan that particular year and must be administered by the department. Employers must be notified of changes in the premiums due and employer accounts must be credited and adjusted as appropriate. The Department of Employment and Workforce is directed to contact the Federal Government by August 1, 2011, to maximize efforts to buy the loan down to the greatest extent possible.~~

~~In the event that the Fiscal Year 2010-11 unobligated general fund revenue as certified by the Board of Economic Advisors does not total at least \$173,803,544, then the appropriations in subsection (B)(4) of this provision for Medicaid Maintenance of Effort shall be reduced to cover the amounts not realized. If the reduction in the Medicaid Maintenance of Effort appropriation is not sufficient to cover the amounts not realized, then the remaining appropriations in this provision shall be reduced on a pro rata basis by an amount sufficient to cover the amounts not realized. In the event that \$7,000,000 is not transferred from the Department of Motor Vehicles, then the remaining appropriations in this provision shall be reduced on a pro rata basis.~~

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

~~(C) For Fiscal Year 2011-12, the license plate replacement interval is suspended until the funds transferred from the department within this provision are repaid to the department or until such time as the Plate Replacement Fee Fund has a sufficient balance to reinstitute license plate replacement.~~

~~(D) From the escrow account established pursuant to Proviso 90.13 of Act 310 of 2008, the remaining funds shall be used to offset any operating shortfalls resulting from the Barnwell Low Level Waste Facility operations in order to preserve the economic viability of the facility. The amount distributed to offset any operating shortfalls shall be determined by calculating the difference between the allowable operating costs plus adjustments as approved by the Public Service Commission, and the access fees paid by the Atlantic Compact generators. Funds remaining in the account to offset operating shortfalls shall also be used to maintain access fees to the facility for Fiscal Year 2011-12 at the Fiscal Year 2009-10 level. There shall also be paid from the escrow account the annual dues of the Southern States Energy Board.~~

## AMENDMENT #58

### SPONSOR: REPRESENTATIVE MERRILL

**90.nr.** (SR: Non-recurring Revenue) (A) The source of revenue appropriated in this provision is \$377,784,450 of non-recurring revenue generated from the following sources and transferred to the State Treasurer. This revenue is deemed to have occurred and is available for use in Fiscal Year 2012-13 after September 1, 2012, following the Comptroller General's close of the state's books on Fiscal Year 2011-12.

(1) \$122,333,689 from Fiscal Year 2010-11 Contingency Reserve Fund; and

(2) \$255,450,761 from Fiscal Year 2011-12 unobligated general fund revenue as certified by the Board of Economic Advisors;

Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2011-12 and shall be available for use in Fiscal year 2012-13.

(B) The State Treasurer shall disburse the following appropriations by September 30, 2012, for the purposes stated:

- (1) General Reserve Fund
  - Full 5% Funding ..... \$ 98,175,036;
- (2) P32-Department of Commerce
  - (a) Deal Closing Fund ..... \$ 2,000,000;
  - (b) Research Funds ..... \$ 3,542,592;
- (3) K05-Department of Public Safety
  - Emergency Communications Equipment ..... \$ 3,250,000;
- (4) D10-State Law Enforcement Division
  - (a) Personal Service and Operating ..... \$ 1,701,000;
  - (b) Forensic Equipment ..... \$ 1,134,994;
  - (c) Law Enforcement Operating ..... \$ 150,000
  - (d) CJIS/IT Equipment ..... \$ 4,777,000;
  - (e) Vehicles..... \$ 840,000;
  - (f) Computer Equipment ..... \$ 138,500;
- (5) P12-Forestry Commission
  - Firefighting Equipment..... \$ 3,500,000;
- (6) F03-Budget and Control Board
  - South Carolina Enterprise Information System-Statewide Program
  - SCEIS Program Sustainment ..... \$ 2,458,843;
- (7) H63-Department of Education
  - Governor's School for the Arts and Humanities
  - Administration Building Construction..... \$ 1,250,000;
- (8) H71-Wil Lou Gray Opportunity School
  - Window Replacement..... \$ 750,000;
- (9) H75-School for the Deaf and Blind
  - Robertson Hall Construction..... \$ 1,477,550;
- (10) L12-John de la Howe School
  - (a) Deferred Maintenance on Seven Cottages ..... \$ 400,000;
  - (b) Information Technology Upgrade..... \$ 200,014;
- (11) N04-Department of Corrections
  - (a) Statewide Infirmary Consolidation ..... \$ 300,000;
  - (b) Weapons Replacement..... \$ 40,000;

(c) Farm Irrigation - Wateree .....	\$ 100,000;
(d) Web Based Case Management System for Victim Services.....	\$ 500,000;
(e) SC SAVIN Court Notification .....	\$ 500,000;
(f) Training Academy - Upgrade Training Material .....	\$ 100,000;
(g) Information Technology Upgrade.....	\$ 100,000;
(h) Allendale CI Pre-Treatment Wastewater Plant Closing.....	\$ 350,000;
(i) Wateree Radium Drinking Water.....	\$ 6,000,000;
(j) Statewide Roof Replacement .....	\$ 2,500,000;
(k) Statewide Major Projects .....	\$ 2,500,000;
(12) E21-Prosecution Coordination Commission	
CDV Prosecution .....	\$ 1,500,000;
(13) E23-Commission on Indigent Defense	
(a) Information Technology Upgrade.....	\$ 101,000;
(b) CDV Court Cost.....	\$ 899,000;
(14) E20-Attorney General	
(a) Savannah River Maritime Commission Legal Expenses .....	\$ 250,000;
(b) Information Technology Upgrade.....	\$ 500,000;
(15) C05-Administrative Law Court	
Staff Attorney/Hearing Officer/Business Associate Equipment.....	\$ 6,900;
(16) /B04-Judicial Department	
(a) Equipment for Judges and Staff .....	\$ 99,660;
(b) Technology upgrade/Centralized Court Statistics & CMS .....	\$ 2,500,000;
(17) P20-Clemson University-PSA	
Advanced Plant Technology Lab .....	\$ 2,000,000;
(18) P21-South Carolina State University-PSA	
LAC Audit .....	\$ 80,142;
(19) H27-University of South Carolina-Columbia Campus	
Palmetto Poison Center.....	\$ 71,862;
(20) J02-Department of Health and Human Services	
Medicaid Management Information System.....	\$ 3,918,676;
(21) J04-Department of Health and Environmental Control	
(a) AIDS Drug Assistance Program (ADAP) and Prevention.....	\$ 1,000,000;
(b) Immunizations.....	\$ 1,000,000;
(c) SC Coalition against Domestic Violence and Sexual Assault .....	\$ 453,680;
(d) Kidney Disease Early Evaluation and Risk	
Assessment Education.....	\$ 100,000;
(e) Hemophilia - SC Bleeding Disorders Premium Assist Program.....	\$ 100,000;
(22) J20-Department of Alcohol and Other Drug Abuse Services	
McCord Center Safety Improvement Project .....	\$ 473,200;
(23) P16-Department of Agriculture	
(a) Market Operations.....	\$ 600,000;
(b) Farmer's Market Equipment .....	\$ 400,000;
(24) R44-Department of Revenue	
Implementation of SCITS.....	\$ 4,374,496;
(25) P28-Department of Parks, Recreation, and Tourism	
Kings Mountain Bridge Replacement.....	\$ 250,000;
(26) E28-Election Commission .....	\$ 1,500,000;
(27) E24-Adjutant General's Office	
(a) State Guard.....	\$ 59,000;
(b) Armory Maintenance .....	\$ 500,000;

(28) E08-Secretary of State		
Information Technology Upgrade.....	\$	250,000;
(29) A20-Legislative Audit Council		
(a) Information Technology Upgrade.....	\$	45,000;
(b) Peer Review Audit .....	\$	15,000;
(30) R52-State Ethics Commission		
(a) Electronic Filing System .....	\$	25,800;
(b) Information Technology Upgrade.....	\$	15,000.
(31) P24-Department of Natural Resources		
(a) Drill Rig for Geological Survey and Strengthened Services.....	\$	200,000;
(b) Replacement of IT Equipment and Maintenance.....	\$	1,260,505;
(c) Water Resources Other Operating .....	\$	1,000,000;
(32) Department of Social Services		
Child Support Enforcement System.....	\$	3,500,000;
(33) U20-County Transportation Funds		
C-Funds.....	\$	30,000,000; and
(34) Y14-State Ports Authority		
Harbor Deepening Reserve Fund.....	\$	180,000,000;

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

(C) From the escrow account established pursuant to Proviso 90.13 of Act 310 of 2008, the remaining funds shall be used to offset any operating shortfalls resulting from the Barnwell Low Level Waste Facility operations in order to preserve the economic viability of the facility. The amount distributed to offset any operating shortfalls shall be determined by calculating the difference between the allowable operating costs plus adjustments as approved by the Public Service Commission, and the access fees paid by the Atlantic Compact generators. Funds remaining in the account to offset operating shortfalls shall also be used to maintain access fees to the facility for Fiscal Year 2012-13 at the Fiscal Year 2009-10 level. There shall also be paid from the escrow account the annual dues of the Southern States Energy Board.



## AMENDMENT #59

**SPONSOR: REPRESENTATIVE MERRILL**

**90.17.** (SR: Contingency Reserve Fund Transfers) Any excess Fiscal Year ~~2010-11~~ 2011-12 general fund revenue above the amounts appropriated in Proviso ~~90.11~~ 90.nr shall be transferred to the Contingency Reserve Fund.

## AMENDMENT #60

**SPONSOR: REPRESENTATIVE MERRILL**

**80A.25.** (BCB: Employee Compensation) The amounts appropriated to the Budget and Control Board for Employee Pay Increases must be allocated by the Board to the various state agencies to provide for employee pay increases in accordance with the following plan:

1. With respect to classified and non-judge judicial classified employees, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified employees shall be increased by ~~zero~~ two percent.

2. With respect to unclassified and non-judge judicial unclassified employees or unclassified executive compensation system employees not elsewhere covered in this act, effective on the first pay date that occurs on or after July first of the current fiscal year each agency is authorized to allot the total funds for compensation increases among individual employees without uniformity. The funds provided for compensation increases for any employees subject to the provisions of this paragraph are based on an average ~~zero~~ two percent increase. All of the salaries are subject to the provisions of Section 89.17 of Part IB of this act and Office of Human Resources approval must be obtained before any employees subject to the provisions of this paragraph may be granted an annual pay increase in excess of the guidelines established by the Budget and Control Board. Any employee subject to the provisions of this paragraph shall not be eligible for compensation increases provided in paragraphs 1, 3, 4, 5, or 6.

3. Effective on the first pay date that occurs on or after July first of the current fiscal year, agency heads not covered by the Agency Head Salary Commission, shall receive an annualized base pay increase of ~~zero~~ two percent.

4. With respect to local health care providers compensation increases shall be ~~zero~~ two percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to Area Agencies on Aging funded by the Lieutenant Governor's Office on Aging, compensation shall be increased by ~~zero~~ two percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to local councils on aging or local providers of services funded by the Lieutenant Governor's Office on Aging through Area Agencies on Aging, no pay increases will be allowed. School Bus Driver salary and fringe funding to school districts shall be increased by ~~zero~~ two percent.

5. Effective on the first pay date that occurs on or after July first of the current fiscal year, the Chief Justice and other judicial officers shall receive an annualized base pay increase of ~~zero~~ two percent.

6. Effective on the first pay date that occurs on or after July first of the current fiscal year, county auditors and county treasurers shall receive an annualized base pay increase of ~~zero~~ two percent.

The Budget and Control Board shall allocate associated compensation increases for retirement employer contributions based on the retirement rate of the retirement system in which individual employees participate.

The Executive Director of the Budget and Control Board is authorized to use excess appropriations for the current fiscal year, as determined by the Director of the Office of State Budget, designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the Budget and Control Board, such action may be considered a permanent transfer into the receiving agency's base budget.

Funds appropriated in Part IA, F30, Section 80C, Budget and Control Board, Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

## Amendment #61

### **Rep. M. Smith proposes the following:**

*Department of Health and Environmental Control*

*Line 828 both Federal and Other Funds Columns Strike  
\$4,391,905 and insert \$3,996,923.*

## Amendment #62

### **Rep. M. Smith proposes the following:**

#### *Department of Mental Health*

*Line 837 Decrease 1A-General Funds by \$100,000*

#### *Department of Health and Environmental Control*

*Add a line after line 804 "Sickle Cell" and increase 1A-General Funds by \$100,000*