

**H. 3701 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2015-16
SAME IN BOTH VERSIONS**

SECTION 1 - H63-DEPARTMENT OF EDUCATION

- 1.43** **AMEND** (Residential Treatment Facilities Student Enrollment and Funding) Establishes guidelines for educational, financial and accountability of students between responsible licensed residential treatment facilities, school districts, parents, and the department.
WMC: AMEND proviso to change reference to “Virtual School Program” to “virtual school program” and specify the program name of “(Virtual SC).” Allow a student to also be enrolled in a virtual charter school authorized by an approved institute of higher education. Specify that a facility school district is also responsible for compliance with the Individuals with Disabilities Act of 2004 (IDEA). Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

1.43. (SDE: Residential Treatment Facilities Student Enrollment and Funding) Each South Carolina resident of lawful school age residing in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code, (“students”) shall be entitled to receive educational services from the school district in which the RTF is located (“facility school district”). The responsibility for providing appropriate educational programs and services for these students, both with and without disabilities, who are referred, authorized, or placed by the State is vested in the facility school districts. For purposes of this proviso, an authorization must be pursuant to a physician’s determination of medical necessity. If clinically appropriate, the facility school district, the RTF, and the parent or guardian of a student referred or placed in a RTF may consider the appropriateness of providing the student’s education program virtually through enrollment in either the facility district’s virtual program, the South Carolina ~~Virtual School Program~~ *virtual school program* provided through the Department of Education (*Virtual SC*), or a virtual charter school authorized by the South Carolina Public Charter School District, *or a virtual charter school authorized by an approved institute of higher education*. This decision should be made jointly with the best interest of the student and what is clinically indicated being considered.

A facility school district must provide the necessary educational programs and services directly to the student at the RTF’s facility, provided that the RTF facility provides and maintains comparable adequate space for the educational programs and services consistent with all federal and state least restrictive environment requirements. Adequate space shall include appropriate electrical support and Internet accessibility. Unless the parent or legal guardian of the student seeks to continue the student’s enrollment in the resident school district under a medical homebound instruction program and the district approves, if appropriate, then, under these circumstances, the facility school district shall enroll the student and assume full legal and financial responsibility for the educational services including enrolling the student, approving the student’s entry into a medical homebound instructional program, if appropriate, and receiving and expending funds, unless the resident school district undertakes to carry out its educational responsibilities for the student directly. Alternatively, a facility school district may choose to provide the necessary educational programs and services by contracting with the RTF provided that the RTF agrees to provide educational services to the student at the RTF’s facility. Under these circumstances, the facility school district must enroll the student and pay the RTF for the educational services provided. If the facility school district determines the educational program being offered by the RTF does not meet the educational standards outlines in the contract, the facility district shall be justified in terminating the contract.

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The facility school districts are entitled to receive the base student cost multiplied by the Education Finance Act pupil weighting for Homebound pupils of 2.10, as set forth in Section 59-20-40 of the 1976 Code and any eligible categorical and federal funds. These funds may be retained by the facility school districts for the purpose of providing the educational programs and services directly to students referred or placed by the State or the facility school districts may use these funds to reimburse RTFs for the educational programs and services provided directly by the RTFs. A facility school district is entitled to reimbursement from a resident school district for the difference between (1) the reasonable costs expended for the educational services provided directly by the facility school district or the amount paid to the RTF and (2) the aggregate amount of federal and state funding received by the facility school district for that student. However, the reimbursement rate may not exceed \$45 per student per day. Facility school districts providing the educational services shall notify the resident district in writing within forty-five calendar days that a student from the resident district is receiving educational services pursuant to the provisions of the proviso. Reimbursements shall be paid within sixty days of billing, provided the facility district has provided a copy of the invoice to both the District Superintendent and the finance office of the resident district being invoiced. Should the facility school district be unable to reach agreement with the resident school district regarding reasonable costs differences, the facility school district shall notify the Department of Education's Office of General Counsel. The Department of Education shall facilitate a resolution of the dispute between the facility school district and the resident school district within forty-five days of the notice of dispute. If the issue of reasonable cost differences should remain unresolved, a facility school district shall have the right to file a complaint in a Circuit Court. Should a resident school district fail to distribute the entitled funding to the facility school district by the one hundred thirty-five day count, the Department of Education is authorized to withhold the equivalent amount of EFA funds and transfer those funds to the facility school district.

If a child from out of state is placed in a RTF by an out-of-state school district or agency, the child's home state remains responsible for the educational services. The facility school district may choose to provide the educational program to the child and, upon choosing to do so, shall contract with the appropriate entity for payment of educational services provided to the child. Out-of-state students provided educational services by a facility school district shall not be eligible for funding through the Education Finance Act.

If a child is placed in a RTF by the child's parent or guardian and is not referred, authorized, or placed by the State, the facility school district may choose to provide the educational program to the child, and upon doing so, must negotiate with the resident school district for services through medical homebound procedures. A facility school district is responsible for compliance with all child find requirements under Section 504 of the Rehabilitation Act of 1973 and Individuals with Disabilities Act of 2004 (IDEA).

All students enrolled in the facility school districts shall have access to the facility school districts' general education curriculum, which will be tied to the South Carolina academic standards in the core content areas. All students with disabilities who are eligible for special education and related services under the Individuals with IDEA, as amended, and the State Board of Education (SBE) regulations, as amended, shall receive special education and related services in the least restrictive environment by appropriately certified personnel. Students in an RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned through their educational efforts.

With respect to students enrolled in the facility school districts, for accountability purposes, the assessment and accountability measures for students residing in RTFs shall be attributed to a specific school only if the child physically attends the school. The performance of students residing in a RTF who receive their educational program on site at the RTF must be reflected on a separate line on the facility school district's report card and must not be included in the overall

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performance ratings of the facility school district. The Department of Education shall examine the feasibility of issuing report cards for RTFs. For the current fiscal year, a facility school district shall not have the district's state accreditation rating negatively impacted by deficiencies related to the delivery of an educational program at a RTF.

RTFs shall notify the facility school district as soon as practical, and before admission to the RTF if practical, of a student's admission to the RTF. RTFs, the facility school districts and the Department of Education shall use their best efforts to secure and/or exchange information, including documents and records necessary to provide appropriate educational services and/or related services as necessary to assist the facility school district in determining the resident school district. The Department of Education, in collaboration with state placing agencies, RTFs, facility school districts, and resident school districts, shall implement a system to follow the release of students from a RTF and re-enrollment in public, private, or special schools to ensure these students, when appropriate, are not recorded as dropouts.

- 1.48 DELETE** (Teaching Requirement for Certified School Employees) Directs that all certified personnel employed in a school district should, if feasible, teach at least two classes per week within the school district in which they are employed.

WMC: DELETE proviso. *This proviso was added when districts were furloughing certified staff members due to budget cuts but is no longer needed.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

1.48. (SDE: Teaching Requirement for Certified School Employees) ~~From the funds appropriated, all certified public school teachers, certified special school classroom teachers, certified media specialists, certified guidance counselors, certified full time athletic directors, certified principals, certified assistant principals, and certified school district administrators that are employed by a school district should, if practicable, teach at least two classes per week within the school district they are employed.~~

- 1.62 DELETE** (First Steps) Requires First Steps to submit its next external evaluation to the General Assembly by November 15, 2014 and to incorporate an update pertaining to the LAC June 2013 review of the initiative.

WMC: DELETE proviso. *Report has been submitted.* Requested by First Steps to School Readiness.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

1.62. (SDE: First Steps) ~~The South Carolina First Steps to School Readiness Board of Trustees shall incorporate findings of the Legislative Audit Council within the scope of the First Steps next external evaluation. The report shall be submitted to the General Assembly no later than November 15, 2014.~~

- 1.65 DELETE** (Digital Instructional Materials)) Provides the methodology for the department to use to allocate digital instructional materials. Requires districts submit requests to the State Board by August 15th and directs that funds not encumbered by January 15th be distributed to school

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districts that have not previously received an allocation. Directs that these funds are not subject to flexibility.

HOU: DELETE proviso. *See new proviso 1.89.* Sponsor: Rep. Bingham.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

1.65. (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;~~

~~(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; and~~

~~(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.~~

1.66 **AMEND** (~~Child Development Education Pilot Program~~ *Full-Day 4K*) Creates CDEPP, a voluntary program which focuses on developmental and learning support to be ready for school for four year olds in the trial and plaintiff school districts with expansion to eligible children in school districts with a poverty index of 70% or greater.

WMC: AMEND proviso to delete all of the proviso except for (K) and (N). Amend (K) to allow eligible students who live in a school district with a poverty index of 70% or greater to participate in the S.C. Early Reading Development and Education Program; direct that public and private providers will be reimbursed for instructional costs at a rate of \$4,218 per student enrolled; direct that eligible students enrolling or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment; direct that new providers participating for the first time who enroll between 1-6 eligible children are eligible to receive up to \$1,000 per child in materials and equipment grant funding, and direct that providers who enroll 7 or more eligible children are eligible for funding not to exceed \$10,000; require providers receiving equipment funding participate for a minimum of 3 years; and direct that funding is contingent on receipt of data as requested by SDE and First Steps. Amend (N) to delete the

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requirement that certain data be included in the EOC annual evaluation of CDEPP. *See companion EIA proviso 1A.31.*

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

~~1.66. (SDE: Child Development Education Pilot Program *Full-Day 4K*) There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be available for the current school year on a voluntary basis and shall focus on the developmental and learning support that children must have in order to be ready for school and must incorporate parenting education.~~

~~(A) For the current school year, with funds appropriated by the General Assembly, the South Carolina Child Development Education Pilot Program shall first be made available to eligible children from the trial and plaintiff school districts in the Abbeville County School District et. al. vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of seventy percent or greater.~~

~~Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.~~

~~(B) Each child residing in the pilot districts, who will have attained the age of four years on or before September first, of the school year, and meets the at risk criteria is eligible for enrollment in the South Carolina Child Development Education Pilot Program for one year.~~

~~The parent of each eligible child may enroll the child in one of the following programs:~~

~~(1) a school year four year old kindergarten program delivered by an approved public provider; or~~

~~(2) a school year four year old kindergarten program delivered by an approved private provider.~~

~~The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child's birth certificate, immunization documentation, and documentation of the student's eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty five percent or less of the federal poverty guidelines as promulgated annually by the U.S. Department of Health and Human Services or a statement of Medicaid eligibility.~~

~~In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of 6.5 hours of instructional time daily and operates for a period of not less than one hundred eighty days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.~~

~~No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this provision. Nothing in this provision prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.~~

~~If by October first of the school year at least seventy five percent of the total number of eligible CDEPP children in a district or county are projected to be enrolled in CDEPP, Head Start or ABC Child Care Program as determined by the Department of Education and the Office of~~

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First Steps, CDEPP providers may then enroll pay lunch children who score at or below the twenty fifth national percentile on two of the three DIAL 3 subscales and may receive reimbursement for these children if funds are available.

~~(C) Public school providers choosing to participate in the South Carolina Four Year Old Child Development Kindergarten Program must submit an application to the Department of Education. Private providers choosing to participate in the South Carolina Four Year Old Child Development Kindergarten Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this provision, and will comply with all reporting and assessment requirements.~~

~~Providers shall:~~

~~(1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;~~

~~(2) comply with all state and local health and safety laws and codes;~~

~~(3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;~~

~~(4) be accountable for meeting the education needs of the child and report at least quarterly to the parent/guardian on his progress;~~

~~(5) comply with all program, reporting, and assessment criteria required of providers;~~

~~(6) maintain individual student records for each child enrolled in the program to include, but not be limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;~~

~~(7) designate whether extended day services will be offered to the parents/guardians of children participating in the program;~~

~~(8) be approved, registered, or licensed by the Department of Social Services; and~~

~~(9) comply with all state and federal laws and requirements specific to program providers.~~

~~Providers may limit student enrollment based upon space available. However if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved prekindergarten readiness assessment. Private providers shall not be required to expand their programs to accommodate all children desiring enrollment. However, providers are encouraged to keep a waiting list for students they are unable to serve because of space limitations.~~

~~(D) The Department of Education and the Office of First Steps to School Readiness shall:~~

~~(1) develop the provider application form;~~

~~(2) develop the child enrollment application form;~~

~~(3) develop a list of approved research based preschool curricula for use in the program based upon the South Carolina Content Standards, provide training and technical assistance to support its effective use in approved classrooms serving children;~~

~~(4) develop a list of approved prekindergarten readiness assessments to be used in conjunction with the program, provide assessments and technical assistance to support assessment administration in approved classrooms serving children;~~

~~(5) establish criteria for awarding new classroom equipping grants;~~

~~(6) establish criteria for the parenting education program providers must offer;~~

~~(7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;~~

~~(8) develop a list of data collection needs to be used in implementation and evaluation of the program;~~

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~~(9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;~~

~~(10) establish criteria for granting student retention waivers; and~~

~~(11) establish criteria for granting classroom size requirements waivers.~~

~~(E) Providers of the South Carolina Child Development Education Pilot Program shall offer a complete educational program in accordance with age appropriate instructional practice and a research based preschool curriculum aligned with school success. The program must focus on the developmental and learning support children must have in order to be ready for school. The provider must also incorporate parenting education that promotes the school readiness of preschool children by strengthening parent involvement in the learning process with an emphasis on interactive literacy.~~

~~Providers shall offer high-quality, center-based programs that must include, but shall not be limited to, the following:~~

~~(1) employ a lead teacher with a two-year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education or the Office of First Steps to School Readiness;~~

~~(2) employ an education assistant with pre-service or in-service training in early childhood education;~~

~~(3) maintain classrooms with at least ten four-year-old children, but no more than twenty four-year-old children with an adult to child ratio of 1:10. With classrooms having a minimum of ten children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case-by-case basis;~~

~~(4) offer a full-day, center-based program with 6.5 hours of instruction daily for one hundred eighty school days;~~

~~(5) provide an approved research-based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social/emotional development;~~

~~(6) engage parents' participation in their child's educational experience that shall include a minimum of two documented conferences per year; and~~

~~(7) adhere to professional development requirements outlined in this article.~~

~~(F) Every classroom providing services to four-year-old children established pursuant to this provision must have a lead teacher with at least a two-year degree in early childhood education or related field and who is enrolled and is demonstrating progress toward the completion of a teacher education program within four years. Every classroom must also have at least one education assistant per classroom who shall have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The teaching assistant shall have completed the Early Childhood Development Credential (ECD) 101 or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children five years old and younger. The providers must request this waiver in writing to their designated administrative agency (First Steps or the Department of Education) and provide appropriate documentation as to the qualifications of the teaching assistant.~~

~~(G) The General Assembly recognizes there is a strong relationship between the skills and preparation of prekindergarten instructors and the educational outcomes of students. To improve these education outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Development Education Pilot Program to participate annually in a minimum of fifteen hours of professional development to include teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age-appropriate progress of~~

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prekindergarten students in developing emergent literacy skills, including but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

~~(H) Both public and private providers shall be eligible for transportation funds for the transportation of children to and from school. Nothing within this provision prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56-5-195. Providers shall not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for transportation. When transporting four year old child development students, providers shall make every effort to transport them with students of similar ages attending the same school. Of the amount appropriated for the program, not more than \$185 per student shall be retained by the Department of Education for the purposes of transporting four year old students. This amount must be increased annually by the same projected rate of inflation as determined by the Revenue and Fiscal Affairs Office for the Education Finance Act.~~

~~(I) For all private providers approved to offer services pursuant to this provision, the Office of First Steps to School Readiness shall:~~

- ~~(1) serve as the fiscal agent;~~
- ~~(2) verify student enrollment eligibility;~~
- ~~(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;~~
- ~~(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;~~
- ~~(5) serve as a clearing house for information and best practices related to four year old kindergarten programs;~~
- ~~(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;~~
- ~~(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four year old kindergarten programs;~~
- ~~(8) maintain a database of the children enrolled in the program; and~~
- ~~(9) promulgate guidelines as necessary for the implementation of the pilot program.~~

~~(J) For all public school providers approved to offer services pursuant to this provision, the Department of Education shall:~~

- ~~(1) serve as the fiscal agent;~~
- ~~(2) verify student enrollment eligibility;~~
- ~~(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;~~
- ~~(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;~~
- ~~(5) serve as a clearing house for information and best practices related to four year old kindergarten programs;~~
- ~~(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;~~
- ~~(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four year old kindergarten programs;~~
- ~~(8) maintain a database of the children enrolled in the program; and~~
- ~~(9) promulgate guidelines as necessary for the implementation of the pilot program.~~

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(K) ~~The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the current school year, *eligible students residing in a school district with a poverty index of 70 percent or greater may participate in the South Carolina Early Reading Development and Education Program. Public and private providers will be reimbursed for instructional costs at a rate of the funded cost per child shall be \$4,218 increased annually by the rate of inflation as determined by the Revenue and Fiscal Affairs Office for the Education Finance Act per student enrolled.* Eligible students enrolling with private providers during the school year *or withdrawing during the school year* shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall *also* be eligible for a reimbursement of \$550 per eligible child transported. *Providers All providers* who are reimbursed are required to retain records as required by their fiscal agent. *Providers New providers participating for the first time in the current fiscal year and* enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment ~~grant~~ funding, with providers enrolling seven or more such children eligible for ~~grants~~ *funding* not to exceed \$10,000. Providers receiving equipment ~~grants~~ *funding* are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps.~~

~~(L) Pursuant to this provision, the Department of Social Services shall:~~

~~(1) maintain a list of all approved public and private providers; and~~

~~(2) provide the Department of Education and the Office of First Steps information necessary to carry out the requirements of this provision.~~

~~(M) The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers.~~

~~(N) Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. The evaluation shall include, but is not limited to: (1) student data including the number of at risk four year old kindergarten students served in publically funded programs, by county and by program; (2) program effectiveness including developmentally appropriate assessments of children to measure emerging literacy and numeracy; (3) individual classroom assessments to determine program quality; (4) longitudinal analysis of academic and nonacademic measures of success for children who participated in the program; and (5) an evaluation of the professional development, monitoring and assistance offered to public and private providers. To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.~~

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- 1.70 DELETE** (Technology/Device Pilot) Authorizes the department to use carry forward funds and appropriated recurring and non-recurring Instructional Materials and Digital Instructional Materials funds to allow up to 6 school districts to apply to the Department of Education to participate in a technology device pilot for a specific program/grade level in middle or high schools. Requires the department prepare a report that outlines implementation and use in the selected districts and submit it by December 15, 2014 to the Chairmen of the Senate Finance, Senate Education, House Ways and Means and House Education and Public Works Committees. **WMC:** DELETE proviso. *The department states the pilot was technically for one year. Six districts implemented their plan in the 2014-15 school year.* Requested by Department of Education. Companion to EIA proviso 1A.57.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~1.70. (SDE: Technology/Device Pilot) For the current fiscal year, the Department of Education is authorized to utilize carry forward funds from the prior fiscal year and appropriated funds from recurring and nonrecurring sources for the purchase of Instructional Materials and Digital Instructional Materials to allow middle and high schools in up to six school districts receiving approval from the State Board of Education to opt out of the state rental system and purchase instructional materials, digital instructional materials and the digital equivalent of materials and devices directly from a state approved vendor in an amount not to exceed the total allocation that the district would have received from these appropriations.~~

~~In order to best serve the middle and high schools and students within the school district, the school district must develop an implementation plan listing the instructional materials, digital instructional materials and the digital equivalent of materials and devices by grade level and subject and the implementation plan must be presented to the local school board in a public meeting for approval and made available to the public on the school district website prior to the public school board meeting.~~

~~The department must provide a certification form for a local school board on behalf of the school district to approve in a public meeting, have signed by the board chairman and district superintendent requesting approval for funding equivalent to the school district's allocation of appropriated funds for instructional materials and digital instructional materials based on the number of students in middle and high schools of the school district. The department must develop the certification form with the intent of assisting school districts with meeting State Board of Education approval.~~

~~Upon school board approval, and no later than July twenty fifth, the certification form and the detailed plan must be submitted to the department for State Board of Education approval. The State Board of Education must notify the school district of their decision to approve or disapprove no later than August fifteenth. If a school district does not receive State Board of Education approval the valid cause along with measurements necessary for the school district to meet approval must be provided to the local school board. The school district may make the required adjustments to their implementation plan and resubmit their certification form and plan to the State Board of Education for subsequent approval no later than ten days from the date of resubmission.~~

~~The school district may utilize no more than ten percent of the funds for professional development on the use of the acquisitions and must utilize no less than ninety percent of the funding received for the acquisition of instructional materials, digital instructional materials and the digital equivalent of materials and devices. If approved the school district is required to~~

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~~ensure that all students in the middle and high schools have access to the curriculum without regard to the student's home internet access capabilities.~~

~~The school district shall establish rules and policies that provide for the reasonable care and safety of the materials to include reasonable penalties for abuse, destruction, and loss and excluding ordinary wear and tear, provide for reimbursement by the pupils, their parents or legal guardians.~~

~~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.~~

- 1.71 DELETE** (First Steps CDEPP Carry Forward and Other Funds) Directs that First Steps may use no more than \$15,000 of unexpended CDEPP carry forward funds and no more than \$325,000 in other, non-CDEPP funds to meet IT needs and ensure secure, statewide IT network connectivity via DOA and requires data system connectivity and compatibility with PowerSchool through the department to maintain data for 4K students served through CDEPP. Requires a report be submitted by December 1, 2014 to the Executive Budget Office and the Chairmen of the Senate Finance and House Ways and Means Committees on the expenditure of these funds.
WMC: DELETE proviso.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~**1.71.** (SDE: First Steps CDEPP Carry Forward and Other Funds) For Fiscal Year 2014-15, First Steps may use no more than \$15,000 in unexpended CDEPP funds carried forward from the prior fiscal year and no more than \$325,000 in other, non-CDEPP funds to meet information technology needs and ensure secure, statewide IT network connectivity via the Department of Administration and require data system connectivity and compatibility with PowerSchool through the Department of Education for the purpose of maintaining data for 4K students served through the CDEPP program.~~

~~No later than December 1, 2014, First Steps must report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on the expenditure of the funds to include the following information: expenditures on data system upgrades, expenditures on technology services and infrastructure and expenditures on personnel and training.~~

- 1.73 AMEND** (Alternative Fuel Transportation) Directs the department to use at least 5%, but not more than 10% of School Bus Lease/Purchase appropriations to lease or purchase alternative fuel or dual fuel school buses so long as at least one school district wants to participate in the pilot project. Requires the department select up to 3 school districts that wish to participate if the district pays for certain costs associated with the alternative or dual fuel buses. Requires participating districts to use alternative fuel buses for department approved routes and to submit quarterly reports to the department as directed. Directs that the department is responsible for the alternative fuel buses it purchases and for their maintenance costs and fuel. Requires the department report by June 1, 2015 to the Chairmen of the Senate Finance and House Ways and Means Committees on how many alternative fuel buses were purchased, the cost of each bus, and the type and cost of the alternative fuel used.
WMC: AMEND proviso to delete the requirement that the department use at least 5% of the specified funds for the pilot project. Delete the requirement that the participating districts pay

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for: (1) a fueling station/facility; (2) the difference in the cost between a conventional and alternative fuel or dual fuel bus; and (3) appropriate training of department bus maintenance staff. Update reporting timeframe to “2016.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

1.73. (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 at least ~~five percent, but not more than~~ ten percent to lease or purchase school buses that are designed to use alternative fuel or dual fuel as long as at least one school district desires to participate in this pilot project. The department shall select up to three school districts wishing to participate in a pilot project to use alternative fuel or dual fuel buses ~~if an interested district pays for the following costs: (1) fueling station/facility; (2) the difference in the cost between a conventional and alternative fuel or dual fuel bus; and (3) appropriate training of department bus maintenance staff.~~ Districts selected and agreeing to participate in the pilot project are required to use alternative fuel or dual fuel buses for routes approved by the department and shall submit quarterly reports to the department as directed by the agency. The department shall be responsible for the alternative fuel or dual fuel buses it purchases and shall pay for their maintenance costs and fuel. By June 1, ~~2015~~ 2016, 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.

1.80 **ADD** (Board of Education Funds) **WMC:** ADD new proviso to authorize the department to carry forward Board of Education funds and permit the State Board of Education to use these funds for innovative educational opportunities and projects. Require the board to develop guidelines and to publish them on their website. Requested by Department of Education.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

1.80. (SDE: Board of Education Funds) For the current fiscal year, the Department of Education is authorized to carry forward funds appropriated in Part IA, Section 1, II. Board of Education. The State Board of Education is permitted to utilize these funds for innovative educational opportunities and projects. The Board of Education shall develop guidelines and publish them on the board's website.

1.81 **ADD** (Proceeds from Sale of Bus Shop and Boat) **WMC:** ADD new proviso authorize the department to retain the proceeds from the sale of any bus shop or from the sale of the state owned boat and to expend those funds for transportation purposes.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

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1.81. (SDE: Proceeds from Sale of Bus Shop & Boat) For the current fiscal year the Department of Education is authorized to retain any funds received from the sale of any bus shop and the sale of the state owned boat and expend those funds for transportation purposes.

- 1.85** **ADD** (Teacher Salary Schedule Structure) **WMC:** ADD new proviso to direct the department to convene certain stakeholders to examine and make recommendations on changes to the statewide minimum state teacher salary schedule and include extending steps, the beginning teacher salary and each district's salary schedule structure in the examination. Direct recommendations be provided to the Chairmen of the Senate Finance and House Ways and Means Committees by November 15, 2015.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

1.85. (SDE: Teacher Salary Schedule Structure) The Department of Education shall convene stakeholders to include: Palmetto State Teachers Association, South Carolina School Business Officials, South Carolina Association of School Administrators, South Carolina School Boards Association, South Carolina Education Association, and the Education Oversight Committee to examine and make recommendations regarding changes to the statewide minimum state teacher salary schedule to include extending the steps on the state teacher salary schedule; an examination of the beginning teacher salary; and an examination of each district's salary schedule structure. Recommendations shall be provided to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by November 15, 2015.

- 1.90** **DELETE NEW PROVISIO** (Teacher and Principal Evaluation Exemption) **HOU:** ADD new proviso to exempt records relating to educator evaluations that include personally identifiable information from disclosure under FOIA. Sponsor: Rep. Bingham.

HOU2: AMEND House version to delete new proviso. Sponsors: Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Pitts, Simrill, G.M. Smith, and Whitmire.

SFC: DELETE new proviso.

SEN: ADOPT deletion of new proviso.

SAME IN BOTH VERSIONS.

1.90. (SDE: Teacher and Principal Evaluation Exemption) DELETED

- 1.91** **ADD** (Transition Funds to Districts) **HOU:** ADD new proviso to require the department transfer unexpended EFA Transition funds to the EFA for disbursement to districts per the formula. Sponsor: Rep. Bingham.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

1.91. (SDE: Transition Funds to Districts) For the current fiscal year, the department must transfer any unexpended funds appropriated for EFA Transition to the EFA for disbursement to districts per the formula.

SECTION 1A - H63-DEPARTMENT OF EDUCATION-EIA

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- 1A.16 AMEND** (Teacher Salary Supplement) Directs the department to carry forward unobligated teacher salary supplement and employer contribution funds to be used for the same purpose.
WMC: AMEND proviso to allow unexpended teacher salary supplement funds to be used for shortfalls in associated employer contributions funds. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

1A.16. (SDE-EIA: Teacher Salary Supplement) The department is directed to carry forward prior year unobligated teacher salary supplement and related employer contribution funds into the current fiscal year to be used for the same purpose. Any unexpended funds in teacher salary supplement may be used to fund shortfalls in the associated employer contribution funding in the current fiscal year.

- 1A.28 AMEND** (Adult Education) Requires that at least 30% of funds appropriated for adult education must be allocated to school districts to serve age 17 to 21 year old adult education students pursuing a high school diploma, GED, or career readiness certificate with the remaining funds allocated to school districts on a formula based on certain criteria. Requires aggregate levels of state funding meet federal MOE requirements. Requires the district to collect and report certain information to the department and that the department provide summary information to certain legislative committees.
HOU: AMEND proviso to change the factors the formula must include when allocating the remaining funds to the districts to delete “total hours of attendance” and adding “number of students making an education gain.” Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

1A.28. (SDE-EIA: Adult Education) A minimum of thirty percent of the funds appropriated for adult education must be allocated to school districts to serve adult education students between the ages of seventeen and twenty-one who are enrolled in programs leading to a state high school diploma, state high school equivalency diploma (GED), or career readiness certificate (WorkKeys). The remaining funds will be allocated to districts based on a formula which includes factors such as target populations without a high school credential, program enrollment the previous school year, ~~total hours of attendance~~ number of students making an educational gain the previous school year, and performance factors such as number of high school credentials and career readiness certificates awarded the previous school year. Overall levels of state funding must meet the federal requirement of state maintenance of effort. Each school district must collect information from both the student and the school including why the student has enrolled in Adult Education and whether or not the student is pursuing a GED or Diploma. The school district must then provide a quarterly report to the Department of Education and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the information.

- 1A.31 AMEND** (~~Child Development Education Pilot Program~~ Full-Day 4K) Creates CDEPP, a voluntary program which focuses on developmental and learning support to be ready for school for four year olds in the trial and plaintiff school districts with expansion to eligible children in school districts with a poverty index of 70% or greater.

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WMC: AMEND proviso to delete all of the proviso except for (K) and (N). Amend (K) to allow eligible students who live in a school district with a poverty index of 70% or greater to participate in the S.C. Early Reading Development and Education Program; direct that public and private providers will be reimbursed for instructional costs at a rate of \$4,218 per student enrolled; direct that eligible students enrolling or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment; direct that new providers participating for the first time who enroll between 1-6 eligible children are eligible to receive up to \$1,000 per child in materials and equipment grant funding, and direct that providers who enroll 7 or more eligible children are eligible for funding not to exceed \$10,000; require providers receiving equipment funding participate for a minimum of 3 years; and direct that funding is contingent on receipt of data as requested by SDE and First Steps. Amend (N) to delete the requirement that certain data be included in the EOC annual evaluation of CDEPP. *See companion general education proviso 1.66.*

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

~~1A.31. (SDE-EIA: Child Development Education Pilot Program *Full-Day 4K*) There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be available for the current school year on a voluntary basis and shall focus on the developmental and learning support that children must have in order to be ready for school and must incorporate parenting education.~~

~~(A) For the current school year, with funds appropriated by the General Assembly, the South Carolina Child Development Education Pilot Program shall first be made available to eligible children from the trial and plaintiff school districts in the Abbeville County School District et. al. vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of seventy percent or greater.~~

~~Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.~~

~~(B) Each child residing in the pilot districts, who will have attained the age of four years on or before September first, of the school year, and meets the at risk criteria is eligible for enrollment in the South Carolina Child Development Education Pilot Program for one year.~~

~~The parent of each eligible child may enroll the child in one of the following programs:~~

~~(1) a school year four year old kindergarten program delivered by an approved public provider; or~~

~~(2) a school year four year old kindergarten program delivered by an approved private provider.~~

~~The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child's birth certificate, immunization documentation, and documentation of the student's eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty five percent or less of the federal poverty guidelines as promulgated annually by the U.S. Department of Health and Human Services or a statement of Medicaid eligibility.~~

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~~In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of 6.5 hours of instructional time daily and operates for a period of not less than one hundred eighty days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.~~

~~No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this provision. Nothing in this provision prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.~~

~~If by October first of the school year at least seventy five percent of the total number of eligible CDEPP children in a district or county are projected to be enrolled in CDEPP, Head Start or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, CDEPP providers may then enroll pay-lunch children who score at or below the twenty fifth national percentile on two of the three DIAL-3 subscales and may receive reimbursement for these children if funds are available.~~

~~(C) Public school providers choosing to participate in the South Carolina Four Year Old Child Development Kindergarten Program must submit an application to the Department of Education. Private providers choosing to participate in the South Carolina Four Year Old Child Development Kindergarten Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this provision, and will comply with all reporting and assessment requirements.~~

~~Providers shall:~~

~~(1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;~~

~~(2) comply with all state and local health and safety laws and codes;~~

~~(3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;~~

~~(4) be accountable for meeting the education needs of the child and report at least quarterly to the parent/guardian on his progress;~~

~~(5) comply with all program, reporting, and assessment criteria required of providers;~~

~~(6) maintain individual student records for each child enrolled in the program to include, but not be limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;~~

~~(7) designate whether extended day services will be offered to the parents/guardians of children participating in the program;~~

~~(8) be approved, registered, or licensed by the Department of Social Services; and~~

~~(9) comply with all state and federal laws and requirements specific to program providers.~~

~~Providers may limit student enrollment based upon space available. However if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved prekindergarten readiness assessment. Private providers shall not be required to expand their programs to accommodate all children desiring enrollment. However, providers are encouraged to keep a waiting list for students they are unable to serve because of space limitations.~~

~~(D) The Department of Education and the Office of First Steps to School Readiness shall:~~

~~(1) develop the provider application form;~~

~~(2) develop the child enrollment application form;~~

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~~(3) develop a list of approved research-based preschool curricula for use in the program based upon the South Carolina Content Standards, provide training and technical assistance to support its effective use in approved classrooms serving children;~~

~~(4) develop a list of approved prekindergarten readiness assessments to be used in conjunction with the program, provide assessments and technical assistance to support assessment administration in approved classrooms serving children;~~

~~(5) establish criteria for awarding new classroom equipping grants;~~

~~(6) establish criteria for the parenting education program providers must offer;~~

~~(7) establish a list of early childhood-related fields that may be used in meeting the lead teacher qualifications;~~

~~(8) develop a list of data collection needs to be used in implementation and evaluation of the program;~~

~~(9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;~~

~~(10) establish criteria for granting student retention waivers; and~~

~~(11) establish criteria for granting classroom size requirements waivers.~~

~~(E) Providers of the South Carolina Child Development Education Pilot Program shall offer a complete educational program in accordance with age-appropriate instructional practice and a research-based preschool curriculum aligned with school success. The program must focus on the developmental and learning support children must have in order to be ready for school. The provider must also incorporate parenting education that promotes the school readiness of preschool children by strengthening parent involvement in the learning process with an emphasis on interactive literacy.~~

~~Providers shall offer high-quality, center-based programs that must include, but shall not be limited to, the following:~~

~~(1) employ a lead teacher with a two-year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education or the Office of First Steps to School Readiness;~~

~~(2) employ an education assistant with pre-service or in-service training in early childhood education;~~

~~(3) maintain classrooms with at least ten four-year-old children, but no more than twenty four-year-old children with an adult to child ratio of 1:10. With classrooms having a minimum of ten children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case-by-case basis;~~

~~(4) offer a full-day, center-based program with 6.5 hours of instruction daily for one hundred eighty school days;~~

~~(5) provide an approved research-based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social/emotional development;~~

~~(6) engage parents' participation in their child's educational experience that shall include a minimum of two documented conferences per year; and~~

~~(7) adhere to professional development requirements outlined in this article.~~

~~(F) Every classroom providing services to four-year-old children established pursuant to this provision must have a lead teacher with at least a two-year degree in early childhood education or related field and who is enrolled and is demonstrating progress toward the completion of a teacher education program within four years. Every classroom must also have at least one education assistant per classroom who shall have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The teaching assistant shall have completed the Early Childhood Development Credential (ECD) 101~~

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~~or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children five years old and younger. The providers must request this waiver in writing to their designated administrative agency (First Steps or the Department of Education) and provide appropriate documentation as to the qualifications of the teaching assistant.~~

~~(G) The General Assembly recognizes there is a strong relationship between the skills and preparation of prekindergarten instructors and the educational outcomes of students. To improve these education outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Development Education Pilot Program to participate annually in a minimum of fifteen hours of professional development to include teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.~~

~~(H) Both public and private providers shall be eligible for transportation funds for the transportation of children to and from school. Nothing within this provision prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56-5-195. Providers shall not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for transportation. When transporting four-year-old child development students, providers shall make every effort to transport them with students of similar ages attending the same school. Of the amount appropriated for the program, not more than \$185 per student shall be retained by the Department of Education for the purposes of transporting four-year-old students. This amount must be increased annually by the same projected rate of inflation as determined by the Revenue and Fiscal Affairs Office for the Education Finance Act.~~

~~(I) For all private providers approved to offer services pursuant to this provision, the Office of First Steps to School Readiness shall:~~

- ~~(1) serve as the fiscal agent;~~
- ~~(2) verify student enrollment eligibility;~~
- ~~(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;~~
- ~~(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;~~
- ~~(5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;~~
- ~~(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;~~
- ~~(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;~~
- ~~(8) maintain a database of the children enrolled in the program; and~~
- ~~(9) promulgate guidelines as necessary for the implementation of the pilot program.~~

~~(J) For all public school providers approved to offer services pursuant to this provision, the Department of Education shall:~~

- ~~(1) serve as the fiscal agent;~~
- ~~(2) verify student enrollment eligibility;~~

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~~(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;~~

~~(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;~~

~~(5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;~~

~~(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;~~

~~(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;~~

~~(8) maintain a database of the children enrolled in the program; and~~

~~(9) promulgate guidelines as necessary for the implementation of the pilot program.~~

~~(K) The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the current school year, *eligible students residing in a school district with a poverty index of 70 percent or greater may participate in the South Carolina Early Reading Development and Education Program. Public and private providers will be reimbursed for instructional costs at a rate of the funded cost per child shall be \$4,218 increased annually by the rate of inflation as determined by the Revenue and Fiscal Affairs Office for the Education Finance Act per student enrolled.* Eligible students enrolling with private providers during the school year *or withdrawing during the school year* shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall *also* be eligible for a reimbursement of \$550 per eligible child transported. *Providers All providers* who are reimbursed are required to retain records as required by their fiscal agent. *Providers New providers participating for the first time in the current fiscal year and* enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment grant funding, with providers enrolling seven or more such children eligible for *grants funding* not to exceed \$10,000. Providers receiving equipment *grants funding* are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps.~~

~~(L) Pursuant to this provision, the Department of Social Services shall:~~

~~(1) maintain a list of all approved public and private providers; and~~

~~(2) provide the Department of Education and the Office of First Steps information necessary to carry out the requirements of this provision.~~

~~(M) The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state-funded programs provided through private providers.~~

~~(N) Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. The evaluation shall include, but is not limited to: (1) student data including the number of at-risk four-year-old kindergarten students served in publically funded programs, by county and by program; (2) program effectiveness including developmentally appropriate assessments of children to measure emerging literacy and numeracy; (3) individual classroom assessments to determine program quality; (4) longitudinal analysis of academic and nonacademic measures of success for children who participated in the program; and (5) an evaluation of the professional development, monitoring and assistance offered to public and~~

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~~private providers.~~ To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

- 1A.33 AMEND** (Centers of Excellence) Directs that \$350,000 of Centers of Excellence funds must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand the training statewide through weekend college, non-traditional or alternative learning opportunities. Directs CHE, with the increased funds provided, to fund a new center in FY 2014-15 to provide professional development to enable teachers to create a college-going and career readiness culture that prepares students for postsecondary education and the world of work.

WMC: AMEND proviso to delete the requirement that CHE fund the new center.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

~~**1A.33.** (SDE-EIA: Centers of Excellence) Of the funds appropriated for Centers of Excellence, \$350,000 must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand statewide training for individuals who teach children of poverty through weekend college, nontraditional or alternative learning opportunities. Furthermore, with increased funds provided, the Commission on Higher Education will fund a new center in Fiscal Year 2014 15 that will provide professional development to teachers to enable them to transform the P-12 experience to create a college-going and career readiness culture that prepares students for postsecondary education and the world of work.~~

- 1A.34 AMEND** (IDEA Maintenance of Effort) Directs that Aid to Districts funds be used to meet the estimated maintenance of effort for IDEA. Directs that funds provided for IDEA maintenance of effort may not be transferred for any other purpose and are not subject to flexibility. Requires the department submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor by December, 2013.

WMC: AMEND proviso to update year reference to "2015."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

1A.34. (SDE-EIA: IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section XII.A.1 Aid to Districts according to Proviso 1A.32 for the current fiscal year, the department shall direct funds appropriated in Section XII.A.1 Aid To Districts to school districts and special schools for supplemental support of programs and services for students with

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disabilities, to meet the estimated maintenance of effort for IDEA. Funds provided for the maintenance of effort for IDEA may not be transferred to any other purpose and therefore are not subject to flexibility. The department shall distribute these funds using the current fiscal year one hundred thirty-five day Average Daily Membership. For continued compliance with the federal maintenance of efforts requirements of the IDEA, funding for children with disabilities must, to the extent practicable, be held harmless to budget cuts or reductions to the extent those funds are required to meet federal maintenance of effort requirements under the IDEA. In the event cuts to funds that are needed to maintain fiscal effort are necessary, when administering such cuts, the department must not reduce funding to support children with disabilities who qualify for services under the IDEA in a manner that is disproportionate to the level of overall reduction to state programs in general. By December 1, ~~2013~~ 2015, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor.

1A.38 AMEND (Career and Technology Education Consumables) Allows the department to use Career and Technology Education funds to purchase textbooks, instructional materials, and other consumables used in classroom instruction.

WMC: AMEND proviso to direct that a maximum of 25% of funds appropriated for Modernize Vocational Equipment, Career and Technology Education may be used for this purpose. Authorize Modernize Vocational Equipment and Tech Prep funds to be carried forward and used for the same purpose. *Setting a maximum percentage that could be used for instructional materials and consumables both recognizes the need for districts to have flexibility in spending these funds based on local needs while still maintaining funding designated to update and upgrade equipment necessary for quality CTE programs.* Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

1A.38. (SDE-EIA: Career and Technology Education Consumables) ~~Funds~~ A maximum of twenty-five percent of the funds appropriated for Modernize Vocational Equipment, Career and Technology Education may be utilized to purchase textbooks, instructional materials and other consumables used in classroom instruction. The department may carry forward unexpended Modernize Vocational Equipment and Tech Prep funds to be used for the same purpose.

1A.39 AMEND (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary for FY 2014-15 is \$48,892. Requires a local district board of trustees to provide a step increase for all eligible certified teachers. Directs the department to continue to use the FY 2012-13 statewide minimum teacher salary schedule in FY 2014-15.

WMC: AMEND proviso to change the projected SE average teacher salary from “\$48,892” to “\$49,796” and update fiscal year to “2015-16.” Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

1A.39. (SDE-EIA: XII.C.2. Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers’ salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year the Southeastern average teacher salary is projected to be ~~\$48,892~~ \$49,796. The General Assembly

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remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

The statewide minimum teacher salary schedule used in Fiscal Year 2012-13 will continue to be used in Fiscal Year ~~2014-15~~ 2015-16.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers.

Funds appropriated in Part IA, Section 1, XII.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state.

For purposes of this provision teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

1A.42 DELETE (Summer Exit Exam Cost) Authorizes certain funds to be used to offset the costs of conducting the summer administration of the Exit Exam.

WMC: DELETE proviso. *The proviso is no longer needed. The requirement for an exit examination was eliminated through Act 155.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~**1A.42.** (SDE-EIA: Summer Exit Exam Cost) Funds appropriated in Part IA, Section 1, XII.A.2 may be used to offset the costs of the summer administration of the Exit Examination. These funds may be expended to cover the costs related to developing, printing, shipping, scoring, and reporting the results of the assessments. Local school districts may absorb local costs related to administration.~~

1A.43 DELETE (Refurbishing Science Kits) Authorizes funds appropriated to purchase textbooks and other instructional materials to be used to refurbish science kits.

WMC: DELETE proviso. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~**1A.43.** (SDE-EIA: Refurbishing Science Kits) Funds appropriated for the purchase of textbooks and other instructional materials may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state adopted textbook inventory, purchasing new kits from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs.~~

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- 1A.48 DELETE** (Technology Academy Pilot) Directs the department to use available Modernize Vocational Equipment funds to continue to offer high schools the opportunity to participate in an IT certification pilot project. Requires the department report to specific committees of the General Assembly by February 1, 2015, on the number of high schools and the number of students that participated in the pilot along with the number of students who earned certifications.
WMC: DELETE proviso.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~1A.48. (SDE-EIA: Technology Academy Pilot) For Fiscal Year 2014-15 the Department of Education is directed to use available Modernize Vocational Equipment funds to continue to offer high schools across the state the opportunity to participate in an IT certification pilot project. The department must report by February 1, 2015 to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee, and the Senate Education Committee on the number of high schools that participated in the pilot and the number of students participating in the program and earning certifications.~~

- 1A.50 AMEND** (Aid to Districts Draw Down) Requires school districts, Palmetto Unified District and DJJ, in order to draw down Aid to Districts funds, to work with local, and if necessary state, law enforcement agencies to ensure that they have an updated school safety plan. Requires updated plans be submitted to the department by September 1, 2014 and requires the department report to the Chairmen of specific committees by September 30, 2014, on any districts that did not submit an updated plan.
WMC: AMEND proviso to change fiscal year references to “the current fiscal year.” Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

~~1A.50. (SDE-EIA: XII.A.1 - Aid to Districts Draw Down) For Fiscal Year 2014-15 the current fiscal year, in order to draw down funds appropriated in Part IA, Section 1, XII.A.1, Aid to Districts, school districts, Palmetto Unified District and the Department of Juvenile Justice must work with local law enforcement agencies, and when necessary, state law enforcement agencies in order to ensure that the district has an updated school safety plan in place. The safety plan must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated plan must be submitted to the Department of Education no later than September 1, 2014 of the current fiscal year. The department must report to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee and the Chairman of the Senate Education Committee by September 30, 2014 of the current fiscal year, on any districts that failed to submit an updated plan.~~

- 1A.51 DELETE** (South Carolina Success Program) Directs the department to use Assessment/Testing funds for the South Carolina Success Program. Requires the program provide academic support to students and teachers to help ensure on grade level reading is achieved for grades PreK-8 by making online-delivered interactive reading assessments and research-based intervention programs available for use at school and home.

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WMC: DELETE proviso. *The department added the SC Success Program assessments to the formative adoption list for 2013-14. Requested by Department of Education.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~1A.51. (SDE-EIA: South Carolina Success Program) For Fiscal Year 2014-15, school districts of this state may use assessment funds for the South Carolina Success Program, as piloted in the previous fiscal year, to students in the district. This program shall provide academic support to students and teachers to help ensure on grade level achievement in reading by making available for grades PreK-8 an online delivered, interactive reading assessment and research-based intervention program for use both at school and at home. This online program must automatically place students into an individualized on-line curriculum and instruction, provide teachers and administrators with immediate reporting, provide recommendations for interventions and teacher lessons, and provide small group instruction lessons. The program must provide computer adaptive assessments at least eight times per year, and teachers, principals, and districts must have immediate on-line reporting to identify those students who are not reading on grade level and those that are at risk of failing the state reading assessment pursuant to Section 59-18-310 of the 1976 Code, as amended. The program must make available to parents reporting and resources regarding student participation via a home portal.~~

1A.52 DELETE (Pilot Assessment) Creates a pilot assessment and allows the EOC to select up to 5 school districts that have received an "Excellent" rating on their most recent state report card and an "A" on their most recent federal report card to participate in the pilot. Requires a district to request and receive approval from the EOC and the State Board of Education to use an alternative assessment in grades 3-8 to measure student performance on English language arts, math, and science and to use an alternative assessment in high school to measure college and career readiness. Requires the EOC, working with pilot school districts to devise an alternative state district and school report card. Requires the department to request changes to its ESEA waiver to permit alternative assessments.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~1A.52. (SDE-EIA: Pilot Assessment) In the current fiscal year and from funds appropriated, there is created a pilot assessment. The Education Oversight Committee may select no more than five school districts to participate in the pilot. To be eligible to participate in the pilot, a school district must have received an absolute rating of Excellent on its most recent state report card and a letter grade of "A" on the most recent federal report card. The district must request and receive approval from the Education Oversight Committee and the State Board of Education to use an alternative assessment to current state assessments in grades three through eight to measure student performance on English language arts, mathematics and science, and in high school the district may use alternative assessments to the High School Assessment program to measure college and career readiness, or any combination thereof. The alternative assessments must be aligned to college and career readiness standards as approved by the State Board of Education and the Education Oversight Committee. The district may use financial flexibility to absorb any additional costs of the alternative assessments with state, local or other funds. The district must~~

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~~still administer the Palmetto Assessment of State Standards in grades three through eight in social studies and the state end-of-course assessment program as funded with EIA revenues. Unless otherwise provided for in law, students graduating in the current fiscal year must still pass all exit exam requirements. The Education Oversight Committee, working with school districts in the pilot, must devise an alternative state district and school report card. In addition the Department of Education must request changes to its ESEA waiver to permit alternative and innovative approaches to assessment.~~

- 1A.56** **AMEND** (EOC-South Carolina Autism Society) Directs that \$350,000 of the EIA funds appropriated for Partnerships, Education Oversight Committee (A85) be transferred quarterly from the EOC to the South Carolina Autism Society for the Autism Parent-School Partnership Program. Requires the Society, beginning October 10, 2015, provide a quarterly accounting report to the Chairmen of the Senate Finance and House Ways and Means Committees and to the EOC.

WMC: AMEND proviso to change "\$350,000" to "500,000."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

1A.56. (SDE-EIA: EOC-South Carolina Autism Society) Of the funds appropriated in Section 1A, XII.F, Partnerships, Education Oversight Committee (A85), ~~\$350,000~~ \$500,000 must be transferred in quarterly installments from the Education Oversight Committee to the South Carolina Autism Society for the Autism Parent-School Partnership Program. Beginning October 10, ~~2014~~ 2015, the South Carolina Autism Society shall provide a quarterly accounting report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Education Oversight Committee.

- 1A.57** **DELETE** (Technology/Device Pilot) Authorizes the department to use carry forward funds and appropriated recurring and non-recurring Instructional Materials and Digital Instructional Materials funds to allow up to 6 school districts to apply to the Department of Education to participate in a technology device pilot for a specific program/grade level in middle or high schools. Requires the department prepare a report that outlines implementation and use in the selected districts and submit it by December 15, 2014 to the Chairmen of the Senate Finance, Senate Education, House Ways and Means and House Education and Public Works Committees.

WMC: DELETE proviso. *The department states the pilot was technically for one year. Six districts implemented their plan in the 2014-15 school year.* Requested by Department of Education. Companion to general education proviso 1.70.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

1A.57. (SDE-EIA: Technology/Device Pilot) ~~For the current fiscal year, the Department of Education is authorized to utilize carry forward funds from the prior fiscal year and appropriated funds from recurring and nonrecurring sources for the purchase of Instructional Materials and Digital Instructional Materials to allow middle and high schools in up to six school districts receiving approval from the State Board of Education to opt out of the state rental system and purchase instructional materials, digital instructional materials and the digital equivalent of~~

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~~materials and devices directly from a state approved vendor in an amount not to exceed the total allocation that the district would have received from these appropriations.~~

~~In order to best serve the middle and high schools and students within the school district, the school district must develop an implementation plan listing the instructional materials, digital instructional materials and the digital equivalent of materials and devices by grade level and subject and the implementation plan must be presented to the local school board in a public meeting for approval and made available to the public on the school district website prior to the public school board meeting.~~

~~The department must provide a certification form for a local school board on behalf of the school district to approve in a public meeting, have signed by the board chairman and district superintendent requesting approval for funding equivalent to the school district's allocation of appropriated funds for instructional materials and digital instructional materials based on the number of students in middle and high schools of the school district. The department must develop the certification form with the intent of assisting school districts with meeting State Board of Education approval.~~

~~Upon school board approval, and no later than July twenty fifth, the certification form and the detailed plan must be submitted to the department for State Board of Education approval. The State Board of Education must notify the school district of their decision to approve or disapprove no later than August fifteenth. If a school district does not receive State Board of Education approval the valid cause along with measurements necessary for the school district to meet approval must be provided to the local school board. The school district may make the required adjustments to their implementation plan and resubmit their certification form and plan to the State Board of Education for subsequent approval no later than ten days from the date of resubmission.~~

~~The school district may utilize no more than ten percent of the funds for professional development on the use of the acquisitions and must utilize no less than ninety percent of the funding received for the acquisition of instructional materials, digital instructional materials and the digital equivalent of materials and devices. If approved the school district is required to ensure that all students in the middle and high schools have access to the curriculum without regard to the student's home internet access capabilities.~~

~~The school district shall establish rules and policies that provide for the reasonable care and safety of the materials to include reasonable penalties for abuse, destruction, and loss and excluding ordinary wear and tear, provide for reimbursement by the pupils, their parents or legal guardians.~~

~~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.~~

1A.61 AMEND (South Carolina Public Charter School District Funding) Provides for the allocation of S.C. Public Charter School District funds to charter schools within the Public Charter School District or at any approved higher education institution that sponsors a charter school per weighted pupil: \$1,900 for virtual charter schools and \$3,600 for brick and mortar charter schools. Limits the amount which must be carried forward to not more than 10% of the prior year appropriation. Directs that any funds exceeding 10% must be transferred to the Charter School Facility Revolving Loan Program.

WMC: AMEND proviso to delete references to "approved institution of higher education sponsoring a public charter school. *Directives specifically related to institutions of higher education are in new proviso 1A.69.* Requested by Department of Education.

HOU: ADOPT proviso as amended.

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SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
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1A.61. (SDE-EIA: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section XI - South Carolina Public Charter School District must be allocated in the following manner to students at charter schools within the South Carolina Public Charter School District ~~or at any approved institution of higher education sponsoring a public charter school~~: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District ~~or institutions of higher education~~ shall receive \$1,900 per weighted pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District ~~or institutions of higher education~~ shall receive \$3,600 per weighted pupil. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175.

1A.63 **AMEND** (Public Charter School District Hold Harmless) Requires the Public Charter School District use up to \$3 million of their carry forward funds to hold its schools harmless from any reduction in funds that result from EFA weightings changes in the current fiscal year.
WMC: AMEND proviso to update fiscal year reference to “2015-16.” Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

1A.63. (SDE-EIA: Public Charter School District Hold Harmless) For Fiscal Year ~~2014-15~~ 2015-16, the South Carolina Public Charter School District must use up to \$3,000,000 in prior year carry forward funds to hold its schools harmless from any reduction in funds as a result of changes to the EFA weightings in the current fiscal year.

1A.64 **AMEND** (TransformSC) Requires at least \$200,000 of Partnerships for Innovation funds appropriated to the EOC be allocated to the TransformSC public-private project.
WMC: AMEND proviso to change “\$200,000” to “\$400,000.” Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

1A.64. (SDE-EIA: TransformSC) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, at least ~~\$200,000~~ \$400,000 shall be allocated to the TransformSC public-private project.

1A.68 **AMEND** (BabyNet Early Intervention Autism Therapy) Requires the \$437,476 appropriated to First Steps for BabyNet Autism Therapy be used only to increase the BabyNet autism therapy provider hourly rate to \$13.58 and the individual hourly pay of line therapists to a minimum of \$10.00. Requires First Steps to consult with DDSN on implementation of these increases and ensure that the line therapists meet all current state requirements. Requires First Steps send a

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quarterly compliance report to the Chairmen of the Senate Finance and House Ways and Means Committees and directs that the report include information on the expenditure of state funds as well as receipt and expenditure of Federal Medicaid funds associated with the program.

WMC: AMEND proviso to change "\$437,476" to "\$814,348."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

1A.68. (SDE-EIA: BabyNet Early Intervention Autism Therapy) The ~~\$437,476~~ \$814,348 in funds appropriated in this act to the Office of First Steps to School Readiness for BabyNet Autism Therapy must be used only to increase the BabyNet autism therapy provider hourly rate and the individual hourly pay of line therapists during the current fiscal year. The Office of First Steps must consult with the Department of Disabilities and Special Needs regarding the implementation of these increases. The Office of First Steps must ensure that, prior to payment, these line therapists meet all current state requirements. It is the intent of the General Assembly that these monies be used solely for the purpose of increasing the BabyNet autism therapy provider rate to \$13.58 per hour and the hourly pay to individual line therapists being increased to a minimum of \$10.00 per hour. Quarterly, the Office of First Steps must send a letter to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee reporting on their compliance with the requirements of this proviso. The report must include information regarding the expenditure of state funds as well as the receipt and expenditure of Federal Medicaid funds associated with the program.

1A.69 **ADD** (~~Public~~ Charter School Funding-*Chartered by Institution of Higher Education*) **WMC:** ADD new proviso to provide for the allocation of Public Charter School District funds to charter schools authorized by an approved higher education institution per weighted pupil: \$3,600 for students enrolled in brick and mortar charter schools and \$1,900 for virtual charter schools. Limit the amount which must be carried forward to not more than 10% of the prior year appropriation. Direct that any funds exceeding 10% must be transferred to the Charter School Facility Revolving Loan Program. *Separated out charter schools authorized by an approved institution of higher education from proviso 1A.61.* Requested by Department of Education.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

1A.69. (SDE-EIA: Charter School Funding-Chartered by Institution of Higher Education) Pupils enrolled in a brick and mortar charter school authorized by an approved institution of higher education located in this state shall receive \$3,600 per weighted pupil and pupils enrolled in a virtual charter school authorized by an approved institution of higher education located in this state shall receive \$1,900 per weighted pupil from the funds appropriated in Part IA, Section XI - South Carolina Public Charter School - Institution of Higher Education. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175, of the 1976 Code.

1A.71 **AMEND NEW PROVISO** (Technology Professional Development) **WMC:** ADD new proviso to direct that \$4,000,000 of Professional Development funds be designated for

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professional development for use of classroom technology. Direct that funds designated for technology-related professional development be distributed to each school district or special school in proportion to the previous year's 135 day ADM. Require districts report by June 15, on a form prescribed by the department, on the amount of funds expended, type of activities funded, and the number of teachers participating in the activity.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

1A.71. (SDE-EIA: Technology Professional Development) Of the funds appropriated in Section XII.3 for Professional Development, \$4,000,000 shall be designated for use as professional development for the use of classroom technology. Funds designated for technology-related professional development shall be distributed to each school district or special school in proportion to the previous year's 135-day average daily membership. Districts must report by June 15 of the current fiscal year on the amount of funds expended, the types of activities funded by the district, and the number of teachers participating in the activity on a form prescribed by the department.

SECTION 3 - H66-LOTTERY EXPENDITURE ACCOUNT

3.2 DELETE (Technology Lottery Funds) Directs that \$125,000 of lottery technology funds designated for two-year institutions be transferred to the portion designated for four-year institutions for each USC 2-year institution that has moved to a 4-year status since 2000.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~3.2. (LEA: Technology Lottery Funds) For the purposes of the allocation of technology funds from the lottery proceeds, \$125,000 shall be transferred from the portion designated for two-year institutions to the portion designated for four-year institutions for each University of South Carolina two-year institution that has moved to a four-year status since 2000.~~

3.4 DELETE (FY 2014-15 Lottery Funding) Directs expenditure of lottery funds for Fiscal Year 2014-15.

WMC: DELETE proviso. *Technical.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~3.4. (LEA: FY 2014-15 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 Executive Budget Office as directed below. These appropriations must be used to supplement and not supplant existing funds for education.~~

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The Executive Budget Office 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 2014-15 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..... \$ 47,400,000;~~
- (2) ~~Commission on Higher Education LIFE Scholarships as provided in Chapter 149, Title 59..... \$140,824,027;~~
- (3) ~~Commission on Higher Education HOPE Scholarships as provided in Section 59-150-370..... \$ 8,476,245;~~
- (4) ~~Commission on Higher Education Palmetto Fellows Scholarships as provided in Section 59-104-20..... \$ 37,648,288;~~
- (5) ~~Commission on Higher Education Need Based Grants..... \$ 13,000,000;~~
- (6) ~~Tuitions Grants Commission Tuition Grants..... \$ 8,258,764;~~
- (7) ~~Commission on Higher Education National Guard Tuition Repayment Program as provided in Section 59-111-75..... \$ 4,545,000;~~
- (8) ~~South Carolina State University..... \$ 2,500,000;~~
- (9) ~~Technology Public Four Year Universities, Two Year Institutions, and State Technical Colleges..... \$ 1,127,825;~~
- (10) ~~Department of Education K-5 Reading, Math, Science & Social Studies Program as provided in Section 59-1-525..... \$ 24,591,798;~~
- (11) ~~Department of Education Grades 6-8 Reading, Math, Science & Social Studies Program..... \$ 2,000,000;~~
- (12) ~~School for the Deaf and the Blind Technology..... \$ 200,000; and~~
- (13) ~~Commission on Higher Education Higher Education Excellence Enhancement Program..... \$ 1,028,053.~~

Fiscal Year 2014-15 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 2014-15 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 2014-15 are fully funded.

If the lottery revenue received for Fiscal Year 2014-15 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their

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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 2014-15, funds certified from unclaimed prizes are appropriated as follows:~~

- ~~(1) Department of Alcohol and Other Drug Abuse Services – Gambling
Addiction Services..... \$ 50,000;~~
- ~~(2) Commission on Higher Education – Higher Education Excellence
Enhancement Program..... \$ 2,950,000;~~
- ~~(3) Department of Education – K-5 Reading, Math, Science & Social
Studies Program as provided in Section 59-1-525..... \$ 2,300,000;~~
- ~~(4) Commission on Higher Education and State Board for Technical
and Comprehensive Education – Tuition Assistance..... \$ 1,700,000; and~~
- ~~(5) Department of Education – New School Buses..... \$ 1,000,000.~~

~~If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2014-15 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.~~

~~Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate shall be appropriated as follows:~~

- ~~(1) Commission on Higher Education – Partnership Among South
Carolina Academic Libraries (PASCAL) Program..... \$ 1,500,000;~~
- ~~(2) Department of Education – New School Buses..... \$ 1,000,000;~~
- ~~(3) Department of Education – Instructional Materials..... \$ 3,000,000;~~
- ~~(4) State Library – Aid to County Libraries..... \$ 2,000,000;~~
- ~~(5) Commission on Higher Education – Technology Public Four Year
Universities, Two Year Institutions, and State Technical Schools.. \$ 5,335,897;~~
- ~~(6) Commission on Higher Education – Higher Education Excellence
Enhancement Program..... \$ 1,000,000;~~
- ~~(7) State Board for Technical and Comprehensive Education – Allied
Health Initiative..... \$ 4,000,000; and~~
- ~~(8) Commission on Higher Education – Critical Needs Nursing Program. \$ 1,000,000.~~

~~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.~~

~~For Fiscal Year 2014-15, net lottery proceeds and investment earnings realized from Fiscal Year 2013-14 estimated surplus are appropriated as follows on a pro rata basis:~~

- ~~(1) Department of Education – K-12 Technology Initiative..... \$ 29,288,976;~~
- ~~(2) Commission on Higher Education – Technology Public Four Year
Institutions, Two Year Institutions, and Technical Colleges..... \$ 5,558,670;~~
- ~~(3) Department of Education – Instructional Materials..... \$ 3,904,095;~~
- ~~(4) Commission on Higher Education – Summer Semester Eligibility..... \$ 1,718,902; and~~
- ~~(5) Department of Education – Digital Instructional Materials..... \$ 5,000,000.~~

~~Funds appropriated to the Department of Education for the K-12 Technology Initiative shall be distributed to the public school districts of the state, the special schools of the state and the South Carolina Public Charter School District, per pupil, based on the previous year's 135-day average daily membership, according to the below calculations: (1) For a school district with a~~

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poverty index of less than 75: \$35 per ADM; (2) For a school district with a poverty index of at least 75 but no more than 85: \$50 per ADM; or (3) For a school district with a poverty index of 85 or greater or a special school with no defined poverty index: \$70 per ADM.

~~The Department of Education may adjust the per ADM rates for each of the three classes defined above in order to conform to actual levels of student attendance and available appropriations, provided that the per ADM rate for each class is adjusted by the same percentage.~~

~~Funds distributed to a school district through the K-12 Technology Initiative may only be used for the following purposes: (1) To improve external connections to schools, with a goal of reaching at least 100 kilobits per second, per student in each school by 2017; (2) To improve internal connections within schools, with a goal of reaching at least 1 megabit per second, per student in each school by 2017; or (3) To develop or expand one-to-one computing initiatives.~~

~~A school district that has achieved each of the above goals may submit a plan to the K-12 Technology Initiative Committee for permission to expend its allocation on other technology-related uses; such permission shall not be unreasonably withheld and the K-12 Technology Committee must permit districts to appeal any process should a district not receive approval and must provide technical assistance to districts in developing plans should the district request such.~~

~~Funds appropriated for the K-12 Technology Initiative may not be used to supplant existing school district expenditures on technology. By June 30, 2015, each school district that receives funding through the K-12 Technology Initiative during Fiscal Year 2014-15 must provide the K-12 Technology Initiative Committee with an itemized report on the amounts and uses of these funds, using a form developed by the Education Oversight Committee. In this report, a school district must provide information on its efforts to obtain reimbursements through the "E-Rate" Schools and Libraries Program administered by the Universal Service Administrative Company. Within its available resources, the K-12 Technology Initiative Committee shall support school districts' efforts to obtain these reimbursements.~~

~~A student may receive a Palmetto Fellows or LIFE scholarship award during the summer, in addition to fall and spring semesters of an academic year, provided continued eligibility requirements are met as of the end of the spring semester. Students must enroll full time, which for purposes of the summer award will require enrollment in at least twelve hours over the course of the summer. The summer is defined as the period between the end of the spring term and prior to the opening of the fall term. The total summer award per student may not exceed half of the allowable academic year award up to the cost of attendance and must be reimbursed if less than twelve hours for academic credit are not completed by the student during summer sessions. If awarded in the summer, a student's total award during his or her enrollment may not exceed the amount that would otherwise be provided under current semester limits applied for the scholarship awards. The Commission on Higher Education may provide additional guidelines necessary to ensure uniform implementation.~~

~~For Fiscal Year 2014-15, net lottery proceeds and investment earnings realized in the prior fiscal year above the amount needed to fund the appropriations in this provision (including the net lottery proceeds and investment earnings realized from Fiscal Year 2013-14 estimated surplus) are appropriated as follows on a pro-rata basis:~~

- ~~(1) Commission on Higher Education - Public Four-Year Universities,
Two-Year Branch Campuses, and State Technical Colleges -
Critical Equipment Repair and Replacement..... \$ 10,351,128;~~
- ~~(2) Department of Education - New School Buses \$ 2,571,519;~~
- ~~(3) Commission on Higher Education - Technology Public Four-Year
Universities, Two-Year Institutions, and State Technical Colleges \$ 1,400,000;~~
- ~~(4) Department of Education - K-5 Reading, Math, Science and Social
Studies Program as provided in Section 59-1-525 \$ 1,000,000;~~
- ~~(5) Commission on Higher Education - Higher Education Excellence~~

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- Enhancement Program..... \$ 650,000;
- ~~(6) Commission on Higher Education – Nonprofit, Four-Year Institution of Higher Learning, Founded in 1956, is a Member of ACSI, Whose Campus Has Been Continuously Situated in the Same Location in this State Since 1961 Maintenance and Improvement in Classroom, Library, Laboratory, or Other Institutional Facilities..... \$ 150,000;~~
- ~~(7) Commission on Higher Education – Nonprofit, Bachelors Level Institution of Higher Learning, Established in 1894, is a Member of TRACS, with sixty percent or More Low Income Students – Maintenance and Improvement in Classroom, Library, Laboratory, or Other Institutional Facilities..... \$ 150,000; and~~
- ~~(8) Commission on Higher Education – Nonprofit, Four-Year Comprehensive Institution of Higher Learning, First Established as a College in 1908, is SACS Accredited, with forty percent or More Minority Enrollment Support for Memorial Professorships for the Purpose of Helping the College Recruit and Retain Faculty Members Whose Research, Teaching and Service Uniquely Contribute to the Mission of the College..... \$ 150,000.~~

~~Of the funds appropriated in sub item (1) above for the Commission on Higher Education – Public Four-Year Universities, Two-Year Branch Campuses, and State Technical Colleges – Critical Equipment Repair and Replacement, \$8,351,128 is designated for critical equipment repair and replacement at public four-year universities and two-year branch campuses and must be distributed based on the methodology described below, and \$2,000,000 is to be transferred by the commission to the State Board for Technical and Comprehensive Education for distribution to each of the State’s sixteen technical colleges for critical STEM equipment repair and replacement. Distribution of the \$2,000,000 is to be made by a formula to be developed by the State Board for Technical and Comprehensive Education in consultation with the colleges Chief Business Officers for approval by the State Board’s Presidents Council. Based on the methodology described below, funds designated in this provision to the Commission on Higher Education for critical equipment repair and replacement at public four-year universities and two-year branch campuses may only used for the repair, maintenance or replacement of life, safety, and/or other critical equipment and systems that are necessary for the safe and efficient operation of an institution’s physical plant in its support of the institution’s educational purpose. Funds must not be used for new construction and may only be distributed to an institution to the extent the funds are matched by the institution for necessary repair and maintenance projects generally. Matching funds exclude supplemental, capital reserve, lottery, or other nonrecurring state funds appropriated to an institution either in the current fiscal year or from a prior fiscal year for repair and maintenance or deferred maintenance projects. Prior to the distribution of these funds, institutions must certify to the commission, in a manner it prescribes, the extent to which they have met this requirement, including the sources of funds utilized to meet this requirement. The commission shall notify the Joint Bond Review Committee of the certification received pursuant to this provision. Upon certification, the funds shall be distributed to institutions on a pro rata basis based on the distribution methodology described below provided that the distribution does not exceed an institution’s pro rata share or the amount matched by the institution if less than that share. The distribution methodology to be used by the commission shall be based on each institution’s proportion of general fund appropriation in Part IA of Act 101 of 2013 as compared to the total general fund appropriation in that Act for all public four-year universities and two-year branch campuses. Funds not matched and distributed shall be carried forward by the~~

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~~commission and used for LIFE, HOPE, and Palmetto Fellows Scholarships. Not later than one hundred and twenty days after the close of the fiscal year, the commission shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision specifically, as well as the amount spent in the current fiscal year by each public institution of higher learning, by source of funds, on repair and maintenance projects generally, including restoration and renewal of existing facilities or infrastructure, and the amount of repair and maintenance, including restoration and renewal projects, deferred to a subsequent fiscal year by each institution, if any, and the reasons for the deferral.~~

- 3.8** **ADD** (Transfer for Veteran Differential Reimbursement Fund) **HOU2:** AMEND House version to ADD Senate new proviso. Sponsors: Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Pitts, Simrill, G.M. Smith, and Whitmire.
SFC: ADD new proviso to direct CHE to transfer \$3,000,000 of National Guard Tuition Repayment Program funds that were carried forward from the prior fiscal to the State Treasurer for the Out-of-State Veteran Tuition Differential Reimbursement Fund.
SEN: ADOPT new proviso.
SAME IN BOTH VERSIONS.

3.8. (LEA: Transfer for Veteran Differential Reimbursement Fund) The Commission on Higher Education is directed to transfer \$3,000,000 of unexpended National Guard Tuition Repayment Program funds carried forward from the prior fiscal year to the Office of State Treasurer for the College and University Out of State Veteran Tuition Differential Reimbursement Fund.

SECTION 5 - H71-WIL LOU GRAY OPPORTUNITY SCHOOL

- 5.9** **AMEND** (Capacity) Directs that FY 2014-15 funds be used to bring the school up to full capacity, to the extent possible and to report by December 1st on how the funds have been used and how many additional students have been served.
WMC: AMEND proviso to update fiscal year reference to “2015-16.”
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

5.9. (WLG: Capacity) For Fiscal Year ~~2014-15~~ 2015-16, funds appropriated to Wil Lou Gray Opportunity School must be used to bring the school up to full capacity, to the extent possible, and the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

SECTION 6 - H75-SCHOOL FOR THE DEAF AND THE BLIND

- 6.13** **AMEND** (Capacity) Directs that FY 2014-15 funds be used to bring the school up to full capacity, to the extent possible and to report by December 1st on how the funds have been used and how many additional students have been served.
WMC: AMEND proviso to update fiscal year reference to “2015-16.”
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.

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SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

6.13. (SDB: Capacity) For Fiscal Year ~~2014-15~~ 2015-16, funds appropriated to the School for the Deaf and the Blind must be used to bring the school up to full capacity, to the extent possible, and the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

SECTION 7 - L12-JOHN DE LA HOWE SCHOOL

7.4 **AMEND** (Capacity) Directs that FY 14-15 funds be used to bring the school up to full capacity, to the extent possible. Prohibits new employees from being hired deferred maintenance has been completed on a cottage and until required by a projected increase in students. Requires staff increases be reported to the Chairmen of the House Ways and Means and Senate Finance Committees 30 days before they are hired. Requires a report be submitted by December 1st on how the funds have been used and how many additional students have been served.

WMC: AMEND proviso.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

7.4. (JDLHS: Capacity) For Fiscal Year ~~2014-15~~ 2015-16, funds appropriated to John de la Howe School must be used to complete deferred maintenance on the residential cottages and to bring the school up to full capacity, to the extent possible. The school must not utilize the funds to hire new employees until the school has completed deferred maintenance on a cottage and requires the new employee due to a projected increase in students. Any increases in staff must be reported to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee thirty days prior to the hire. Further, the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

SECTION 11 - H03-COMMISSION ON HIGHER EDUCATION

11.7 **AMEND** (Performance Improvement Pool Allocation) Directs that 80% of funds appropriated on the Performance Funding line be allocated to the EPSCOR program to improve the state's research capabilities and that 20% be allocated to support management education programs at SC State University School of Business.

WMC: AMEND proviso to change reference to Section "XI." to "III. Other Agencies & Entities." *Technical.* Requested by Commission on Higher Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

11.7. (CHE: Performance Improvement Pool Allocation) Of the funds appropriated to the Commission on Higher Education under Section ~~XI~~ III. Other Agencies & Entities: Special

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Items: Performance Funding, eighty percent will be allocated to the EPSCoR program under the Commission on Higher Education to improve South Carolina's research capabilities and twenty percent will be allocated to support the management education programs of the School of Business at South Carolina State University.

- 11.14 DELETE** (SCNG CAP Carry Forward) Authorizes SC National Guard College Assistance Program funds to be carried forward and exempts the program's funds from any mid-year budget reduction.

WMC: DELETE proviso. *Codified in Section 59-114-65 by Act 151 of 2014.* Requested by Commission on Higher Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~11.14. (CHE: SCNG CAP Carry Forward) Funds appropriated for the South Carolina National Guard College Assistance Program may be carried forward from the prior fiscal year into the current fiscal year and expended for the same purpose. If a mid-year budget reduction is imposed by the General Assembly or the Executive Budget Office, the appropriations for the program are exempt.~~

- 11.16 DELETE** (Mission, Ethics and Values Statements) Requires each public institution of higher learning to submit a report to the General Assembly by January 3, 2015 that specifies their mission, ethics and values statements.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~11.16. (CHE: Mission, Ethics and Values Statements) Each public institution of higher learning shall submit a report that denotes their mission, ethics, and values statements to the members of the General Assembly by January 3, 2015.~~

- 11.17 DELETE** (Distribution of Materials on College Campuses) Prohibits public institutions of higher education from imposing restrictions on a student's ability to distribute the U.S. or S.C. Constitution, so long as the distribution meets certain guidelines. Directs that an athletic event is not considered a class, school-wide assembly or school sponsored function.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~11.17. (CHE: Distribution of Materials on College Campuses) Public institutions of higher education shall not impose restrictions on the distribution of the Constitution of the United States or the Constitution of the State of South Carolina by students properly enrolled in the institution or otherwise eligible to enter the institution's property, so long as the distribution does not interrupt a class in session, a school wide assembly or other school sponsored function. Distribution of copies of the Constitution of the United States or the Constitution of the State of~~

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~~South Carolina on which unrelated materials or paraphernalia are attached to, or that are inserted or included within copies of either Constitution are not subject to the requirements of this proviso. For purposes of this proviso, an athletic event is not considered a class, school-wide assembly or school-sponsored function.~~

- 11.18 DELETE** (Required Reading Material Reporting) Requires the University of Charleston to use at least \$52,000 and for USC Upstate to use at least \$17,000 to comply with the provisions of Section 59-29-120 that requires colleges and universities that receive public funds to give instruction in the essentials of the U.S. Constitution, the Declaration of Independence, and the Federalist Papers. Requires institutions that conduct a non-elective reading program to provide alternative reading materials under certain circumstances and requires institutions that conduct mandatory lectures, seminars, or other presentations or programs other than part of an instructional class to allow a student to decline to attend or participate in the program under certain circumstances.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~**11.18.** (CHE: Required Reading Material Reporting) (A) From the revenue appropriated or authorized by this act, the University of Charleston must utilize at least \$52,000 and USC Upstate must utilize at least \$17,000 to comply with the provisions contained in Section 59-29-120, related to instruction in the provisions and principles of the United States Constitution, the Declaration of Independence, and the Federalist Papers, including the study of and devotion to American institutions and ideals. The instruction that must given pursuant to this provision may be satisfied by providing or assigning reading materials related to the subject matter.~~

~~(B) A public institution of higher learning that conducts a non-elective reading program, other than as part of an instructional class, must provide alternative reading materials to a student who finds the required reading material objectionable based on a sincerely held religious, moral, or cultural belief. A student who requests alternative materials must not be subjected to any negative consequences or disparate treatment by any officer, official, faculty member, or other employee of the institution as a result of making the request.~~

~~(C) A public institution of higher learning that conducts a mandatory lecture, seminar, or other similar type presentation or program, other than as part of an instructional class, must allow a student who finds the program objectionable based on a sincerely held religious, moral, or cultural belief to decline to attend or otherwise participate in the program. A student who declines to attend or otherwise participate must not be subjected to any negative consequences or disparate treatment by any officer, official, faculty member, or other employee of the institution as a result of making the request.~~

- 11.20 DELETE NEW PROVISO** (Transferability) **WMC:** ADD new proviso to direct that students who transfer from a 2-year public institution of higher learning with an Associate of Arts or Science degree and are accepted at a public research institution or 4-year college or university are guaranteed the award of at least 60 credit hours of transfer coursework and will have all general education requirements waived. Direct that course prerequisites and minimum credit requirements for awarding degrees shall still apply. Direct CHE, in consultation with the State Board for Tec and Comp Ed and public institutions of higher learning to develop policies by May, 2, 2016 for implementing these provisions effective beginning in the fall of 2016.

HOU: DELETE new proviso. *Ruled Out of Order.*

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SFC: NOT CONSIDERED.
SEN: NOT CONSIDERED.
SAME IN BOTH VERSIONS.

11.20. (CHE: Transferability) DELETED

- 11.32 DELETE NEW PROVISO** (Uniform Acceptance Letter Deadline) **WMC:** ADD new proviso to direct CHE to work with all higher education institutions to establish a uniform deadline for fall semester acceptance letters for incoming freshmen.
HOU: DELETE new proviso. *Ruled Out of Order.*
SFC: NOT CONSIDERED.
SEN: NOT CONSIDERED.
SAME IN BOTH VERSIONS.

11.32. (CHE: Uniform Acceptance Letter Deadline) DELETED

- 11.33 DELETE NEW PROVISO** (Comprehensive Academic Program Evaluation) **WMC:** ADD new proviso to prohibit CHE from granting a new academic program at a higher education institution until a comprehensive evaluation has been conducted on all academic programs at that institution. Direct CHE to develop criteria to evaluate existing academic programs to determine whether they are essential and valuable to the institution and students. Direct CHE to submit the evaluation criteria to the Chairmen of the Senate Finance and House Ways and Means Committees.
HOU: DELETE new proviso. *Ruled Out of Order.*
SFC: NOT CONSIDERED.
SEN: NOT CONSIDERED.
SAME IN BOTH VERSIONS.

11.33. (CHE: Comprehensive Academic Program Evaluation) DELETED

- 11.34 DELETE NEW PROVISO** (Higher Education Continuous Improvement Goals) **WMC:** ADD new proviso to direct that attainment of certain goals will be considered with appropriation requests in order to encourage improvements in higher education. Direct Clemson, the Citadel, and USC-Columbia to improve their percentage of full-time in-state undergrads by 2% of total enrollment in the 2015 fall class and by 5% by 2020. Direct MUSC increase graduate percentage of in-state students by 2%. Direct Coastal Carolina, Charleston, Francis Marion, Lander, USC Aiken, USC Beaufort, USC Upstate and Winthrop Universities to increase retention by 2% over two years and increase the 4-year graduation rate by 3% over 4 years. Direct technical schools to increase job placement by 2% over two years.
HOU: DELETE new proviso. *Ruled Out of Order.*
SFC: NOT CONSIDERED.
SEN: NOT CONSIDERED.
SAME IN BOTH VERSIONS.

11.34. (CHE: Higher Education Continuous Improvement Goals) DELETED

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SECTION 14 - H12-CLEMSON UNIVERSITY - EDUCATIONAL & GENERAL

14.1 DELETE (Travel Advances and Subsistence Expenses) Authorizes Clemson to advance travel and subsistence expense monies to its employees for the financing of ordinary and necessary travel required in conducting the business of the institution and allows 30 days after the trip is completed for reimbursement.

WMC: DELETE proviso. *University should comply with proviso 117.20(K) (Travel-Subsistence Expenses & Mileage).*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~14.1. (CU: Travel Advances and Subsistence Expenses) Clemson University may advance travel and subsistence expense monies to its employees for the financing of ordinary and necessary travel required in the conducting of the business of the institution. Clemson University may develop and publish rules and regulations pertaining to the advancing of travel expenses. All advances for travel and subsistence monies shall be repaid within thirty days after the end of the trip.~~

14.2 ADD (Electrical Infrastructure) **WMC:** ADD new proviso to direct Clemson to enter into negotiations with an appropriate entity or electric cooperative to determine the feasibility to purchase and operate the main campus electrical infrastructure and associated infrastructure maintenance, and to report the results of the negotiations to the Chairmen of the Senate Finance and House Ways and Means Committees by December 1, 2015.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

14.2. (CU: Electrical Infrastructure) Clemson University is directed to enter into negotiations with an appropriate entity or an electric cooperative to determine the feasibility for the purchase and operation of the main campus electrical infrastructure and maintenance associated with said infrastructure. A report shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 1, 2015 on the results of the negotiations.

SECTION 19 - H24-SOUTH CAROLINA STATE UNIVERSITY

19.1 DELETE (BRIDGE Program) Establishes the BRIDGE program at SC State University and stipulates funds appropriated for the program are to be used to recruit minority high school students along the I-95 corridor into the teaching profession by offering them access to counseling, mentoring, on campus summer enrichment programs, and opportunities for dual enrollment credits at the university while they are still in high school.

WMC: DELETE proviso. *The BRIDGE program has not existed at SC State since 2011.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

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~~19.1. (SCSU: BRIDGE Program) The funds appropriated to South Carolina State University for the BRIDGE Program shall be utilized to recruit minority high school students along the I-95 corridor into the teaching profession by offering them, while still in high school, access to counseling, mentoring, on-campus summer enrichment programs, and opportunities for dual enrollment credits at South Carolina State University for the purpose of preparing these students to major in education and to become future teachers along the I-95 corridor.~~

19.2 DELETE (Blue Ribbon Advisory Committee) Establishes a Blue Ribbon Advisory Committee and requires the S.C. State University president and board of trustees, in consultation with the committee, to develop a budgetary plan to reduce expenditures and stabilize the university. Directs the committee to appoint a working group which shall assist the advisory committee in developing the budgetary plan. Provides for an approved budgetary plan to be implemented and provides for a loan or series of loans if such action is recommended.

HOU2: AMEND House version to DELETE proviso. Sponsors: Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Pitts, Simrill, G.M. Smith, and Whitmire.

SFC: DELETE proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~19.2. (SCSU: Blue Ribbon Advisory Committee) (A) The General Assembly finds that:~~

~~(1) Historically black colleges and universities serve as important and vital institutions for the education of students. These institutions of higher learning are essential to producing college graduates, professionals, uplifting students, and inspiring others to continue in their traditions;~~

~~(2) South Carolina State University was founded in 1896 as the state's sole public college for black youth and has played a key role in the education of African Americans in the state and nation; and~~

~~(3) It is vital for this State that South Carolina State University maintain its legacy of excellence in education, and continue to produce generations of scholars and leaders in business, military service, government, athletics, education, medicine, science, engineering technology, and more.~~

~~(B) (1) There is established the South Carolina State Blue Ribbon Advisory Committee. The committee shall be composed of James F. Barker, former President of Clemson University; Harris Pastides, President of the University of South Carolina; Dr. Luther F. Carter, President of Francis Marion University; Judge Alex Sanders, former President of the College of Charleston; and Chief Justice Ernest A. Finney, former President of South Carolina State University, or their successors.~~

~~(2) The President of South Carolina State University and the university's board of trustees, in consultation with the advisory committee, shall develop a budgetary plan to reduce expenditures and stabilize the university, including, but not limited to, the recruitment and retention of students. The Blue Ribbon Advisory Committee shall appoint a working group and their appointment shall be ratified by the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. The working group shall assist the advisory committee in the development of the budgetary plan. The advisory committee shall select one person with experience from each of the following functional disciplines within higher education to comprise the working group: Finance, Procurement, Human Resources, Athletic Administration, and University Foundation Administration. The advisory committee may also add persons to the working group from other disciplines as it determines necessary, including a person with expertise in the mission and administration of Historically Black Colleges and Universities. Each person chosen to participate in the working group may secure analytical support from the institution they serve in their full time capacity, if applicable. Additionally, the~~

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~~working group shall provide monthly briefings to the members of the Orangeburg County Legislative Delegation, and shall provide periodic progress reports regarding the development of the budgetary plan to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, at their request. Upon approval of the budgetary plan by the board and the advisory committee, the university is authorized to implement the provisions of the budgetary plan as set forth in this subsection. The approved budgetary plan must be provided to each member of the General Assembly. Upon implementation, the budgetary plan must prevent the university from running another other funds operating deficit. In developing the budgetary plan, all operating and other expenditures made across all aspects of the university must be considered, including, but not limited to, administration, academics, auxiliary operations, public service activities, and athletics.~~

~~(3) Upon certification by the advisory committee that funds for implementation of the budgetary plan are required, then the university must forward the plan to the Joint Bond Review Committee. Within fifteen days of approval by the Joint Bond Review Committee, the State Fiscal Accountability Authority, in consultation with the Comptroller General, shall identify accounts from which the State Treasurer must transfer to the university on the schedule required by the budgetary plan an amount or amounts required by the budgetary plan. Members of the General Assembly must be provided with a complete list of all accounts from which the State Treasurer will transfer funds. If any portion of the budgetary plan approved by the committee includes a recommendation of a loan or a series of loans, the loan must be at an interest rate established by the State Treasurer pursuant to Section 11-9-250. Loan repayment, if required by the budgetary plan, shall be for the duration recommended by the committee except that repayment shall begin no earlier than the calendar year following the conclusion of the current fiscal year.~~

~~(4) Members of South Carolina State Blue Ribbon Advisory Committee shall be indemnified in the same manner as members of the Retirement System Investment Commission, mutatis mutandis.~~

- 19.3 DELETE NEW PROVISO (Interim Governing Authority and Control) WMC:** ADD new proviso to direct that in order to preserve the long and distinguished history of S.C. State University and faced with insufficient student enrollment revenues to cover existing expenditure obligations, the S.C. State University Board of Trustees are removed from their positions, powers and duties and an Interim Board of Trustees is created composed of the members of the State Fiscal Accountability Authority, who shall serve ex officio, or their designee, who shall serve at the pleasure of the appointing member of the authority. Direct that the duties and powers of the former board of trustees are transferred to the interim board of trustees. Direct the interim board to remove the president if it is determined the removal would be in the best interest of the university and to employ an interim president who shall serve on an at-will basis. Direct the Interim Board of Trustees to oversee the actions of the interim president and direct the interim president to review both the university's educational accreditation and the past and current financial situation and make recommendations to the Interim Board of Trustees, the State Fiscal Accountability Authority, the General Assembly, and the Executive Budget Office on the path the university must pursue to lead it out of the current financial crisis and return the university to the valuable and functional institution it has been in the past. Direct the Interim Board of Trustees and the interim president to carry out daily operational responsibilities including, but not limited to, the expenditure of funds associated with daily operations. Direct that the Interim Board of Trustees shall serve until the General Assembly elects new members and direct that they be indemnified in the same manner as members of the Retirement System Investment Commission.
- HOU:** AMEND new proviso to specify that an Interim Board of Trustees is created and appointed upon the effective date of this act and shall be composed of the designees of the five

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members of the State Fiscal Accountability Authority who shall serve ex officio. Direct that the election of new members of the Board of Trustees must include a restructured Board of Trustees including, but not limited to, the members of the Interim Board of Trustees to serve staggered terms. Sponsors: Reps. White, Merrill, Cobb-Hunter, Bingham, and Mitchell.

HOU2: AMEND House version to DELETE new proviso. Sponsors: Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Pitts, Simrill, G.M. Smith, and Whitmire.

SFC: DELETE new proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

19.3. (SCSU: Interim Governing Authority and Control) DELETED

SECTION 20 - H45-UNIVERSITY OF SOUTH CAROLINA

20.3 **AMEND** (Child Abuse Medical Response Program) Establishes the minimum level of funding for the Child Abuse and Neglect Medical Response Program at \$576,160 and prohibits USC from reducing the funds by more than a proportional amount of any mid-year or base reductions.

WMC: AMEND proviso to change "\$576,160" to "\$750,000."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS

20.3. (USC: Child Abuse Medical Response Program) Of the funds appropriated to the University of South Carolina School of Medicine, not less than ~~\$576,160~~ \$750,000 shall be expended for the Child Abuse and Neglect Medical Response Program. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the university may not reduce the funds for the Child Abuse and Neglect Medical Response Program greater than such stipulated percentage.

20.4 **DELETE** (Energy-Related Economic Development) Directs the USC Earth Sciences and Resources Institute to develop a plan to encourage collaborations among the State's higher education institutions, the private sector, local governments, K-12 schools, the general public, and international partners to take advantage of the unique, unexplored geophysical characteristics of the state and to create energy-related economic development opportunities. Directs that the plan be submitted by January 15, 2015 to the Director of the Energy Office, the Secretary of Commerce, the Governor, and the Chairmen of the Senate Agriculture and Natural Resources and the House Agriculture, Natural Resources, and Environmental Affairs Committees.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS

20.4. (USC: Energy-Related Economic Development) ~~During the current fiscal year and using existing resources, the Earth Sciences and Resources Institute at the University of South Carolina shall develop a plan to foster collaborations among the State's institutions of higher education, the private sector, local governments, K-12 schools, the general public, and international partners to capitalize on the unique, unexplored geophysical characteristics of South~~

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~~Carolina and create energy related economic development opportunities within the State. By January 15, 2015, the report shall be provided to the Director of the South Carolina Energy Office, the Secretary of the Department of Commerce, the Governor, and the Chairmen of the Senate Agriculture and Natural Resources Committee and House Agriculture, Natural Resources and Environmental Affairs Committee.~~

SECTION 25 - H59-STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

25.1 **AMEND** (Training of New & Expanding Industry) Authorizes the Executive Budget Office, in order to ensure necessary funds are available for new and/or expanding industry, to adjust the appropriation for the “Center for Accelerated Technology Training” (ReadySC) administered by the State Tech Board if projected expenditures are above appropriations and the office determines that the projected expenditures are directly related to demand for an existing program exceeding the program’s capacity, or for a new program necessary to provide direct training for new or expanding business or industry. Provides for an approval process and for notification to certain members of the General Assembly. Limits the aggregate amount of all adjustments to \$10,000,000. Allows the State Board for Tec and Comp Ed to request a supplemental appropriation from the General Assembly if projected expenditures exceed the amount appropriated or adjustments authorized.

WMC: AMEND proviso to change “Center for Accelerated Technology Training” to “ReadySC.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS

25.1. (TEC: Training of New & Expanding Industry) (A) Notwithstanding the amounts appropriated in this section for ~~the “Center for Accelerated Technology Training,”~~ ReadySC it is the intent of the General Assembly that the State Board for Technical and Comprehensive Education expend the funds necessary to provide direct training for new and expanding business or industry.

(B) In the event projected expenditures are above the appropriation, the appropriation in this section for ~~the “Center for Accelerated Technology Training,”~~ ReadySC may be appropriately adjusted, if and only if, the Executive Budget Office determines that the projected expenditures are directly related to:

(1) an existing technology training program where the demand for the program exceeds the program’s capacity and the additional funds are to be utilized to meet the demand; or

(2) a new program is necessary to provide direct training for new or expanding business or industry.

(C) The adjustment may occur only upon approval by the Executive Budget Office. Upon the Executive Budget Office’s approval of the adjustment, the Director of the Executive Budget Office must certify, in writing, that the adjustment is directly related to either subsection (B)(1) or (B)(2). The Director must immediately provide a copy of the written certification, including the amount of the adjustment, to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

(D) Upon the Director’s written certification approving an adjustment, the State Board for Technical and Comprehensive Education must submit a statement to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance

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Committee, and the Chairman of the House Ways and Means Committee containing a detailed itemization of the manner in which funds initially appropriated for technology training were utilized, the specific purpose for the adjustment, and the ultimate recipient of the adjusted amount.

(E) The aggregate amount of all adjustments made pursuant to this section may not exceed ten million dollars.

(F) In the event that projected expenditures for ~~the Center for Accelerated Technology Training~~, ReadySC exceed the amounts appropriated and the amount of any adjustments authorized, the State Board for Technical and Comprehensive Education may request a supplemental appropriation from the General Assembly.

25.6 **ADD** (Aeronautics Training Center) **WMC:** ADD new proviso to authorize the State Board for Tec and Comp Ed to carry forward S.C. Aeronautics Training Center funds and to use the funds for the same purpose.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS

25.6. (TEC: Aeronautics Training Center) Funds appropriated for the S.C. Aeronautics Training Center may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose.

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.

WMC: 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.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS

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.

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SECTION 33 - J02-DEPARTMENT OF HEALTH AND HUMAN SERVICES

33.15 DELETE (Medicaid Cost and Quality Effectiveness) Directs the department to establish a procedure to assess the various forms of health care delivery systems to measure cost effectiveness and quality. Direct the identifiable benchmarks be measured annually that broadly address agency program areas and initiatives. Requires annual healthcare report cards for the prior fiscal year be posted on the department's website by December 31st.

WMC: DELETE proviso. *Agency states that most members are in managed care, so remaining FFS population not comparable, also a report must also be prepared by actuaries which incurs a cost to the department.* Requested by Department of Health and Human Services.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS

~~33.15. (DHHS: Medicaid Cost and Quality Effectiveness) The Department of Health and Human Services shall establish a procedure to assess the various forms of health care delivery systems to measure cost effectiveness and quality. These measures must be compiled on an annual basis on identifiable 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. The department shall issue an annual healthcare report of statewide measures deemed appropriate by the department required under state and federal guidelines. 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.~~

33.24 DELETE (Medicaid Non-Emergency Medical Transportation) Directs the department, when their Medicaid non-emergency medical transportation contracts expire, to procure transportation services using a service model that maximizes efficiencies and cost effectiveness, improves health care outcomes, and improves member experience while using qualified transportation providers. Directs the department to develop policies, procedures and standards with input from stakeholders. Directs the department to collect financial and utilization data and other data as necessary to monitor and evaluate cost effectiveness and productivity.

WMC: DELETE proviso. *The department indicates that this proviso is not necessary as the NEMT procurement is currently underway.* Requested by Department of Health and Human Services.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~33.24. (DHHS: Medicaid Non-Emergency Medical Transportation) The Department of Health and Human Services (department) shall procure transportation services upon the expiration of the current Medicaid non-emergency medical transportation contracts using a service model that maximizes efficiencies and cost effectiveness; improves health care outcomes;~~

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~~and improves member experience regarding quality and satisfaction in the Medicaid transportation program while using qualified transportation providers.~~

~~The department shall develop the policies, procedures and transportation provider performance standards with input from stakeholders. The department shall provide oversight of the implementation and operation.~~

~~The department shall collect financial and utilization data and any other data necessary to continually monitor and evaluate the cost effectiveness and productivity of the transportation services provided.~~

- 33.26** **DELETE** (Healthy Connections Prime) Instructs the department to request a delay in the July 1, 2014 implementation of its demonstration for dual eligible beneficiaries known as Healthy Connections Prime and directs that the requested new enrollment date be no earlier than January 1, 2015.

WMC: DELETE proviso. *The department indicates the proviso is not necessary as Prime is scheduled to begin February 2015.* Requested by Department of Health and Human Services.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~**33.26.** (DHHS: Healthy Connections Prime) The Department of Health and Human Services is instructed to request from the Centers for Medicare and Medicaid Services, a delay in the July 1, 2014 implementation of its demonstration for dual eligible (Medicare/Medicaid) beneficiaries known as Healthy Connections Prime. The requested date to begin enrollment will be no earlier than January 1, 2015.~~

- 33.27** **AMEND** (Hospital Transformation Plans) Directs the department develop and manage a program to help qualifying hospitals transition to more sustainable models of service delivery that meet the needs of the community and reduce reliance on inpatient admissions, surgery or high-tech diagnostics. Allows DHEC to make exceptions to applicable licensing standards and regulations under certain conditions. Directs the department to develop the methodology for funding and distributing award amounts. Limits total state funds available for this purpose to \$15,000,000 and directs the department to leverage federal funds or other funding mechanisms to maximize resources as appropriate and approved by CMS. Requires progress reports be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees by January 1st and June 1st, 2015.

WMC: AMEND proviso to delete the requirement that the department “develop and manage” a program and instead direct them to “continue” a program. Require plans to be submitted to the department on or before April 1, 2016 and direct that no partnership may receive an allocation in the current fiscal year that would result in the partnership having received more than \$4,000,000 in cumulative support through the hospital transformation program. Update calendar year references to “2016.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

33.27. (DHHS: Hospital Transformation Plans) The Department of Health and Human Services shall ~~develop and manage~~ *continue* a program to help qualifying hospitals transition to more sustainable models of service delivery that meet the needs of their community and reduce

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reliance on inpatient admissions, surgery or high-tech diagnostics. This includes encouraging new long-term partnerships between rural hospitals and community, tertiary and teaching facilities to ensure seamless, timely and high quality clinical care for patients in rural areas of the state. Notwithstanding the provisions in its existing regulations, for the current fiscal year, the Department of Health and Environmental Control, may in its discretion, make exceptions to applicable licensing standards and regulations where it is determined that the exception will assist in the successful implementation and operation of the plans developed by the Department of Health and Human Services pursuant to this provision; the health, safety, and well-being of the community will not be compromised by the exception; and provided that the standard is not specifically required by statute. The program shall provide funding that fully or partially offsets the one-time costs of these transitions. The department shall develop the methodology for funding award amounts and distribution and may prioritize funding to target hotspots of poor health and/or limited health care access. Total state funds available statewide for transition funding shall not exceed \$15,000,000, less funds allocated during the prior fiscal year, and the department ~~shall~~ may leverage federal funds or other funding mechanisms to maximize resources as appropriate and approved by CMS. Plans must be submitted to the department on or before April 1, 2016. No partnership may receive an allocation in the current fiscal year that would result in it having received more than \$4,000,000 in cumulative support through the hospital transformation program. The department shall provide reports detailing progress on transformation efforts to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January 1, ~~2015~~ 2016 and by June 1, ~~2015~~ 2016.

- 33.28** **DELETE** (Armed Services Home and Community-Based Waiver) Directs the department, to the extent possible in administering home and community-based waiver programs, to maintain the waiver status of an eligible family member of a member of the armed services who maintains his SC state residence, regardless of where the service member is stationed.
WMC: DELETE proviso. *Codified in Section 3 of Act Number 289 of 2014.* Requested by Department of Health and Human Services.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~33.28. (DHHS: Armed Services Home and Community-Based Waiver) In administering home and community based waiver programs, the department shall, to the extent possible, maintain the waiver status of an eligible family member of a member of the armed services who maintains his South Carolina state residence, regardless of where the service member is stationed. Consequently, a person on a waiver waiting list would return to the same place on the waiting list when the family returns to South Carolina. Furthermore, the eligible family member previously enrolled in a waiver program and who received active services would be reinstated into the waiver program once Medicaid eligibility is established, upon their return to South Carolina. It is not the intent of this provision to authorize services provided outside the South Carolina Medicaid Service Area. These provisions are contingent upon the department receiving federal approval.~~

- 33.29** **DELETE** (Child Support Enforcement System) Directs the department transfer up to \$3,000,000 to DSS for development of the Child Support Enforcement System and directs that these funds cannot be used to pay litigation costs associated with development of the system.
WMC: DELETE proviso. *Funds have been transferred.* Requested by Department of Health and Human Services.

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HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

33.29. (DHHS: Child Support Enforcement System) ~~The department shall transfer up to three million dollars to the Department of Social Services for the development of the Child Support Enforcement System. These funds cannot be used to pay any litigation cost associated with the development of this system.~~

33.30 **ADD** (Healthcare Workforce Analysis) **WMC:** ADD new proviso to direct the department to transfer \$200,000 to AHEC for the Office of Healthcare Workforce Analysis.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.
SAME IN BOTH VERSIONS.

33.30. (DHHS: Healthcare Workforce Analysis) Of the funds appropriated to the Department of Health and Human Services, the department shall transfer \$200,000 to the Area Health Education Consortium (AHEC) for the Office of Healthcare Workforce Analysis.

33.31 **DELETE NEW PROVISO** (In-state Medicaid Providers Lab Services) **SFC:** ADD new proviso to direct that, whenever possible, contracts with managed care plans shall include an in-state provider preference for laboratory services if the in-state provider is able to provide the service at the same or less cost as an out-of-state provider.
SEN: DELETE new proviso. *Ruled Out of Order.*
SAME IN BOTH VERSIONS.

33.31. (DHHS: In-State Medicaid Providers Lab Services) DELETED

SECTION 34 - J04-DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

34.24 **AMEND** (Health Licensing Monetary Penalties) Authorizes the Department to retain the first \$50,000 of civil monetary penalties collected each fiscal year from penalties assessed by the Division of Health Licensing. The funds retained shall be utilized solely to carry out and enforce the provisions of regulations applicable to that Division.
WMC: AMEND proviso to change "Division of Health Licensing (DHL)" to "Bureau of Health Facilities Licensing (BHFL)." *Technical. Agency has changed the name of the division.* Requested by Department of Health and Environmental Control.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

34.24. (DHEC: Health Licensing Monetary Penalties) In the course of regulating health care facilities/services, the ~~Division~~ Bureau of Health Facilities Licensing (~~DHL~~) (BHFL) assesses civil monetary penalties against nonconforming providers. ~~DHL~~ BHFL shall retain up to the first \$50,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized

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solely to carry out and enforce the provisions of regulations applicable to that division. These funds shall be separately accounted for in the department's fiscal records.

- 34.25** **AMEND FURTHER** (Health Facility Monetary Penalties) Authorizes the department to retain the first \$100,000 of civil monetary penalties collected each fiscal year from penalties assessed by the Bureau of Health Facilities and Services Development. Directs the funds only be used to carry out and enforce the regulations that apply to the Bureau. Requires regulations for nursing home staffing to provide a minimum of 1.63 hours of direct care per resident per day from non-licensed nursing staff; maintain at least one licensed nurse per shift for each staff work area; and to enforce all other staffing and non-staffing standards.
- WMC:** AMEND proviso to change "Bureau of Health Facilities and Services Development (BHF)" to "Division of Construction/Fire & Life Safety (DCFLS)." *Technical. Agency has changed the name of the bureau.* Requested by Department of Health and Environmental Control.
- HOU:** ADOPT proviso as amended.
- HOU2:** AMEND House version to update fiscal year reference "2015-16." Sponsors: Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Pitts, Simrill, G.M. Smith, and Whitmire.
- SFC:** AMEND FURTHER to update fiscal year reference "2015-16."
- SEN:** ADOPT proviso as amended.
- SAME IN BOTH VERSIONS.**

34.25. (DHEC: Health Facility Monetary Penalties) In the course of regulating health care facilities/services, the ~~Bureau of Health Facilities and Services Development (BHF)~~ Division of Construction/Fire & Life Safety (DCFLS) assesses civil monetary penalties against nonconforming providers. ~~BHF DCFLS~~ shall retain up to the first \$100,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that ~~Bureau~~ division. These funds shall be separately accounted for in the department's fiscal records. Regulations for nursing home staffing for Fiscal Year ~~2014-15~~ 2015-16 must (1) provide a minimum of one and sixty-three hundredths (1.63) hours of direct care per resident per day from the non-licensed nursing staff; and (2) maintain at least one licensed nurse per shift for each staff work area. All other staffing standards and non-staffing standards established in Standards for Licensing Nursing Homes: R61-17, Code of State Regulations, must be enforced.

- 34.44** **DELETE** (Sand-scraping and Sandbagging) Allows sand-scraping and sandbagging at golf courses as protection, if the department permits, until December 31, 2015. Suspends the payment of any fines the department assessed associated with sandbagging, sand-scraping or renourishment on golf courses. Directs the department to refund any fines paid the prior fiscal year.
- WMC:** DELETE proviso.
- HOU:** ADOPT deletion of proviso.
- SFC:** ADOPT deletion of proviso.
- SEN:** ADOPT deletion of proviso.
- SAME IN BOTH VERSIONS.**

34.44. (DHEC: Sand-scraping and Sandbagging) ~~Sand scraping and sandbagging is allowed as protection for golf courses, if permitted by the department, until June 30, 2015. 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 during the prior fiscal year~~

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~~regarding the use of sandbags, sand scraping or renourishment on golf courses are to be refunded by the department.~~

- 34.50 DELETE** (Seawall Reconstruction Repair) Authorizes the department to issue a special permit for reconstruction or repair of an existing erosion control device that meets certain specifications. Requires the department only issue the permit if the seawall will be reconstructed or repaired with like material and the replacement footprint is no more than 2 feet from the original footprint. Authorizes the department to charge a permit fee equal to the actual cost of issuing the permit.
WMC: DELETE proviso.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~**34.50.** (DHEC: Seawall Reconstruction/Repair) In the current fiscal year, the Department of Health and Environmental Control may issue a special permit for the reconstruction or repair of an existing erosion control device of at least four thousand contiguous linear feet that is located landward of an area which the department has granted a permit authorizing a renourishment project that does not qualify for public funding and the permit is active as of July 1, 2014. The department may only issue the permit if the seawall will be reconstructed or repaired with like material and the footprint of the replacement is no more than two feet from the footprint of the original. The department may charge a permit fee equal to the actual cost of issuing the permit.~~

SECTION 35 - J12-DEPARTMENT OF MENTAL HEALTH

- 35.4 DELETE** (McCormick Satellite Clinic) Redirected the \$750,000 appropriated by proviso 73.17 of Act 397 of 2006 for the Williams Building Cooperative Ministries Homeless Shelter Renovation & Operation as follows: \$250,000 for a satellite community mental health clinic in McCormick County and \$500,000 to the City of Columbia to benefit other homeless programs. Requires the city of Columbia to report annually on expenditure of the funds until they have all been expended.
WMC: DELETE proviso. *The funds redirected to the City of Columbia have been expended. The McCormick Satellite Clinic project is an outdated construction effort and is no longer feasible. Residual capital project funds will be held until the project is deemed feasible or until such time as the department is authorized to redirect the use of said funds to another capital project.* Requested by Department of Mental Health.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~**35.4.** (DMH: McCormick Satellite Clinic) The \$750,000 appropriated by Proviso 73.17 of Act 397 of 2006 for the Williams Building Cooperative Ministries Homeless Shelter Renovation & Operation shall be redirected as follows: \$250,000 shall be used for a satellite community mental health clinic in McCormick County. Unexpended funds may be carried forward into the current fiscal year to be expended for the same purpose. The City of Columbia must provide documentation annually on expenditures related to the \$500,000 transferred to the city by Proviso 10.16 of Act 117 of 2007 to benefit other homeless programs until all funds are expended.~~

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- 35.9 DELETE** (Veterans Nursing Home Study) Directs the department, in conjunction with the Governor's Office Division of Veterans Affairs, to conduct a feasibility study to determine whether there is a need for additional veterans nursing homes in the state and if it is so determined, to identify possible locations, number of beds, and required funding. Directs that the study be submitted to the Governor and various Senate and House committees by December 15, 2014.
WMC: DELETE proviso. *Report has been submitted.* Requested by Department of Mental Health.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~35.9. (DMH: Veterans Nursing Home Study) The Department of Mental Health, in conjunction with the Department of Administration, Office of Executive Policy and Programs, Division of Veterans Affairs, shall conduct a feasibility study to determine whether there is a need for additional veterans nursing homes in the state. In the event it is determined that it would be in the best interests of the state's veteran population to have additional veterans nursing homes located around the state, the study shall identify possible locations and provide a general concept on the number of beds recommended along with the funding that would be required to implement the recommendations. The study shall be submitted to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Medical Affairs Committee, and the Chairman of the House Medical, Military, Public and Municipal Affairs Committee by December 15, 2014.~~

SECTION 36 - J16-DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

- 36.1 AMEND** (Work Activity Programs) Authorizes the department to retain and carry forward earnings generated from production contracts earned by mentally retarded trainees and to use the funds for operating expenses and/or permanent improvements of the Work Activity Programs.
WMC: AMEND proviso to change reference to "mentally retarded trainees" to "individuals served by the department."
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

36.1. (DDSN: Work Activity Programs) All revenues derived from production contracts earned by ~~mentally retarded trainees~~ *individuals served by the department* in Work Activity Programs be retained by the South Carolina Department of Disabilities and Special Needs and carried forward as necessary into the following fiscal year to be used for other operating expenses and/or permanent improvements of these Work Activity Programs.

- 36.3 AMEND** (Prenatal Diagnosis) Allows the department to use up to \$126,000 of excess debt service funds to promote efforts related to expanded prenatal diagnosis of mental retardation and related defects by the Greenwood Genetic Center.
WMC: AMEND proviso to change reference to "mental retardation and related defects" to "intellectual and/or other related disabilities."
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.

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SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

36.3. (DDSN: Prenatal Diagnosis) Revenues not to exceed \$126,000 from client fees, credited to the debt service fund and not required to meet the department's debt service requirement, may be expended only in the current fiscal year to promote expanded prenatal diagnosis of ~~mental retardation and related defects~~ intellectual and/or other related disabilities by the Greenwood Genetic Center.

36.7 **AMEND** (Unlicensed Medication Providers) Authorizes the department to license or certify select unlicensed persons in community-based programs to provide select medications. Limits the medications allowed to be administered to oral and topical medications, regularly scheduled insulin, and prescribed anaphylactic treatments. Requires the department to establish curriculum and standards for training and oversight. Direct that this provision does not apply to a facility licensed as a habilitation center for the mentally retarded or persons with related conditions.
WMC: AMEND proviso to change reference to "a habilitation center for the mentally retarded or persons with related conditions" to "an intermediate care facility for individuals with intellectual and/or related disability."
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

36.7. (DDSN: Unlicensed Medication Providers) The provision of selected prescribed medications may be performed by selected unlicensed persons in community-based programs sponsored, licensed or certified by the South Carolina Department of Disabilities and Special Needs, provided such selected unlicensed persons have documented medication training and skill competency evaluation. Licensed nurses may train and supervise selected unlicensed persons to provide medications and, after reviewing competency evaluations, may approve selected unlicensed persons for the provision of medications. The provision of medications by selected unlicensed persons is limited to oral and topical medications and to regularly scheduled insulin and prescribed anaphylactic treatments under established medical protocol and does not include sliding scale insulin or other injectable medications. The selected unlicensed persons shall be protected against tort liability provided their actions are within the scope of their job duties and the established medical protocol.

The Department of Disabilities and Special Needs shall establish curriculum and standards for training and oversight.

This provision shall not apply to a facility licensed as a ~~habilitation center for the mentally retarded or persons with related conditions~~ an intermediate care facility for individuals with intellectual and/or related disability.

SECTION 38 - L04-DEPARTMENT OF SOCIAL SERVICES

38.24 **DELETE** (Federally Certified Child Support Enforcement System Project) Directs that the CFS Project Executive Committee is abolished effective July 1, 2014 and that the direction, management, oversight, and decision-making authority is placed under the sole authority of the DSS Director. Requires the department publish quarterly progress reports on its website on the project's timetable to achieve a federally certified Child Support Enforcement System.
WMC: DELETE proviso.

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HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~38.24. (DSS: Federally Certified Child Support Enforcement System Project) Effective July 1, 2014, the CFS Project Executive Committee is abolished. For the current fiscal year, the direction, management, oversight, and decision-making authority previously exercised by the CFS Project Executive Committee is placed under the sole authority of the Director of the Department of Social Services who shall make all final decisions regarding the project. The department shall publish on its website quarterly progress reports on the project's timetable to achieve a Federally certified Child Support Enforcement System.~~

38.25 DELETE (New SNAP Debit Card Accountability Features) Requires the DSS director to make reports and recommendations to the Chairmen of the House Ways and Means and Senate Finance Committees by December 1, 2014 on new accountability features to SNAP debit cards.

WMC: DELETE proviso. *Reports and recommendations have been submitted.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~38.25. (DSS: New SNAP Debit Card Accountability Features) By December 1, 2014, the Director of the Department of Social Services shall make reports and recommendations to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee for new accountability features to the debit cards used for the Supplemental Nutritional Assistance Program (SNAP).~~

~~(1) The feasibility and cost benefit of adding the beneficiaries' identification numbers on the SNAP debit cards. The objective is to reduce the misuse of SNAP debit; and~~

~~(2) The costs of various options available to reduce the fraud within these programs.~~

~~The department is authorized to use the agency's appropriated funds in Part IA of this act for research in complying with this provision.~~

38.26 DELETE (Contracting Best Practices) Requires the department to submit a written report by December 1, 2014 to the Chairmen of the House Ways and Means and Senate Finance Committees that describes the actions they have taken to ensure the department used best practices when contracting and specify what practices they are to include in the report.

WMC: DELETE proviso. *Report has been submitted.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~38.26. (DSS: Contracting Best Practices) By December 1, 2014, the Department of Social Services shall submit a written report to the Chairman of the House Ways and Means Committee and Chairman of the Senate Finance Committee describing the actions taken to ensure that contracting by the department uses best practices to address the following: (1) Unnecessarily labor intensive processes, duplication of effort, and poorly written solicitations and contracts; (2) Formal, repeatable process for consistent solicitation development; (3) Contract managers involved from "cradle to grave"; (4) Compliance with all applicable state laws and requirements;~~

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~~(5) Process to compile “lessons learned” and apply to future contracting; (6) Use of a business planning process to determine sourcing and re-bid strategy, and; (7) Regular best practice training of all staff involved in contracting. The department shall review other states’ best practices for contracting in the development of this report.~~

SECTION 47 - P24-DEPARTMENT OF NATURAL RESOURCES

- 47.3 AMEND** (Proportionate Funding) Allocates a proportionate share of funds to each of the 46 Soil and Water Conservation Districts.
WMC: AMEND proviso to change “\$13,674” to “\$15,000.” *Technical to conform to the amount of funds on the line since the General Assembly increased the line item funding in FY 2014-15 to \$690,000.* Requested by Department of Natural Resources.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

47.3. (DNR: Proportionate Funding) Each of South Carolina’s forty-six soil and water conservation districts shall receive a proportionate share of funding set aside for Aid to Conservation Districts at ~~\$13,674~~ \$15,000 per district for general assistance to the district’s program. Available funding above ~~\$13,674~~ \$15,000 for each district will be apportioned by the Department of Natural Resources based upon local needs and priorities as determined by the board. During the fiscal year, the districts’ funding may only be reduced in an amount not to exceed the percentage of each agency budget reduction. No district shall receive any funds under this provision unless the county or counties wherein the district is located shall have appropriated no less than three hundred dollars to the district from county funds for the same purposes.

- 47.9 ADD** (Web Services and Technology Development) **WMC:** ADD new proviso to authorize the department to carry forward unexpended general funds from their Web Services and Technology Development program other operating expenses budget line. Direct that the funds carried forward may only be used to support technology operating expenses within the department. Fiscal Impact: RFAO indicates this proviso would have no expenditure impact on the General Fund, or on federal or other funds. Requested by Department of Natural Resources.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.
SAME IN BOTH VERSIONS.

47.9. (DNR: Web Services and Technology Development) The department may carry forward any unexpended general fund balance remaining on the Other Operating Expenses line, identified in the “Web Services and Technology Development” program of the department appropriations from Part 1A in this Act. Balances carried forward from the prior fiscal year are only authorized to be expended to support technology operating expenses within the department.

SECTION 49 - P28-DEPARTMENT OF PARKS, RECREATION, AND TOURISM

- 49.12 ADD** (Vending Services) **WMC:** ADD new proviso to exempt the State Park Service from the requirement to use the Commission for the Blind for vending services. Authorize the revenue generated by vending and retail operations at the State Parks to be retained and carried forward

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to support State Parks operational costs. Direct that the exemption does not apply to State Welcome Centers. *The requirement to use the Commission for the Blind for vending services has prevented the Park Service from entering into contracts to provide seasonal goods. The Park Service is requesting the same exemption as the State Museum and Patriots Point that also operate on earned revenue.* Fiscal Impact: The Parks Services does not currently have any agreements with the Commission for the Blind.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

49.12. (PRT: Vending Services) The State Park Service, an office within the Department of Parks, Recreation, and Tourism shall be granted an exemption requiring the State Park Service to use the Commission for the Blind for vending services. All revenues earned by vending and retail operations at the State Parks shall be retained by the department to support the operational costs of the South Carolina State Parks. These funds may be carried forward from the prior fiscal year and must be used for the same purpose. This exemption does not apply to vending services at the State Welcome Centers.

SECTION 50 - P32-DEPARTMENT OF COMMERCE

50.14 DELETE (Research Funds) Directs the department, upon Secretary of Commerce and Coordinating Council for Economic Development approval, to use “special item” or “non-recurring” funds appropriated for “Research” to fund partnerships between the department, higher education institutions, and S.C. based industry that have significant investment in the state. Requires the partnerships create well paying jobs and enhance economic opportunities in the Distribution and Logistics Sciences area, or any other science, technology, research, development, or industry. Authorizes unexpended funds be carried forward and used for the same purpose or to fund economic development projects.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~**50.14.** (CMRC: Research Funds) Funds appropriated to the Department of Commerce as a special item or nonrecurring appropriation for Research shall be used to fund, upon approval of the Secretary of Commerce and the Coordinating Council for Economic Development, partnerships between the Department of Commerce, higher education institutions, either collectively or individually, and South Carolina based industry with significant investment in the state. These partnerships shall be in Distribution and Logistics Sciences, or any other science, technology, research, development, or industry that creates well paying jobs and enhanced economic opportunities for the State as determined by the Secretary of Commerce. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and may be used for the same purpose or to fund economic development projects.~~

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SECTION 57 - B04-JUDICIAL DEPARTMENT

57.18 **ADD** (Court Costs Carry Forward) **WMC:** ADD new proviso to direct the Judicial Department to retain funds collected from costs related to court proceedings under SC Appellate Court Rules 413 or 502 or from the appointment of a receiver or attorney to assist the receiver under Rule 413, that are assessed against a party. Authorize the department to receive, expend, retain, and carry forward the funds and to use the funds for the same purpose. Fiscal Impact: RFAO indicates this proviso is not expected to impact the General Fund or federal funds. It does impact other funds collected by the Commission on Conduct and the Office of Receiver. The Judicial Department projects an estimated increase of \$50,000 in other funds. Requested by Judicial Department.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

57.18. (JUD: Court Costs Carry Forward) The Judicial Department shall retain the funds collected from costs related to court proceedings (including the cost of hearings, investigations, prosecution, service of process and court reporter services) under Rules 413 or 502 of the SC Appellate Court Rules, or from costs related to the appointment of a receiver or an attorney to assist the receiver under Rule 413, that are assessed against a party. The department is authorized to receive, expend, retain, and carry forward these funds which shall be used for the same purpose.

SECTION 59 - E20-OFFICE OF THE ATTORNEY GENERAL

59.5 **AMEND** (Securities Fee Revenue) Directs that after \$20,500,000 of Securities Fee revenues have been deposited to the General Fund the Attorney General may retain \$300,000 to use for operations associated with the increase in licensed securities agents. Authorizes the Attorney General to carry forward the revenue to use for the same purpose. Requires any remaining Securities Fee revenues be remitted to the General Fund.

WMC: AMEND proviso to change “\$300,000” to “\$400,000.” Requested by Office of the Attorney General.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

59.5. (AG: Securities Fee Revenue) After the provisions of Section 35-1-702(b) of the 1976 Code have been satisfied, and upon notification to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee that such provisions have been satisfied, the next \$20,500,000 of Securities Fee revenues collected during the current fiscal year by the Office of the Attorney General shall be remitted to the General Fund of the State. The Office of the Attorney General may retain the next ~~\$300,000~~ \$400,000 collected and may utilize these funds for operations to include expert witness expenses, investigative costs, trial preparation, and other related expenses associated with the increase in licensed securities agents. These funds may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose. Remaining Securities Fee revenues collected during the current fiscal year shall be remitted to the General Fund of the State.

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SECTION 61 - E23-COMMISSION ON INDIGENT DEFENSE

61.11 **ADD** (Capital Case Contract Attorneys) **WMC:** ADD new proviso to authorize the Death Penalty Trial Fund to be used to retain attorneys, on a contractual basis, to provide representation in capital proceedings. Direct the commission to establish policies, procedures, and contract provisions for system implementation, including but not limited to, selection and compensation of contract awardees. Fiscal Impact: RFAO indicates there is no fiscal impact on the General Fund or federal or other funds. Requested by Commission on Indigent Defense.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

61.11. (INDEF: Capital Case Contract Attorneys) Funds appropriated from the Death Penalty Trial Fund may be used by the commission to retain, on a contractual basis, the service of attorneys qualified to provide representation in capital proceedings to include: capital trials, post-conviction relief actions, re-sentencing, appeals or any other capital litigation proceeding.

The commission shall establish all policies, procedures and contract provisions as it deems appropriate for the implementation of the system, including but not limited to the selection and compensation of contract awardees.

61.12 **ADD** (Optional Courts and Indigent Representation) **WMC:** ADD new proviso to require a municipality who has or elects to have an optional municipal court system to provide adequate funds for representation of indigents. Prohibit a public defender from being appointed in such court unless the municipality and the office of the circuit public defender have reached an agreement for indigent representation and prohibit the commission from using their funds to provide compensation for appointed counsel in municipal courts.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

61.12. (INDEF: Optional Courts and Indigent Representation) If a municipality has or elects to have an optional municipal court system, it must provide adequate funds for representation of indigents. No public defender shall be appointed in any such court unless the municipality and the office of the circuit public defender have reached an agreement for indigent representation and no funds allocated to the commission shall be used to provide compensation for appointed counsel in municipal courts.

61.13 **ADD** (Indigent Verification) **WMC:** ADD new proviso to direct the Commission on Indigent Defense to review all Affidavits for Indigency and Application for Council and make recommendations to the General Assembly by January 5, 2016 on additional requirements and supporting documentation that would be required of all applicants in order to verify their financial status and the standards by which an application should be approved and counsel appointed. Require the commission report to the General Assembly by August 1, 2015, on the number of applications accepted and rejected during Fiscal Year 2014-15.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

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61.13. (INDEF: Indigent Verification) The Commission on Indigent Defense is directed to review the Affidavit for Indigency and Application for Counsel and make recommendations to the General Assembly by January 5, 2016, on any additional requirements for applicants in order to verify their financial status; the supporting documentation that should be required of all applicants in order to verify their financial status; and the standards by which an application should be approved and counsel appointed accordingly. Additionally, the commission shall report to the General Assembly by August 1, 2015, on the number of applications accepted and rejected during Fiscal Year 2014-15.

SECTION 65 - N04-DEPARTMENT OF CORRECTIONS

65.9 **AMEND** (Prison Industry Funds) Authorizes the department to use Prison Industry funds for projects or services that benefit the general welfare of the inmate population or to supplement operational costs, at the director's discretion.

WMC: AMEND proviso to authorize the funds to be carried forward and used for the same purpose. Requested by Department of Corrections.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

65.9. (CORR: Prison Industry Funds) The Director of the Department of Corrections, at his discretion, is hereby authorized to utilize prison industry funds for projects or services benefiting the general welfare of the inmate population or to supplement costs of operations. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

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.

WMC: AMEND proviso to delete the authorization to pay the membership dues.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

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.~~

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SECTION 81 - R36-DEPARTMENT OF LABOR, LICENSING, AND REGULATION

81.13 DELETE (Office of State Fire Marshal-accident Response Fee Survey) Directs LLR to survey all state subdivisions that provide emergency fire or medical response services to determine if they currently levy or plan to levy an accident response service fee or similar fee and upon whom the fee is or shall be levied. Directs that findings be reported to the Chairmen of the Senate Banking and Insurance and the House Labor, Commerce and Industry Committees by November 1, 2014.

HOU2: AMEND House version to DELETE proviso. Sponsors: Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Pitts, Simrill, G.M. Smith, and Whitmire.

SFC: DELETE proviso. *Report has been submitted.*

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~**81.13.** (LLR: Office of State Fire Marshal-Accident Response Fee Survey) From the funds authorized in this act, the Department of Labor, Licensing and Regulation shall survey all subdivisions of the State that provide emergency fire or medical response services to ascertain if they currently levy or plan on levying an accident response service fee or a like fee. Additionally, the survey shall ascertain to whom the current fee or proposed fee is or shall be levied upon. A report of the findings shall be provided to the Chairman of the Senate Banking and Insurance Committee and the Chairman of the House Labor, Commerce and Industry Committee on or before November 1, 2014.~~

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.

WMC: 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.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

~~**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 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.~~

82.9 AMEND (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.

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WMC: 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.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

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 84 - U12-DEPARTMENT OF TRANSPORTATION

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.

WMC: 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.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

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.

WMC: DELETE proviso. *The study has been submitted.* Requested by Department of Transportation.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

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~~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.~~

- 84.18** **ADD** (Sunset Suspended) **HOU2:** AMEND House version to ADD Senate version. Sponsors: Reps. Quinn, Atwater, Stringer, and Hamilton. *Note: Proviso 84.16 in House2 version.*
SEN: ADD new proviso to suspend 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. Sponsors: Sens. L. Martin and Campsen.
SAME IN BOTH VERSIONS.

84.18. (DOT: Sunset Suspended) The provisions of Section 6 of Act 114 of 2007 are suspended for the current fiscal year.

SECTION 87 - U30 - DIVISION OF AERONAUTICS

- 87.6** **DELETE** (State Aviation Fund Study) Directs the Division of Aeronautics and DOR to conduct a study to determine whether the State Aviation Fund continues to be viable and to determine the accuracy of the amount of tax levied pursuant to Title 12, Chapter 37, [ASSESSMENT OF PROPERTY TAXES] Article 19 [AIRCRAFT]. Requires the analysis be submitted to the Chairmen of the Ways and Means and Senate Finance Committees by October 1, 2014.
HOU: DELETE proviso. Sponsors: Reps. Limehouse and Felder.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~87.6. (AERO: State Aviation Fund Study) The Division of Aeronautics and the Department of Revenue are directed to conduct a study to determine the continuing viability of the State Aviation Fund and to determine the accuracy of the amount of the tax levied by the State pursuant to Article 19, Chapter 37 of Title 12 of the 1976 Code. This analysis must be presented to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee no later than October 1, 2014.~~

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.
WMC: 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.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

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

SECTION 91 - A99-LEGISLATIVE DEPARTMENT

91.4 **AMEND** (Subsistence/Travel Regulations)) Directs that members of the legislature receive subsistence for each legislative day the body is in session. Authorizes standing committees and joint study committees to work during interim with advanced approval of Speaker of House and President Pro Tempore of Senate. Directs that subsistence and mileage reimbursement shall not exceed the level authorized by the IRS for the Columbia area. Directs that the average daily rate for hotels in the Columbia Downtown area as defined by the Columbia Metro Convention and Visitor's Bureau for the preceding 2013-14 fiscal year be used when calculating the lodging component of the subsistence reimbursement.

WMC: AMEND proviso to delete specific reference to "2013-14."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

91.4. (LEG: Subsistence/Travel Regulations) (A) Members of the General Assembly shall receive subsistence for each legislative day that the respective body is in session and in any other instance in which a member is allowed subsistence expense. No member of the General Assembly except those present are eligible for subsistence on that day. Legislative day is defined as those days commencing on the regular annual convening day of the General Assembly and continuing through the day of adjournment sine die, excluding Friday, Saturday, Sunday, and Monday.

(B) Standing Committees of the Senate and House of Representatives are authorized to continue work during the interim; however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the members of the General Assembly shall not be paid the per diem authorized in this provision. When certified by the Speaker of the House, President Pro Tempore of the Senate, or Standing Committee Chairman, the members serving on such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for allowances specified in this proviso shall be paid to the members of the Senate or House of Representatives from the Approved Accounts of the respective body except as otherwise may be provided.

(C) Joint Study Committees created pursuant to Acts and Resolutions of the General Assembly are authorized to continue work during the interim to secure such information and complete such investigations as may be assigned to the respective committees; however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the House and Senate members of the Joint Study Committee shall not be paid the per diem authorized in this provision. When

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certified by the appropriate authority, the members appointed to such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The allowances specified in this proviso shall be paid from funds appropriated to the respective committees for such purposes, or from Approved Accounts of the respective body of the General Assembly if no funds have been appropriated to such a committee for these purposes.

(D) Members of the Senate and the House of Representatives when traveling on official State business shall be allowed a subsistence and transportation expenses as provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees upon approval of the appropriate chairman. When traveling on official business of the Senate or the House of Representatives not directly associated with a committee of the General Assembly, members shall be paid the same allowance upon approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives. In either instance, the members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for the allowances specified in this proviso shall be paid from the Approved Accounts of the Senate or the House of Representatives or from the appropriate account of the agency, board, commission, task force or committee upon which the member serves.

(E) Members of the House of Representatives shall not be reimbursed for per diem, subsistence, or travel in connection with any function held outside of the regular session of the General Assembly unless prior approval has been received from the Speaker of the House.

(F) Notwithstanding any other provision of law, subsistence and mileage reimbursement for members of the General Assembly shall be the level authorized by the Internal Revenue Service for the Columbia area. Provided, in calculating the subsistence reimbursement for members of the General Assembly the reimbursement rate for the lodging component shall be the average daily rate for hotels in the Columbia Downtown area as defined by the Columbia Metro Convention and Visitor's Bureau for the preceding fiscal year of 2013-14.

91.21 DELETE (Suspend LAC Evaluation) Suspends, for FY 2014-15, the requirement that the LAC conduct an audit of the Family Independence Act every two years and directs that any savings generated be used to conduct audits as requested by members of the General Assembly.

WMC: DELETE proviso. *Section 43-5-1285 was amended to require DSS report annually to the General Assembly on the FIA program. Section 2-15-64 requires LAC to conduct a management performance audit of a DSS program every three years. The proviso is no longer necessary.* Requested by Legislative Audit Council.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~**91.21.** (LEG: Suspend LAC Evaluation) For Fiscal Year 2014-15, the provisions of Section 43-5-1285 of the 1976 Code are suspended. Any savings generated by the suspension of the evaluation of the South Carolina Family Independence Act of 1995 shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.~~

91.22 AMEND (DMV Audit Review) Suspends, for FY 2014-15, the requirement that the LAC conduct an independent review of the DMV and directs that any savings generated be used to conduct audits as requested by members of the General Assembly.

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WMC: AMEND proviso to update fiscal year reference to “2015-16.” Requested by Legislative Audit Council.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

91.22. (LEG: DMV Audit Review) For Fiscal Year ~~2014-15~~ 2015-16, the provisions of Section 56-1-5(F) are suspended. Any savings generated by not conducting the review shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

91.23 **AMEND** (Electronic Correspondence) Prohibits the House of Representatives, during FY 2014-15, from spending funds to print or mail bills, summaries, committee agendas, etc. to committee members. Directs that relevant information on committee meetings be sent to members electronically.

WMC: AMEND proviso to update fiscal year reference to 2015-16.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

91.23. (LEG: Electronic Correspondence) For Fiscal Year ~~2014-15~~ 2015-16, the House of Representatives may not expend any funds for the printing or mailing of bills, summaries, committee agendas, etc. to committee members. The House of Representatives shall send all relevant information concerning committee meetings to committee members via electronic means.

91.24 **AMEND** (Technology Panel) Directs the K-12 Technology Initiative partnership provide a report that describes the state’s efforts to facilitate providing cost effective connectivity and internet bandwidth to schools and libraries statewide and to report on certain technology related activities by June 1, 2015.

WMC: AMEND proviso to update report due date to June 1, “2016.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

91.24. (LEG: Technology Panel) Of the funds appropriated in XII.E.2. for Technology the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state’s efforts to facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and utilization of technological and online resources to support student development and achievement, the development and utilization of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational technology related activities engaged in by the partnership. Further, the report must detail information on the expenditure of the K-12 Technology funds by each district as well as a list of the districts requesting flexibility in the use of those funds. The report shall be submitted no later than June 1, ~~2015~~ 2016.

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DEPARTMENT OF ADMINISTRATION

93.11 AMEND (Crime Victims Ombudsman) Requires the State Office of Victims Assistance to transfer \$71,000 to the Crime Victims Ombudsman Office for administrative and operational support.

WMC: AMEND proviso to change “\$71,000” to “\$85,000.” *CVO invested in new software to more efficiently track complaints filed and their status. Also there has been a 26% increase in formal complaints filed which increased the workload. In addition CVO is increasing its presence in the counties statewide.* Fiscal Impact: Agency has requested a \$14,000 funding increase for this purpose.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

93.11. (DOA: Crime Victims Ombudsman) For the current fiscal year, the State Office of Victims Assistance shall transfer ~~\$71,000~~ \$85,000 to the Crime Victims Ombudsman’s Office to be used for administrative and operational support.

93.23 AMEND (First Responder Interoperability) Directs the Department of Administration to administer and coordinate first responder interoperability for the statewide 800 MHz system. Provides for grants to participants, including private county and city 800 MHz systems, to purchase equipment upon satisfaction of match requirements based on available funds. Authorizes funds to be carried forward and used for the same purpose. Exempts first responder interoperability funds from across-the-board budget reductions. Directs DOA to report to the Senate Finance and House Ways and Means Committees by October 1st on the status of integration of the statewide radio system.

WMC: AMEND proviso to delete “MHz” in reference to statewide Palmetto 800 MHz system and to delete “800 MHz” in reference to private county and city systems.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

93.23. (DOA: First Responder Interoperability) The Department of Administration is directed to administer and coordinate First Responder Interoperability operations for the statewide Palmetto 800 ~~MHz~~ radio system to better coordinate public safety disaster responses and communications. First Responder Interoperability administration and coordination shall be funded as provided in this act. The cost-proportional funds shall be utilized for radio user fees of state agencies and public safety first responders (Fire, EMS and Law Enforcement) that participate in the statewide Palmetto 800 ~~MHz~~ radio system (Palmetto 800 participants). The Department of Administration, in consultation with the State Law Enforcement Division, the Department of Public Safety, and the State Emergency Management Division, and a representative of the South Carolina Sheriff’s Association, shall set a baseline number of radios used by each Palmetto 800 participant based on the technical aspects of the Palmetto 800 ~~MHz~~ radio system and the jurisdictional requirements of the participant. If a Palmetto 800 participant reduces the baseline number of radios in use, the amount of funds allocated for the participant’s radio user fees shall be reduced in a proportional amount. The funds shall also be utilized to provide private county and city ~~800-MHz~~ radio systems with grant funds to be used for purchases

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of equipment that support interoperability with the statewide Palmetto 800 MHz radio system and its users. Grant funds shall be allocated to private county and city ~~800-MHz~~ radio systems based on the criteria used for Palmetto 800 Participants and in amounts proportional to the amounts allocated to support the per-site radio user fees of Palmetto 800 participants. A matching share is required by a Palmetto 800 participant or by a private county or city ~~800-MHz~~ radio system in order to qualify for receipt of funds pursuant to this proviso. Each fiscal year the Department of Administration shall establish the level of match required based upon funding provided by this act. These entities shall be required to furnish such documentation as may be required by the department to verify that the matching funds requirement is met. Upon funding state agency and public safety first responder user fees and private county and city ~~800-MHz~~ equipment purchases, any remaining funds may be used to enhance and expand the statewide Palmetto 800 MHz radio system. All funds shall be held in a separate account established by the ~~Board~~ department for the purposes set forth herein. Any unexpended portion of these funds may be carried forward and used for the same purpose. In the calculation of any across-the-board budget reduction mandated by the Executive Budget Office or General Assembly, the amount appropriated to the Department of Administration for First Responder Interoperability must be excluded from the department's base budget.

The Department of Administration shall provide a report on the status of the integration of the statewide Palmetto 800 MHz radio system which shall include, but not be limited to, a list of entities who are not integrated into the system as of the end of the immediately preceding fiscal year and the reason why they are not integrated. The report shall be submitted by October first, of the current fiscal year to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

93.24 **DELETE** (Employee Compensation) Provides a plan to distribute employee pay increases for FY 14-15 in the amount of 2%. Directs allocations associated with the increases for retirement employer contributions be based on the rate of the retirement system in which employees participate. Authorizes use of funding for statewide employer contributions for other statewide purposes and allows carry forward of those funds.

WMC: DELETE proviso. *Moved to General Provisions, proviso 117.125.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

93.24. (DOA: Employee Compensation) ~~The amounts appropriated to the Department of Administration 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 nonjudge 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 two percent.~~

~~(2) With respect to unclassified and nonjudge 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 the compensation of all unclassified employees shall be increased by two percent. 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 two percent.~~

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~~(4) With respect to local health care providers compensation increases shall be 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 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 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 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 two percent.~~

~~The Department of Administration 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 Department of Administration is authorized to use excess appropriations for the current fiscal year designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the Department of Administration, such action may be considered a permanent transfer into the receiving agency's base budget.~~

~~Funds appropriated in Part IA, F30, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.~~

93.28 **DELETE** (Other Fund Authorization Increase) Directs the Executive Budget Office to review Executive Branch agencies in FY 2014-15 to determine whether their budgets warrant an increase in other fund authorization due to the 2% pay raise granted in the FY 2014-15 proviso 101.21 and if so, to work with the Comptroller General to increase the authorization for the affected agencies.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~**93.28.** (DOA: Other Fund Authorization Increase) For Fiscal Year 2014-15, the Executive Budget Office is directed to review Executive Branch agencies to determine whether their budgets warrant an other fund authorization increase due to the two percent compensation increase for all full time employees granted in proviso 93.24. If so warranted, the Executive Budget Office shall work with the Office of the Comptroller General to increase such authorization for the affected agencies.~~

93.29 **DELETE** (Restructuring Act Carry Forward) Requires general funds from the B&C Board's Offices of State Budget, Research and Statistics, and the BEA be carried forward from the prior fiscal year and be allocated to the Revenue and Fiscal Affairs Office and the Executive Budget Office in accordance with implementation of the Restructuring Act of 2014.

WMC: DELETE proviso. *Technical. Allocations have taken place.* Requested by Department of Administration.

HOU: ADOPT deletion of proviso.

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SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
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~~93.29. (DOA: Restructuring Act Carry Forward) General funds from the Budget and Control Board's Office of State Budget, Office of Research and Statistics, and Board of Economic Advisors shall be carried forward from the prior fiscal year into the current fiscal year and shall be allocated to the Revenue and Fiscal Affairs Office and the Executive Budget Office in accordance with the implementation of the South Carolina Restructuring Act of 2014.~~

93.30 DELETE (Budget and Control Board Approval) Requires any action taken by the Executive Budget Office to become effective only upon review and approval by the Budget and Control Board.

WMC: DELETE proviso. *The Executive Budget Office will be incorporated into Department of Administration in FY 2015-16 and B&C Board approval will no longer be needed. Act 121 of 2014 (Restructuring Act) transfers this authority to the Executive Budget Office effective 7/1/15.* Requested by Department of Administration.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~93.30. (DOA: Budget and Control Board Approval) Any action taken during Fiscal Year 2014-15 by the Executive Budget Office as the result of a function, duty, authority, or responsibility transferred to or devolved upon the Executive Budget Office by this act, which previously, either by proviso or permanent law, rested with the Budget and Control Board, shall be effective only upon review and approval of the Budget and Control Board. The board's review and approval function pursuant to this provision may be accomplished by a delegation to the appropriate department, division, or office of the board.~~

93.31 ADD (Holidays) **WMC:** ADD new proviso to direct that when a legal South Carolina holiday falls on a Sunday, the holiday shall be observed on the following Monday and when it falls on a Saturday, the holiday shall be observed on the preceding Friday. Authorize the State Human Resources Director to designate when the legal holiday will be observed by state employees if the following Monday or preceding Friday are also legal holidays. Direct that if New Year's Day falls on a Saturday it must be observed on the following Monday. Requested by Department of Administration.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

93.31. (DOA: Holidays) When a legal holiday specified in Section 53-5-10 of the 1976 Code falls on Sunday, the following Monday and when a holiday specified in that section falls on Saturday, the preceding Friday next preceding is deemed a public holiday for all of the purposes. If either the following Monday or the preceding Friday is also a legal holiday, then the State Human Resources Director will designate the day upon which the legal holiday will be observed by state employees. To insure that no more than the legal holidays specified in Section 53-5-10 are observed in the calendar year, a New Year's Day that falls on Saturday must be observed on the following Monday. All bills of exchange, checks, and promissory notes which would

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otherwise be presentable for acceptance or payment on a Monday or Friday observed as a holiday pursuant to this section are deemed presentable for acceptance or payment on the secular or business day succeeding the holiday.

- 93.32** **ADD** (Nuclear Advisory Council) **WMC:** ADD new proviso to require the Office of Regulatory Staff to reimburse the Department of Administration for the Governor's Nuclear Advisory Council travel expenses from the SC Energy Office's radioactive waste funds. *The Energy Office currently provides staff support and processes travel and per diem payments for the Advisory Council through radioactive waste disposal funds. Effective 7-1-15, the Energy Office is transferred from the B&C Board to the Office of Regulatory Staff and the Nuclear Advisory Council is transferred to DOA. It is requested to continue the use of radioactive waste funds within the Energy Office to support the Nuclear Advisory Council.* Requested by Department of Administration.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

93.32. (DOA: Nuclear Advisory Council) The Office of Regulatory Staff shall reimburse the Department of Administration for travel expenses associated with the Governor's Nuclear Advisory Council from the SC Energy Office's radioactive waste funds.

SECTION 95 - E04-OFFICE OF THE LIEUTENANT GOVERNOR

- 95.8** **DELETE** (Home and Community Based Services Unit Rates) Directs the Office on Aging to develop a plan by December 31, 2014, to implement a uniform pricing schedule for Home and Community Based Services unit rates and to provide the plan to the Chairmen of the House Ways and Means and Senate Finance Committees.

WMC: DELETE proviso. *Plan has been submitted.* Requested by Lieutenant Governor's Office.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~95.8. (LTG: Home and Community Based Services Unit Rates) The Office on Aging shall develop a plan by December 31, 2014, to implement a uniform pricing schedule for Home and Community Based Services unit rates. The plan shall be provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee.~~

- 95.9** **ADD** (Caregivers Carry Forward) **WMC:** ADD new proviso to authorize funds appropriated for "caregivers" to be carried forward and used for the same purpose. Requested by Lieutenant Governor's Office.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

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95.9. (LTG: Caregivers Carry Forward) Unexpended funds from appropriations to the Lieutenant Governor's Office on Aging for caregivers shall be carried forward from the prior fiscal year and used for the same purpose.

SECTION 97 - E12-OFFICE OF COMPTROLLER GENERAL

97.3 AMEND (Payroll Deduction Processing Fee) Authorizes the Comptroller General to charge a fee of not more than 20 cents for processing certain payroll deductions and to retain and expend the revenue to support the operations of the office. Exempts charitable deductions from the charge. Authorizes any unexpended funds to be carried forward and used for the same purpose. **WMC:** AMEND proviso change "20-7-1315(F)(3)" to "63-17-1460(C)." *Former code cite for the Children's Code was repealed and replaced.* Requested by Office of Comptroller General.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

97.3. (CG: Payroll Deduction Processing Fee) There shall be a fee for processing payroll deductions, not to exceed twenty cents, for insurance plans, credit unions, deferred compensation plans, benefit providers, and professional associations per deduction per pay day. This fee shall not be applied to charitable deductions. The revenues generated from these fees and those provided for child support deductions in accordance with Section ~~20-7-1315(F)(3)~~ 63-17-1460(C), South Carolina Code of Laws, 1976, as amended, may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and utilized for the same purposes.

SECTION 98 - E16-OFFICE OF STATE TREASURER

98.7 AMEND (Withheld Accommodations Tax Revenues) Directs that accommodations tax revenues withheld for noncompliance of authorized expenditures prior to July 1, 2006, must be returned to the entity in the same amount and manner they were withheld. Directs that before revenues withheld after July 1, 2006, are reallocated the Tourism Expenditure Review Committee must certify to the State Treasurer that the appeal period has expired or that the Administrative Law Judge Division has upheld or overturned the committee's action. Provides for withheld noncompliant expenditures and penalties to be annually reallocated after August 1st and provides a calculation methodology. **WMC:** AMEND proviso to delete reference to revenues withheld prior to July 1, 2006. *Those funds have been returned.* Requested by State Treasurer's Office.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

98.7. (TREAS: Withheld Accommodations Tax Revenues) ~~Revenues withheld pursuant to Sections 6-4-35(B)(1)(a) and (b) prior to July 1, 2006 must be returned to the entity from which revenues were withheld, in the same amount and manner that they were withheld. After July 1, 2006, before~~ Before noncompliant expenditures and penalties withheld pursuant to Sections 6-4-35(B)(1)(a) and (b) are reallocated, the Tourism Expenditure Review Committee must certify to the Office of State Treasurer that the time period for an appeal of the committee's action to the

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Administrative Law Court has expired or that the action of the committee has been upheld or overturned by the Administrative Law Court. Noncompliant expenditures and penalties withheld must be reallocated annually after August first. Allocations withheld must be reallocated proportionately based on the most recent completed fiscal year's total statewide collections of the accommodations tax revenue according to the Office of State Treasurer records. Each annual reallocation of withheld funds to non-offending counties and municipalities must be calculated separately then combined if necessary. Each reallocation to a county or municipality calculated less than a dollar must be transferred to the General Fund of the State.

SECTION 99 - E19-RETIREMENT SYSTEM INVESTMENT COMMISSION

- 99.1 AMEND** (Retirement Investment Commission Audit) Suspends, for FY 2014-15, the requirement that the Inspector General employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission and directs any savings from not conducting the audit be used to conduct the required PEBA audit.

WMC: AMEND proviso to update fiscal year reference to "2015-16."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

99.1. (RSIC: Retirement Investment Commission Audit) For Fiscal Year ~~2014-15~~ 2015-16, the provisions of Section 9-16-380 requiring the Inspector General to employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission as required by Section 9-16-380 of the 1976 Code shall be suspended. Any savings generated by not conducting the audit shall be used to conduct audits required by Section 9-4-40 of the 1976 Code.

- 99.3 ADD** (Administrator Retention) **WMC:** ADD new proviso to direct the Retirement System Investment Commission to retain 25% of the annual amount invoiced for its 3rd party administrator system to ensure the system's performance. Require the funds be held in a retainage account and direct that they can only be distributed after satisfactory performance has been verified by the Investment Commission and Procurement Services. Authorize undistributed funds to be carried forward and used for the same purpose. Requested by Retirement System Investment Commission.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

99.3. *(RSIC: Administrator Retention) The Retirement System Investment Commission shall retain twenty-five percent of the annual amount invoiced for its third-party administrator system for the purpose of ensuring the performance of the third-party administrator. The funds must be held in a retainage account and may only be distributed after verification of satisfactory performance by the Investment Commission and Procurement Services pursuant to the service agreement with the third-party administrator. All undistributed funds in the retainage account may be carried forward from the prior fiscal year and used for the same purpose.*

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SECTION 100 - E24-OFFICE OF ADJUTANT GENERAL

- 100.13 AMEND** (Emergency Commodities) Allows the Emergency Management Division to rotate and replace water and MREs, housed at the state’s logistics center, through commodities to neighboring states, counties municipalities or state agencies.
WMC: AMEND proviso to include “other essential” commodities in the rotation and replacement authorization. *Expands emergency commodities to include other essential items such as blue tarps, sand bags, toilet paper, and other life care products.* Requested by Adjutant General’s Office.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

100.13. (ADJ: Emergency Commodities) The Emergency Management Division shall be allowed to rotate and replace water, ~~and Meals Ready to Eat (MREs),~~ *and other essential* emergency commodities housed in the state’s Logistic Center through the provision of said commodities to neighboring states, counties, municipalities and other state agencies, and shall be allowed to accept compensation for said commodities not to exceed replacement costs. Revenues from this exchange shall be utilized solely for the replacement of state emergency commodities.

SECTION 101 - E28-ELECTION COMMISSION

- 101.1 AMEND** (~~County Registration Board and County Election Commission~~ *Boards of Voter Registration and Elections* Compensation) Authorizes compensation for each county registration board and county election commission member at the rate of \$1,500 annually and limits each county to \$12,500 per year for purposes of commission member supplement. Exempts funds appropriated for this purpose from budget reductions.
WMC: AMEND proviso to change references to “County Registration Board Members and County Election Commissioners” to “County Boards of Voter Registration and Elections.” *Name change conforms to Act 196 of 2014 which combined all boards of voter registration and elections.* Requested by Election Commission.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

101.1. (ELECT: ~~County Registration Board and County Election Commission~~ *Boards of Voter Registration and Elections* Compensation) The amounts appropriated in this section for “~~County Registration Board Members and County Election~~ *Boards of Voter Registration and Elections* Commissioners,” shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed \$12,500 per county. The County Treasurer shall use these funds only for the compensation of ~~County Registration Board Members and County Election~~ *Boards of Voter Registration and Elections* Commissioners. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for compensation of ~~County Registration Board Members and County Election~~

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Boards of Voter Registration and Elections Commissioners shall be excluded from the agency's base budget.

- 101.2** **AMEND** (Elections Managers & Clerks Per Diem) Authorizes per diem of \$60 per day for poll managers not to exceed two days per election and for clerks not to exceed three days per election. For statewide elections, allows commission to adjust per diem to the extent the appropriation is sufficient to cover the cost. Allows for up to three additional managers to be appointed to assist county registration boards in the absentee/fail safe process at a rate of \$60 per day for no more than a total of fifteen days.
- WMC:** AMEND proviso to change references to "county registration board(s)" to "county boards of voter registration and elections." *Name change conforms to Act 196 of 2014 which combined all boards of voter registration and elections.* Requested by Election Commission.
- HOU:** ADOPT proviso as amended.
- SFC:** ADOPT proviso as amended.
- SEN:** ADOPT proviso as amended.
- SAME IN BOTH VERSIONS.**

101.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of \$60.00; but managers shall not be paid for more than two days for any election and clerks for not more than three days for any election. The commission may adjust the per diem of \$60.00 for the managers and clerks of the statewide election to a higher level only to the extent that the appropriation for the statewide election is sufficient to bear the added cost of increasing the per diem and the cost of the statewide election. Up to three additional managers per county may be appointed to assist ~~county registration boards~~ county boards of voter registration and elections with the absentee/fail safe voting process prior to, on Election Day, and immediately following statewide elections. Managers assisting the ~~registration board~~ county boards of voter registration and elections in the absentee/fail safe process may receive a per diem of \$60.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used.

- 101.7** **AMEND** (Training & Certification Program) Requires all members and staff of County Boards of Voter Registration and County Election Commissions to receive a common curriculum of courses on their duties and responsibilities. Allows the Election Commission to charge a fee for the courses and to retain up to \$35,000 of the revenue to help cover the costs of providing the training. Allows unexpended funds to be retained, carried forward and used for the same purpose. Requires the Election Commission to withhold member's stipends if they do not complete the required training and certification program and provides for member replacement for noncompliance.
- WMC:** AMEND proviso to change references to "county registration boards and county election commissions" to "county boards of voter registration and elections." Delete reference to Sections 7-5-35 and 7-13-70. *Name change and deletion of the code sections conforms to Act 196 of 2014 which combined all boards of voter registration and elections.* Requested by Election Commission.
- HOU:** ADOPT proviso as amended.
- SFC:** ADOPT proviso as amended.
- SEN:** ADOPT proviso as amended.
- SAME IN BOTH VERSIONS.**

101.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and ~~County Election Commissions~~ Elections will receive a common

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curriculum to include core courses on the duties and responsibilities of county *boards of voter* registration ~~boards~~ and ~~county election commissions~~ *elections* and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in ~~Sections~~ *Section* 7-5-10, ~~7-5-35~~ and ~~7-13-70~~ of the 1976 Code. Additionally, funds will also be withheld if a board or commission member completes the training and certification program, but fails to complete at least one training course per year. The board or commission member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board or commission member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board or commission member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board or commission member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board or commission.

101.13 DELETE (Voting Procedures Changes) Requires the Election Commission publish voting procedure changes enacted by state or local governments on its website; and for state and local governments to file a notice of any voting procedure change with the Election Commission. Requires changes to remain on the Election Commission's website at least through the next general election, however requires changes made within 3 months of the next general election to remain on the commission's website through the following general election.

WMC: DELETE proviso. *Requirements are contained in Act 196 of 2014.* Requested by Election Commission.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~101.13. (ELECT: Voting Procedures Changes) The State Election Commission shall publish on the commission's website each change to voting procedures enacted by State or local governments. State and local governments shall file notice of all changes in voting procedures, including but not limited to, changes to precincts with the State Election Commission upon adoption. All voting procedure changes must remain on the commission's website at least through the date of the next general election. However, if changes are made within three months prior to the next general election then the changes shall remain on the commission's website through the date of the following general election.~~

101.14 DELETE (Election and Referendum Dates Standardization) Directs the Election Commission to work with appropriate entities to develop a plan to standardize all election and ballot referendum dates across the state. Directs that the plan be submitted to the Chairmen of the Senate Finance, Senate Judiciary, House Ways and Means and House Judiciary Committees by January 13, 2015 for General Assembly approval.

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WMC: DELETE proviso. *Report has been submitted.* Requested by Election Commission.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

101.14. (ELECT: Election and Referendum Dates Standardization) ~~The Election Commission shall work with the appropriate entities to develop a plan to standardize all election and ballot referendum dates across the state. The plan shall include, but not be limited to, a cost benefit analysis and a proposed timeline for implementation. Every effort should be made such that all elections are held on the first Tuesday following the first Monday of November. The plan shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Senate Judiciary Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Judiciary Committee by January 13, 2015 for approval by the General Assembly.~~

SECTION 102 - E50-REVENUE AND FISCAL AFFAIRS OFFICE

102.5 **ADD** (E911 PSAPs) **HOU:** ADD new proviso to direct the Revenue and Fiscal Affairs Office to use E911 program funds to ensure that new plans or proposed amendments to existing plans maintain comprehensive coverage for the full Public Safety Answering Points area as well as improve cost effectiveness. Require new plans or amendments to include the written agreement of all affected jurisdictions as well as state and local level cost savings. Encourage Local Public Safety Answering Points to cooperate in finding ways to continue to improve cost effectiveness and efficiencies. Sponsor: Rep. Bingham
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.
SAME IN BOTH VERSIONS.

102.5. (RFAO: E911 PSAPs) The Revenue and Fiscal Affairs Office, utilizing the funds appropriated and or authorized herein for the E911 program, must ensure that any new plans or proposed amendments to existing plans maintain comprehensive coverage for the full Public Safety Answering Points area as well as improve cost effectiveness. No new plans or amendments may be considered by Revenue and Fiscal Affairs that do not include the written agreement of all jurisdictions affected by the new plan or proposed change as well as provide cost savings on the state and local level. Local Public Safety Answering Points are encouraged to cooperate to find ways to continue to improve cost effectiveness and efficiencies for all affected entities.

SECTION 104 - E55-STATE FISCAL ACCOUNTABILITY AUTHORITY

104.5 **AMEND** (Insurance Coverage for Aging Entity Authorized) Authorizes the Insurance Reserve Fund to provide insurance coverage for certain local aging entities. Directs that the IRF and the State shall not be liable for any coverage insufficiencies.
WMC: AMEND proviso to update fiscal year reference to "2015-16."
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

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104.5. (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for Fiscal Year ~~2014-15~~ 2015-16, is also authorized to offer insurance coverage to an aging entity and its employees serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve Fund and the State of South Carolina shall not be liable to any person or entity, including an insured, for any insufficiencies of coverage provided hereunder.

- 104.8** **ADD** (IT Planning Transfer) **WMC:** ADD new proviso to direct the State Fiscal Accountability Authority to transfer \$400,000 from information technology contract administration fees to the Department of Administration to support the state's IT planning program. Requested by State Fiscal Accountability Authority.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.
SAME IN BOTH VERSIONS.

104.8. (SFAA: IT Planning Transfer) The State Fiscal Accountability Authority shall transfer \$400,000 from revenue generated from contract administration fees on information technology contracts to the Department of Administration to support the state's information technology planning program.

SECTION 108 - F50-PUBLIC EMPLOYEE BENEFIT AUTHORITY

- 108.6** **AMEND** (FY ~~2015~~ 2016 State Health Plan) Directs that for the 2015 State Health Plan, employer premiums will increase 3.9%; subscriber premiums will not increase, and co-payments increases shall not exceed 9%. Authorizes PEBA to adjust the plan, benefits, or contributions during Plan Year 2015 to ensure the plan remains fiscally stable.
HOU2: AMEND House version to adopt Senate version. Sponsors: Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Pitts, Simrill, G.M. Smith, and Whitmire.
SFC: AMEND proviso to update plan year to 2016; direct that employer premiums will increase 4.5%, subscriber premiums will not increase, and co-payments shall not increase.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

108.6. (PEBA: FY ~~2015~~ 2016 State Health Plan) Of the funds authorized for the State Health Plan in Plan Year ~~2015~~ 2016 pursuant to Section 1-11-710(A)(2) of the 1976 Code, an employer premium increase of ~~3.9~~ 4.5 percent and a subscriber premium increase of zero percent for each tier (subscriber, subscriber/spouse, subscriber/children, full family) will result for the standard State Health Plan in Plan Year ~~2015~~ 2016. ~~Co-payment increases~~ Co-payments for participants of the State Health Plan in Plan Year ~~2015~~ 2016 shall not ~~exceed nine percent~~ be increased. Notwithstanding the foregoing, pursuant to Section 1-11-710(A)(3), the Public Employee Benefit Authority may adjust the plan, benefits, or contributions of the State Health Plan during Plan Year ~~2015~~ 2016 to ensure the fiscal stability of the Plan.

- 108.10** **DELETE** (Pharmacy Benefit Manager Audit) Directs PEBA to have a detailed report and an independent audit prepared by September 1, 2014 on its contract with Catamaran for Pharmacy Benefit Manager services to ensure fair and equitable reimbursement practices are being followed. Requires the independent auditor to have experience in conducting Pharmacy Benefit Manager Service Audits.

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WMC: DELETE proviso. *Report has been submitted.* Requested by Public Employee Benefit Authority.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~108.10. (PEBA: Pharmacy Benefit Manager Audit) By September 1, 2014, the Public Employee Benefit Authority shall have prepared a detailed report and have prepared an independent audit of its contract with Catamaran for Pharmacy Benefit Manager services to ensure, among other things, that fair and equitable reimbursement practices are being followed. The independent auditor must have experience in conducting Pharmacy Benefit Manager services audits.~~

108.11 **DELETE** (Litigation Review) Requires PEBA submit a report to the Chairmen of the Senate Finance and House Ways and Means Committees by December 1, 2014 on the settlement between the State and the Bank of New York Mellon that provides review and comment on the settlement benefits for state employees and retirees.

WMC: DELETE proviso. *Report has been submitted.* Requested by Public Employee Benefit Authority.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~108.11. (PEBA: Litigation Review) The Public Employee Benefit Authority shall submit to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, no later than December 1, 2014, a report on the settlement between the State of South Carolina and the Bank of New York Mellon that provides review and comment upon the benefits of the settlement for the employees and retirees of South Carolina. In conducting the review and preparing the report, the Public Employee Benefit Authority may use appropriated or available funds as necessary to retain independent expert assistance, including legal counsel of its choosing.~~

108.12 **DELETE** (Self-Insured Group Health Benefits Plan) Directs that effective January 1, 2015, the self-insured group health benefits plan for state employees and retirees administered by PEBA shall reimburse pharmacies that participate in the State Health Plan's retail pharmacy network on an equal and uniform per-product basis whether the network is established via direct contract with the State Health Plan or via an authorized pharmacy benefit manager.

WMC: DELETE proviso. *Pricing for pharmacy was resolved with an amendment to the contract with the pharmacy benefit manager.* Requested by Public Employee Benefit Authority.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~108.12. (PEBA: Self-Insured Group Health Benefits Plan) Effective January 1, 2015, the self insured group health benefits plan for state employees and retirees established under Section 1-11-710 et seq. (the State Health Plan) and administered by the Public Employee Benefit Authority pursuant to Section 9-4-10 et seq. (PEBA) shall reimburse all pharmacies participating~~

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~~in the State Health Plan's retail pharmacy network on an equal and uniform per product basis. This requirement applies whether the network is established via direct contract with the State Health Plan or via an authorized pharmacy benefit manager.~~

SECTION 109 - R44 - DEPARTMENT OF REVENUE

- 109.11 ADD** (Governmental Debt Offset Program) **WMC:** ADD new proviso to authorize the Department of Revenue to contract with technology entities to establish a debt offset program to allow non-tax payments to be used to offset governmental debt. Authorize the department to retain sufficient revenue from the proceeds received from the program to offset its administrative costs and to pay for the contractual costs to establish and operate the program. Direct that remaining revenue received be deposited into the general fund.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

109.11. (DOR: Governmental Debt Offset Program) The Department of Revenue is authorized to contract with technology entities to provide the necessary capabilities to establish a debt offset program to allow non-tax payments to be used to offset governmental debt. Out of the proceeds received, the department shall retain its administrative costs and shall pay for the contractual costs to establish and operate the program. Remaining revenue shall be deposited into the General Fund of the State.

- 109.12 ADD** (Carry Forward - Identity Theft and Protection Services) **HOU:** ADD new proviso to authorize DOR to carry forward funds appropriated for Identity and Credit Protection Services and to use the funds for the same purpose. Sponsor: Rep. Simrill.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

109.12. (DOR: Carry Forward - Identity Theft and Protection Services) The funds appropriated in Act 298 of 2014, Section 1, Item (2) R44 Department of Revenue Identity and Credit Protection Services shall be carried from the prior fiscal year into the current fiscal year and used for the same purpose.

- 109.13 ADD** (Angel Investors) **HOU:** ADD new proviso to direct DOR to establish a schedule for investors pursuing credits provided for in Chapter 44 of Title 11 [HIGH GROWTH SMALL BUSINESS JOB CREATION ACT] that include the submission of applications until July 31, 2015 or the date the credit cap is reached as determined by DOR, whichever is earlier. Sponsor: Rep. Simrill.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

109.13. (DOR: Angel Investors) The Department of Revenue shall use funds authorized by this act to establish a schedule for investors pursuing credits provided for in Chapter 44 of Title 11, of the 1976 Code, that includes the ability to submit applications until July 31, 2015, or the date the credit cap is reached as determined by the department, whichever is earlier.

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SECTION 113 - X22-AID TO SUBDIVISIONS, STATE TREASURER

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

WMC: AMEND proviso to update fiscal year references to “2015-16.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

113.2. (AS-TREAS: Quarterly Distributions) For Fiscal Year ~~2014-15~~ 2015-16, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with the four distributions together totaling the Fiscal Year ~~2014-15~~ 2015-16 Part IA appropriation for the Local Government Fund.

113.5 **AMEND** (LGF) Suspends Sections 6-27-30 [FUNDING OF LOCAL GOVERNMENT FUND FROM GENERAL FUND REVENUES] and 6-27-50 [RESTRICTIONS ON AMENDMENT OR REPEAL OF CHAPTER] for Fiscal Year 2014-15.

WMC: AMEND proviso to update fiscal year reference to “2015-16.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

113.5. (AS-TREAS: LGF) For Fiscal Year ~~2014-15~~ 2015-16, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

113.7 **AMEND** (Political Subdivision Flexibility) Authorizes political subdivisions that receive Local Government Fund monies to reduce the amount of support they provide to any state mandated program or requirement up to the percentage their Local Government Fund appropriation has been reduced compared to the amount required to be funded by law, but excludes the court system from the reductions.

WMC: AMEND proviso to update fiscal year reference to “2015-16.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

113.7. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year ~~2014-15~~ 2015-16, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters-in-Equity and their offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices.

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SECTION 117 - X90-GENERAL PROVISIONS

117.2 **AMEND** (Appropriations From Funds) Directs that funds appropriated from the General Fund, EIA Fund, Highways and Public Transportation Fund and other applicable funds are to meet the ordinary expenses of the State for FY 2014-15.

WMC: AMEND proviso to update fiscal year reference to “2015-16.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.2. (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part, if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways and Public Transportation Fund, and other applicable funds, to meet the ordinary expenses of the state government for Fiscal Year ~~2014-15~~ 2015-16, and for other purposes specifically designated.

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

WMC: AMEND proviso to update fiscal year references from “2014” to “2015;” “2015” to “2016;” and “2013” to “2014.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.3. (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, “current fiscal year” means the fiscal year beginning July 1, ~~2014~~ 2015, and ending June 30, ~~2015~~ 2016, and “prior fiscal year” means the fiscal year beginning July 1, ~~2013~~ 2014, and ending June 30, ~~2014~~ 2015.

117.20 **AMEND** (Travel - Subsistence Expenses & Mileage) Provides travel and subsistence guidelines.

WMC: AMEND proviso to change references to “State Fiscal Accountability Authority” to the “Office of the Comptroller General” in subsections (A), (K), and (M). *Guidelines are published by the Comptroller General.* Requested by State Fiscal Accountability Authority.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.20. (GP: Travel - Subsistence Expenses & Mileage) Travel and subsistence expenses, whether paid from state appropriated, federal, local or other funds, shall be allowed in accordance with the following provisions:

(A) Unless otherwise provided in paragraphs B through H of this section, all employees of the State of South Carolina or any agency thereof including employees and members of the governing bodies of each technical college while traveling on the business of the State shall, upon presentation of a paid receipt, be allowed reimbursement for actual expenses incurred for lodging, not to exceed the current maximum lodging rates, excluding taxes, established by the U.S. General Services Administration. The lodging reimbursement for employees of a school district

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must also conform to these rates when that employee's travel reimbursement is paid by state funds that are transferred to the school district. Agencies may contract with lodging facilities to pay on behalf of an employee. Failure to maintain proper control of direct payments for lodging may result in the revocation of the agency's authority by the Comptroller General or the State Auditor. The employee shall also be reimbursed for the actual expenses incurred in the obtaining of meals except that such costs shall not exceed \$25 per day within the State of South Carolina. For travel outside of South Carolina the maximum daily reimbursement for meals shall not exceed \$32. Agencies may contract with food or dining facilities to pay for meals on behalf of employees in accordance with rules and regulations established by the ~~State Fiscal Accountability Authority~~ Office of Comptroller General. It shall be the responsibility of the agency head to monitor the charges for lodging which might be claimed by his employees in order to determine that such charges are following maximum lodging rates as established by the U.S. General Services Administration. Any exceptions must have the written approval of the agency head, taking into consideration location, purpose of travel or other extenuating circumstances. The provisions of this item shall not apply to Section 42-3-40 of the 1976 Code, and when pertaining to institutions of higher learning, for travel paid with funds other than General Funds.

(B) That employees of the State, when traveling outside the United States, Canada, and Puerto Rico upon promotional business for the State of South Carolina shall be entitled to actual expenses for both food and lodging.

(C) The Governor, Lieutenant Governor, Secretary of State, Comptroller General, Attorney General, State Treasurer, Adjutant General, Superintendent of Education and the Commissioner of Agriculture shall be reimbursed actual expenses for subsistence.

(D) Non-legislative members of committees appointed pursuant to Acts and Resolutions of the General Assembly whose membership consists solely of members of the General Assembly or members of the General Assembly and other personnel who are not employees of the State of South Carolina shall be allowed subsistence expenses of \$35 per day while traveling on official business, unless otherwise designated by law. Members of such committees may opt to receive actual expenses incurred for lodging and actual expenses incurred in the obtaining of meals in lieu of the allowable subsistence expense.

(E) Members of the state boards, commissions, or committees whose duties are not full-time and who are paid on a per diem basis, shall be allowed reimbursement for actual expenses incurred at the rates provided in paragraph A and I of this section while away from their places of residence on official business of the State. One person accompanying a handicapped member of a state board, commission, or committee on official business of the State shall be allowed the same reimbursement for actual expenses incurred at the rates provided in paragraph A through I of this section.

(F) No subsistence reimbursement shall be allowed to a Justice of the Supreme Court or Judge of the Court of Appeals while traveling in the county of his official residence. When traveling on official business of said court within fifty miles outside the county of his official residence, a Supreme Court Justice and a Judge of the Court of Appeals shall be allowed subsistence expenses in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. When traveling on official business of said court fifty or more miles outside the county of his official residence, each Justice and Judge of the Court of Appeals shall be allowed subsistence expenses in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State. The Chief Justice, or such other person as the Chief Justice designates, while attending the Conference of Chief Justices and one member of the Supreme Court while attending the National Convention of Appellate Court Judges, and three Circuit Judges while attending the National Convention of State Trial Judges shall be allowed actual subsistence and travel expenses.

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Upon approval of the Chief Justice, Supreme Court Justices, Judges of the Court of Appeals, Circuit Judges, and Family Court Judges shall be reimbursed for actual expenses incurred for all other official business requiring out-of-state expenses at the rate provided in paragraph A of this section.

(G) No subsistence reimbursements are allowed to a Circuit Judge, a Family Court Judge, or an Administrative Law Judge while holding court within the county in which he resides. While holding court or on other official business outside the county, within fifty miles of his residence, a Circuit Court Judge, Family Court Judge, or an Administrative Law Judge is entitled to a subsistence allowance in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a location fifty miles or more from his residence, a Circuit Court, Family Court or Administrative Law Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State.

(H) Any retired Justice, Circuit Court Judge or Family Court Judge or Master-in-Equity appointed by the Supreme Court to serve as a Special Circuit Judge, Family Court Judge, Appeals Court Judge, or Acting Associate Justice shall serve without pay but shall receive the same allowance for subsistence, expenses, and mileage as provided in Part I for Circuit Court Judges.

(I) No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed except as provided in paragraph E, of this section. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities or sections of the State, expenses may be allowed for the necessary travel to his official headquarters. The members of the Workers' Compensation Commission may be reimbursed at the regular mileage rate of one round trip each week from their respective homes to Columbia. No subsistence reimbursement shall be allowed to a member of the Workers' Compensation Commission while traveling in the county of his official residence. When traveling on official business of the commission outside the county of his official residence, a member of the Workers' Compensation Commission shall be allowed subsistence expenses in the amount of \$35 per day. When traveling on official business of the commission fifty or more miles outside the county of his official residence, each member shall be allowed a subsistence allowance in the amount as provided in this act for members of the General Assembly. When out-of-state, members of the Workers' Compensation Commission and the members of the Appellate Panel of the Department of Employment and Workforce may claim the established amount of per diem, as stated in the General Appropriation Act, or actual expenses as deemed reasonable by the Comptroller General. The members of the Appellate Panel of the Department of Employment and Workforce may be reimbursed at the regular mileage rate when the member is on official business fifty miles or more outside of Columbia. The members of the Appellate Panel of the Department of Employment and Workforce shall be allowed subsistence allowance in the amount as provided in this act for members of the General Assembly when the member is on official business fifty miles or more outside of Columbia.

(J) When an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge to equal the standard business mileage rate as established by the Internal Revenue Service will be allowed for the use of such automobile and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. Whenever state provided motor pool vehicles are reasonably available and their use is practical and an employee of the State shall request for his own benefit to use his or her personal vehicle in traveling on necessary official business, a charge of four cents per mile less than the standard business mileage rate as established by the Internal Revenue Service will be allocated for the use

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of such vehicle and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof but no mileage will be allowed. Agencies and employees are directed to use state fueling facilities to the maximum extent possible, when such use is cost beneficial to the State. When using commercial fueling facilities, operators of State-owned vehicles are directed to use self-service pumps. In traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules and like factors.

Mileage between an employee's home and his/her place of employment is not subject to reimbursement. However, when an employee leaves on a business trip directly from his/her home, and does not go by the employee's headquarters, the employee shall be eligible for reimbursement for actual mileage beginning at his/her residence.

(K) That a state agency may advance travel and subsistence expense monies to employees of that agency for the financing of ordinary and necessary travel required in the conducting of the business of the agency. The ~~State Fiscal Accountability Authority~~ *Office of Comptroller General* is directed to develop and publish rules and regulations pertaining to the advancing of travel expenses and no state agency shall make such advances except under the rules and regulations as published. All advances for travel and subsistence monies shall be repaid to the agency within thirty days after the end of the trip or by July fifteenth, whichever comes first.

(L) That the state institutions of higher learning are authorized to reimburse reasonable relocation expenses for new employees when such reimbursements are considered by the agency head to be essential to successful recruitment of professionally competent staff members.

(M) The ~~State Fiscal Accountability Authority~~ *Office of Comptroller General* is authorized to promulgate and publish rules and regulations governing travel and subsistence payments.

(N) No state funds may be used to purchase first class airline tickets.

117.27 AMEND (School Technology Initiative) Provides for the administration of K-12 technology initiative funds.

WMC: AMEND proviso to delete the authorization for the funds to also be used for interactive online music curriculum and access site license to all elementary schools at a cost of up to \$545,000 and that connects the learning of music with other content areas including reading, mathematics, science and history. *See new EIA proviso 1A.70.* Requested by Education Oversight Committee.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.27. (GP: School Technology Initiative) From the funds appropriated/authorized for the K-12 technology initiative, the Department of Education, in consultation with the Department of Administration, the State Library, the Educational Television Commission, and a representative from the Education Oversight Committee, shall administer the K-12 technology initiative funds. These funds are intended to provide technology, encourage effective use of technology in K-12 public schools throughout the state, conduct cost/benefit analyses of the various technologies, and should, to the maximum extent possible, involve public-private sector collaborative efforts. Funds may also be used to establish pilot projects for new technologies ~~including interactive online music curriculum that provides lesson plans, songs, videos music lessons, on-line virtual~~

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~~world, auto assessments, and access site license to all elementary schools at a cost not to exceed \$545,000 and that connects the learning of music with other content areas including reading, mathematics, science and history with selected school districts as part of the evaluation process. K-12 technology initiative funds shall be retained and carried forward to be used for the same purpose.~~

117.51 RESTORE ORIGINAL PROVISO (Assessment Audit / Crime Victim Funds) Requires the State Auditor to notify the State Office of Victim Assistance if the Auditor's Office finds any county or municipal treasurer, county clerk of court, magistrate or municipal court has not properly allocated revenue from court fines, fines, and assessments to the crime victim funds or if they have not properly spent those funds.

SFC: AMEND proviso to direct the Victim Services Coordinating Council to also authorize municipalities that collect crime victim funds to use those funds to purchase and maintain a body-worn camera system for each funded sworn officer position within its police department.

SEN: AMEND proviso to delete the previous amendment and restore original proviso. Sponsor: Sen. Sheheen.

SAME IN BOTH VERSIONS.

117.51. (GP: Assessment Audit / Crime Victim Funds) If the State Auditor finds that any county treasurer, municipal treasurer, county clerk of court, magistrate, or municipal court has not properly allocated revenue generated from court fines, fines, and assessments to the crime victim funds or has not properly expended crime victim funds, pursuant to Sections 14-1-206(B)(D), 14-1-207(B)(D), 14-1-208(B)(D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Office of Victim Assistance. The State Office of Victim Assistance is authorized to conduct an audit which shall include both a programmatic review and financial audit of any entity or nonprofit organization receiving victim assistance funding based on the referrals from the State Auditor or complaints of a specific nature received by the State Office of Victim Assistance to ensure that crime victim funds are expended in accordance with the law. Guidelines for the expenditure of these funds shall be developed by the Victim Services Coordinating Council. The Victim Services Coordinating Council shall develop these guidelines to ensure any expenditure which meets the parameters of Article 15, Chapter 3, Title 16 is an allowable expenditure. Any local entity or nonprofit organization that receives funding from revenue generated from crime victim funds is required to submit their budget for the expenditure of these funds to the State Office of Victim Assistance within thirty days of the budget's approval by the governing body of the entity or nonprofit organization. Failure to comply with this provision shall cause the State Office of Victim Assistance to initiate a programmatic review and a financial audit of the entity's or nonprofit organization's expenditures of victim assistance funds. Additionally, the State Office of Victim Assistance will place the name of the noncompliant entity or nonprofit organization on their website where it shall remain until such time as they are in compliance with the terms of this proviso. Any entity or nonprofit organization receiving victim assistance funding must cooperate and provide expenditure/program data requested by the State Office of Victim Assistance. If the State Office of Victim Assistance finds an error, the entity or nonprofit organization has ninety days to rectify the error. An error constitutes an entity or nonprofit organization spending victim assistance funding on unauthorized items as determined by the State Office of Victims Assistance. If the entity or nonprofit organization fails to cooperate with the programmatic review and financial audit or to rectify the error within ninety days, the State Office of Victim Assistance shall assess and collect a penalty in the amount of the unauthorized expenditure plus \$1,500 against the entity or nonprofit organization for improper expenditures. This penalty plus \$1,500 must be paid within thirty days of the notification by the State Office of Victim Assistance to the entity or

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nonprofit organization that they are in noncompliance with the provisions of this proviso. All penalties received by the State Office of Victim Assistance shall be credited to the General Fund of the State. If the penalty is not received by the State Office of Victim Assistance within thirty days of the notification, the political subdivision will deduct the amount of the penalty from the entity or nonprofit organization's subsequent fiscal year appropriation.

117.56 AMEND (FEMA Flexibility) Allows any state share of funds which are used for a federally declared disaster to be carried forward and used for the same purpose by the Emergency Management Division in the event of additional federally declared disasters. Authorizes the State Fiscal Accountability Authority to borrow from any internal accounts if necessary to maximize federal matching funds through EMD; and requires the borrowing be reported to the General Assembly within 5 days. Directs the General Assembly to replenish any borrowed funds as soon as practicable.

WMC: AMEND proviso to allow the carried forward funds to also be used during a Governor's state of emergency to supplement existing Emergency Management Division state appropriations and direct that the Governor will allocate the funds after the event based on the recommendation of the Adjutant General and the Director of the Emergency Management Division. *Flexibility is needed to have funds available in the event of state emergencies such as the 2014 ice storms.* Requested by Adjutant General's Office.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.56. (GP: FEMA Flexibility) Any appropriation designated as the state share for a federally declared disaster may be carried forward and used for the same purpose by the Emergency Management Division of the Adjutant General's Office in the event of additional federally declared disasters. Unallocated funds from established state accounts may be used as the state share in any federally declared disaster. ~~Such funds may not be expended for any purpose other than for the state share for a federally declared disaster.~~ *These funds may also be used during a Governor's state of emergency to augment existing state appropriations of the South Carolina Emergency Management Division (SCEMD). When these funds are used during a Governor's state of emergency, the allocation of those funds following the event will be determined by the Governor based on the recommendation of the Adjutant General and the Director of the South Carolina Emergency Management Division.*

In the event there is a federally declared disaster and state match funds are unavailable, the State Fiscal Accountability Authority may borrow from any internal account or accounts necessary to maximize federal matching funds through the Emergency Management Division. Any such borrowing must be reported to the General Assembly within five days. Funds borrowed from accounts shall be replenished by the General Assembly as soon as practicable.

117.62 DELETE (LightRail) Establishes the LightRail project at Clemson University, MUSC, and USC-Columbia and exempts the project from the oversight and project management regulations of the Department of Administration. Stipulates that LightRail must not carry commercial or K-12 traffic originated in South Carolina and allows public or private organizations and entities to have access through formal documented partnerships with one or more of the three research universities. Requires an annual report to the General Assembly each year.

WMC: DELETE proviso. *Codified in Section 59-151-100.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

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SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~117.62. (GP: LightRail) Pursuant to this provision the three research universities: Clemson University, the Medical University of South Carolina, and the University of South Carolina-Columbia, are authorized and directed to plan, procure, administer, oversee, and manage all functions associated with the South Carolina LightRail and are thereby exempt from the oversight and project management regulations of the Department of Administration. South Carolina LightRail is an academic network for the use of the state's three research universities for the exchange of information directly related to their mission and must not carry commercial or K-12 traffic originated in South Carolina. For the current fiscal year, public or private organizations and entities may be provided access only through formal documented partnerships with one or more of the three research universities. On February first of the current fiscal year, the entity managing the network must submit to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee a report specifically identifying each entity with access to the network and any payment, including without limitation in kind payment, that each such organization and entity is making for access to the network.~~

117.73 AMEND (Printed Report Requirements) Directs that for Fiscal Year 2014-15, certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically. Waive the submission of certain reports.

WMC: AMEND proviso to update the fiscal year references to "2015-16."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.73. (GP: Printed Report Requirements) (A) For Fiscal Year ~~2014-15~~ 2015-16, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year ~~2014-15~~ 2015-16, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year ~~2014-15~~ 2015-16, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and shall instead only submit the documents electronically.

(D) For Fiscal Year ~~2014-15~~ 2015-16, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

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117.75 AMEND (Fines and Fees Report) Requires each state agency to publish on its website by September 1, a report of all aggregate amounts of fines and fees charged and collected by that state agency in the prior fiscal year and specifies the information to be included in the reporting. Requires the report also be delivered to the Chairmen of the Senate Finance and House Ways and Means Committees by September 1.

WMC: AMEND proviso to also require the amount of the fine or fee be listed.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.75. (GP: Fines and Fees Report) In order to promote accountability and transparency, each state agency must provide and release to the public via the agency's website, a report of all aggregate amounts of fines and fees that were charged and collected by that state agency in the prior fiscal year. The report shall include, but not be limited to: (1) the code section, regulation, or proviso that authorized the fines and fees to be charged, collected, or received; (2) *the amount of the fine or fee*; (3) the amount received by source; ~~(3)~~ (4) the purpose for which the funds were expended by the agency; (4) (5) the amount of funds transferred to the general fund, if applicable, and the authority by which the transfer took place; and ~~(5)~~ (6) the amount of funds transferred to another entity, if applicable, and the authority by which the transfer took place, as well as the name of the entity to which the funds were transferred. The report must be posted online by September first. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first. Funds appropriated to and/or authorized for use by each state agency shall be used to accomplish this directive.

117.82 AMEND (Deficit Monitoring) Provides procedures for the Executive Budget Office regarding quarterly deficit monitoring.

WMC: AMEND proviso to direct that if the Executive Budget Office or a state agency, department, or institution determines that it is likely that the state entity will run a deficit in the current fiscal year, the state entity must notify the General Assembly within 15 days of that determination and request EBO to work with them to develop a deficit avoidance plan. Direct EBO to report to the General Assembly within 15 days of the completion of the plan to either request the General Assembly to recognize the deficit or to advise how the deficit will be avoided based on the deficit avoidance plan. Authorize the General Assembly, by joint resolution, to make a finding that the cause or likelihood of a deficit is unavoidable due to factors which are outside the control of the state entity and recognize the deficit. Require deficit recognition to be in a separate joint resolution and require an affirmative vote of each branch of the General Assembly. Direct that if the deficit is recognized, it must be reduced from surplus revenues or surplus funds available at the close of the fiscal year in which the deficit occurs and from funds available in the General Reserve and Capital Reserve Funds. Require the state entity, once the General Assembly has recognized a deficit, to limit travel and conference attendance to that deemed essential by the entity's director. Authorize the General Assembly to direct that pay increases and equipment and vehicle purchases be approved by the Executive Budget Office once it has recognized a deficit. *Conforms to Act 121 of 2014 (Restructuring Act)*. Requested by Department of Administration.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

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117.82. (GP: Deficit Monitoring) It is the responsibility of each state agency, department, and institution to operate within the limits of its authorized appropriations. All agencies, departments, and institutions are to budget, allocate and manage its authorized appropriations in a way to avoid an operating deficit for the fiscal year. ~~If at the end of each quarterly deficit monitoring review by the Executive Budget Office, it is determined by either the Executive Budget Office or an agency that the likelihood of a deficit for the current fiscal year exists, the agency shall submit to the Executive Budget Office within fourteen days, a plan to minimize or eliminate the projected deficit. After submission of the plan, if it is determined that the deficit cannot be eliminated by the agency on its own, the agency is required to officially notify the Department of Administration within thirty days of such determination that the agency is requesting that a deficit be recognized. Once a deficit has been recognized by the Department of Administration, the agency shall limit travel and conference attendance to the minimum required to perform the core mission of the agency. In addition, the board when recognizing a deficit may direct that any pay increases and purchases of equipment and vehicles shall be approved by the Executive Budget Office.~~

If at the end of each quarterly deficit monitoring review by the Executive Budget Office, it is determined by either the Executive Budget Office or a state agency, department, or institution that the likelihood of a deficit for the current fiscal year exists, the state agency shall notify the General Assembly within fifteen days of this determination and shall further request the Executive Budget Office to work with it to develop a plan to avoid the deficit. Within fifteen days of the deficit avoidance plan being completed, the Executive Budget Office shall either request the General Assembly to recognize the deficit if it determines the deficit avoidance plan will not be sufficient to avoid a deficit or notify the General Assembly of how the deficit will be avoided based on the deficit avoidance plan if the Executive Budget Office determines the plan will be sufficient to avoid a deficit.

Upon notification from the Executive Budget Office that an agency will run a deficit and requesting that it be recognized, the General Assembly, by joint resolution, may make a finding that the cause of, or likelihood of, a deficit is unavoidable due to factors which are outside the control of the state agency, department, or institution, and recognize the deficit. Any legislation to recognize a deficit must be in a separate joint resolution enacted for the sole purpose of recognizing the deficit of a particular state agency, department, or institution. A deficit may only be recognized by an affirmative vote of each branch of the General Assembly.

If the General Assembly recognizes the deficit, then the actual deficit at the close of the fiscal year must be reduced as necessary from surplus revenues or surplus funds available at the close of the fiscal year in which the deficit occurs and from funds available in the General Reserve Fund and the Capital Reserve Fund, as required by the Constitution of this State.

Once a deficit has been recognized by the General Assembly, the state agency, department, or institution shall limit travel and conference attendance to that which is deemed essential by the director of the agency, department, or institution. In addition, the General Assembly, when recognizing a deficit may direct that any pay increases and purchases of equipment and vehicles must be approved by the Executive Budget Office.

- 117.84** **AMEND** (Bank Account Transparency and Accountability) Requires each state agency, except higher education institutions, which have composite reservoir bank accounts or other accounts that contain public funds which are not included in the Comptroller General's Statewide Accounting and Reporting System or the South Carolina Enterprise Information System to prepare a report on each account disclosing every transaction in the prior fiscal year and specifies what information is to be included. Directs that the report be submitted by October 1st each year. Provides for a reporting exemption to be granted, upon majority vote of the State Fiscal

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Accountability Authority, if the release of the information would be detrimental to the state or the agency.

WMC: AMEND proviso to delete reference to the “Statewide Accounting and Reporting System.” *The South Carolina Enterprise Information System (SCEIS) is the official book of record for the State.* Requested by Office of Comptroller General.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.84. (GP: Bank Account Transparency and Accountability) Each state agency, except state institutions of higher learning, which has composite reservoir bank accounts or any other accounts containing public funds which are not included in the Comptroller General’s ~~Statewide Accounting and Reporting System or the~~ South Carolina Enterprise Information System shall prepare a report for each account disclosing every transaction of the account in the prior fiscal year. The report shall be submitted to the State Fiscal Accountability Authority by October first of each fiscal year. The report shall include the name(s) and title(s) of each person authorized to sign checks or make withdrawals from each account, the name and title of each person responsible for reconciling each account, the beginning and year-end balance of funds in each account, and data related to both deposits and expenditures of each account. The report shall include, but not be limited to, the date, amount, and source of each deposit transaction and the date, name of the payee, the transaction amount, and a description of the goods or services purchased for each expenditure transaction. To facilitate review, the State Fiscal Accountability Authority shall prescribe a common format for the report which agencies must use. In order to promote accountability and transparency, a link to the report shall be posted on the Comptroller General’s website as well as the agency’s homepage.

When the State Auditor conducts or contracts for an audit of a state agency, accounts of the agency subject to this proviso must be included as part of the review.

If an agency determines that the release of the information required in this provision would be detrimental to the state or the agency, the agency may petition the State Fiscal Accountability Authority to grant the agency an exemption from the reporting requirements for the detrimental portion. The meeting to determine whether an exemption should be granted shall be closed. However, the exemption may only be granted upon a majority vote of the State Fiscal Accountability Authority in a public meeting.

117.90 **AMEND** (Funds Transfer to ETV) Requires funds appropriated to the DOA for Legislative & Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council for City and Council municipal training to be transferred to ETV during July of 2014 for them to continue to provide services as they were provided in the prior fiscal year.

WMC: AMEND proviso to update calendar year reference to “2015.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.90. (GP: Funds Transfer to ETV) In the current fiscal year funds appropriated in Part IA to the Department of Administration Section 93 for Legislative & Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council in Section 64 for State & Local Training of Law Enforcement, City and County municipal training

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services must be transferred to the Educational Television Commission (ETV) during July ~~2014~~ 2015 for the continuation of services as provided in the prior fiscal year.

- 117.103 DELETE** (First Steps Reauthorization) Reauthorizes First Steps for Fiscal Year 2014-15.
WMC: DELETE proviso. *First Steps has been reauthorized by separate legislation. Proviso no longer needed.*
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~117.103. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, is reauthorized for the duration of Fiscal Year 2014-15.~~

- 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.
WMC: AMEND proviso to allow the use of the aircraft provided they reimburse the division for all flight hours on an at cost basis using non-general funds. Direct that the Department of Commerce shall have first right of refusal in the event of scheduling conflicts with athletic recruiting flights.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

~~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 for all flight hours on an at cost basis, using non-general funds.~~

~~To ensure availability of the aircraft for purposes of economic development, the Department of Commerce shall have first right of refusal in the event of scheduling conflicts with athletic recruiting flights.~~

- 117.108 DELETE** (Fiduciary Audit) Requires PEBA to transfer \$700,000 to the Office of Inspector General for the hiring of a private audit firm to perform the required fiduciary audit on the authority.
WMC: DELETE proviso.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

~~117.108. (GP: Fiduciary Audit) Of the funds authorized for the Public Employee Benefit Authority, the authority shall transfer \$700,000 to the Office of Inspector General. The funds transferred shall be utilized by the Inspector General to employ a private audit firm to perform the fiduciary audit on the Public Employee Benefit Authority as required by Section 9-4-40 of the 1976 Code, as amended.~~

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117.114 AMEND (South Carolina Welcome Centers) Directs the Department of Parks, Recreation, and Tourism and the Department of Transportation to enter into a MOU to transfer control of all Welcome Centers to PRT on July 1, 2014 and specifies control of certain responsibilities. Directs DOT to transfer to PRT the amount of funds expended in the prior fiscal year for all items and for PRT to assume responsibility for and define the amount and timing of the transfer in the MOU. Directs that these funds be placed in a separate and distinct fund and authorizes these funds to be carried forward and used for the same purposes.

WMC: AMEND proviso to direct PRT and DOT to “maintain” a MOU that provides that PRT shall control operations of all SC Welcome Centers. Direct DOT to transfer \$3,313,560, less any state funds appropriated by the General Assembly for Welcome Centers, to PRT. Requested by Department of Parks, Recreation, and Tourism.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.114. (GP: South Carolina Welcome Centers) The Department of Parks, Recreation and Tourism and the Department of Transportation shall ~~enter into~~ *maintain* a Memorandum of Understanding (MOU) ~~which transfers control of all South Carolina Welcome Centers to the Department of Parks, Recreation and Tourism on July 1, 2014~~ *that provides that the Department of Parks, Recreation and Tourism shall control operations of all South Carolina Welcome Centers.* The MOU ~~at a minimum shall transfer to the Department of Parks, Recreation and Tourism control which includes, but is not limited to,~~ *include* replacement, renovation and maintenance of the facilities, daily operations, and grounds maintenance and upkeep and shall clearly define responsibility for additional portions of Welcome Centers to include, ~~but not be limited to,~~ paving and sidewalks. The Department of Transportation shall transfer to the Department of Parks, Recreation and Tourism the amount of ~~funds expended in the prior fiscal year for all items the~~ *\$3,313,560 less any state funds appropriated by the General Assembly for the same purpose.* ~~The~~ Department of Parks, Recreation and Tourism assumes responsibility for ~~and~~ this amount and the timing of the transfer of these funds shall be defined as part of the MOU. The funds transferred to the Department of Parks, Recreation and Tourism shall be placed in a separate and distinct fund and these funds shall be carried forward from the prior fiscal year into the current fiscal year and be expended for the same purposes.

117.117 DELETE (Information Technology Disaster Recovery Plan) Directs the Department of Administration to perform or issue a RFP to select a vendor to perform a study to develop recommendations for a statewide IT disaster recovery plan. Authorizes the department to use excess statewide employer contribution funds for the study. Directs that recommendations and estimated implementation costs be submitted to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by March 1, 2015. Excludes the Judicial and Legislative Departments, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies from the scope of the study.

WMC: DELETE proviso. *Report is due March 1, 2015.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

117.117. (GP: Information Technology Disaster Recovery Plan) ~~The Department of Administration shall perform, or issue a Request for Proposals (RFP) for purposes of selecting a~~

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~~vendor to perform, a study to develop recommendations for a statewide information technology disaster recovery plan. If the Department of Administration issues an RFP, the Executive Director shall designate a coordinator to work with the vendor chosen in the RFP process. If the Department of Administration performs the study, advice should be sought from private and public sector resources on best practices for disaster recovery management. In making recommendations, cloud backup technology, warm site locations (specifically including the Clemson University Data Center in Anderson, South Carolina), and hybrid data replication and backup solutions should be considered. The Department of Administration is authorized to use as funding for the study excess appropriations for the current fiscal year, as determined by the Executive Director of the Department of Administration, designated for statewide employer contributions for other statewide purposes. A report of recommendations and estimated costs for implementation of a statewide disaster recovery plan shall be submitted to the Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by March 1, 2015.~~

~~The Judicial Department, Legislative Department, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies shall not be included within the scope of the study commissioned by this proviso. The study shall consider the data protection needs of all other state agencies in developing recommendations and note any agency that should be excluded from participation in statewide disaster recovery management services.~~

117.118 AMEND (Information Technology and Information Security Plans) Requires all state agencies to submit an information technology plan and an information security plan for FY 2014-15 to the Department of Administration by October 1, 2014; to submit updates to the plan if changes are made after initial submission; and specifies information required to be included in the plans. Excludes the Judicial and Legislative Departments, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies from the requirements of this provision.

WMC: AMEND proviso to update plan due date to October 1, "2015" and fiscal year reference to "2015-16."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

117.118. (GP: Information Technology and Information Security Plans) (A) By October 1, 2014 2015, all state agencies must submit an information technology plan and an information security plan for Fiscal Year ~~2014-15~~ 2015-16 to the Department of Administration. State agencies must submit updates to their plans if there are changes following initial submission. Changes that would necessitate an updated plan include, but are not limited to, changes in response to technological advancements, changes in legislation, regulation or compliance requirements, newly identified funding sources, or new issues relating to information technology management or business requirements.

The information technology plans required by this section shall be in the form and level of detail required by the department and shall include at least: (1) the information technology objectives of the state agency; (2) an inventory of the state agency's information technology; (3) any performance measures used by the state agency for implementing its information technology objectives; (4) how the state agency's development of information technology coordinates with other governmental entities; (5) the state agency's budget plans for information technology for the coming fiscal year which must include: (a) all fixed, recurring information technology costs, regardless of funding sources; (b) new information technology expenditures for services,

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hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information technology projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information technology personnel, regardless of funding sources; and (6) the state agency's need for appropriations for information technology.

The information security plans required by this section shall be in the form and level of detail required by the division and shall include at least: (1) the information security objectives of the state agency; (2) an inventory of the state agency's information security technology; (3) a profile of the state agency's compliance with security policies established by the division; (4) a profile of the state agency's sensitive data and a description of applicable state and federal privacy requirements; (5) a profile of risk management and other measures taken by the state agency to protect its data from unauthorized access and disclosure; (6) the state agency's budget plans for information security for the coming fiscal year which must include: (a) all fixed, recurring information security technology costs, regardless of funding sources; (b) new information security expenditures for services hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information security projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information security personnel, regardless of funding sources; and (7) the state agency's need for appropriations for information security.

(B) The director of the Department of Administration should seek advice from private and public sector resources on the efficient use of information technology and best practices.

(C) The Judicial Department, Legislative Department, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this proviso.

117.119 DELETE (Detail Budget Preparation) Directs the Executive Budget Office to prepare the detail budget with provisos to reflect appropriations and provisions contained in this Act to conform to implementation of the S.C. Restructuring Act of 2014.

WMC: DELETE proviso. *Accomplished.* Requested by Department of Administration.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

~~117.119. (GP: Detail Budget Preparation) The Executive Budget Office is directed to prepare the subsequent detail budget with provisos to reflect the appropriations and provisions in this act to conform with the implementation of the South Carolina Restructuring Act of 2014.~~

117.120 ADD (SCOIS Transfer) **WMC:** ADD new proviso to transfer the S.C. Occupational Information System, its authority, responsibilities, FTE's and funding from DEW to SDE and direct DOA and the Comptroller General to facilitate and coordinate the transfer.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

117.120. (GP: SCOIS Transfer) For Fiscal Year 2015-16, the South Carolina Occupational Information System, its authority, responsibilities, FTE's and funding shall be transferred from the Department of Employment and Workforce to the Department of Education. The Department

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of Administration and the Office of the Comptroller General shall facilitate and coordinate this transfer.

- 117.121 ADD** (PEBA Fiduciary Audit) **WMC:** ADD new proviso to suspend Section 9-4-40 for the current fiscal year, which requires the Inspector General to employ a private audit firm to perform a fiduciary audit on PEBA.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.
SAME IN BOTH VERSIONS.

117.121. (GP: PEBA Fiduciary Audit) For the current fiscal year, the provisions of Section 9-4-40 requiring the Inspector General to employ a private audit firm to perform the fiduciary audit on the Public Employee Benefit Authority as required by section 9-4-40 of the 1976 Code shall be suspended.

- 117.124 DELETE NEW PROVISO** (Employment Training Outcomes Data Sharing) **WMC:** 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, CHE, and the Department of Commerce 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.
HOU: ADOPT new proviso.
HOU2: AMEND House version to DELETE new proviso. Sponsors: Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Pitts, Simrill, G.M. Smith, and Whitmire.
SFC: DELETE new proviso.
SEN: ADOPT deletion of new proviso.
SAME IN BOTH VERSIONS.

117.124. (GP: Employment Training Outcomes Data Sharing) DELETED

- 117.125 ADD** (Employee Compensation) **WMC:** ADD new proviso to provide a plan to distribute employee pay increases for FY 15-16 in the amount of 0%. Direct allocations associated with the increases for retirement employer contributions be based on the rate of the retirement system in which employees participate. Authorize the use of funding for statewide employer contributions for other statewide purposes and allow carry forward of those funds. *Moved from section 93, proviso 93.24.*
HOU: ADOPT new proviso.

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SFC: ADOPT new proviso.
SEN: ADOPT new proviso.
SAME IN BOTH VERSIONS.

117.125. (GP: Employee Compensation) The amounts appropriated to the Department of Administration for Employee Pay Increases must be allocated by the department to the various state agencies to provide for employee pay increases in accordance with the following plan:

(1) With respect to classified and nonjudge 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 percent.

(2) With respect to unclassified and nonjudge 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 the compensation of all unclassified employees shall be increased by zero percent. 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 percent.

(4) With respect to local health care providers compensation increases shall be zero 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 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 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 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 percent.

The Department of Administration 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 State Fiscal Accountability Authority is authorized to use excess appropriations for the current fiscal year designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the State Fiscal Accountability Authority, such action may be considered a permanent transfer into the receiving agency's base budget.

Funds appropriated in Part IA, F30, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

117.126 ADD (Sickle Cell Disease Study Committee) **HOU:** ADD new proviso to create a 13 member Sickle Cell Disease Study Committee to examine existing services and resources available to children and adults with the disease. Direct the committee to establish partnerships with institutions and communities for a statewide network of service providers and a comprehensive education and treatment program for adults with the disease, and to establish standardized treatment and emergency room protocols. Direct that staff be provided from the House Medical,

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Military and Municipal Affairs and the Senate Medical Affairs Committees. Direct findings and recommendations be reported to the General Assembly and the Governor by June 30, 2016, at which time the study committee will be dissolved. Sponsors: Reps. King, M.S. McLeod, Hart, and Henegan.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

SAME IN BOTH VERSIONS.

117.126. (GP: Sickle Cell Disease Study Committee) Of the funds authorized and appropriated to the Department of Health and Environmental Control, a Sickle Cell Disease Study Committee shall be created and charged with better serving adults with sickle cell disease (SCD), health care providers, and the public about State care and treatment. The committee is to examine existing services and resources available to children with the disease as well as adults with the disease. Additionally, the committee is to establish partnerships with institutions, and communities, a statewide network of service providers for adults with the disease; a comprehensive education and treatment program for adults, as well as establish standardized treatment and emergency room protocols.

Membership of the committee shall be comprised of thirteen members as follows:

(1) one researcher or physician from the Medical University of South Carolina specializing in hematology;

(2) one researcher or physician from the Children's Hospital Sickle Cell Clinic at the Medical University of South Carolina;

(3) one citizen with Sickle Cell Disease;

(4) one parent or caregiver of an individual with Sickle Cell Disease;

(5) the Executive Director of the SC Hospital Association or their designee;

(6) the President of the South Carolina Medical Association or their designee;

(7) the Superintendent of Education or their designee;

(8) the Director of the Department of Health and Environmental Control or their designee;

(9) the Director of the Department of Health and Human Services or their designee;

(10) two members of the House of Representatives appointed by the Speaker of the House, one of whom the Speaker shall designate as a co-chair of the study committee; and

(11) two members of the Senate appointed by the President Pro Tempore of the Senate, one of whom the President Pro Tempore shall designate as a co-chair of the study committee.

The study committee also may invite representatives of nonprofit entities with expertise regarding Sickle Cell Disease to participate in the study committee process.

The House of Representatives Medical, Military and Municipal Affairs Committee and the Senate Medical Affairs Committee shall designate staff to assist the study committee.

The study committee shall provide a report with findings and recommendations to the General Assembly and the Governor by June 30, 2016, at which time the study committee shall dissolve.

- 117.129 DELETE NEW PROVISO** (Local Parks and Recreation Department Funding) **SFC:** ADD new proviso to direct PRT to ensure that funds raised by this provision are made available to local parks and recreation departments to enhance their facilities. Direct the wholesaler to collect the bingo daubers fee of 1 cent for each face sold to a licensee at the time of the sale and direct DOR to credit the funds collected to the Parks and Recreation Development Fund.
SEN: DELETE new proviso. Sponsor: Sen. Peeler.

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117.129. (GP: Local Parks and Recreation Departments Funding) DELETED

SECTION 118 - X91-STATEWIDE REVENUE

- 118.1 AMEND** (Year End ~~Expenditures~~ Cutoff) Directs year-end expenditure deadlines.
WMC: AMEND proviso to change “expenditures” reference to “cutoff” and update calendar year references to “2016.” Requested by Office of Comptroller General.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.
SAME IN BOTH VERSIONS.

118.1. (SR: Year End ~~Expenditures~~ Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, ~~2015~~ 2016. State agencies are required to submit all current fiscal year input documents and all electronic workflow for accounts payable transactions to the Office of Comptroller General by July 14, ~~2015~~ 2016. Appropriations for Permanent Improvements, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority and Joint Bond Review Committee, toward the accomplishment of the purposes for which the appropriations were provided. Appropriations for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority, toward the accomplishment of the purposes for which the appropriations were provided.

- 118.4 DELETE** (Criminal Justice Academy Funding) Directs that an additional \$5 surcharge is levied on all fines, forfeitures, escheatments or other monetary penalties imposed in general sessions, magistrates’, or municipal court for misdemeanor traffic offenses or for non-traffic violations and directs that the surcharge be used to fund training at the Criminal Justice Academy. Prohibits the surcharge from being waived, reduced or suspended. Provides for the manner in which the funds are to be remitted to the State Treasurer and transferred to the Criminal Justice Academy. Provides for the State Auditor to examine jurisdictions financial records. Directs that if S.894 is enacted into law, and if Section 14-1-240 as contained in that enactment is in effect, the requirements of this provision are suspended for as long as Section 14-1-240 is in effect.
WMC: DELETE proviso. *Codified by Act 247 of 2014.*
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.
SAME IN BOTH VERSIONS.

118.4. (SR: Criminal Justice Academy Funding) ~~(A) In addition to all other assessments and surcharges, during the current fiscal year, a five dollar surcharge to fund training at the South Carolina Criminal Justice Academy is also levied on all fines, forfeitures, escheatments, or other monetary penalties imposed in the general sessions court or in magistrates’ or municipal court for misdemeanor traffic offenses or for non-traffic violations. No portion of the surcharge may~~

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~~be waived, reduced, or suspended. The additional surcharge imposed by this section does not apply to parking citations.~~

~~(B) The revenue collected pursuant to subsection (A) must be retained by the jurisdiction, which heard or processed the case and paid to the State Treasurer within thirty days after receipt. The State Treasurer shall transfer the revenue quarterly to the South Carolina Criminal Justice Academy.~~

~~(C) The State Treasurer may request the State Auditor to examine the financial records of any jurisdiction which he believes is not timely transmitting the funds required to be paid to the State Treasurer pursuant to subsection (B). The State Auditor is further authorized to conduct these examinations and the local jurisdiction is required to participate in and cooperate fully with the examination.~~

~~(D) In the event S. 894, which was introduced on December 17, 2013, is enacted into law, and if Section 14-1-240 as contained in that enactment is in effect, the requirements of this provision shall be suspended for as long as Section 14-1-240 is in effect.~~

- 118.10 AMEND** (Tax Relief Reserve Fund) Creates the Tax Relief Reserve Fund; directs that accrued interest remain in the fund; and directs the State Treasurer, on December 31, 2014, to transfer from the General Fund any funds identified in this act designated for the Tax Relief Reserve Fund. Directs that the fund may only be used to provide tax relief to businesses and individuals as provided by law and authorizes these funds to be retained, carried forward, and used for the same purpose.

WMC: AMEND proviso to change year reference to “2015.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

118.10. (SR: Tax Relief Reserve Fund) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December 31, ~~2014~~ 2015, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund. These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief Reserve Fund shall be retained and carried forward to be used for the same purpose.

- 118.12 AMEND** (Tobacco Settlement) Directs expenditure of Tobacco Master Settlement Agreement (MSA) funds for Fiscal Year 2014-15.

WMC: AMEND proviso update fiscal year references to “2015-16” and delete \$1,500,000 to the Department of Agriculture. *Amount required to be directed to the Department of Agriculture has been satisfied.*

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

SAME IN BOTH VERSIONS.

118.12. (SR: Tobacco Settlement) (A) To the extent funds are available from payments received on behalf of the State by the Tobacco Settlement Revenue Management Authority from the Tobacco Master Settlement Agreement (“MSA”) during Fiscal Year ~~2014-15~~ 2015-16, the State Treasurer is authorized and directed, after transferring funds sufficient to cover the operating expenses of the Authority, to transfer the remaining funds as follows:

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(1) \$1,253,000 to the Attorney General’s Office for Diligent Enforcement and Arbitration Litigation; \$450,000 to the State Law Enforcement Division for Diligent Enforcement; and \$325,000 to the Department of Revenue for Diligent Enforcement, all to enforce Chapter 47 of Title 11, the Tobacco Escrow Fund Act; *and*

~~(2) \$1,500,000 to the Department of Agriculture pursuant to Section 11-49-55 of the 1976 Code; and~~

~~(3) (2) The remaining balance shall be transferred to the Department of Health and Human Services for the Medicaid program.~~

(B) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for Fiscal Year ~~2014-15~~ 2015-16.

118.13 DELETE (Nonrecurring Revenue) Appropriates non-recurring revenue to various agencies for Fiscal Year 2014-15, generated from specific sources.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

SAME IN BOTH VERSIONS.

118.13. (SR: Nonrecurring Revenue) ~~(A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:~~

~~(1) \$68,370,147 from Fiscal Year 2012-13 Contingency Reserve Fund;~~

~~(2) \$165,016,789 from Fiscal Year 2013-14 unobligated general fund revenue as certified by the Board of Economic Advisors; and~~

~~(3) \$2,288,513 from Fiscal Year 2013-14 Capital Reserve Fund lapse.~~

~~This revenue is deemed to have occurred and is available for use in Fiscal Year 2014-15 after September 1, 2014, following the Comptroller General’s close of the state’s books on Fiscal Year 2013-14.~~

~~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 2013-14 and shall be available for use in Fiscal Year 2014-15.~~

~~(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.~~

~~The State Treasurer shall disburse the following appropriations by September 30, 2014, for the purposes stated:~~

~~(1) General Reserve Fund Contribution\$ 26,589,048;~~

~~(2) V04 Debt Service
Debt Service Payments\$ 21,767,082;~~

~~(3) E28 Election Commission
(a) Security and Technology Enhancements\$ 100,000;
(b) Statewide Election Funds\$ 456,323;
(c) Equal Access to the Ballot (S.2)\$ 245,000;~~

~~(4) A85 Education Oversight Committee
(a) Partnerships for Innovation Transform SC\$ 200,000;
(b) School Efficiency Review Proviso 1.79\$ 300,000;
(c) EOC Education Pilot Program Proviso 1.78\$ 1,000,000;~~

~~(5) H63 Department of Education
(a) Hold Harmless Transition Payments with EOC~~

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Funding Model	\$ 5,047,659;
(b) Hold Harmless Transition Payments Charter Schools	\$ 1,500,000;
(c) Digital Instructional Materials	\$ 7,000,000;
(d) Teacher Training for Technology	\$ 4,000,000;
(e) Charter School Facility Revolving Loan Program	\$ 500,000;
(f) BabyNet Data System Required Upgrades	\$ 838,100;
(g) Governor's School for the Arts and Humanities Humidity Control in Residence Hall	\$ 55,000;
(h) Governor's School for the Arts and Humanities Classroom Reconfiguration	\$ 55,000;
(i) Instructional Materials	\$ 1,666,161;
(j) Transportation	\$ 1,000,000;
(k) SDE CDEPP	\$ 910,000;
(l) First Steps CDEPP	\$ 490,000;

(5.1) Of the funds appropriated above in subitem (5)(a) to the Department of Education for Hold Harmless Transition Payments, the department is directed to provide funds to the districts that will not receive an increase in Education Finance Act funds as a result of the Education Finance Act transition. The funds are to be disbursed to districts as a direct reimbursement for lost EFA revenue only during Fiscal Year 2014-15.

(5.2) Of the funds appropriated above in subitem (5)(b) to the Department of Education for Hold Harmless Transition Payments to Charter Schools, the department is directed to provide funds to the charter schools sponsored by a local school district and located in districts that do not receive transition funds that will not receive an increase in Education Finance Act funds as a result of the Education Finance Act transition. The funds are to be disbursed to districts as a direct reimbursement for lost EFA revenue only during Fiscal Year 2014-15. If any excess funds exist, they must be transferred to the Charter School Revolving Loan Program.

(5.3) Of the funds appropriated above in subitem (5)(d) to the Department of Education for Teacher Training for Technology, each school district or special school shall receive a proportional allocation based on the previous year's one hundred thirty five day average daily membership. The district must use these funds to provide teachers with professional development specifically related to Teacher Training for Technology. These funds may not be used to supplant existing school district expenditures. By June 1, 2015, and on a form specified by the Department of Education, each school district or special school must report to the department on the amounts of state funds and any local funds expended on such training and describe the types of professional development and training provided to teachers and the number of teachers that participated.

(5.4) The funds appropriated above in subitem (5)(k) and (5)(l) for CDEPP must only be used for nonrecurring expenses related to the retrofitting of new CDEPP classrooms.

(6) H59 State Board for Technical and Comprehensive Education

(a) Critical Needs Workforce Development Initiative	\$ 2,000,000;
(b) Technical College of the Lowcountry Transitioning Military Support and Training Program; Building 16 Renovation, Parking and Road Improvements	\$ 1,500,000;
(c) Aiken Technical College Renovation of IT Infrastructure	\$ 608,500;
(d) Tri County Technical College CNC and Mechatronics Programs	\$ 1,000,000;
(e) Florence Darlington Technical College Automotive Technology Program Equipment	\$ 1,750,000;
(f) Midlands Technical College Quick Jobs Program	\$ 750,000;
(g) Spartanburg Community College Cherokee Campus-	

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Advanced Manufacturing and Industrial Equipment	\$ 500,000;
(h) Central Carolina Technical College Kershaw Campus	\$ 844,513;
(i) Central Carolina Technical College Industrial Building Renovation	\$ 750,000;
(j) Orangeburg Calhoun Technical College Health Sciences and Nursing Building Annex	\$ 1,000,000;
(k) Spartanburg Community College Academic Student Services Building	\$ 750,000;
(l) Horry Georgetown Technical College Culinary Arts Building	\$ 1,750,000;
(m) Midlands Technical College Building Capacity for STEM Education	\$ 750,000;
(n) Williamsburg Technical College Facilities Management Building	\$ 750,000;

(6.1) Of the funds appropriated above in subitem (6)(a), the State Board for Technical and Comprehensive Education shall fund a pilot program at Tri-County Tech and a pilot program at Central Carolina Tech designed to address workforce shortages in South Carolina's manufacturing community. These pilot programs shall at a minimum create a process by which local high school students can dual enroll in class offerings at the technical college so that they can graduate high school with a manufacturing certification.

(6.2) Of the funds appropriated above in subitem (6)(b), \$200,000 shall be allocated to the Transitional Workforce Education Assistance Collaborative (TWEAC) to be used by the collaborative to provide workforce services to armed services personnel transitioning from military to civilian careers. Funds allocated to TWEAC for this purpose shall complement, and be provided in conjunction with, training programs provided at the Technical College of the Lowcountry.

(7) P32 Department of Commerce	
(a) Deal Closing Fund	\$ 12,406,874;
(b) Columbia Minority Business Development Agency	\$ 60,000;
(e) Railroad Spur I-26/95	\$ 600,000;
(d) Lexington County Water and Wastewater	\$ 500,000;
(e) Capital IT e-Logy Coursepower Project	\$ 400,000;
(f) Marion County Workforce Training Facility	\$ 100,000;
(g) 340 Industrial Park	\$ 750,000;
(8) H87 State Library	
Aid to Counties Per Capita \$1.25	\$ 1,341,395;
(9) P36 Patriots Point Development Authority	
Medal of Honor Museum	\$ 1,000,000;
(10) J04 Department of Health and Environmental Control	
(a) Best Chance/Colon Cancer Networks	\$ 1,500,000;
(b) J.R. Clark Sickle Cell Foundation	\$ 100,000;
(c) Bleeding Disorders Premium Assistance Program	\$ 100,000;
(d) Ocean Water Quality Outfall Initiative	\$ 500,000;
(e) Sea Haven	\$ 250,000;
(f) Water Quality	\$ 3,575,700;
(g) Public Swimming Pool ADA Compliance Walhalla	\$ 100,000;
(h) Donate Life Organ Donor Registry	\$ 50,000;
(i) Outreach Program for Continued Testing of TB Victims	\$ 125,000;
(j) City of Laurens Asbestos Abatement	\$ 150,000;
(k) City of Cayce Chemical Fire Rehabilitation	\$ 100,000;

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~~(10.1) Of the funds appropriated above in subitem (10)(a), the Department of Health and Environmental Control shall utilize \$1,000,000 for the Best Chance Network and \$500,000 shall be used as matching funds for the Colon Cancer Prevention Network.~~

~~(11) P28— Department of Parks, Recreation, and Tourism~~

(a) Palmetto Trail	\$ 150,000;
(b) Sports Development Fund	\$ 2,000,000;
(c) Marketing International	\$ 400,000;
(d) Greenville Children’s Museum	\$ 150,000;
(e) African American History Museum	\$ 5,000,000;
(f) Football Exhibition Games	\$ 300,000;
(g) SC Equine Park	\$ 100,000;
(h) Historic Columbia Woodrow Wilson Family Home	\$ 250,000;
(i) Parks and Recreation Development Program	\$ 1,000,000;
(j) Southeastern Wildlife Expo	\$ 200,000;
(k) State Park Fire Department Jones Gap	\$ 50,000;
(l) Town of Eastover Historic Site Preservation	\$ 75,000;
(m) SC Hall of Fame	\$ 100,000;
(n) Walhalla Civic Auditorium Historic Preservation	\$ 200,000;
(o) Undiscovered South Carolina	\$ 500,000;
(p) Shaw Air Force Base Welcome Center	\$ 750,000;
(q) Black Expo	\$ 150,000;

~~(11.1) Of the funds appropriated above in subitem (11)(b), the Department of Parks Recreation and Tourism shall make grant awards available to youth sport organizations. All grant awards must be matched dollar for dollar with a non-state match. Organizations must be able to demonstrate an annual economic impact that exceeds the award amount.~~

~~(11.2) Of the funds appropriated above in subitem (11)(e), the Department of Parks Recreation and Tourism must use \$200,000 as match for the Coastal, South Carolina USA international tourism campaign; and \$100,000 shall be sent to the Myrtle Beach Area Chamber for International Tourism.~~

~~(11.3) Of the funds appropriated above in subitem (11)(i), the Department of Parks, Recreation and Tourism must distribute and administer the funds in accordance with Chapter 23 of Title 51 of the South Carolina Code of Laws.~~

~~(11.4) Of the funds appropriated above in subitem (11)(q), the Department of Parks, Recreation and Tourism shall distribute the funds to the Black Expo, which shall allocate the funds equally between the Columbia, Charleston, and Upstate Expos. The funds shall be used specifically for marketing and promotion of the Expos.~~

~~(12) X22— Local Government Fund, State Treasurer~~

Local Government Fund	\$ 25,000,000;
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~~(13) U20— County Transportation Funds~~

Allocation to Counties	\$ 13,500,000;
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~~(14) H71— Wil Lou Gray Opportunity School~~

Paving	\$ 350,000;
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~~(15) Y14— State Ports Authority~~

Jasper Port Development	\$ 1,200,000;
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~~(16) H03— Commission on Higher Education~~

(a) Need Based Grants	\$ 2,600,000;
(b) Child Abuse Medical Response Program	\$ 225,000;
(c) Lowcountry Graduate Center	\$ 300,000;

~~(17) H09— The Citadel~~

(a) Higher Education Efficiency, Effectiveness and	
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**H. 3701 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2015-16
SAME IN BOTH VERSIONS**

	Accountability Review	\$ 81,290;
	(b) Mechanical Engineering Lab and Equipment.....	\$ 1,305,678;
(18) H12	Clemson University	
	(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 596,066;
	(b) Main Campus Electrical Infrastructure Maintenance and Improvements	\$ 1,118,674;
(19) H15	University of Charleston	
	(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 176,755;
	(b) Simons Center for the Arts Renovation.....	\$ 529,781;
	(c) Acquisition of Surplus Property	\$ 2,000,000;
(20) H17	Coastal Carolina University	
	(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 81,842;
	(b) Parity Funding	\$ 406,395;
	(c) Science Center Complex	\$ 1,000,000;
(21) H18	Francis Marion University	
	(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 107,372;
	(b) Repair and Maintenance Classroom Buildings Renovations	\$ 139,583;
	(c) Physician Assistant Degree Program.....	\$ 23,000;
	(d) Founders Hall Renovation.....	\$ 1,500,000;
(22) H21	Lander University	
	(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 55,958;
	(b) Energy Management	\$ 272,745;
(23) H24	South Carolina State University	
	Efficiency Process Improvements	\$ 496,235;
(24) H27	University of South Carolina-Columbia Campus	
	(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 971,902;
	(b) On Your Time.....	\$ 1,218,674;
(25) H29	University of South Carolina-Aiken Campus	
	(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 58,922;
	(b) Parity Funding	\$ 200,000;
(26) H34	University of South Carolina-Upstate Campus	
	(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 82,157;
	(b) Parity Funding	\$ 250,000;
(27) H36	University of South Carolina-Beaufort Campus	
	(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 23,779;
	(b) Parity Funding	\$ 200,000;
(28) H37	University of South Carolina-Lancaster Campus	
	(a) Parity Funding	\$ 148,720;
	(b) Repair and Renewal for Science Labs and Nursing Simulation	\$ 495,000;

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SAME IN BOTH VERSIONS**

(29) H38 University of South Carolina - Salkehatchie Campus	
Parity Funding	\$ 118,720;
(30) H40 University of South Carolina - Union Campus	
Parity Funding	\$ 59,360;
(31) H47 Winthrop University	
(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 81,917;
(b) Visual and Performing Arts Center Accreditation/ ADA Access	\$ 750,000;
(c) Withers/WTS Building Maintenance and Repairs	\$ 159,738;
(32) H51 Medical University of South Carolina	
(a) Higher Education Efficiency, Effectiveness and Accountability Review	\$ 352,825;
(b) Tele-Medicine	\$ 1,000,000;
(c) Institute of Medicine	\$ 400,000;
(d) Mobile Cancer Screening	\$ 1,000,000;
(32.1) Of the funds appropriated above in subitem (32)(d), the Medical University of South Carolina shall collaborate with the Clemson Sullivan Health Center's mobile unit to provide services.	
(33) H53 Area Health Education Consortium	
Office of Healthcare Workforce and Analysis Planning	\$ 200,000;
(34) H79 Department of Archives and History	
(a) Digital Access and Storage Initiative Operations	\$ 345,952;
(b) Marine Artifacts	\$ 220,000;
(34.1) Of the funds appropriated above in subitem (34)(b), the Department of Archives and History shall transfer these funds to the Institute of Archeology and Anthropology at the University of South Carolina.	
(35) H95 State Museum Commission	
(a) Acquisitions	\$ 200,000;
(b) Information Technology	\$ 75,000;
(36) J02 Department of Health and Human Services	
(a) Medicaid Program (MOE)	\$ 22,000,000;
(b) Medical Contracts	\$ 650,000;
(c) Palmetto Project	\$ 100,000;
(37) J12 Department of Mental Health	
Waccamaw Center for Mental Health	\$ 167,000;
(37.1) Of the funds appropriated above in item (37), the Department of Mental Health shall allocate these funds to the Waccamaw Center for Mental Health for the training of clinicians and for the purchase of materials and assessment tools in diagnosing and treating BPD and Youth in Transition in the coastal areas and throughout the state.	
(38) J16 Department of Disabilities and Special Needs	
(a) Lander University Therapeutic Equestrian Center- Burton Center	\$ 300,000;
(b) Autism Services	\$ 1,150,000;
(c) Special Needs Park - Savannah's Playground- Myrtle Beach	\$ 200,000;
(d) Charles Lea Center	\$ 100,000;
(39) J20 Department of Alcohol and Other Drug Abuse Services	
(a) Keystone Alcohol and Drug Abuse Capital Improvement - Rock Hill	\$ 750,000;

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SAME IN BOTH VERSIONS**

	(b) Circle Park Florence County Alcohol and Drug Abuse.....	\$ 200,000;
	(c) Phoenix Center Serenity Place.....	\$ 750,000;
(40)	L04 Department of Social Services	
	(a) Phillis Wheatley Center Let's Move Summer Camp and After School Program.....	\$ 100,000;
	(b) Pendleton Place for Children.....	\$ 50,000;
	(c) Pleasant Valley Connection Community Center.....	\$ 25,000;
	(d) C. R. Neal Center.....	\$ 100,000;
	(e) Antioch Senior Center.....	\$ 150,000;
(41)	P16 Department of Agriculture	
	Laboratory Equipment.....	\$ 375,000;
(42)	P26 Sea Grants Consortium	
	Stormwater Research Partnership.....	\$ 100,000;
(43)	B04 Judicial Department	
	(a) Calhoun and Supreme Court Building Security.....	\$ 850,000;
	(b) Digital Court Room Equipment.....	\$ 210,000;
	(c) Disaster Recovery.....	\$ 3,000,000;
(44)	D10 State Law Enforcement Division	
	(a) Child Fatality.....	\$ 167,432;
	(b) Forensics.....	\$ 141,736;
	(c) Alcohol Enforcement.....	\$ 711,586;
(45)	E21 Prosecution Coordination Commission	
	SC Center for Fathers and Families.....	\$ 400,000;
(46)	K05 Department of Public Safety	
	(a) Law Enforcement Vehicle Replacement.....	\$ 2,000,000;
	(b) Highway Patrol Mobile Data Equipment.....	\$ 722,500;
	(c) Local Law Enforcement Grants.....	\$ 800,000;
(47)	N04 Department of Corrections	
	(a) Camera Equipment and Network System Lee Correctional Institution.....	\$ 2,262,000;
	(b) Construction of Three Perimeter Towers-Lieber Correctional Institution.....	\$ 450,000;
	(c) Weapons Replacement Phase III.....	\$ 40,000;
(48)	P24 Department of Natural Resources	
	(a) Coastal and Offshore Mapping and Water Monitoring.....	\$ 300,000;
	(b) Law Enforcement Vehicle Replacement.....	\$ 450,000;
	(c) Drill Rig/Water Truck.....	\$ 570,000;
	(d) Waddell Center Infrastructure.....	\$ 1,100,000;
	(e) License Term Conversion.....	\$ 2,700,000;
	(f) State Lakes.....	\$ 250,000;
	(g) Fort Johnson Boat Slip Dredging.....	\$ 175,000;
	(h) Water Study Outreach.....	\$ 100,000;
	(i) Lake Paul A. Wallace Authority.....	\$ 150,000;
(48.1)	Of the funds appropriated above in subitem (48)(e), the Department of Natural Resources must use these funds to transition freshwater fishing and hunting licenses to 365 Day License expiration for annual licenses. It is the intent of the General Assembly for all or part of these funds to be paid back to the General Fund after the 365 Day License transition has occurred and the revenue has stabilized.	
(49)	R36 Department of Labor, Licensing, and Regulation	
	Urban Search and Rescue (USAR).....	\$ 250,000;

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SAME IN BOTH VERSIONS**

~~(50) E04 – Lieutenant Governor’s Office
Caregivers\$ 2,000,000;~~

~~(51) E08 – Office of Secretary of State
Disaster Recovery Image Digitization Phase II.....\$ 97,800;~~

~~(52) E24 – Office of Adjutant General
Major Projects and Repairs State Armories\$ 1,000,000;~~

~~(53) F03 – Budget and Control Board
Cherry Grove Building Roof Repair.....\$ 150,000;~~

~~(54) U12 – Department of Transportation
City of Columbia Drainage System Study.....\$ 300,000;~~

~~(54.1) Of the funds appropriated above in subitem (54)(a), the Department of Transportation shall transfer these funds to the Fripp Island Special Purpose District to replace waterline damaged by bridge replacement. These funds may be carried forward by the special purpose district to be used for the same purpose.~~

~~(55) H91 – Arts Commission
SC Artisans Center\$ 50,000; and~~

~~(56) E28 – Election Commission
Audit Consultant or Contractor\$ 50,000.~~

~~(56.1) The funds appropriated above in item (56) for an Audit Consultant or Contractor shall be utilized by the Election Commission to hire an external consultant or contractor to perform an audit of election processes and practices at the State Election Commission as well as processes and practices for elections at the statewide, county, municipal, and other local levels. The audit shall include, but not be limited to, transparency; independence; paper records; chain of custody and ballot accounting; risk limiting audits; addressing discrepancies and binding on official results. When selecting the consultant or contractor, the commission must follow the competitive bidding process as set forth in the State’s Consolidated Procurement Code. These funds may not be transferred or used for any other purpose.~~

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

~~(C) The funds provided in this act for the Higher Education Efficiency, Effectiveness and Accountability Review shall be utilized by a thirteen member steering committee to procure, execute, and oversee 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. When selecting the vendor, the committee must follow the competitive bidding process as set forth in the State’s Consolidated Procurement Code. 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 Majority Leader of the House of Representatives or his designee;~~
- ~~(4) The Minority Leader of the House of Representatives or his designee;~~
- ~~(5) the President Pro Tempore of the Senate or his designee;~~
- ~~(6) the Chairman of the Senate Finance Committee or his designee;~~
- ~~(7) the Majority Leader of the Senate or his designee;~~
- ~~(8) the Minority Leader of the Senate or his designee;~~
- ~~(9) the Governor or her designee;~~
- ~~(10) the Executive Director of the Commission on Higher Education; and~~

~~(11) 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.~~

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SAME IN BOTH VERSIONS**

~~The committee shall notify institutions of the amount of the funds to be transferred to the committee to complete the review, and institutions shall transfer the funds. However, the committee may not request an amount from an institution that exceeds the amount provided to it in this act for this purpose.~~

~~To the extent that there are direct costs associated with implementation of the vendors recommendations, funds not utilized by the committee for the review shall be used by institutions to implement the vendor's recommendations. Further, any funds transferred to the committee from institutions, but not utilized by the committee for the review, must be transferred back to the institutions and shall only be used by the institutions for implementing vendor recommendations.~~

~~The committee shall deliver the vendor's initial findings and recommendations to the Governor and the General Assembly by February 1, 2015. Each institution is strongly encouraged to implement the recommendations identified by the review. It is the intent of the General Assembly that any savings realized from these reviews shall be retained by each institution.~~

~~The Commission on Higher Education, on behalf of the committee, must survey each institution that is provided funds in this act for the Higher Education Efficiency, Effectiveness and Accountability Review to determine if the institution has already undergone, is currently undergoing, or has contracted to undergo an internal or external performance improvement audit, operating efficiency study, or similar cost management review. The survey shall ascertain whether or not the review was internal or external, when the review was completed, when it will be completed (if ongoing), or when it anticipates it will begin (if already planned or contracted). The vendor name if an external review team or the composition of the review team, including their credentials, if internal, must be included, as must the scope of the review and its cost. For institutions where a review has been completed, it must report the findings, recommendations, or action items that were identified by the review team, if any, including estimated cost savings associated with the items. Further, a listing of findings, recommendations or action items of the review team that have already been implemented by the institution, including cost savings or efficiencies that have been realized as a result, must be documented. Findings or recommendations made by the review team, but not yet implemented by the institution, if any, must be explained by the institution. Survey results must be provided by the Commission on Higher Education to the committee no later than August 1, 2014. After public discussion of the survey responses, the committee shall select the institutions for the review. The existence of any such review, either completed or ongoing, does not guarantee an exemption for an institution from this review. Exemptions, if any, either for an entire institution or component thereof can only be granted by the committee.~~

~~(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 2014-15 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.~~