

**H.3720 CONFERENCE COMMITTEE  
SUMMARY OF PROVISO CHANGES FOR FY 2017-18  
SAME IN BOTH VERSIONS**

**SECTION 1 - H630 - DEPARTMENT OF EDUCATION**

**1.26**     **AMEND** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. *Note: Companion EIA proviso is 1A.14.*

**WMC:** AMEND proviso to delete the suspension of formative assessments for grades one, two, and nine. *Funding has been requested for formative assessments.* Requested by Education Oversight Committee.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1.26.** (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children’s Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district’s per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district’s per pupil expenditures.

“In\$ite” means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district’s board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district’s board and the superintendent of each school district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken. The certification must

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be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded 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. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. ~~Formative assessments for grades one, two, and nine, the~~ *The* foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

**1.50 AMEND** (Health Education) Requires school districts to ensure compliance with Chapter 32 of Title 59 [COMPREHENSIVE HEALTH EDUCATION PROGRAM]; provides a complaint process for compliance concerns, a process for corrective action if the complaint is determined to be founded, and requires the department to withhold 1% of a district's Student Health and Fitness Act funds until the district is in compliance with the corrective action. Requires the department to withhold 1% of the district's Student Health and Fitness Act funds if the department determines the district is non-compliant with mandated health education, or if a district fails to publish required information on their website until the district is in compliance.

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**WMC:** AMEND proviso to require school districts to also use curriculum that aligns to all standards and regulations adopted by the State Board of Education. Specify that the department will review the district's annual CHE Compliance Survey in determining district compliance with mandated health education. *The department states this amendment clarifies the process; reinserts a language deleted last year when two provisos were combined; and does not add any additional requirements.* Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1.50.** (SDE: Health Education) *(1)* Each school district is required to ensure that all comprehensive health education, reproductive health education, and family life education conducted within the district, whether by school district employees or a private entity, must utilize curriculum that complies with the provisions contained in Chapter 32, Title 59 and aligns to all standards and regulations adopted by the South Carolina State Board of Education. Each district shall publish on its website the title and publisher of all health education materials it has approved, adopted, and used in the classroom. If the department determines that a district is non-compliant with mandated health education upon review of the district's annual CHE Compliance Survey or if the district fails to publish the title and publisher of materials on its website, then the Department of Education shall withhold one percent of the district's funds allocated in Part IA, Section 1, X - Student Health and Fitness Act until the department determines the district is in compliance.

*(2)* Any person may complain in a signed, notarized writing to the chairman of the governing board of a school district that matter not in compliance with the requirements of Chapter 32, Title 59 is being taught in the district. Upon receiving a notarized complaint, the chairman of the governing board must ensure that the complaint is immediately investigated and, if the complaint is determined to be founded, that immediate action is taken to correct the violation. If corrective action is not taken within 60 days of such a determination, or if no investigation is made within 60 days of the chairman's receipt of the notarized statement, then the complainant may within 60 calendar days, give written notice to the department. The notice must include the original notarized complaint. If, upon investigation, the department determines that the district has not taken appropriate immediate action to correct a violation, then the Department of Education shall withhold one percent of the district's funds allocated in Part IA, Section 1, X - Student Health and Fitness Act until the department determines the district is in compliance. ~~If the department determines that a district is non-compliant with mandated health education or if the district fails to publish the title and publisher of materials on its website, then the Department of Education shall withhold one percent of the district's funds allocated in Part IA, Section 1, X - Student Health and Fitness Act until the department determines the district is in compliance.~~

**1.68** **AMEND** (First Steps 4K Technology) Authorizes First Steps to spend up to \$75,000 of 4K carry forward funds to purchase electronic devices, with certain restrictions, for administering required school readiness assessments to children enrolled in the full-day 4K program in private centers. Requires First Steps to provide a report on these expenditures to the Chairmen of the Senate Finance and Ways and Means Committees by January 15, 2017.

**WMC:** AMEND proviso to update report due date from January 15, "2017" to "2018." Requested by SC First Steps to School Readiness.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

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**1.68.** (SDE: First Steps 4K Technology) During the current fiscal year, South Carolina Office of First Steps to School Readiness is authorized to expend up to \$75,000 from the four-year-old kindergarten carry forward funds to purchase electronic devices for the administration of required school readiness assessments to children enrolled in the full-day 4K program in private centers in the current fiscal year. The State Office of First Steps may purchase one device, which would be the property of the Office of First Steps, for every ten centers serving children in the program. The regional coordinators who provide support to the centers shall coordinate the usage of the devices among the centers. First Steps shall provide a report documenting its technology and materials expenditures to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 15, ~~2017~~ 2018.

**1.74** **DELETE** (First Steps Accountability) Requires First Steps to meet federal compliance for Part C of the IDEA and to report to the Chairmen of the Senate Finance and House Ways and Means Committees and the Governor by 12/31/16 on the specific steps, timeline, and progress made in improving meeting compliance standards for indicators the office was scored on as being low performing and on whether the additional employees authorized by this act are sufficient for compliance. Authorizes First Steps to use funds appropriated for BabyNet to meet these requirements.

**WMC:** DELETE proviso. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017.* Requested by SC First Steps to School Readiness.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~**1.74.** (SDE: First Steps Accountability) Based on the need for stated intervention by the US Department of Education Office of Special Education and Rehabilitative Services (OSEP) in implementing Part C of the Individuals with Disabilities Education Act (IDEA), the Office of First Steps to School Readiness must meet federal compliance for the Part C program. Additionally, the Office of First Steps to School Readiness shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor the specific steps, timeline and progress made in improving meeting compliance standards its performance for those indicators with which the office was scored as being low performing. The report must include a statement regarding whether the additional employees authorized by this act are sufficient for compliance. The report shall also include any correspondence from the US Department of Education concerning the progress made on federal compliance with OSEP state standards. The report must be submitted no later than December 31, 2016. From the funds appropriated for BabyNet, the Office of First Steps to School Readiness may expend the funds necessary to meet the requirements of this proviso.~~

**1.79** **DELETE** (Teacher Salaries Increase) Directs the department to increase the statewide salary schedule by 2%; requires a local school district board of trustees to provide all certified teachers paid on the teacher salary schedule the 2% increase; specifies that districts are to use the prior year's district salary schedule as its base; directs school districts to use the additional funds from the Teacher Salary Supplement to provide 1% of the required 2% increase; and provides for salary increases for all eligible certified teachers entering the 23rd year if the district's salary schedule does not go beyond 22 years. Allows for a waiver from the requirements of this provision under certain conditions. *Note: Companion General Education proviso is 1A.73.*

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

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~~1.79. (SDE: Teacher Salaries Increase) For Fiscal Year 2016-17, the Department of Education is directed to increase the statewide salary schedule by two percent. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a two percent salary increase. Districts are to provide this increase using the district salary schedule utilized the prior fiscal year as its base. School districts shall utilize the additional funds made available from the Education Finance Act appropriation to provide one percent of the required two percent increase.~~

~~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 an amount equal to a step on the salary schedule for any teacher entering the twenty third year if the district's salary schedule does not go beyond twenty two years. Application of this provision must be applied uniformly for all eligible certified teachers. If a school district believes it will be unable to provide the required additional step without incurring a deficit, it may apply to the State Board of Education for a waiver from this requirement.~~

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

**1.80** **DELETE** (Facilities Tracking System and Assessment Assistance) Directs the department to issue a RFP to contract with one or more vendors to complete facilities assessments and efficiency studies reviews; provides guidelines as to what must be included, at a minimum; and directs which school districts are to be assessed and studied first. Directs that the completed assessments and studies be provided to each local school board of trustees and that the department publish them on the department's website.

**WMC:** DELETE proviso. *The assessments and studies are currently being conducted.*  
Requested by Department of Education.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~1.80. (SDE: Facilities Tracking System and Assessment Assistance) Of the funds appropriated to the department for Facilities Assessments and Efficiency Studies, the department is directed to issue a RFP to contract with one or more vendors to complete the reviews. The Facilities Assessments shall include, at a minimum: (1) facilities use and management; (2) energy management; (3) site review when needed; and (4) any technology needs and infrastructure as aligned to the district technology plan and the district technology assessment. The Efficiency Studies shall include, at a minimum: (1) overhead; (2) human resources; (3) procurement; (4) financial management; and (5) transportation and must be aligned to any diagnostic review that may be conducted in the district to avoid duplication. The Assessments and Studies shall be first conducted in school districts which are or were the Abbeville Plaintiff District and prioritized according to the prior year poverty index and for districts that have not had an efficiency study or facility assessment completed in the last two years. The completed Assessments and Studies shall be provided to each local school board of trustees and shall inform funding decisions for facilities and potential school or district consolidation. The department shall make the Assessments and the Studies available on the department website.~~

**1.83** **AMEND** (Abbeville Equity Districts Comprehensive Report) Requires the department submit a comprehensive report to the General Assembly by January 1, 2017 on the current allocation of funds and services provided to the Abbeville equity districts.

**WMC:** AMEND proviso to update report due date from January 1, "2017" to "2018." Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

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**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1.83.** (SDE: Abbeville Equity Districts Comprehensive Report) Of the appropriations and provision of services that are provided in the current fiscal year's budget for the Abbeville equity districts, the Department of Education must submit a comprehensive report to the General Assembly by January 1, ~~2017~~ 2018 on the current allocation of funds to the Abbeville equity districts and the provision of services to these districts.

**1.84** **AMEND** (~~Coding~~ Computer Science Curriculum) Directs the department to use the funds appropriated for "Coding" to develop or secure a basic computer science course that includes coding and to recommend that introductory keyboarding and computer skills be taught in elementary and primary schools.

**WMC:** AMEND proviso to direct the department to use the funds appropriated for "computer science" to develop grade appropriate computer science standards that include computational thinking and computer coding for 9th through 12th grades; to include higher education, business, and industry experts and officials in developing the standards; and to support teachers in designing interdisciplinary units and instructional practices that engage students to apply literacy, math, and computational thinking skills to solve problems. *Reflects portions of H.3427 "South Carolina Computer Science Education Initiative."* Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1.84.** (SDE: ~~Coding~~ Computer Science Curriculum) Of the funds appropriated to the department for ~~coding computer science~~, the department shall develop ~~or secure a basic computer science course that must include~~ grade appropriate computer science standards that include computational thinking and computer coding for grades 9-12. Experts and officials from higher education, business and industry must be included in the development of the standards. The department shall support K-12 academic and computer science teachers in designing interdisciplinary units and instructional practices that engage students in applying literacy, math, and computational thinking skills to solve problems. ~~The department shall recommend introductory keyboarding and computer skills be taught in elementary and primary schools.~~

**SECTION 1A - H630 - DEPARTMENT OF EDUCATION-EIA**

**1A.2** **AMEND** (African-American History) Authorizes African-American curricula development funds to be carried forward and used for the same purpose. Requires at least 70% of carry forward funds be spent in FY 2016-17 to develop additional instructional materials by non-profit organizations selected through a grant process.

**WMC:** AMEND proviso to update fiscal year reference to "2017-18." Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1A.2.** (SDE-EIA: African-American History) Funds provided for the development of the African-American History curricula may be carried forward into the current fiscal year. Funds that are currently a salary line item will be reallocated for the development of instructional materials and programs and the implementation of professional learning opportunities that promote African American history and culture. For Fiscal Year ~~2016-17~~ 2017-18 not less than

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seventy percent of the funds carried forwarded must be expended for the development of additional instructional materials by nonprofit organizations selected through a grant process by the Department of Education.

**1A.14 AMEND** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. *Note: Companion General Education proviso is 1.26.*

**WMC:** AMEND proviso to delete the suspension of formative assessments for grades one, two, and nine. *Funding has been requested for formative assessments.* Requested by Education Oversight Committee.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1A.14.** (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children’s Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district’s per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district’s per pupil expenditures.

“In\$ite” means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district’s board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

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Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded 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. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. ~~Formative assessments for grades one, two, and nine, the~~ The foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

**1A.25 AMEND** (Professional Development) Allows up to \$500,000 of professional development funds to be used for gifted and talented teacher endorsement and certification activities and provides for the allocation of the funds. Authorizes the department to retain up to 25% for administration and for providing professional development services targeted to the original Abbeville law suite trial and plaintiff school districts. Requires the department to post

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professional development standards on its website and provide training through telecommunication methods. Authorizes unexpended professional development funds to be carried forward and used for the same purpose.

**WMC:** AMEND proviso to allow professional development funds to also be used for technology in classroom instruction.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1A.25.** (SDE-EIA: Professional Development) Of the funds appropriated for professional development, up to \$500,000 may be expended for gifted and talented teacher endorsement and certification activities. The balance of EIA funds appropriated for professional development must be allocated to districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty-five day count of the prior school year. The funds must be expended on professional development for certificated instructional and instructional leadership personnel in grades kindergarten through twelve across all content areas, including teaching in and through the arts and using technology in classroom instruction. No more than twenty-five percent of the funds appropriated for professional development may be retained by the Department of Education for the administration and provision of other professional development services which must be targeted to districts who are or were the original trial and plaintiff school districts in the Abbeville law suit to increase the capacity of educators and leaders in those districts. The Department of Education must provide professional development on assessing student mastery of the content standards through classroom, formative and end-of-year assessments. The Department of Education also must post on the agency's website the South Carolina Professional Development Standards and provide training through telecommunication methods to school leadership on the professional development standards. The department is authorized to carry forward and expend professional development funds for the same purpose.

**1A.26** **AMEND** (Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Directs that up to \$5,400,000 of assessment funds be used for assessments to determine gifted and talented programs eligibility and for the cost of AP and IB exams.

**WMC:** AMEND proviso to delete "up to \$5,400,000." *Assessment costs increase each year due to an increase in testing costs and in student participation.* Fiscal Impact: The department state the fiscal impact for 2017-18 is estimated at \$560,000. However, costs will increase each year as individual student testing costs and enrollment increases. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1A.26.** (SDE-EIA: Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) ~~Of the funds~~ *Funds* appropriated and/or authorized for assessment, ~~up to \$5,400,000~~ shall be used for assessments to determine eligibility of students for gifted and talented programs and for the cost of Advanced Placement and International Baccalaureate exams.

**1A.29** **DELETE** (Incentive for National Board Certification After June 30, 2010) States the parameters for individuals who complete the application process after 6/30/10 for the National Board Certification Program including the salary supplement, the administration of applications, and administration fees.

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**WMC:** DELETE proviso. *See new proviso 1A.80.*

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.. *See new proviso 1A.80.*

**SEN:** ADOPT deletion of proviso.

~~**1A.29.** (SDE-EIA: Incentive for National Board Certification After June 30, 2010) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who complete the application process on or after July 1, 2010 shall be paid a \$5,000 salary supplement in the year of achieving certification. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$5,000 salary supplement shall be added to the annual pay of the teacher, not to exceed ten years of the national certificate. However, the \$5,000 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA South Carolina) shall administer whereby teachers who are United States citizens or permanent resident aliens apply to the National Board for Professional Teaching Standards for certification on or after July 1, 2010. Should the program not be suspended, up to nine hundred applications shall be processed annually. Of the funds appropriated in Part IA, Section 1, VIII.C.2. for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA South Carolina) the funds necessary for the administration of teachers applying to the National Board for Professional Teaching Standards for certification.~~

**1A.37** **AMEND** (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary for FY 2016-17 is \$51,495. 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 2016-17 and to increase the schedule by 2%.

**WMC:** AMEND proviso to change "\$51,495" to \$51,966;" change "2012-13" to "2016-17;" change "2016-17" to "2017-18;" and delete the requirement that the schedule be increased by 2%.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1A.37.** (SDE-EIA: 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 \$51,495 \$51,966. The General Assembly 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~~ 2016-17 will continue to be used in Fiscal Year ~~2016-17~~ 2017-18 and be increased by two percent.

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.

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Funds appropriated in Part IA, Section 1, VIII.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(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.40 DELETE** (National Board Certification Incentive) Provides for the National Board Certification Incentive for teachers certified by the National Board or who completed the application process prior to July 1, 2010.

**WMC:** DELETE proviso. *See new proviso 1A.80.*

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso. *See new proviso 1A.80.*

**SEN:** ADOPT deletion of proviso.

~~**1A.40.** (SDE-EIA: National Board Certification Incentive) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA South Carolina) shall administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010, may receive a loan equal to the amount of the application fee. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 shall have one-half of the loan principal amount and interest forgiven when the required portfolio is submitted to the national board. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 who attain certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous appropriation act. Funds collected from educators who are in default of the National Board loan shall be retained and carried forward by the department. The department may retain up to ten percent of the funds collected to offset the administrative costs of loan collection. All other funds shall be retained by the department and used for National Board loan purposes. Of the funds appropriated in Part IA, Section 1, VIII.C.2. for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA South Carolina) the funds necessary for the administration of the loan program for teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010. In addition, teachers who have applied prior to July 1, 2010 and are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina~~

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~~certificate consistent with the recertification cycle for national board certification. National board certified teachers who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be 1a0 consistent with national board certification.~~

~~Provided, further, that in calculating the compensation for teacher specialists, the Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.~~

**1A.52** **AMEND** (South Carolina Public Charter School District Funding) Provides for the allocation of S.C. Public Charter School District funds for virtual and brick and mortar charter schools. Provides a timeline extension for ruling on charter school applications and requires the Public Charter School District provide an outcomes report on the extended time frame to the Senate Finance Committee.

**WMC:** AMEND proviso to update fiscal year reference to “2017-18.” Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1A.52.** (SDE-EIA: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section VIII.G. - 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: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District 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 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. For Fiscal Year ~~2016-17~~ 2017-18, the timelines set forth for ruling on charter school applications are extended for sixty calendar days for all applications submitted to the South Carolina Public Charter School District if the district determines that an applicant should be permitted to amend its application to meet the requirements of Section 59-40-60 and Section 59-40-70, of the 1976 Code, based on an applicant’s proposal to address an existing achievement gap utilizing an evidence-based educational program in an underserved geographical area of the state including, but not limited to, charter schools proposed to be located in any school district that is a plaintiff in the Abbeville law suit. The South Carolina Public Charter School District shall report to the Senate Finance Committee and the House Ways and Means Committee on the outcomes of this extended time for a hearing at the end of the application cycle.

**1A.56** **DELETE** (BabyNet Early Intervention Autism Therapy) Requires the \$814,348 appropriated to First Steps for BabyNet Autism Therapy be used only to increase the BabyNet autism therapy provider hourly rate to \$13.58 or the current Medicaid rate, whichever is higher, and the individual hourly pay of line therapists to a minimum of \$10.00. Requires First Steps send a 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.

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**WMC:** DELETE proviso. *Executive Order 2016-20 transferred the BabyNet lead agency status to HHS.*

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~1A.56. (SDE-EIA: BabyNet Early Intervention Autism Therapy) The \$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 or the current Medicaid rate, whichever is higher, 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.58 DELETE** (EIA: Technology Professional Development) Directs that \$4,000,000 of Professional Development funds be designated for professional development for use of classroom technology. Requires districts report by June 15<sup>th</sup> on the amount of funds expended, type of activities funded, and the number of teachers participating in the activity.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~1A.58. (SDE-EIA: Technology Professional Development) Of the funds appropriated in Section VIII.C.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 one hundred thirty five day average daily membership. Districts must report by June fifteenth 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.~~

- 1A.63 AMEND** (4K Early Literacy Competencies Assessments) Provides for the use of full-day 4K program carry forward funds to procure and administer pre-kindergarten and kindergarten readiness assessments.

**WMC:** AMEND proviso to specify that "up to \$2,000,000" of 4K half-day program and assessment carry forward funds be used to administer the "Kindergarten Readiness Assessment (KRA)" rather than that "\$2,000,000" of those funds being used to administer Developmental Reading Assessment(®) 2nd Edition Plus" to each child entering kindergarten in public schools. Delete the requirement that the assessment also be administered once during the last forty-five days of the school year. Delete the authorization for the department to pilot other more comprehensive readiness assessments. Require the department collect certain data from schools

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and school districts on each student's prior early learning experience if they are assessed with the KRA. Requested by Department of Education and Education Oversight Committee.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1A.63.** (SDE-EIA: 4K Early Literacy Competencies Assessments) Of the funds carried forward from the full-day 4K program from the previous fiscal year, the Department of Education is authorized to expend up to \$800,000 on assessments and professional development to analyze the early literacy competencies of children in publicly funded prekindergarten. The department shall manage the administration of assessments that analyze the early literacy and language development of children in publicly funded prekindergarten as done in the prior fiscal year. Each school district and private provider participating in a publicly funded prekindergarten program will administer one of the formative assessments selected by the department to each child eligible for and enrolled in a publicly funded prekindergarten program during the first forty-five days of the school year and during the last forty-five days of the school year. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program or 504 Accommodations Plan. The department will provide the assessment data to the Education Oversight Committee. The results of the assessment and the developmental intervention strategies recommended or services needed to address the child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student to admission to prekindergarten.

Furthermore, up to \$2,000,000 of the funds appropriated for half-day programs for four-year-olds and funds carried forward from assessment must be expended by the Department of Education to administer the ~~Developmental Reading Assessment® 2nd Edition PLUS to implement the progress monitoring system required by the Read to Succeed Act of 2014 and to evaluate the early literacy and language competencies of~~ *Kindergarten Readiness Assessment (KRA)* to each child entering kindergarten in the public schools. The assessment of kindergarten students must be administered at a minimum of once during the first forty-five days of the school year ~~and once during the last forty-five days of the school year~~ with the results collected by the department. The results of the assessments and the developmental intervention strategies recommended or services needed to address each child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student admission to kindergarten. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program or 504 Accommodations Plan. Districts are given the option of designating up to two days of the one hundred eighty day school calendar to administer the assessment to kindergarten students. The department will also provide the results of the assessment of kindergarten students to the Education Oversight Committee. With available funds, the department will also provide or secure training for appropriate educators in how to administer the assessment. ~~In addition the department may pilot in kindergarten classes one or more comprehensive readiness assessments that address the other domains in numeracy, approaches to learning, social and emotional development, and physical well-being in the current school year.~~

*For all students assessed with the Kindergarten Readiness Assessment (KRA), the Department of Education is required to collect data from schools and school districts on the prior early learning experience of each student. The data would include whether the kindergartener had attended in the prior school year a Head Start program, a South Carolina Early Reading Development and Education Program in a public school or a private center, a half-day 4K program in a public school, a full-day 4K program in a public school, a child care center (registered faith-based, registered family home, group home, or exempt provider) or informal child care.*

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**1A.67** **AMEND** (Industry Certifications/Credentials) Directs that Industry Certification/Credentials funds be allocated to school districts based on the number of national industry exams administered in the prior school year. Directs the department to work with the Department of Commerce and DEW, state and local chambers of commerce and economic development offices, and the Tech board to ensure students are aware of industry required credentials for current job availability.

**WMC:** AMEND proviso to specify that “\$3,000,000” of Industry Certifications/Credentials funds be allocated to school districts based on the number of national industry exams administered in the prior school year with each district receiving a \$10,000 base amount. Direct that any additional funds be allocated based on the number of national industry exams/credentials earned in the prior school year. Require districts use these funds to pay for the cost of the industry exams or to support students in preparing for the exams. Fiscal Impact: EOC requested an additional \$1,000,000 in funding for this purpose. Requested by Education Oversight Committee.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1A.67.** (SDE-EIA: Industry Certifications/Credentials) ~~The~~ *Of the* funds appropriated for Industry Certifications/Credentials, \$3,000,000 must be allocated to school districts based upon the number of national industry exams administered in the prior school year *with each district receiving a base amount of \$10,000*. The department will identify the national industry exams that will be funded based upon the job availability in the state. School districts may carry forward funds from the prior fiscal year into the current fiscal year and expend the funds for the cost of national industry exams. The department shall work with the Department of Commerce, the Department of Employment and Workforce, state and local chambers of commerce and economic development offices and the Tech Board to ensure that students are aware of the industry required credentials for current job availability in the state organized by region. Any additional funds appropriated must be allocated to school districts based upon the number of national industry exams/credentials earned in the prior school year, and districts must expend these funds to pay for the cost of industry exams or to support students in preparing for the exams in the current fiscal year.

**1A.68** **AMEND** (Career and ~~Technical Equipment Funding~~ *Technology Education*) Provides for the distribution and use of Modernize Career and Technical Equipment funds to school districts and multi-district career centers. Requires the district plan contain certain information on other available career and technical equipment and to include charter schools offering at least one career and technical education complete program. Authorizes school districts and career centers to carry forward these funds for the same purpose.

**WMC:** AMEND proviso to change “Modernize Career and Technical Equipment” to “Career and Technology Education.” Include “regional career specialists and such evidence-based initiatives like High Schools that Work and Project Lead the Way” to list of authorized fund expenditures. Direct that \$125,000 be allocated to the Palmetto Partners for Science and Technology for robotics competition, curriculum, and support.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**1A.68.** (SDE-EIA: Career and ~~Technical Equipment Funding~~ *Technology Education*) Funds appropriated for ~~Modernize Career and Technical Equipment~~ *Career and Technology Education* will be distributed to school districts and multi-district career centers based on the prior year

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actual student enrollment for career and technology education courses, with no district or multi-district career center receiving less than \$50,000. Funds may be expended for the purchase of career and technical equipment, the up fitting of facilities and the purchase of consumables, regional career specialists, and such evidence-based initiatives like High Schools that Work and Project Lead the Way. Each district must include in the district plan submitted to the Office of Career and Technology Education information on other career and technical equipment available. The district must include, at a minimum, equipment located at the career center and at the technical college, information on the alignment of equipment to current industry jobs and needs in the state as recommended by career and technical program advisory committees. District plans must include charter schools within the school district offering at least one career and technical education completer program. School districts and career centers may carry forward unexpended funds to be used for the same intended purposes to up fit career and technical facilities and replace career and technical program consumables. In addition, \$125,000 of the funds appropriated shall be allocated to the Palmetto Partners for Science and Technology for robotics competition, curriculum, and support.

- 1A.69 AMEND** (Digital Learning) Authorizes the EOC to use \$1,600,000 of Partnerships for Innovation funds to enter into one-year MOAs with public and private entities to pilot computer science initiatives in schools and school districts. Directs that at least \$1,300,000 be authorized for schools or school districts that have poverty indices of 80% or greater based on certain poverty indices or who are an Abbeville equity lawsuit trial or plaintiff district.

**HOU:** AMEND proviso to delete the use of the \$1,600,000 for the computer science initiatives pilot. Sponsor: Rep. Whitmire.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

~~**1A.69.** (SDE-EIA: Digital Learning) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$1,600,000 will be authorized to be utilized to enter into one year memoranda of agreements with public and private entities to pilot computer science initiatives in schools and school districts. The initiatives must focus on improving the digital literacy skills of students and teachers, expanding opportunities for students to learn coding, or providing computer science curriculum. To this end, at least \$1,300,000 must be authorized for schools or school districts that have poverty indices of eighty percent or greater based on the poverty index utilized the prior fiscal year that was student eligibility for the free or reduced price lunch program and Medicaid, or are a trial or plaintiff district in the Abbeville equity lawsuit. In these districts, the EOC will pilot a program that provides school districts with digital learning tools, digital resources, the curriculum foundry, technical support, and professional development.~~

- 1A.73 DELETE** (Teacher Salaries Increase) Directs the department to increase the statewide salary schedule by 2%; requires a local school district board of trustees to provide all certified teachers paid on the teacher salary schedule the 2% increase; specifies that districts are to use the prior year's district salary schedule as its base; directs school districts to use the additional funds from the Teacher Salary Supplement to provide 1% of the required 2% increase; and provides for salary increases for all eligible certified teachers entering the 23rd year. Allows for a waiver from the requirements of this provision under certain conditions. *Note: Companion General Education proviso is 1.79.*

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

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~~1A.73. (SDE-EIA: Teacher Salaries Increase) For Fiscal Year 2016-17, the Department of Education is directed to increase the statewide salary schedule by two percent. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a two percent salary increase. Districts are to provide this increase using the district salary schedule utilized the prior fiscal year as its base. School districts shall utilize the additional funds made available from the Teacher Salary Supplement appropriation to provide one percent of the required two percent increase.~~

~~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 an amount equal to a step on the salary schedule for any teacher entering the 23<sup>rd</sup> year if the district's salary schedule does not go beyond 22 years. Application of this provision must be applied uniformly for all eligible certified teachers. If a school district believes it will be unable to provide the required additional step without incurring a deficit, it may apply to the State Board of Education for a waiver from this requirement.~~

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

**1A.74 DELETE** (College Readiness Assessments) Provides for administration of college readiness assessments for students in the 11th grade. Provides guidelines if a student chooses to use the results of this assessment for post-secondary admission or placement.

**WMC:** DELETE proviso. *Codified in Section 59-18-325.*

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~1A.74. (SDE-EIA: College Readiness Assessments) For the current fiscal year, with the funds appropriated for assessment, the Department of Education is directed to manage the administration of the same college readiness assessment that was administered in the prior fiscal year to students in grade 11. The assessment, or an alternate college readiness measure approved by the department as set forth by the student's Individualized Education Program, must be administered to all students in grade 11. For the purposes of administering the assessment, "eleventh grade students" is defined as students in the third year of high school after their initial enrollment in the ninth grade. Valid accommodations must be provided according to the student's IEP/504 plan. If a student also chooses to use the results of the college readiness assessment for post-secondary admission or placement, the student, his parent, or his guardian must indicate that choice in compliance with the testing vendor's deadline to ensure that the student may receive allowable accommodations consistent with the IEP or 504 plan that may yield a college reportable score.~~

**1A.77 DELETE** (Baby Net Financial Audit Reimbursement) Directs First Steps to use their appropriated or carried forward funds to reimburse the Department of Education up to \$50,000 for Baby Net financial audit costs.

**WMC:** DELETE proviso. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017. Requested by SC First Steps to School Readiness.*

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~1A.77. (SDE-EIA: Baby Net Financial Audit Reimbursement) For Fiscal Year 2016-17, of the funds appropriated or carried forward, First Steps to School Readiness is directed to reimburse the Department of Education up to \$50,000 for the costs of the financial audit of Baby Net.~~

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- 1A.79 DELETE** (Report Cards) Directs the EOC to not calculate absolute or absolute growth performance ratings for the 2016-17 school year for schools or districts, but instead to determine the format of a transitional report card for release in the fall of 2016 that will also identify underperforming schools and districts.  
**WMC:** DELETE proviso. *Codified in Act 281 of 2016.* Requested by Education Oversight Committee.  
**HOU:** ADOPT deletion of proviso.  
**SFC:** ADOPT deletion of proviso.  
**SEN:** ADOPT deletion of proviso.

~~**1A.79.** (SDE-EIA: Report Cards) With the funds appropriated for assessment and the achievement results obtained from these assessments, the Education Oversight Committee shall not calculate absolute or growth performance ratings for the 2016-17 school year for schools or districts. Instead, the Education Oversight Committee shall determine the format of a transitional report card released to the public in the fall of 2016 that will also identify underperforming schools and districts. These transitional reports will, at a minimum, include the following: (1) school, district and statewide student assessment results in reading and mathematics in grades 3 through 8; (2) high school and district graduation rates; and (3) measures of student college and career readiness at the school, district, and statewide level. These transitional reports shall inform schools and districts, the public, and the Department of Education of school and district general academic performance and assist in identifying potentially underperforming schools and districts and in targeting technical assistance support and interventions in the interim before ratings are issued.~~

- 1A.83 ADD** (Value-Added Accountability) **HOU:** ADD new proviso to direct the department to use the education value-added assessment system to calculate the magnitude of student progress or growth at the school level for purposes of state and federal accountability. Allow local school districts to use the system to evaluate classroom teachers using student progress or growth. Direct that this teacher evaluation is to only be available to the specific teacher, principal and superintendent and shall not be a public record. Sponsor: Rep. Whitmire.  
**SFC:** ADOPT new proviso.  
**SEN:** ADOPT new proviso.

***1A.83.** (SDE-EIA: Value-Added Accountability) With the funds appropriated for School Value Added Instrument in the current fiscal year the Department of Education shall use the education value-added assessment system that was procured and administered in the prior fiscal year to calculate the magnitude of student progress or growth at the school level for purposes of state and federal accountability. At the discretion of the local school district, a district may use the education value-added assessment system to evaluate classroom teachers using student progress or growth. The estimates of specific teacher effects on the educational progress of students will not be a public record and shall be made available only to the specific teacher, principal and superintendent. In the current fiscal year, the Department of Education is directed to procure a value-added assessment system, which calculates student growth and includes the measurement of magnitude of growth, to be used in future school years that meets the requirements of the state and federal accountability system as defined in Chapter 18 of Title 59 of the 1976 Code.*

- 1A.84 ADD** (Aid to Districts-Technology) **HOU:** ADD new proviso to direct that Aid to Districts - Technology funds be distributed to public school districts, special schools, and the SC Public Charter School District per pupil, based on the previous year's 135 day ADM based on specific calculations. Allow the department to adjust the per-ADM rates to conform to actual levels of

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student attendance and available appropriations. Direct that funds are to be used to improve external and internal connections and develop or expand 1-1 computing initiatives. Allow a school district that has achieved each goal to submit a plan to the K-12 Technology Committee for permission to use the funds for other technology-related uses and provide an appeals process. Direct each school district that receives these funds to provide an itemized report by June 30, 2018, on the amounts and uses of these funds. Sponsor: Rep. Whitmire.

**SFC:** ADOPT new proviso. *This proviso was formerly in the Lottery Section.*

**SEN:** ADOPT new proviso.

*IA.84. (SDE-EIA: Aid to Districts-Technology) Funds appropriated to the Department of Education for Aid to Districts - Technology 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 one hundred thirty-five day average daily membership, according to the below calculations: (1) For a school district with a 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 greater than 85 or a special school with no defined poverty index: \$70 per ADM. Poverty will be defined as determined for the poverty add on weight in Proviso 1.3 of this Act.*

*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 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 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 may not be used to supplant existing school district expenditures on technology. By June 30, 2018, each school district that receives funding during Fiscal Year 2017-18 must provide the K-12 Technology 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 Committee shall support school districts' efforts to obtain these reimbursements.*

**SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT**

**3.1 AMEND** (Audit) Directs each state agency that receives lottery funds to develop and implement procedures to monitor lottery expenditures to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations. Directs the Executive Budget Office to ensure that these state agencies have effective monitoring procedures in place.

**WMC:** AMEND proviso to update calendar year reference from "2016" to "2017."

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

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**3.1.** (LEA: Audit) Each state agency receiving lottery funds shall develop and implement procedures to monitor the expenditures of lottery funds in order to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations.

For institutions of higher learning, adopted procedures to monitor expenditures of lottery funds shall be reported to the Commission on Higher Education and the Executive Budget Office by October 1, ~~2016~~ 2017, and these expenditures are subject to annual verification and audit by the Commission on Higher Education on a rotational schedule not to exceed three years. The annual verification and audit shall be funded from the funds appropriated to or authorized for the Commission on Higher Education and the commission shall not assess a fee or charge institutions of higher learning for performing this function. In addition, the Commission on Higher Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by October first each year summarizing, by institution, how lottery funds were expended in the prior fiscal year, issues and concerns as well as institution responses to those issues and concerns discovered as a result of the commission's verification and/or audit activity during the prior fiscal year, if any. For the Department of Education, adopted procedures to monitor expenditures of lottery funds that are allocated to the South Carolina school districts and other recipient institutions according to law and Department of Education guidelines shall be reported to the Executive Budget Office by October 1, ~~2016~~ 2017. In addition, the Department of Education shall provide a 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 amount of lottery funds the department distributed to each entity in the prior fiscal year.

All other state agencies must submit their adopted procedures to monitor expenditures of lottery funds to the Executive Budget Office by October 1, ~~2016~~ 2017.

The Executive Budget Office shall ensure that state agencies receiving lottery funds have procedures in place to monitor expenditures of lottery funds and that the monitoring procedures are operating effectively.

**3.3** ~~DELETED~~ (FY 2016-17 Lottery Funding) Directs expenditure of lottery funds for Fiscal Year 2016-17.

**WMC:** ~~DELETED~~ proviso.

**HOU:** ~~ADOPT~~ deletion of proviso.

**SFC:** ~~ADOPT~~ deletion of proviso.

**SEN:** ~~ADOPT~~ deletion of proviso.

~~**3.3.** (LEA: FY 2016-17 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.~~

~~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.~~

~~Certified net lottery proceeds and investment earnings for Fiscal Year 2016-17 are appropriated as follows:~~

- ~~(1) Commission on Higher Education LIFE Scholarships as provided in Chapter 149, Title 59..... \$ 199,754,741;~~
- ~~(2) Commission on Higher Education HOPE Scholarships as provided in Section 59-150-370..... \$ 9,552,955;~~

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- ~~(3) Commission on Higher Education – Palmetto Fellows  
Scholarships as provided in Section 59-104-20 ..... \$ 49,274,030;~~
- ~~(4) Commission on Higher Education and State Board for Technical  
and Comprehensive Education – Tuition Assistance..... \$ 51,100,000;~~
- ~~(5) Commission on Higher Education – Need Based Grants ..... \$ 17,537,078;~~
- ~~(6) Higher Education Tuition Grants Commission – Tuition Grants ... \$ 8,330,008; and~~
- ~~(7) Department of Education – K-12 Technology Initiative..... \$ 23,822,432.~~

Fiscal Year 2015-16 surplus net lottery proceeds and investment earnings certified for Fiscal Year 2016-17 are appropriated as follows:

- ~~(1) Department of Education – School Bus Lease/Purchase ..... \$ 6,500,000;~~
- ~~(2) Commission on Higher Education – Technology Public Four Year  
Institutions, Two Year Institutions, and State Technical Colleges \$ 2,242,212;~~
- ~~(3) State Board for Technical and Comprehensive Education –  
Critical Training Equipment..... \$ 2,000,000;~~
- ~~(4) Department of Education – Instructional Material..... \$ 18,000,000;~~
- ~~(5) Department of Education – College and Career Readiness ..... \$ 3,000,000;~~
- ~~(6) Department of Education – Efficiency Study ..... \$ 3,100,000;~~
- ~~(7) Department of Education – Dynamic Report Card System ..... \$ 1,695,000;~~
- ~~(8) Department of Education – Reading Partners..... \$ 400,000;~~
- ~~(9) Department of Education – Mobile Device Access and  
Management..... \$ 3,000,000;~~
- ~~(10) Commission on Higher Education – Need Based Grants ..... \$ 1;~~
- ~~(11) Department of Education – K12 Technology Initiative ..... \$ 5,466,544; and~~
- ~~(12) Higher Education Tuition Grants Commission – SREB Program  
and Assessments..... \$ 313,456.~~

For Fiscal Year 2016-17, net lottery proceeds and investment earnings above the Fiscal Year 2015-16 certified surplus are appropriated pro-rata as follows:

- ~~(1) State Board for Technical and Comprehensive Education –  
Workforce Scholarships/Grants..... \$ 5,000,000;~~
- ~~(2) Commission on Higher Education – Higher Education  
Excellence Enhancement Program ..... \$ 567,475;~~
- ~~(3) Department of Education – School Bus Lease/Purchase ..... \$ 2,100,000;~~
- ~~(4) Department of Education – Mobile Device Access and  
Management..... \$ 1;~~
- ~~(5) Department of Education – Efficiency Study ..... \$ 1;~~
- ~~(6) State Board for Technical and Comprehensive Education –  
Critical Training Equipment..... \$ 912,307;~~
- ~~(7) Commission on Higher Education – Technology Public Four-  
Year Institutions, Two Year Institutions, and State  
Technical Colleges ..... \$ 5,000,000;~~
- ~~(8) University of South Carolina – Columbia – Maintenance Critical  
Care and Replacement – 1 to 1 Match ..... \$ 1;~~
- ~~(9) Clemson University – Maintenance Critical Care and  
Replacement 1 to 1 Match..... \$ 1; and~~
- ~~(10) Medical University of South Carolina – Maintenance Critical  
Care and Replacement – 1 to 1 Match ..... \$ 1.~~

For Fiscal Year 2016-17, funds certified from unclaimed prizes are appropriated as follows:

- ~~(1) Department of Education – School Bus Lease/Purchase ..... \$ 3,500,000;~~
- ~~(2) State Board for Technical and Comprehensive Education –  
Workforce Scholarships/Grants..... \$ 1;~~
- ~~(3) South Carolina State University ..... \$ 2,500,000;~~

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- ~~(4) Commission on Higher Education – Higher Education  
Excellence Enhancement Program ..... \$ 5,504,999;~~
- ~~(5) Commission on Higher Education – National Guard Tuition  
Repayment Program as provided in Section 59-111-75 ..... \$ 4,545,000;~~
- ~~(6) Department of Alcohol and Other Drug Abuse Services –  
Gambling Addiction Services ..... \$ 50,000;~~
- ~~(7) School for the Deaf and the Blind – Technology ..... \$ 200,000; and~~
- ~~(8) State Library – Aid to County Libraries ..... \$ 1,700,000.~~

If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2016-17 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 – PASCAL Program ..... \$ 1,412,514;~~
- ~~(2) Department of Education – School Bus Lease/Purchase ..... \$ 1,000,000;~~
- ~~(3) State Board for Technical and Comprehensive Education –  
Manufacturing, Healthcare, and STEM Education  
and Training ..... \$ 15,000,000;~~
- ~~(4) Commission on Higher Education – Higher Education  
Excellence Enhancement Program ..... \$ 2,631,137; and~~
- ~~(5) Commission on Higher Education – Need Based Grants ..... \$ 3,000,000.~~

Fiscal Year 2016-17 funds appropriated to the Commission on Higher Education and the State Board for Technical and Comprehensive 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.

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 2016-17 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 2016-17 are fully funded.

If the lottery revenue received for Fiscal Year 2016-17 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$345,000 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 and to provide for a Scholarship Compliance Auditor.

Of the funds appropriated to the Commission on Higher Education for institutions of higher learning entitled “Technology Public Four Year Institutions, Two Year Institutions, and State Technical Colleges,” the commission shall allocate the realized funds on a proportional basis as follows:

- ~~(1) The Citadel ..... \$ 307,628;~~
- ~~(2) University of Charleston ..... \$ 643,395;~~

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(3) Coastal Carolina University.....	\$ 573,411;
(4) Francis Marion University.....	\$ 293,497;
(5) Lander University.....	\$ 301,439;
(6) South Carolina State University.....	\$ 276,399;
(7) USC Aiken Campus.....	\$ 269,987;
(8) USC Upstate.....	\$ 366,549;
(9) USC Beaufort Campus.....	\$ 200,669;
(10) USC Lancaster Campus.....	\$ 75,440;
(11) USC Salkehatchie Campus.....	\$ 75,440;
(12) USC Sumter Campus.....	\$ 75,440;
(13) USC Union Campus.....	\$ 75,440;
(14) Winthrop University.....	\$ 388,130; and
(15) State Technical Colleges and State Board for Technical and Comprehensive Education.....	\$ 3,319,348.

~~In accordance with Section 59-150-356 of the 1976 Code, each institution shall use the amount appropriated only for technology repair and related technology maintenance and/or upgrades that are necessary to support an institution's educational purpose.~~

~~Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement.~~

~~Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education 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.~~

~~Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to certification from the Commission on Higher Education they continue to meet the requirement of this provision.~~

~~Of the funds appropriated above to the State Board for Technical and Comprehensive Education for "Critical Training Equipment," the State Board shall allocate the realized funds on a proportional basis as follows:~~

(1) Aiken Technical College.....	\$ 157,732;
(2) Central Carolina Technical College.....	\$ 165,234;
(3) Denmark Technical College.....	\$ 83,432;
(4) Florence Darlington Technical College.....	\$ 172,296;
(5) Greenville Technical College.....	\$ 269,810;
(6) Horry Georgetown Technical College.....	\$ 213,535;
(7) Midlands Technical College.....	\$ 221,557;
(8) Northeastern Technical College.....	\$ 128,984;
(9) Orangeburg Calhoun Technical College.....	\$ 161,357;
(10) Piedmont Technical College.....	\$ 198,705;
(11) Spartanburg Community College.....	\$ 171,418;
(12) Technical College of the Lowcountry.....	\$ 144,362;
(13) Tri-County Technical College.....	\$ 199,914;
(14) Trident Technical College.....	\$ 325,470;
(15) Williamsburg Technical College.....	\$ 124,150; and
(16) York Technical College.....	\$ 174,351.

~~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.~~

~~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 one hundred thirty five day average daily membership, according to the below calculations: (1) For~~

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a school district with a 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 greater than 85 or a special school with no defined poverty index: \$70 per ADM. Poverty will be defined as determined for the poverty add-on weight in Proviso 1.3 of this Act.

~~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, 2017, each school district that receives funding through the K-12 Technology Initiative during Fiscal Year 2016-17 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.~~

~~Funds appropriated to the Department of Education for Reading Partners shall be allocated to Reading Partners and must be used to increase the number of reading interventions for students in low-performing schools in grades K-5. The Office of Early Learning and Literacy shall specify planning criteria to be submitted by Reading Partners no later than July 15, 2016. Planning criteria shall include, but is not limited to, pre and post assessment data, parental and family literacy engagement, summer learning support and building school-level capacity for intervention. The department shall report to the Governor, 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 Committee by June 15, 2017 on the impact of the program.~~

~~Funds appropriated to the Department of Education for Mobile Device Access and Management shall be disbursed to school districts to procure high-speed mobile internet service for students that lack such internet service at home and are participating in a course of study that requires such access, as demonstrated by the school district. Districts requesting funding shall make application to the South Carolina K-12 Technology Committee in a form approved by the committee and the Department of Education detailing, at a minimum, the proposed uses of such mobile internet service, the number of students eligible for the service, the process used to determine student eligibility, and the process by which the devices will be secured and use-restricted to prevent breach or misuse. The Committee may approve requests in whole or in part as funds are available.~~

~~The Department of Administration, Division of Technology may disapprove applications if the district's mobile device management plans are insufficient to properly secure mobile internet devices issued to students. The Division of Technology may offer mobile device management services to applicant districts in lieu of a district-specific plan.~~

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~~The funds appropriated above for South Carolina State University shall be utilized by the Interim Board of Trustees for administrative functions of the interim board, payments of debt, and for any other purpose deemed necessary by the interim board.~~

~~The funds appropriated to State Board for Technical and Comprehensive Education for Workforce Scholarships and Grants shall be used to provide grants for tuition, fees, transportation, or textbook expenses to South Carolina residents enrolled in a career education program that meets all eligibility guidelines promulgated by the State Board for Technical and Comprehensive Education in consultation with the Department of Education. Grants may be awarded from the fund in an amount not exceeding ten thousand dollars or the total cost of attendance, whichever is less, for students to attend the program of their choice at a South Carolina technical school or professional certification program. By March fifteenth of the academic year provided, the State Board for Technical and Comprehensive Education shall provide a report to the Chairman of House Ways and Means Committee and the Chairman of the Senate Finance Committee containing a list of programs, amount of funding spent per program, number of students that received grants, and the grant amount per student.~~

~~On or before December 31, 2016, the Department of Education, in cooperation with the Commission on Higher Education, shall provide a report to the Governor, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee regarding the costs and opportunities of the change to the State's Uniform Grading Policy from a 7 point scale to a 10 point scale. The report shall include, but not necessarily be limited to, the projected impact, if any, that the change may have on the State's merit based scholarship programs, recommendations on how to fund the projected impact, if any, to the State's merit based scholarship programs, and suggested alternatives to mitigate the projected impact, if any, to the State's merit based scholarship programs. Alternatives, if any, may include potential changes to the State's merit based scholarship criteria including GPA or testing requirements.~~

~~Any lottery revenue in excess of the total amount of money appropriated by this proviso shall be held for appropriation by the General Assembly in the future to offset scholarship needs as a result of population growth and changes to the state's grading scale by the Department of Education.~~

**SECTION 6 - H750 - SCHOOL FOR THE DEAF AND THE BLIND**

- 6.4** ~~DELETE (Adult Vocational Program Fees) Authorizes the school to charge tuition, room and board and other fees to students in the Adult Vocational Program. Directs that fees be determined by the School Board of Commissioners and that the revenue be retained and carried forward.~~  
~~WMC: DELETE proviso. *Program is no longer offered.* Requested by School for the Deaf and the Blind.~~  
~~HOU: ADOPT deletion of proviso.~~  
~~SFC: ADOPT deletion of proviso.~~  
~~SEN: ADOPT deletion of proviso.~~

~~6.4. (SDB: Adult Vocational Program Fees) The School for the Deaf and the Blind is authorized to charge appropriate tuition, room and board, and other fees to students accepted into the Adult Vocational Program. Such fees will be determined by the School Board of Commissioners, and such revenue shall be retained and carried forward.~~

**SECTION 7 - L120 - JOHN DE LA HOWE SCHOOL**

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- 7.4 DELETE** (Transition) Directs the John de la Howe Board of Trustees to work with an advisory group to recommend an educational, vocational, and life skills training program for older children who are at risk and aging out of the foster care or juvenile justice DSS or DJJ supervisory programs. Directs the Board of Trustees, in consultation with the advisory group to contract with a child-service provider to operate the program. Directs the Board of Trustees, with technical assistance from Clemson University, DOA, and EBO to continue to provide wilderness camp programs and identify initiatives to provide agricultural education opportunities on campus. Directs the school to work with DSS and DJJ to safely transition existing students into appropriate placements, programs and services. Provides for a status and progress report to be made to certain legislative committees by June 30th. Directs the Board of Trustees, in consultation with the advisory group to made recommendations to the Governor and General Assembly on the future role of the school.
- WMC:** DELETE proviso. Requested by John de la Howe School.
- HOU:** ADOPT deletion of proviso.
- SFC:** ADOPT deletion of proviso.
- SEN:** ADOPT deletion of proviso.

~~7.4. (JDLH: Transition) In accordance with the purposes of the will of Dr. John de la Howe, by September thirtieth of the current fiscal year, the Board of Trustees of John de la Howe is directed to work with an advisory group comprised of one person each designated by the Director of the Department of Social Services, the Director of the Department of Mental Health, the Director of the Department of Juvenile Justice, the State Superintendent of Education, the Director of the Department of Alcohol and Other Drug Abuse Services, the Chair of the Joint Citizens and Legislative Committee on Children, a Representative appointed by the Speaker of the House, and a Senator appointed by the President Pro Tempore of the Senate to recommend an educational, vocational, and life skills training program at the John de la Howe School for older youth who are at risk and who are aging out of the foster care or the juvenile justice supervisory programs of the Department of Social Services or the Department of Juvenile Justice. The program will utilize the funds appropriated to John de la Howe School for the costs of the program that will include school drop out recovery to complete a high school degree, a GED program, vocational and employment training, and an aftercare program for transition of the youth to independent living and employment. Clemson University will collaborate with the advisory group regarding the development of a vocational farming component for the program.~~

~~In consultation with the advisory group and as set forth herein, by November thirtieth, the John de la Howe Board of Trustees will procure a contract with a child service provider to operate the program. The child service provider must be a nationally accredited (AdvancED) educational organization experienced in both child protection and juvenile justice programs and must be able to demonstrate a history of success in the operation of educational and vocational residential training programs for youth. The Department of Administration and the Executive Budget Office will assist John de la Howe as needed in the transition.~~

~~With funds appropriated and with technical assistance from Clemson University, the Department of Administration and the Executive Budget Office, the John de la Howe School Board of Trustees will continue to provide wilderness camp programs to students in the current fiscal year; and identify initiatives to provide agricultural education opportunities on campus for students.~~

~~John de la Howe will work with the Department of Social Services and the Department of Juvenile Justice to provide for the safe transition of the existing residents from John de la Howe School into such placements, programs and services as determined appropriate based on an assessment of their individual needs.~~

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~~In the development of the program and in the qualifications and selection of the child service provider, considerations by the John de la Howe Board of Trustees in consultation with the advisory group will include the following:~~

~~(1) the overlap of needs of children who crossover for services between the Department of Social Services and the Department of Juvenile Justice;~~

~~(2) educational, school drop out recovery, GED, vocational programs, life skills training programs, career and employment opportunities, and independent living programs for these older youth clients that can be provided using the John de la Howe School facilities, resources, and funding to assist these youth who are at risk and aging out of state services to prepare for success as adults;~~

~~(3) aftercare programs that will follow these youths into the community and help them to become established in viable employment and living situations that encourage a future free of homelessness, unemployment, poverty, alcohol and other substance abuse, criminal behavior, and dependence on public assistance;~~

~~(4) provide the existing child clients at John de la Howe School with a proper, safe transition to family reunification or other appropriate placements and services;~~

~~(5) provide consideration of current John de la Howe School employees, where appropriate, for employment pursuant to the new provider contract for program services; and,~~

~~(6) how the existing funds and youth vocational training programs can be applied to provide repairs and maintenance to the John de la Howe School buildings and grounds.~~

~~The John de la Howe Board of Trustees, with technical assistance from the Department of Education will provide procurement for the contract, fiscal administration of the funds, contract accountability, compliance, and reporting and will submit reports by June thirtieth of the current fiscal year to the House Ways and Means Committee, the Senate Finance Committee, and the Joint Citizens and Legislative Committee on Children to inform the Committees regarding the status and progress of programs, operations, client data, facilities, and budget information. The John de la Howe Board of Trustees, in consultation with the advisory group will make recommendations to the Governor and General Assembly regarding the future role of the John De La Howe School.~~

**SECTION 11 - H030 - COMMISSION ON HIGHER EDUCATION**

**11.15** **AMEND** (Abatements) Requires higher education institutions report to CHE by November 1st on the total number of out-of-state undergraduate students that received abatement of rates during the prior fiscal year and requires the report include certain student related information and the calculation method used to determine the amount of abatement awarded as well as the number of students that received education fee waivers.

**WMC:** AMEND proviso to direct CHE to compile the information received from the institutions into a comprehensive report and submit such report to the Chairmen of the Senate Finance and House Ways and Means Committees by January 5<sup>th</sup> each year.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**11.15.** (CHE: Abatements) By November first of each year, state supported institutions of higher learning must submit to the Commission on Higher Education the total number of out-of-state undergraduate students during the prior fiscal year that received abatement of rates pursuant to Section 59-112-70 of the 1976 Code as well as the total dollar amount of the abatements received. The report must include the geo-origin of the student, class of the student, comprehensive listing of all financial awards received by the student, number of semesters the student has received the abated rate, as well as the athletic status of the student. The report must

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also include the calculation method used to determine the abatement amount awarded to students as well as the number of students that received educational fee waivers pursuant to Section 59-101-620. The Commission on Higher Education is directed to compile the information received from the state-supported institutions of higher learning into a comprehensive report and submit such report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January 5<sup>th</sup> each year.

**SECTION 15 - H150 - UNIVERSITY OF CHARLESTON**

**15.1 DELETE** (Science Center Renovation) Authorizes the University of Charleston to use funds appropriated in FY 2005-06 for the School of Science and Mathematics' Grice Marine Biology Laboratory for the renovation of the Rita L. Hollings Science Center.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

**15.1.** (UoC: Science Center Renovation) ~~In the current fiscal year, the University of Charleston may use funds appropriated in Fiscal Year 2005-06 for the School of Science and Mathematics' Grice Marine Biology Laboratory, for the School of Science and Mathematics' renovation of the Rita L. Hollings Science Center.~~

**SECTION 20 - H450 - UNIVERSITY OF SOUTH CAROLINA**

**20.4 DELETE** (Palmetto College - Operating) Directs USC to allocate \$373,010 to the USC campuses at Lancaster, Salkehatchie, Sumter, and Union to reduce the per-student funding disparity that exists between the campuses. Directs USC to determine the appropriate enrollment measure to guide the distribution of these funds and to report the allocation to CHE and the Chairmen of the Senate Finance and House Ways and Means Committees.

**WMC:** DELETE proviso. *The funds have been permanently transferred to the four campuses and will now be reflected in their respective base budgets.* Requested by University of South Carolina.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

**20.4.** (USC: Palmetto College - Operating) ~~The University of South Carolina is directed to allocate \$373,010 to the USC campuses at Lancaster, Salkehatchie, Sumter and Union in order to reduce the per student funding disparity that exists between each of these campuses. The university shall determine the appropriate enrollment measure to guide the distribution of these additional, recurring state appropriations. The allocation of state funds shall be reported to the Commission on Higher Education, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.~~

**SECTION 23 - H510 - MEDICAL UNIVERSITY OF SOUTH CAROLINA**

**23.2 DELETE** (Telemedicine) Directs the MUSC Hospital Authority to continue to develop the Telemedicine network. Directs the S.C. Telehealth Alliance to submit a proposal to the authority to determine which hospitals are best suited for a Telemedicine partnership. Directs the authority

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to provide bi-annual reports on the distributions of funds to the chairmen of the Senate Finance and House Ways and Means Committees.

**WMC:** DELETE proviso. *Deleted language has been moved to new proviso 117.135.*

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~23.2. (MUSC: Telemedicine) From the funds appropriated to the Medical University of South Carolina for the MUSC Hospital Authority, the Authority is directed to continue the development of South Carolina Statewide Telemedicine network. The South Carolina Telehealth Alliance shall submit a proposal to the MUSC Hospital Authority to determine which hospitals are best suited for a Telemedicine partnership. The MUSC Hospital Authority shall provide bi-annual reports to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing the distribution of funds.~~

**SECTION 25 - H590 - STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION**

**25.7** **DELETE** (Study of Employment of Entry-Level CDL Drivers by State and Local Agencies) Directs the State Board for Tec and Comp Ed to establish a 12 member study committee to identify the best way to facilitate and incentivize state and local government fleet operations in the hiring of entry-level Commercial Drivers' License holders and to develop recommendations for the General Assembly's consideration. Directs that findings and recommendations be submitted to the General Assembly by October 31, 2016.

**WMC:** DELETE proviso. *Agency states is no longer necessary as the report required will be completed and submitted to the General Assembly on or before October 31, 2016. Requested by State Board for Technical and Comprehensive Education.*

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~25.7. (TEC: Study of Employment of Entry-Level CDL Drivers by State and Local Agencies) From the funds appropriated to and/or authorized for the State Board for Technical and Comprehensive Education, the board shall establish a study committee to identify how best to facilitate and incentivize state and local government fleet operations in the hiring of entry level Commercial Drivers' License holders. The study committee shall develop recommendations for the General Assembly to consider which include, but are not limited to, coordination and cooperation with the Department of Education and the State Technical College system; minimal and/or targeted agency entry level employment level objectives; state sponsored incentives; limitations on liability; state sponsored insurance coverage underwriting for some initial period of employment; payroll tax exemptions or incentives; and other state sponsored support.~~

~~The study committee shall be comprised of twelve members as follows:~~

~~(1) two members appointed by the Governor, one of whom is an employee of the South Carolina Insurance Reserve Fund and one of whom is an employee of the Department of Administration;~~

~~(2) two members appointed by the Chairman of the House Education and Public Works Committee, one of whom is a member of the committee and one of whom is an employee of the Department of Education;~~

~~(3) two members appointed by the Chairman of the Senate Transportation Committee, one of whom is a member of the committee and one of whom is an employee of the Technical College System;~~

~~(4) one member appointed by the Secretary of Transportation;~~

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- ~~(5) one member appointed by the South Carolina Municipal Association;~~
- ~~(6) one member appointed by the South Carolina Association of Counties;~~
- ~~(7) one member appointed by the South Carolina Trucking Association;~~
- ~~(8) one member appointed by the Motor Coach Association of South Carolina; and~~
- ~~(9) one member appointed by the Carolina Association of General Contractors.~~

~~Members of the study committee shall possess experience and expertise in human resources, safety, risk, fleet management, or other areas consistent with this objective. Staff support shall be provided by the State Board for Technical and Comprehensive Education, with assistance from the staffs of the Senate Transportation Committee and the House Education and Public Works Committee, upon request. Findings and recommendations shall be submitted to the General Assembly by October 31, 2016.~~

**SECTION 28 - H910 - 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, subject to requests received and availability of funds and designates funding.

**WMC:** AMEND proviso to delete references to specific distribution amounts and instead direct the Arts Commission to report to the Chairmen of the House Ways and Means and Senate Finance Committees by December 1<sup>st</sup>, the amounts of allocations distributed to subdivisions for the prior fiscal year. *To provide actual amounts distributed versus an estimation based on total funds allocated.* Requested by Arts Commission.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

~~**28.5.** (ARTS: Distribution to Subdivisions) Of the funds appropriated and/or authorized to the Arts Commission for Distribution to Subdivisions, the following amounts shall be distributed in the same manner as the funds were distributed in the prior fiscal year, subject to requests received and availability of funds: \$65,000 for Alloc Mun Restricted; \$34,012 for Alloc Cnty Restricted; \$928,569 for Alloc School Dist; \$40,000 for Alloc Other State Agencies; \$459,026 for Alloc Private Sector; \$42,750 for Alloc Private Sector; \$75,449 for Aid Mun Restricted; \$41,155 for Aid Cnty Restricted; \$243,241 for Aid School Districts; \$389,171 for Aid Other State Agencies; \$1,580,603 for Aid To Private Sector; \$45,221 for Aid To Private Sector Reportable; and 3,750 for Aid to County Libraries. No later than December 1st of the current fiscal year, the Arts Commission must report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee the amount of aid/allocations distributed to subdivisions during the most recently completed fiscal year, detailed by specific subdivisions.~~

**SECTION 33 - J020 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**33.9** **AMEND** (Medicaid Eligibility Transfer) Authorizes the department to determine SC Medicaid Program applicant eligibility. Requires counties to provide office space and facility services for this function as they do for DSS functions.

**WMC:** AMEND proviso to require the DHHS director, by November 1<sup>st</sup>, to provide each county governing authority and legislative delegation with information on the condition of space furnished for this purpose and to identify any known ADA deficiencies. Require the governing authorities to report to its legislative delegation and the DHHS director by May 1<sup>st</sup> on progress

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being made in correcting any identified ADA deficiencies. Requested by Department of Health and Human Services.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**33.9.** (DHHS: Medicaid Eligibility Transfer) The South Carolina Department of Health and Human Services (DHHS) is hereby authorized to determine the eligibility of applicants for the South Carolina Medicaid Program in accordance with the State Plan Under Title XIX of The Social Security Act Medical Assistance Program. The governing authority of each county shall provide office space and facility service for this function as they do for DSS functions under Section 43-3-65.

With funds available to the department and by November 1, the Director of the Department of Health and Human Services shall provide the governing authority and the legislative delegation of each county with information on the condition of space furnished for this purpose and shall specifically identify any known deficiencies with respect to the accessibility requirements of the Americans with Disabilities Act (ADA). By May 1, the governing authority of any county with an identified ADA-related deficiency shall report to its legislative delegation and the Director of the Department of Health and Human Services on its progress in correcting such deficiency.

**33.16** **AMEND** (Carry Forward) Authorizes the department to carry forward prior year cash balances from any earmarked or restricted trust, agency, or special revenue account or subfund. Requires the department submit a comprehensive reporting of all cash balances brought forward from the prior fiscal year to the President Pro Tempore of the Senate, Speaker of the House, and Chairmen of the Senate Finance and Ways and Means Committees, within 15 days after the Comptroller General closes books on the fiscal year.

**WMC:** AMEND proviso to authorize the department to carry forward and “expend” any “General Fund balance” as well as expend cash balances carried forward. *Merged proviso 33.22 into this proviso.* Requested by Department of Health and Human Services.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**33.16.** (DHHS: Carry Forward) The Department of Health and Human Services is authorized to carry forward and expend any General Fund balance and any cash balances from the prior fiscal year into the current fiscal year for any earmarked or restricted trust and agency, or special revenue account or subfund. The department shall submit a comprehensive reporting of all cash balances brought forward from the prior fiscal year. The report shall, at a minimum, for each account or subfund include the following: the statutory authority that allows the funds to be carried forward, the maximum authorized amount that can be carried forward, the general purpose or need for the carry forward, the specific source(s) of funding or revenue that generated the carry forward, and a detailed description of any pending obligations against the carry forward. The report must be submitted to the President Pro Tempore of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, and Chairman of the House Ways and Means Committee, within fifteen days after the Comptroller General closes the fiscal year.

**33.22** **DELETE** (Carry Forward Authorization) Authorizes the department to carry forward any general fund balance and spend the funds for the Medicaid program. Requires the department report the balance carried forward to the Chairmen of the Senate Finance and House Ways and Means Committees within thirty days after the close of the fiscal year.

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**WMC:** DELETE proviso. *Combined with proviso 33.16.* Requested by Department of Health and Human Services.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~33.22. (DHHS: Carry Forward Authorization) For the current fiscal year, the Department of Health and Human Services is authorized to carry forward and expend any General Fund balances for the Medicaid program. Within thirty days after the close of the fiscal year, the department shall report the balance carried forward to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.~~

**33.24 ADD (BabyNet Compliance) WMC:** ADD new proviso to direct the department to report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by December 31, 2017, on the status of the department's efforts to bring the BabyNet program into compliance with federal requirements. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017. Agency states this would replace Proviso 1.74, which imposed similar obligations upon First Steps during its administration of the BabyNet program.* Requested by Department of Health and Human Services.

**HOU:** ADOPT new proviso.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

33.24. (DHHS: BabyNet Compliance) With the funds available to the department, the Department of Health and Human Services shall report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee no later than December 31, 2017 on the status of the department's efforts to bring the BabyNet program into compliance with federal requirements. This report must specifically address areas in which the BabyNet program has received low performance scores and include any relevant correspondence from the U.S. Department of Education. The report must explain the department's plan for bringing BabyNet into compliance, including specific steps and the associated timeline.

**SECTION 34 - J040 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**34.17 AMEND (Nursing Home Medicaid Bed Day Permit)** Authorizes the transfer of the Medicaid patient day permit to a nursing home receiving a patient from a facility that has violations of state or federal law or Medicaid certification requirements that necessitate the transfer. Requires the receiving facility to apply to retain the Medicaid patient day permit within sixty days of receipt of the patient.

**WMC:** AMEND proviso to direct that the Medicaid patient day permit is transferred with the patient if the receiving nursing home is an enrolled Medicaid provider that already holds Medicaid patient day permits. Requested by Department of Health and Environmental Control.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**34.17. (DHEC: Nursing Home Medicaid Bed Day Permit)** When ~~transfer of a Medicaid patient~~ *is transferred* from a nursing home *to a receiving nursing home* ~~is necessary~~ due to violations of state or federal law or Medicaid certification requirements, the Medicaid patient day permit shall be transferred with the patient to the receiving nursing home; provided that the

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receiving nursing home is an enrolled Medicaid provider that already holds Medicaid patient day permits, in which case~~The~~ the receiving facility shall apply to permanently retain the Medicaid patient day permit within sixty days of receipt of the patient.

- 34.18 DELETE** (Mineral Sets Revenue) Authorizes the department to charge a reasonable fee for mineral sets and to retain the funds in a revolving account with a maximum carry forward of \$2,000. Directs that funds must be expended for mineral set supplies and related mining and reclamation educational products.

**WMC:** DELETE proviso. *Mineral sets at a fee of \$3/each have not been sold in several years.*  
**Fiscal Impact:** Agency recommends closing the account and any remaining funds being transferred to the General Fund. Requested by Department of Health and Environmental Control.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~**34.18.** (DHEC: Mineral Sets Revenue) The department is authorized to charge a reasonable fee for mineral sets. Funds generated from the sale of mineral sets may be retained by the department in a revolving account with a maximum carry forward of \$2,000 and must be expended for mineral set supplies and related mining and reclamation educational products.~~

- 34.42 DELETE** (Obesity) Directs that DHEC shall be the convener and coordinator of the fight against Obesity in South Carolina. Directs SDE, DHHS, DSS, DMH, MUSC, USC Arnold School of Public Health, PRT, Department of Commerce, DOT, and Commission for the Blind to cooperate with DHEC and its partners to facilitate an environment that decreases body mass index (BMI). Requires school district provide DHEC with information on their progress toward meeting certain provisions of the Student Health and Fitness Act of 2005. Authorizes DHEC to collect, compile and assess State and school districts progress in meeting these goals.

**WMC:** DELETE proviso. *Agency states partners are already working together voluntarily and have been doing so for 3 years as a part of the Scaledown Initiative and this proviso does not include all of the agencies and organizations involved.* Requested by Department of Health and Environmental Control.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~**34.42.** (DHEC: Obesity) The Department of Health and Environmental Control is charged with addressing the public health of our citizens and shall be the convener and coordinator of the fight against Obesity in South Carolina. Because addressing the obesity epidemic requires behavioral, educational, systemic, medical, and community involvement, the following state agencies should use their best efforts to cooperate with the requests of the department and its partners to facilitate an environment that decreases body mass index (BMI): Department of Education; Department of Health and Human Services; Department of Social Services; Department of Mental Health; Medical University of South Carolina; University of South Carolina Arnold School of Public Health; Department of Parks, Recreation and Tourism; Department of Commerce; Department of Transportation; and Commission for the Blind.~~

~~In addition, school districts must provide the Department of Health and Environmental Control with information regarding their progress towards meeting certain provisions of the Student Health and Fitness Act of 2005, specifically: Section 59-10-10 regarding the average number of minutes students exercise weekly; Section 59-10-50 regarding the SC Physical Education Assessment; Section 59-10-310 regarding efforts to promote healthy eating patterns; Section 59-10-320 regarding assessment of school district health education programs; Section~~

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~~59-10-340 regarding snacks in vending machines; and Section 59-10-360 regarding health curriculum. The department is given the authority to collect, compile and assess the progress of the State and the School Districts in meeting the goals of this act.~~

- 34.50** **AMEND** (Data Center Migration) Directs the department to use Data Center Migration funds for a variety of shared technology services offered by the DOA, Division of Technology Operations.  
**WMC:** AMEND proviso to authorize unexpended data center migration funds to be carried forward. *To assist the Division of Technology with costs associated with migrating DHEC's data center.* Fiscal Impact: In the event carry forward funds remain, they would not lapse to the general fund. Requested by Department of Health and Environmental Control.  
**HOU:** ADOPT proviso as amended.  
**SFC:** ADOPT proviso as amended.  
**SEN:** ADOPT proviso as amended.

**34.50.** (DHEC: Data Center Migration) Of the funds appropriated to the Department of Health and Environmental Control for Data Center Migration, the department must utilize the Department of Administration, Division of Technology Operations for shared services, including but not limited to, mainframe services, application hosting, servers, managed servers, storage, network services and disaster recovery services. *Unexpended funds appropriated for the data center migration may be carried forward from the prior fiscal year and used for the same purpose.*

- 34.53** **DELETE** (Coastal Zone Boundary) Directs DHEC to report to the General Assembly by January 1, 2017 on initial recommendations to revise the coastal zone boundary, if any, and directs the study begin with Dorchester County.  
**WMC:** DELETE proviso.  
**HOU:** ADOPT deletion of proviso.  
**SFC:** ADOPT deletion of proviso. *Report has been submitted.*  
**SEN:** ADOPT deletion of proviso.

~~**34.53.** (DHEC: Coastal Zone Boundary) Of the funds appropriated, the Department of Health and Environmental Control shall report to the General Assembly by January 1, 2017, with an initial recommendation to revise the coastal zone boundary, if any, and the study shall begin with Dorchester County.~~

- 34.54** **ADD** (EMS Monetary Penalties) **WMC:** ADD new proviso to allow the Bureau of Emergency Medical Services to retain up to the first \$40,000 of civil monetary penalties against nonconforming providers collected each fiscal year and direct that the funds to be used solely to carry out and enforce the provisions of applicable regulations. Direct a report be submitted to the Governor and Chairmen of the Senate Finance and House Ways and Means Committees on how these funds are expended. *The department states it does not currently have the authority to retain these funds, however provisos 34.24, 34.25, and 34.26 authorize the retention of certain health related monetary penalties.* Fiscal Impact: The agency states approximately \$18,000 was collected in the prior fiscal year and remitted to the General Fund.  
**HOU:** ADOPT new proviso.  
**SFC:** ADOPT new proviso.  
**SEN:** ADOPT new proviso.

*34.54. (DHEC: EMS Monetary Penalties) In the course of regulating Emergency Medical Services (EMS) agencies and personnel, the Bureau of EMS assesses civil monetary penalties*

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against nonconforming providers. The Bureau of EMS shall retain up to the first \$40,000 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. These funds shall be separately accounted for in the department's fiscal records. The agency shall provide a report on how these funds are expended to the Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

- 34.56**    **ADD** (Greenwood Sewer Extension Line) **WMC:** ADD new proviso to redirect nonrecurring funds appropriated in the FY 2007-08 Appropriation Act for the Greenwood Sewer Extension Line to any project on the Eagles Harbor priority list, less outstanding expenses associated with the sewer extension line. Authorize unexpended funds to be carried forward.  
**HOU:** ADOPT new proviso.  
**SFC:** ADOPT new proviso.  
**SEN:** ADOPT new proviso.

**34.56.** (DHEC: Greenwood Sewer Extension Line) Funds remaining from the \$990,000 appropriated in Act 117 of 2007, by proviso 73.12, Item 65(S) to the Department of Health and Environmental Control for the Greenwood Sewer Extension Line shall be redirected for any project on the Eagles Harbor priority list, less any outstanding expenses associated with the Greenwood Sewer Extension Line. Unexpended funds may be carried forward into the current fiscal year to be expended for the same purpose.

**SECTION 35 - J120 - DEPARTMENT OF MENTAL HEALTH**

- 35.7**    **AMEND** (Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) Authorizes the department to establish an interest bearing fund with the State Treasurer to deposit deferred maintenance funds and other one-time funds from any source. Authorizes the department to spend these funds for deferred maintenance, capital projects and ordinary repair and maintenance. Authorizes the funds to be carried forward and used for the same purpose.  
**WMC:** AMEND proviso to delete specific reference to depositing funds "appropriated" for deferred maintenance and other one-time funds from any source. Authorize the department to retain and deposit into the fund the proceeds from the sale of excess real property owned by, under the control of, or assigned to the department. Requested by Department of Mental Health.  
**HOU:** ADOPT proviso as amended.  
**SFC:** ADOPT proviso as amended.  
**SEN:** ADOPT proviso as amended.

**35.7.** (DMH: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Department of Mental Health is authorized to establish an interest bearing fund with the State Treasurer to deposit funds ~~appropriated~~ for deferred maintenance and other one-time funds from any source. The department is also authorized to retain and deposit into the fund proceeds from the sale of excess real property owned by, under the control of, or assigned to the department. After receiving any required approvals, the department is authorized to expend these funds for the purpose of deferred maintenance, capital projects, and ordinary repair and maintenance. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

- 35.8**    **ADD** (Lease Payments to SFAA for SVP Program) **WMC:** ADD new proviso to exempt Sexually Violent Predator Program lease payments to SFAA from any across-the-board base reductions.  
**HOU:** ADOPT new proviso.

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**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

35.8. (DMH: Lease Payments to SFAA for SVP Program) In the current fiscal year, funds appropriated and authorized to the Department of Mental Health for Lease Payments to the State Fiscal Accountability Authority for the Sexually Violent Predator Program are exempt from any across-the-board base reductions.

**SECTION 36 - J160 - DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS**

**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. Requires the department to establish curriculum and standards for training and oversight. Directs that this provision does not apply to an intermediate care facility for individuals with intellectual and/or related disability.

**WMC:** AMEND proviso to change “selected” to “designated” unlicensed persons. Direct that unlicensed persons must have documented “successful completion of” medication training and direct that in addition to nurses, “licensed pharmacists and licensed medical doctors” may train and supervise designated unlicensed persons to provide medication. Amend the type of medications designated unlicensed persons may provide. Require a written or electronic record about each medication be provided as part of the provision of medication. Direct that nurses, pharmacists and medical doctors that train, approve, and supervise designated unlicensed persons shall be protected against tort liability. Requested by Department of Disabilities and Special Needs.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**36.7.** (DDSN: Unlicensed Medication Providers) The provision of selected prescribed medications may be performed by ~~selected~~ *designated* unlicensed persons in community-based programs sponsored, licensed or certified by the South Carolina Department of Disabilities and Special Needs, provided ~~such selected~~ *the* unlicensed persons have documented *successful completion of* medication training and ~~skill~~ competency evaluation. Licensed nurses, *licensed pharmacists and licensed medical doctors* may train and supervise ~~selected~~ *designated* unlicensed persons to provide medications and, after reviewing competency evaluations, may approve ~~selected~~ *designated* unlicensed persons for the provision of medications. The provision of medications by ~~selected~~ *designated* unlicensed persons is limited to oral, *sublingual, buccal, and* topical, *inhalation and transdermal* medications; *ear drops, eye drops, nasal sprays, injections of* ~~and to~~ regularly scheduled insulin and *injections of* prescribed anaphylactic treatments, ~~under established medical protocol and does not include~~ *The provision of medications by designated unlicensed persons does not include rectal and vaginal medications,* sliding scale insulin or other injectable medications. *A written or electronic record regarding each medication provided, including time and amount administered, is required as part of the provision of medication. Provision of medication does not include judgment, evaluation or assessment by the designated unlicensed persons.* The ~~selected~~ *designated* unlicensed persons *and the nurses, pharmacists and medical doctors that train, approve, and supervise these staff* 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.

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This provision shall not apply to a facility licensed as an intermediate care facility for individuals with intellectual and/or related disability.

- 36.16** **ADD** (Beaufort DSN Facility) **WMC:** ADD new proviso to authorize the department to retain the full amount of proceeds from the sale of the local DSN Board of Beaufort County property. Direct that funds from the sale must be used to purchase new property for the local DSN Board that better meets the needs of those served. Authorize unexpended funds to be carried forward and used for the same purpose. Direct the department to provide a status report to the Beaufort County Legislative Delegation by June 30, 2018 that details the retention of any sale proceeds and/or expenditures of the funds.

**HOU:** ADOPT new proviso.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

*36.16. (DDSN: Beaufort DSN Facility) For Fiscal Year 2017-18, the Department of Disabilities and Special Needs is authorized to retain the full amount of proceeds from the sale of the local Disabilities and Special Needs Board of Beaufort County property. The funds retained from this sale must be used by the department to purchase a new property for the local Disabilities and Special Needs Board in Beaufort County that more appropriately meets the needs of the individuals served. Unexpended funds may be carried forward into the current fiscal year and used for the same purpose. The department must provide a status report to the Beaufort County Legislative Delegation by June 30, 2018, detailing the retention of any sale proceeds and/or the expenditures of those funds.*

**SECTION 38 - L040 - DEPARTMENT OF SOCIAL SERVICES**

- 38.3** **AMEND** (~~Foster Children~~ Burial *Expenses*) Directs that the expenditure of funds allocated for burials of foster children not exceed \$1,500 per burial.

**WMC:** AMEND proviso to include adults who are in DSS custody. Requested by Department of Social Services.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**38.3.** (DSS: ~~Foster Children~~ Burial *Expenses*) The expenditure of funds allocated for burials of foster children and adults in the custody of the Department of Social Services shall not exceed one thousand five hundred dollars per burial.

- 38.27** **ADD** (Wilderness Therapeutic Camps) **WMC:** ADD new proviso to direct DSS to make and promulgate any licensing standards rules and regulations necessary to carry out the purposes of Article 1 of Title 63, Chapter 11 [CHILD WELFARE AGENCIES] as applied to Wilderness Therapeutic Camps. Define “Wilderness Therapeutic Camp.”

**HOU:** ADOPT new proviso.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

*38.27. (DSS: Wilderness Therapeutic Camps) The Department of Social Services shall make and promulgate such rules and regulations relating to licensing standards and other matters as may be necessary to carry out the purposes of Title 63, Chapter 11, Article 1 of the 1976 Code as applied to Wilderness Therapeutic Camps. For this purpose, a “Wilderness Therapeutic Camp” is a therapeutic camp organization or facility with an outdoor or wilderness*

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focus that is engaged in receiving children for care and maintenance, either part or full time, but shall not include any summer camp, day camp, or after school program, and shall also not include any other outdoor education or youth development program or facility where participants usually attend for less than 15 days, and does not include any licensed residential group care organization, child caring institution or group home or facility that meets the facility requirements of S.C. Code of Regulations Section 114-590.

**SECTION 42 - L320 - HOUSING FINANCE AND DEVELOPMENT AUTHORITY**

- 42.5**     **ADD** (Housing Trust Fund Disaster Initiative) **WMC:** ADD new proviso to exclude Housing Trust Fund Disaster Initiative funds from the calculation of the percentage of trust fund expenditures per county. Requested by Housing Finance and Development Authority.  
**HOU:** ADOPT new proviso.  
**SFC:** ADOPT new proviso.  
**SEN:** ADOPT new proviso.

42.5. (HFDA: Housing Trust Fund Disaster Initiative) Funds allocated, granted, or awarded under the Housing Trust Fund's Disaster Initiative shall not be included when calculating the percentage of trust fund expenditures per county.

**SECTION 44 - P160 - DEPARTMENT OF AGRICULTURE**

- 44.6**     **DELETE** (Farmers Market Revenue) Requires revenues from the sale of the State Farmers Market be deposited into a separate restricted special account under the State Fiscal Accountability Authority; authorizes the funds and accrued interest to be used to relocate and reestablish the State Farmers Market after JBRC and SFAA approval.  
**WMC:** DELETE proviso. Requested by Department of Agriculture.  
**HOU:** ADOPT deletion of proviso.  
**SFC:** ADOPT deletion of proviso.  
**SEN:** ADOPT deletion of proviso.

~~44.6. (AGRI: Farmers Market Revenue) The revenues associated with the sale of the State Farmers Market shall be deposited into a separate restricted special account under the authority of the State Fiscal Accountability Authority. These funds and accrued interest may only be expended for relocating and reestablishing the State Farmers Market after approval by the Joint Bond Review Committee and the State Fiscal Accountability Authority.~~

**SECTION 50 - P320 - DEPARTMENT OF COMMERCE**

- 50.19**    **DELETE** (Water System Corrective Action Plan) Redirects the non-recurring \$500,000 appropriated in Act 91 of 2015 for the Hartsville Downtown Revitalization - Center Theater to the Town of Lamar for the Water System Corrective Action Plan.  
**WMC:** DELETE proviso. *Funds were redirected in FY 2016-17.* Requested by Department of Commerce.  
**HOU:** ADOPT deletion of proviso.  
**SFC:** ADOPT deletion of proviso.  
**SEN:** ADOPT deletion of proviso.

~~50.19. (CMRC: Water System Corrective Action Plan) The \$500,000 appropriated through the Department of Commerce for the Hartsville Downtown Revitalization - Center Theater~~

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(Requires 2:1 Match) in Act 91 of 2015 by proviso 118.14(B)(42)(i) shall be redirected to the Town of Lamar for the Water System Corrective Action Plan.

**SECTION 57 - B040 - JUDICIAL DEPARTMENT**

- 57.5**     **AMEND** (Judicial Expense Allowance) Provides a \$500 monthly expense allowance to full time judges.  
**WMC:** AMEND proviso to change “five hundred” to “one thousand” dollars per month. Fiscal Impact: Agency states a projected fiscal impact of \$800,000. Requested by South Carolina Judicial Department.  
**HOU:** ADOPT proviso as amended.  
**SFC:** ADOPT proviso as amended.  
**SEN:** ADOPT proviso as amended.

**57.5.** (JUD: Judicial Expense Allowance) Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit Court Judge and any retired judge who receives payment for performing full-time judicial duties pursuant to Section 9-8-120 of the South Carolina Code of Laws, shall receive ~~five hundred~~ *one thousand* dollars per month as expense allowance.

**SECTION 63 - K050 - DEPARTMENT OF PUBLIC SAFETY**

- 63.7**     **DELETE** (Hours of Service Rest Requirements) Directs DPS to establish a policy to allow commercial motor vehicle drivers who are involved in intrastate commerce to use time waiting in their trucks while on the job to satisfy any hours of the 30 minute rest requirements.  
**WMC:** DELETE proviso. *Agency states it has satisfied the requirements of this proviso.* Requested by Department of Public Safety.  
**HOU:** ADOPT deletion of proviso.  
**SFC:** ADOPT deletion of proviso.  
**SEN:** ADOPT deletion of proviso.

**63.7.** (DPS: Hours of Service Rest Requirements) ~~Of the funds directed to the Department of Public Safety, the department shall expend the necessary funds to establish a policy to allow drivers of commercial motor vehicles engaged in intrastate commerce to use time waiting in their trucks while on the job to satisfy any hours of service thirty minute rest requirements. The policy shall then be printed and distributed to the Senate Transportation Committee and the House of Representatives Education and Public Works Committee. In addition, the policy shall be provided to any motor carrier who requests a copy. The department is further instructed to allow the Motor Carrier Advisory Committee to review options that may facilitate adoption of allowable variances from state and federal statutes, rules, and regulations, as well as specific relief for interstate border zone operations.~~

**SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS**

- 65.18**    **AMEND** (Special Assignment Pay Level 2 & 3 Facilities) Directs that funds appropriated for special assignment pay are to address vacancies and turnover by providing pay differential for certain correctional officers, nursing staff, and food service staff at Level II and III facilities.  
**WMC:** AMEND proviso to delete the directive that special assignment pay is a percentage of the base salary and shall not exceed the specified percentages. Delete references to previous staff categories and percentages assigned to each and add Cadets, Correctional Officers, Corporals I

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and II, Sergeants and Lieutenants; Captains and Majors; Nursing Staff, Food Services Staff, and Warden.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**65.18.** (CORR: Special Assignment Pay Level 2 & 3 Facilities) Funds appropriated for special assignment pay at the Department of Corrections are for the purpose of addressing vacancies and turnover of staff by providing a pay differential for certain employees assigned to institutions with a Level II or Level III security designation. The funds are to be used for special assignment pay only and may not be transferred to any other program. If the employee leaves one of the qualifying job classes or leaves a Level II or Level III institution for a non-Level II or non-Level III facility, they shall no longer be eligible for this special assignment pay. Only employees in full-time equivalent positions are eligible for this special assignment pay.

The special assignment pay is not a part of the employee's base salary, ~~but is a percentage thereof, and is to be paid so as not to exceed the percentages specified below~~ and is as determined by the Director of the Department of Corrections at Level II and Level III institutions:

(1) Cadets;

(2) Correctional Officers, including Class Code JD-30 (Officer I and II positions);

(3) Corporals I and II;

(4) Sergeants and Lieutenants;

(5) Captains and Majors;

(6) Nursing Staff;

(7) Food Services Staff; and

(8) Warden.

~~(A) At Level II institutions:~~

~~(1) four percent for Correctional Officers including Class Code JD-30 (cadets and Officer I and II positions) and Corporals I and II;~~

~~(2) two percent for Sergeants and Lieutenants;~~

~~(3) one percent for Captains and Majors;~~

~~(4) two percent for Nursing staff; and~~

~~(5) two percent for Food Service staff.~~

~~(B) At Level III institutions:~~

~~(1) eight percent for Correctional Officers including Class Code JD-30 (cadets and Officer I and II positions) and Corporals I and II;~~

~~(2) three percent for Sergeants and Lieutenants;~~

~~(3) one percent for Captains and Majors;~~

~~(4) three percent for Nursing staff; and~~

~~(5) three percent for Food Service staff.~~

**SECTION 74 - R080 - WORKERS' COMPENSATION COMMISSION**

**74.1 DELETE** (Medical Services Provider Manual Revenue) Allows the commission to retain the revenue from the sale of Medical Services Provider Manual to fund the printing and distribution of future editions of the schedule.

**WMC:** DELETE proviso. *The commission no longer sells or receives revenue from the manual.* Requested by Workers' Compensation Commission.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

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**74.1.** (WCC: Medical Services Provider Manual Revenue) ~~All revenue earned from the sale of the commission's publication Medical Services Provider Manual shall be retained by the agency to be used for the printing and distribution of subsequent revised editions of the schedule.~~

**SECTION 79 - R230 - BOARD OF FINANCIAL INSTITUTIONS**

**79.2** **DELETE** (National Mortgage Settlement Carry Forward) Authorizes the Consumer Finance Division to retain, expend, and carry forward State-Federal National Mortgage Settlement funds received for enforcement and regulation.

**WMC:** DELETE proviso. *Funds received from the settlement have been expended.* Requested by Board of Financial Institutions.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

**79.2.** (FI: National Mortgage Settlement Carry Forward) ~~Funds received by the Consumer Finance Division pursuant to the State-Federal National Mortgage Settlement for enforcement and regulation may be retained, expended, and carried forward from the prior fiscal year into the current fiscal year and used for the same purposes.~~

**SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES**

**82.2** **DELETE** (Publish Headquarters Call Center Telephone Number) Directs DMV to publish the telephone number of the Headquarters Call Center in each county.

**WMC:** DELETE proviso. *Phone number is readily available therefore proviso is unnecessary.* Requested by Department of Motor Vehicles.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

**82.2.** (DMV: Publish Headquarters Call Center Telephone Number) ~~From the funds appropriated in Part IA, Section 82 to the Department of Motor Vehicles, it is the intent of the General Assembly that the Department of Motor Vehicles in each county should have the Headquarters Call Center telephone number published.~~

**82.6** **DELETE** (Facial Recognition Program) Directs DMV to continue the Facial Recognition Program using their authorized funds.

**WMC:** DELETE proviso. *DMV states it will continue to pay for the program therefore proviso is unnecessary.* Requested by Department of Motor Vehicles.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

**82.6.** (DMV: Facial Recognition Program) ~~The Department of Motor Vehicles is directed to utilize the funds authorized for the agency to continue the Facial Recognition Program.~~

**82.9** **DELETE** (DOT Transfer) Directs DMV to transfer \$10,000,000 from any available cash balances to the Non-Federal Aid Highway Fund at the DOT.

**WMC:** DELETE proviso. *DOT one-time transfer has been accomplished.* Fiscal Impact: Agency states that another \$10,000,000 transfer would eliminate the ability to use funds to complete the Phoenix III system. Requested by Department of Motor Vehicles.

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**HOU:** ADOPT deletion of proviso.  
**SFC:** ADOPT deletion of proviso.  
**SEN:** ADOPT deletion of proviso.

~~**82.9.** (DMV: DOT Transfer) The Department shall transfer \$10,000,000 in the current fiscal year from any available cash balances to the Non Federal Aid Highway Fund at the Department of Transportation.~~

- 82.11** **ADD** (Phoenix III Migration Pilot) **WMC:** ADD new proviso to authorize DMV, upon approval from DOA through the IT project governance process, to expend up to \$1,000,000 from any available other earmarked cash balances to conduct a proof-of-concept pilot for Phoenix III development and data migration.  
**HOU:** ADOPT new proviso.  
**SFC:** ADOPT new proviso.  
**SEN:** ADOPT new proviso.

***82.11.** (DMV: Phoenix III Migration Pilot) In Fiscal Year 2017-18, the department shall be authorized to expend up to \$1,000,000 from any available other earmarked cash balances to conduct a proof-of-concept pilot for Phoenix III development and data migration. Funds may be expended only upon review and approval of the Department of Administration through the IT project governance process established by proviso 117.121.*

**SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND WORKFORCE**

- 83.5** **AMEND** (UI Tax System Modernization) Authorizes DEW to expend up to \$300,000 of funds made available to the State under Section 903 of the U.S. Social Security Act. Directs the funds to be used to replace the agency's unemployment tax information system with a modern technology solution. Prohibits the funds from being obligated after a 2-year period beginning July 1, 2015.  
**WMC:** AMEND proviso to change "\$300,000" to "\$1,743,930" and update two-year period reference from "2015" to "2017." *Agency states Reed Act funds will be used to fund a portion of the agency's unemployment tax system modernization project.* Fiscal Impact: Agency states there would be up to \$1,743,930 of other funds will be utilized to fund a portion of the project. Requested by Department of Employment and Workforce.  
**HOU:** ADOPT proviso as amended.  
**SFC:** ADOPT proviso as amended.  
**SEN:** ADOPT proviso as amended.

**83.5.** (DEW: UI Tax System Modernization) The Department of Employment and Workforce is authorized to expend up to ~~\$300,000~~ \$1,743,930 of funds made available to the State under Section 903 of the United States Social Security Act, as amended. The funds must be used under the direction of the Department of Employment and Workforce, for the purpose of acquiring software, equipment, and necessary services to replace the agency's unemployment tax information system with a modern technology solution. No part of the funds herein authorized may be obligated after a two-year period beginning on July 1, ~~2015~~ 2017. The amount obligated pursuant to this provision shall not at any time exceed the amount by which (a) the aggregate of amounts transferred to the accounts of the State pursuant to Section 903 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for administration and paid out for benefits and required by law to be charged against the amounts transferred to the account of this State.

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**SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION**

- 84.9 DELETE** (Tree Removal) Prohibits DOT from using their authorized funds for tree removal or other similar activities in the median of I-26 from mile marker 170 to mile marker 199 between Summerville and I-95.  
**WMC:** DELETE proviso. *The project is complete.* Requested by Department of Transportation.  
**HOU:** ADOPT deletion of proviso.  
**SFC:** ADOPT deletion of proviso.  
**SEN:** ADOPT deletion of proviso.

~~**84.9.** (DOT: Tree Removal) The Department of Transportation is prohibited from using funds authorized by this act for clear cutting, or other similar activities, in the median of Interstate 26 from approximately mile marker 170 to approximately mile marker 199 between Summerville and Interstate 95, except for the following mile marker locations: 170 to 171, 175 to 176, 182 to 183, 187 to 191, and 193 to 199.~~

- 84.16 ADD** (Rest Areas Contractual Payments) **HOU:** ADD new proviso to direct the department to ensure that firms contracted to service rest areas pay their employees in a timely payment. Direct the department to delay payment to a contracted firm by the same number of days the firm is late paying their employees. Sponsor: Rep. Cobb-Hunter.  
**SFC:** ADOPT new proviso.  
**SEN:** ADOPT new proviso.

***84.16.** (DOT: Rest Areas Contractual Payments) The Department of Transportation is directed to ensure that firms the department contracts with to perform services at South Carolina Rest Areas pay their employees for performing such services in a timely manner. If the department determines that the contracted firm does not pay these employees in a timely manner, the department shall delay the next contractual payment to the firm by the same number of days that payment to its contracted employees was delayed.*

**SECTION 88 - Y140 - STATE PORTS AUTHORITY**

- 88.1 AMEND** (Charleston Cooper River Bridge Project) Directs the State Ports Authority to pay the State Transportation Infrastructure Bank \$1,000,000 before June 30, 2017 to continue the Charleston Cooper River Bridge Project.  
**WMC:** AMEND original proviso to change July 1, “2016” to “2017” and June 30, and “2017” to “2018.” *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. Requested by State Ports Authority.  
**HOU:** ADOPT proviso as amended.  
**SFC:** ADOPT proviso as amended.  
**SEN:** ADOPT proviso as amended.

**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, ~~2016~~ 2017, pay to the State Transportation Infrastructure Bank one million dollars before June 30, ~~2017~~ 2018, to continue the Charleston Cooper River Bridge Project.

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**SECTION 91 - A990 - LEGISLATIVE DEPARTMENT**

**91.23**    **AMEND** (Technology Panel) Directs the K-12 Technology Initiative partnership to 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, 2017.

**WMC:** AMEND proviso to specify that the funds referenced are appropriated in SDE program VIII.D. and update report due date to June 1, “2018.” Requested by Department of Administration.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**91.23.** (LEG: Technology Panel) Of the funds appropriated in ~~XII.E.2.~~ *the Department of Education’s program VIII.D.* 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, ~~2017~~ 2018.

**SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION**

**93.11**    **AMEND** (Crime Victims Ombudsman) Directs the State Office of Victim’s Assistance to transfer \$85,000 to the Crime Victims Ombudsman’s Office for administrative and operations support.

**WMC:** AMEND proviso to change “\$85,000 to \$116,000.” *Adjustments to funding amounts are needed to cover increased operating costs, payroll and employer contributions.* Fiscal Impact: Agency states there would be an increase in other fund expenditures of \$31,000 and is necessary as the carry forward funds for the Crime Victims Ombudsman Office will be depleted in FY 2018-19. Requested by Department of Administration.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**93.11.** (DOA: Crime Victims Ombudsman) For the current fiscal year, the State Office of Victims Assistance shall transfer ~~\$85,000~~ \$116,000 to the Crime Victims Ombudsman’s Office to be used for administrative and operational support.

**93.13**    **DELETE** (Carillon Tower) Directs the DOA OEPP Veterans’ Affairs Program to use any M.J. “Dolly” Cooper Veterans Cemetery carry forward funds to build the Carillon Tower to house the bell tower music sound system for the cemetery.

**WMC:** DELETE proviso. *Project is complete.* Requested by Department of Administration.

**HOU:** ADOPT deletion of proviso.

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**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~**93.13.** (DOA: Carillon Tower) The Department of Administration, Office of Executive Policy and Programs, Veterans' Affairs Program shall use any carry forward funds authorized for the M.J. "Dolly" Cooper Veterans Cemetery to construct the Carillon Tower to house the sound system used to provide bell tower music for the cemetery.~~

**93.25** **AMEND** (Emerging Leaders Program) Directs DOA Office of Human Resources to establish an Emerging Leaders Program designed to identify and develop the next generation of state government leaders. Requires the plans for the program be completed in time for the first cohort of participants to be selected by June 30, 2017.

**WMC:** AMEND proviso to update calendar year reference to "2018."

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**93.25.** (DOA: Emerging Leaders Program) (A) With the funds appropriated to the Office of Human Resources, the Department of Administration shall establish an Emerging Leaders Program (ELP) that is designed to identify and develop the next generation of South Carolina state government's leaders by attracting and/or retaining imminent or recent graduates of relevant post-baccalaureate programs to careers in public service. In order to cultivate effective and innovative leaders with demonstrated problem-solving capabilities, the program shall be cohort-based and require participants to complete rotations in a variety of functional roles that focus on budgeting, policymaking, operations/service delivery, and other appropriate/elective fields. These rotations shall be augmented by and interspersed with classroom-based modules on organizational behavior, decision-making processes, principles of leadership, and other appropriate topics. The program's ultimate design shall reflect the department's assessment of best practices in both public-sector and private-sector management and/or leadership development programs.

(B) Plans for the program shall be completed in time for the first cohort of participants to be selected by June 30, ~~2017~~ 2018.

**SECTION 95 - E040 - OFFICE OF THE LIEUTENANT GOVERNOR**

**95.5** **AMEND** (Home and Community-Based Services) Provides for the use, allocation, and carry forward of Home and Community-Based Services funds.

**WMC:** AMEND proviso to change technical references to allowable services. Authorize the Lieutenant Governor's Office on Aging to retain ¼ of 1% of the funds to monitor and oversee the program. Reduce from 5% to 3% the amount of funds which the Lt. Governor's Office on Aging may retain for allocation in case of a recognized emergency and/or natural disaster recognized by the Governor. Delete the requirement that funds be allocated based on the Intrastate Funding Formula methodology and instead direct that the formula be used as a guideline and direct the Lt. Governor's Office on Aging develop and implement a structured methodology to allocate the funding. *Reduction from 5% to 3% would provide more funds for core services to seniors.* Fiscal Impact: Agency states based on current appropriations 3% would provide \$329,160 for emergencies or natural disasters and ¼ of 1% would provide \$27,430 for monitoring. Requested by Lieutenant Governor's Office.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

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**95.5.** (LTG: Home and Community-Based Services) State funds appropriated for Home and Community-Based Services shall be used to fund those services that most directly meet the goal of allowing seniors to live *safely and* independently at home. Allowable services *as defined in the Lieutenant Governor's State Plan* include: group dining, home delivered meals, transportation to group dining sites, transportation for essential trips, ~~Home Care Level I and II personal care (formerly Home Care Level I), homemaker (formerly Home Care Level II),~~ Home Chore, Home Modification, Legal Assistance, *and* Assessments, ~~and~~ Area Agencies on Aging (AAAs) may expend no more than ten percent for administrative services *and one-quarter of one percent shall be retained by the Lieutenant Governor's Office on Aging to provide monitoring and oversight of the program.* ~~All state funds appropriated for Home and Community Based Services are to be allocated to the AAAs based on the methodology of the Intrastate Funding Formula.~~ However, up to five *three* percent of the annual state appropriation for Home and Community-Based Services may be retained at the ~~state office~~ *Lieutenant Governor's Office on Aging* to be allocated *by the Lieutenant Governor's Office on Aging* to the affected regions in cases of a ~~recognized~~ *an* emergency and/or natural disaster *recognized by the Governor.* If these funds are not utilized in the fiscal year allocated, they are to be treated as carry forward funds and reallocated to the AAAs. *The Interstate Funding Formula shall be used as a guideline for the allocation of state funds appropriated for Home and Community-Based Services. The Lieutenant Governor's Office on Aging shall develop and implement a structured methodology to allocate the state Home and Community-Based Services funding. The methodology shall include flexibility to reallocate funds amongst the AAAs, and be composed of, at a minimum, the following factors: a minimum base amount, the fiscal year's federally allocated funds, federal and state carry forwards funds, and an appropriate weighted proportion that will achieve the mission of the Lieutenant Governor's Office on Aging to provide as many services as possible to the citizens of South Carolina. The AAAs are to* *Each AAA shall* submit a budget for approval by the Lieutenant Governor's Office on Aging indicating the services to be provided. Any unexpended *Home and Community-Base Services* funds in this program shall be carried forward *by the Lieutenant Governor's Office on Aging* and used for the same purposes. Funds may not be transferred from the Home and Community-Based special line item for any other purpose.

**95.7** **DELETE** (Referring Agency) Designates the Lieutenant Governor's Office on Aging as a "referring agency" to the 14 Community Action Agencies in the state and to OEPP, Office of Economic Opportunity for services for the elderly. Requires OEPP provide a report by September 1st to the Chairmen of the Senate Finance and House Ways and Means Committees on the status of all referrals received from the Lt. Governor's Office on Aging in the prior fiscal year.

**WMC:** DELETE proviso. *The agency states that the objective has been met.* Requested by Lieutenant Governor's Office.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

**95.7.** (LTG: Referring Agency) ~~The Lieutenant Governor's Office on Aging shall serve as a "referring agency" to the fourteen Community Action Agencies (CAAs) in South Carolina and to the Governor's Office of Executive Policy and Programs, Office of Economic Opportunity for services for the elderly population. The Governor's Office of Executive Policy and Programs shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first on all referrals received from the Lieutenant Governor's Office on Aging in the prior fiscal year and on the status of the referrals.~~

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**SECTION 99 - E190 - RETIREMENT SYSTEM INVESTMENT COMMISSION**

- 99.2 DELETE** (Semi-Annual Meetings) Requires the Retirement System Investment Commission appear semi-annually before the Ways and Means Committee's Legislative, Executive, and Local Government Subcommittee, at the subcommittee's request, in order to review quarterly investment reports and agency operations.  
**WMC:** DELETE proviso.  
**HOU:** ADOPT deletion of proviso.  
**SFC:** ADOPT deletion of proviso.  
**SEN:** ADOPT deletion of proviso.

~~99.2. (RSIC: Semi-Annual Meetings) The Retirement System Investment Commission shall be required to appear before House Ways and Means Committee's, Legislative, Executive and Local Government Subcommittee on a semi-annual basis at the request of the subcommittee. The purpose of the meeting shall include, but not be limited to, the review of quarterly investment reports and agency operations.~~

- 99.3 DELETE** (Administrator Retention) Directs the Retirement System Investment Commission to retain 25% of the annual amount invoiced for its 3<sup>rd</sup> party administrator system to ensure the system's performance. Requires the funds be held in a retainage account and directs that they can only be distributed after satisfactory performance has been verified by the Investment Commission and Procurement Services. Authorizes undistributed funds to be carried forward and used for the same purpose.  
**WMC:** DELETE proviso. *The 3rd party administrator's performance has been verified and the retained amount has been paid. The proviso is no longer necessary.* Requested by Retirement System Investment Commission.  
**HOU:** ADOPT deletion of proviso.  
**SFC:** ADOPT deletion of proviso.  
**SEN:** ADOPT deletion of proviso.

~~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.~~

**SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL**

- 100.9 AMEND** (Billeting and Dining Facility Operations) Authorizes Billeting and Dining Facility Operations revenue to be retained and expended in their budgeted operations or to support SCMD operations, including use for matching federal funds, and armory maintenance and operations.  
**WMC:** AMEND proviso to delete the authorization to expend billeting and dining facility revenue to support SCMD operations and armory maintenance and operations. *Audit findings from US Property and Fiscal Accounting Office have determined that use of the funds for that purpose is not authorized.* Requested by Office of Adjutant General.  
**HOU:** ADOPT proviso as amended.  
**SFC:** ADOPT proviso as amended.  
**SEN:** ADOPT proviso as amended.

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**100.9.** (ADJ: Billeting and Dining Facility Operations) All revenues collected by the Billeting and Dining Facility operations at the R.L. McCrady Training Center shall be retained and expended in their budgeted operations ~~or be expended in support of SCMD operations, including use for matching federal funds, and armory maintenance and operations.~~ Expenditures from these funds shall be determined by the Billeting Committee for Billeting operations and the Deputy Adjutant General for state operations for the Dining Facility operation.

**100.19 AMEND** (~~2015 Flood~~ *Disasters* Expenditure Status Report) Requires the Emergency Management Division to prepare a quarterly report on the status of the expenditure of “FEMA State and Local Match for 2015 Flooding” funds appropriated by proviso 118.16 and submit the report to the Chairmen of the Senate Finance and House Ways and Means Committees beginning September 30, 2016.

**WMC:** AMEND proviso to direct that the quarterly expenditure report be for funds appropriated “in the current fiscal year or in a previous fiscal year.” Amend to also include reporting on funds expended for Hurricane Matthew and the Pinnacle Mountain Fire. Direct that the quarterly reports are to begin September 30, 2017.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**100.19.** (ADJ: ~~2015 Flood~~ *Disasters* Expenditure Status Report) The Emergency Management Division of the Office of the Adjutant General shall prepare a quarterly report on the status of the expenditure of the funds appropriated by ~~proviso 118.16 of the Fiscal Year 2016-17 Appropriation Act~~ *in the current fiscal year or in a previous fiscal year* for FEMA State and Local Match for *the 2015 Flooding, for Hurricane Matthew, and for the Pinnacle Mountain Fire.* The *quarterly* report must include, but is not limited to, expenditure by category of work by state/local and by county and shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee beginning September 30, ~~2016~~ *2017.*

**SECTION 101 - E280 - ELECTION COMMISSION**

**101.9 DELETE** (Help America Vote Act) Authorizes the Election Commission to use funds appropriated for primary and general elections to match the Help America Vote Act program to the greatest extent possible and ensure compliance with Uniformed and Overseas Citizens Absentee Voting Act.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

**101.9.** (ELECT: Help America Vote Act) ~~Of funds appropriated to the commission for primary and general elections, the commission shall utilize any excess funds to match the Help America Vote Act program to the greatest extent possible, and also ensure compliance with the Uniformed and Overseas Citizens Absentee Voting Act of 1986.~~

**SECTION 102 - E500 - REVENUE AND FISCAL AFFAIRS OFFICE**

**102.3 DELETE** (SC Boundary Commission) Establishes the SC Boundary Commission which is directed to work with NC Boundary Commission to re-establish the boundaries between the two states. Directs RFA to submit a progress report to the Senate Finance and House Ways and

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Means Committees within 60 days of the close of each fiscal year until the boundaries have been re-established.

**WMC:** DELETE proviso. *Re-establishment is completed.* Requested by Revenue and Fiscal Affairs Office.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~102.3. (RFAO: SC Boundary Commission) There is hereby created the South Carolina Boundary Commission to be composed of seven members as follows: one member appointed by the President Pro Tempore of the Senate; one member appointed by the Speaker of the House of Representatives; one member appointed by the Chairman of the Senate Finance Committee; one member appointed by the Chairman of the House Ways and Means Committee; the Executive Director, or his designee, of the Revenue and Fiscal Affairs Office; the Director of the Department of Natural Resources, or his designee; and the technical advisor of the Geodetic and Mapping Survey Program appointed by the Executive Director of the Revenue and Fiscal Affairs Office who shall serve as the coordinator and chairman of the commission. The purpose of the commission is to work with the North Carolina Boundary Commission to oversee and approve work re-establishing the boundary between South Carolina and North Carolina.~~

~~The Executive Director of the Revenue and Fiscal Affairs Office is directed to submit a report to the Senate Finance Committee and the House Ways and Means Committee regarding the progress of re-establishing the South Carolina North Carolina boundary within sixty days of the close of each fiscal year until such re-establishment is completed.~~

**SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY**

**104.2** **DELETE** (Vacant Positions) Authorizes SFAA to delete positions that have been vacant more than 12 months.

**WMC:** DELETE proviso. *See proviso 117.14 for FTE management.* Requested by Department of Administration.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~104.2. (SFAA: Vacant Positions) In the event that any permanent position in an agency remains vacant for more than twelve months the position may be deleted by the 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 references to "2017-18."

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**104.5.** (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for Fiscal Year ~~2016-17~~ 2017-18, 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

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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.

**SECTION 108 - F500 - PUBLIC EMPLOYEE BENEFIT AUTHORITY**

**108.6** **AMEND** (State Health Plan) Directs that for the 2017 State Health Plan, employer premiums will increase 0.8%; subscriber premiums and co-payments will not increase. Authorizes PEBA to adjust the plan, benefits, or contributions during Plan Year 2017 to ensure the plan remains fiscally stable.

**WMC:** AMEND proviso update employer premium increase from “0.8” to “3.3” and update fiscal year references from “2017” to “2018.”

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**108.6.** (PEBA: State Health Plan) Of the funds authorized for the State Health Plan pursuant to Section 1-11-710(A)(2) of the 1976 Code, an employer premium increase of ~~0.8~~ 3.3 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 ~~2017~~ 2018. Copayments for participants of the State Health Plan in Plan Year ~~2017~~ 2018 shall not 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 ~~2017~~ 2018 to ensure the fiscal stability of the Plan.

**108.11** **ADD** (Former Spouses on the State Health Plan) **WMC:** ADD new proviso to require the State Health Plan of Benefits, effective January 1, 2018, to cover a subscriber’s former spouse, who is eligible to be covered pursuant to a court order, on the former spouse’s individual policy at the full amount of the premium for the elected coverage. Direct that the former spouse may only elect such health, dental and vision coverage as required by the court order and may continue coverage as long as the subscriber remains a participant in the State Health Plan. Direct that this proviso does not affect a subscriber’s ability to cover a current spouse on a policy when the subscriber’s former spouse is covered on a separate policy.

**HOU:** ADOPT new proviso.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

**108.11. (PEBA: Former Spouses on the State Health Plan) In its Plan of Benefits effective January 1, 2018, the State Health Plan shall cover a subscriber’s former spouse, who is eligible to be covered pursuant to a court order, on the former spouse’s own individual policy and at the full amount of the premium for the coverage elected, with such rates, billing, and other administrative policies to be determined by the Public Employee Benefit Authority. The former spouses may only elect such health, dental, and vision coverage as required by the court order. The former spouse’s individual coverage may continue under the State Health Plan as long as authorized under the court order and the subscriber remains a participant in the State Health Plan. This proviso does not affect a subscriber’s ability to cover a current spouse on an employee/retiree and spouse or full family policy when the subscriber’s former spouse is covered on a separate policy.**

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**SECTION 112 - V040 - DEBT SERVICE**

**112.1**     **AMEND** (Excess Debt Service) Provides for the expenditure of excess FY 2015-16 debt service funds in FY 2016-17.

**WMC:** AMEND proviso to update fiscal year references.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**112.1.** (DS: Excess Debt Service) Excess debt service funds from Fiscal Year ~~2015-16~~ ~~2016-17~~ must be carried forward and expended in Fiscal Year ~~2016-17~~ 2017-18 to pay down general obligation bond debt for which the State (1) is paying the highest rate of interest, (2) will achieve relief in constrained debt capacity, or (3) reduce the amount of debt issued.

**SECTION 113 - X220 - 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 “2017-18.”

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**113.2.** (AS-TREAS: Quarterly Distributions) For Fiscal Year ~~2016-17~~ 2017-18, 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 ~~2016-17~~ 2017-18 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 2016-17.

**WMC:** AMEND proviso to update fiscal year reference to “2017-18.”

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**113.5.** (AS-TREAS: LGF) For Fiscal Year ~~2016-17~~ 2017-18, 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 “2017-18.” Amend the list of entities for which political subdivisions may not reduce support to include “assessment for indigent medical care pursuant to Section 44-6-146” [COUNTY ASSESSMENTS FOR INDIGENT MEDICAL CARE; PENALTIES FOR FAILURE TO PAY ASSESSMENTS IN TIMELY MANNER]. *The department states that counties are using the current proviso to reduce their indigent medical care payments, however the department is obligated to continue covering MIAP beneficiaries and is not permitted to*

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*reduce the cost of the program.* Fiscal Impact: The department states they currently absorb up to \$4,000,000 in lost revenue from counties MIAP assessment reductions. Requested by Department of Health and Human Services.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**113.7.** (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year ~~2016-17~~ 2017-18, 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, and assessment for indigent medical care pursuant to Section 44-6-146 of the 1976 Code.

**SECTION 117 - X900 - 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 2016-17.

**WMC:** AMEND proviso to update fiscal year reference to “2017-18.” *Technical.*

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**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 ~~2016-17~~ 2017-18, 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 “2016” to “2017;” “2017” to “2018;” and “2015” to “2016.” *Technical.*

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**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, ~~2016~~ 2017, and ending June 30, ~~2017~~ 2018, and “prior fiscal year” means the fiscal year beginning July 1, ~~2015~~ 2016, and ending June 30, ~~2016~~ 2017.

**117.14** **AMEND** (~~Personal Service Reconciliation, FTEs~~ FTE Management) Provides guidelines for the Executive Budget Office to monitor full-time equivalent (FTE) positions and directs that no agency may exceed the total FTEs authorized in the Appropriation Act except upon majority vote of the State Fiscal Accountability Authority. Directs that personal services funds in the Governor’s budget recommendations must be at least 97% funded.

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**WMC:** AMEND proviso to delete the requirement in item (2)(a) that non-established positions be deleted and the directive that no positions be established in excess of the total number of authorized FTE positions. Amend item (2)(b) to change “personal service” analysis to “FTE” analysis and require the analysis be completed for the current and last two fiscal years. Delete item (2)(c) which allows SFAA to direct that unfunded or significantly underfunded positions be deleted. Amend item (5) to delete current directive to annually reconcile personal service funds with full-time employee count and instead permit the number of authorized positions in this act to be increased if an agency determines that the duties of Temporary, Time-Limited, and Temporary Grant positions created before July 1, 2017 will continue indefinitely and merit being classified as a FTE; exempt these newly created FTEs from the posting process; and direct that affected Temporary Grant and Time-Limited employees unused annual and sick leave shall transfer to their FTE position. Direct the Division of State Human Resources, in consultation with EBO, to formulate guidelines for administering this item and provide for certain information to be included in any request to convert a position. Direct DOA to review, approve, deny, or modify the request, as appropriate; ensure that FTE Constitutional limits are observed; and to submit a report on FTEs issued through this item to the Chairmen of the Senate Finance and House Ways and Means Committees by January 6.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.14.** (GP: ~~Personal Service Reconciliation, FTEs~~ *FTE Management*) In order to provide the necessary control over the number of employees, the Executive Budget Office is hereby directed to maintain close supervision over the number of state employees, and to require specifically the following:

(1) That no state agency exceed the total authorized number of full-time equivalent positions and those funded from state sources as provided in each section of this act except by majority vote of the State Fiscal Accountability Authority.

(2) That the Executive Budget Office shall maintain and make, as necessary, periodic adjustments thereto, an official record of the total number of authorized full-time equivalent positions by agency for state and total funding sources.

(a) That within thirty days of the passage of the Appropriation Act or by August first, whichever comes later, each agency of the State must have established on the Executive Budget Office records all positions authorized in the Act. ~~After that date, the office shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established by the office in excess of the total number of authorized full-time equivalent positions.~~ Each agency may, upon notification to the Executive Budget Office, change the funding source of state FTE positions established on the Executive Budget Office records as necessary to expend federal and other sources of personal service funds to conserve or stay within the state appropriated personal service funds. No agency shall change funding sources that will cause the agency to exceed the authorized number of state or total full-time equivalent positions. Each agency may transfer FTEs between programs as needed to accomplish the agency mission.

(b) That by September thirtieth, the office shall prepare a ~~personal service~~ *FTE* analysis, by agency, which shows the number of ~~established~~ *authorized, filled, and vacant* positions *by source of funds* for the *current and two previously completed* fiscal year years and the amount of funds required, by source of funds, to support the FTEs for the fiscal year at a funding level of one hundred percent. ~~The office shall then reconcile each agency’s personal service detail with the agency’s personal service appropriation as contained in the Act adjusted for any pay increases and any other factors necessary to reflect the agency’s personal service~~

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~~funding level.~~ The office shall provide a copy of each agency's ~~personal service reconciliation~~ FTE analysis to the Senate Finance and House Ways and Means Committees.

~~(e) That any position which is shown by the reconciliation to be unfunded or significantly underfunded may be deleted at the direction of the State Fiscal Accountability Authority.~~

(3) That full-time equivalent (FTE) positions shall be determined under the following guidelines:

(a) The annual work hours for each FTE shall be the agency's full-time standard annual work hours.

(b) The state FTE shall be derived by multiplying the state percentage of budgeted funds for each position by the FTE for that position.

(c) All institutions of higher education shall use a value of 0.75 FTE for each position determined to be full-time faculty with a duration of nine months.

The FTE method of accounting shall be utilized for all authorized positions.

(4) That the number of positions authorized in this act shall be reduced in the following circumstances:

(a) Upon request by an agency.

(b) When anticipated federal funds are not made available.

(c) When the Executive Budget Office, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

~~(5) That the Executive Budget Office shall annually reconcile personal service funds with full time employee count. Unfunded positions will be eliminated no later than January fifteenth of the current fiscal year unless specifically exempted elsewhere in this act or by the Executive Budget Office. The Executive Budget Office must report the full time employee count and unfunded position status to the Senate Finance Committee and the Ways and Means Committee by February first of the current fiscal year.~~ That the number of positions authorized in this act shall be increased for the sole purpose of classifying Temporary, Time-Limited and Temporary Grant positions created prior to July 1, 2017, that merit such classification as FTEs because the agency has determined that the duties will continue indefinitely. The new FTEs created through this process and filled by existing non-FTE staff shall be exempt from the posting process. Additionally, affected Temporary Grant and Time-Limited employees shall transfer any unused annual and sick leave to their FTE positions.

The Division of State Human Resources, in consultation with the Executive Budget Office, shall formulate guidelines for the administration of this item. The request by the agency must include a justification for changing the position, justification of an insufficient vacancy pool, identification of sufficient funds with current appropriations, identification of source of funds to be utilized, and assurance that the FTEs are not being used to create new jobs. The guidelines shall also include a process for submitting requests including a deadline for submission of requests.

The Department of Administration shall review the request and approve, deny, or modify it as appropriate. The department shall further ensure that the FTE Constitutional limits are observed. This item in no way requires agencies to submit requests, and does not guarantee any employment status to staff. A report on FTE issuance through this item shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 6 of the current fiscal year.

(6) That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this act but temporary positions may be so funded.

(7) That the provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan under item I of Section 8-11-260 of the 1976 Code.

The Governor, in making his appropriation recommendations to the Ways and Means Committee, must provide that the level of personal service appropriation recommended for each

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agency is at least ninety-seven percent of the funds required to meet one hundred percent of the funds needed for the full-time equivalents positions recommended by the Governor (exclusive of new positions).

- 117.72 AMEND** (Printed Report Requirements) Directs that for Fiscal Year 2016-17, certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically and waives the submission of certain reports. Authorizes DOT to combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

**WMC:** AMEND proviso to update fiscal year references to “2017-18.”

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.72.** (GP: Printed Report Requirements) (A) For Fiscal Year ~~2016-17~~ 2017-18, 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 ~~2016-17~~ 2017-18, 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 ~~2016-17~~ 2017-18, 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 ~~2016-17~~ 2017-18, 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.

- 117.73 AMEND** (IMD Operations) Directs that funds received by State child placing agencies (SDE, DJJ, DDSN, DMH, DSS, and OEPP-Continuum of Care) for the Institution for Mental Diseases Transition Plan (IMD) be applied only for out of home placement in providers which operate DSS or DHEC licensed institutional, residential, or treatment programs. Requires an annual IMD transition funds expenditure report. Directs DHHS to review the numbers of out of home placements by type and agency each year and make recommendations to the General Assembly.

**WMC:** AMEND proviso to delete the requirement that all funds received for IMD be applied only for out-of-home placement in providers which operate DSS or DHEC programs. Delete the requirement that “each state child placing agency” submit an IMD expenditure report on IMD transition funds and instead direct DHHS to produce an annual report on “Medicaid-funded out-of-home placements and associated” expenditures. Delete the requirement that DHHS review the numbers of out of home placements by type and agency each year and make recommendations to the General Assembly. *The department proposes to update the language to focus on providing*

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*information on out-of-town home placements as this information has represented the volume of the reports in recent years. Requested by Department of Health and Human Services.*

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

~~117.73. (GP: IMD Operations) All funds received by the Department of Education, the Department of Juvenile Justice, the Department of Disabilities and Special Needs, the Department of Mental Health, the Department of Social Services, and the Department of Administration, Office of Executive Policy and Programs Continuum of Care as State child placing agencies for the Institution for Mental Diseases Transition Plan (IMD) of the discontinued behavioral health services in group homes and child caring institutions, as described in the Children's Behavioral Health Services Manual Section 2, dated 7/01/06, shall be applied only for out of home placement in providers which operate Department of Social Services or Department of Health and Environmental Control licensed institutional, residential, or treatment programs. An *The Department of Health and Human Services shall produce an* annual report by each state child placing agency shall be made on the *on Medicaid-funded out-of-home placements and associated* expenditures of all IMD transition funds and *which* shall be provided to the Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Committee, and the Governor no later than November first each year. The Department of Health and Human Services shall review the numbers of out of home placements by type and by agency each year and make recommendations to the General Assembly.~~

- 117.89 AMEND** (Funds Transfer to ETV) Requires funds appropriated to 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 2016 for services as they were provided in the prior fiscal year.

**WMC:** AMEND proviso to update "2016" to "2017." Requested by Educational Television Commission.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.89.** (GP: Funds Transfer to ETV) In the current fiscal year funds appropriated in Part IA to the Department of Administration Section 93 for Legislative and Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council in Section 64 for State and Local Training of Law Enforcement, City and County municipal training services must be transferred to the Educational Television Commission (ETV) during July ~~2016~~ 2017 for the continuation of services as provided in the prior fiscal year.

- 117.90 DELETE** (Opt Out of Federal Patient Protection and Affordable Care Act) Directs that if federal law permits, the state opts out of specific provisions of the federal Patient Protection and Affordable Care Act (PL 111-148).

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

**117.90.** (GP: Opt Out of Federal Patient Protection and Affordable Care Act) ~~If federal law permits, the State of South Carolina opts out of the following provisions in the federal Patient Protection and Affordable Care Act (Public Law 111-148):~~

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(1) ~~Subtitles A through C of Title I (and the amendments made by such subtitles), except for Sections 1253 and 1254;~~

(2) ~~Parts I, II, III, and V of subtitle D of Title I (and the amendments made by such parts);~~

(3) ~~Part I of subtitle E of Title I (and the amendments made by such part);~~

(4) ~~Subtitle F of Title I (and the amendments made by such subtitle);~~

(5) ~~Sections 2001 through 2006 (and the amendments made by such sections); and~~

(6) ~~Sections 10101 through 10107 (and the amendments made by such sections).~~

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

**WMC:** AMEND proviso to update fiscal year reference to “2017-18.”

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.93.** (GP: WIA Service Advertising) For Fiscal Year ~~2016-17~~ 2017-18, the Workforce Investment Boards may promote outreach for their services via billboard, bus placard, newspapers, or radio in all workforce investment areas. This outreach may not be limited to e-mail, online, or other internet-based outreach, publicity, or other promotions. Workforce investment boards must adhere to all state procurement policies and procedures when utilizing outreach for the services provided by the Workforce Investment Act.

**117.94 AMEND** (WIA Training Marketability Evaluation) Directs the department to submit a report to the chairmen of various legislative committees on how funds were spent to provide marketable work skills training; on any restructuring or realignment of agency functions as well as changes in staffing levels or service; and to describe efforts the agency made to reassign or retrain employees who were terminated if the agency hired new employees for that position.

**WMC:** AMEND proviso to update fiscal year reference to “2017-18.”

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.94.** (GP: WIA Training Marketability Evaluation) (A) For Fiscal Year ~~2016-17~~ 2017-18, the Department of Employment and Workforce shall submit a report that demonstrates how funds were expended in the prior fiscal year to provide marketable work skills training. The report shall include, but not be limited to the total number of local training recipients, a description of the training area in which each recipient participated, and the number and percentage of participants in each training area that, upon completion of training, have become employed in the field in which they were trained. The report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Labor, Commerce and Industry Committee on or before November sixteenth.

(B) Also, the report must specifically describe any restructuring or realignment of agency functions, and any changes in staffing levels or service. The report must detail information on employees terminated, hired, re-hired, reassigned, or reclassified by program area and location. Further, the report must describe efforts made by the agency to reassign or retrain employees who were terminated for positions for which the department hired new employees.

**117.98 AMEND** (~~First Steps-BabyNet~~ Quarterly Report) Requires the First Steps Board of Trustees to ensure compliance with Part C of the Individuals with Disabilities Act and to fully implement the

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LAC's BabyNet Program recommendations contained in the 2011 audit report. Directs First Steps to submit necessary statutory changes to appropriate Senate and House Education Committees and to submit budget recommendations to the Governor in their agency's budget request. Requires certain quarterly and monthly reports be submitted and directs First Steps to collaborate with the School for the Deaf and Blind, DDSN, DHHS, DMH, and DSS to develop a common reporting format.

**WMC:** AMEND proviso to delete the BabyNet responsibilities specifically associated with First Steps as the lead agency. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017.* Requested by SC First Steps to School Readiness.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

~~117.98. (GP: First Steps-BabyNet *Quarterly Reports*) In addition to the statutory duties assigned to South Carolina First Steps to School Readiness Board of Trustees; the board shall ensure the state's compliance with the Individuals with Disabilities Act, Part C and the First Steps' full implementation of recommendations contained in the 2011 audit report of the LAC regarding the BabyNet Program. First Steps shall submit any necessary statutory changes to the Chairman of the House Education and Public Works Committee and the Chairman of the Senate Education Committee and any budget recommendations in the agency's budget request as submitted to the Governor. Until completion, First Steps shall post on its' website a quarterly report on the timelines of its progress in implementing the recommendations of the LAC. The Board of Trustees will be kept informed monthly of all activities related to this requirement and those progress reports must be recorded in the minutes for each meeting of the Board of Trustees. When First Steps has implemented all of the recommendations enumerated above, a final report shall be submitted to the Board of Trustees for its' adoption. Upon approval by the Board of Trustees, the final report shall be published on First Steps' homepage. First Steps to School Readiness, the School for the Deaf and Blind, the Department of Disabilities and Special Needs, the Department of Health and Human Services, the Department of Mental Health and the Department of Social Services shall each provide on a common template developed by the agencies, a quarterly report to the Chairman of the House Ways and Means Committee and the Chairman of Senate Finance outlining all programs provided by them for BabyNet; all federal funds received and expended on BabyNet and all state funds expended on BabyNet. Each entity and agency shall report on its share of the state's ongoing maintenance of effort as defined by the US Department of Education under IDEA Part C.~~

**117.107 AMEND** (State Ports Authority Property) Directs that if the Authority has not sold its real property on Daniel and Thomas Islands, with certain exceptions, by June 30, 2017, it must transfer the property to the Department of Administration.

**WMC:** AMEND proviso to change "2017" to "2018." Requested by State Ports Authority.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.107.(GP: State Ports Authority Property)** If the State Ports Authority has not completed the sale of its real property on Daniel Island and Thomas (St. Thomas) Island, except for the dredge disposal cells that are needed in connection with the construction of the North Charleston terminal on the Charleston Naval Complex and for harbor deepening and for channel and berth maintenance, by June 30, ~~2017~~ 2018, the authority must transfer the property to the Department of Administration. The authority shall sell the real property under terms and conditions it considers most advantageous to the authority and the State of South Carolina.

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**117.113 AMEND** (Information Technology and Information Security Plans) Requires all state agencies to submit an information technology plan and an information security plan for FY 2016-17 to the Department of Administration by October 1, 2016; 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 change “October 1, 2016” to “August 1 of the current fiscal year” and to delete reference to “for Fiscal Year 2016-17.” Requested by Department of Administration.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.113.(GP:** Information Technology and Information Security Plans) (A) By ~~October 1, 2016~~ August 1 of the current fiscal year, all state agencies must submit an information technology plan and an information security plan ~~for Fiscal Year 2016-17~~ 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, 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.

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(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.

- 117.114 AMEND** (SCOIS Transfer) Directs that for FY 2016-17 the authorities and responsibilities of SCOIS shall continue to be transferred from DEW to SDE.  
**WMC:** AMEND proviso to change fiscal year reference to “the current fiscal year.”  
**HOU:** ADOPT proviso as amended.  
**SFC:** ADOPT proviso as amended.  
**SEN:** ADOPT proviso as amended.

**117.114.(GP: SCOIS Transfer)** For ~~Fiscal Year 2016-17~~ *the current fiscal year*, the South Carolina Occupational Information System, its authority and responsibilities shall continue to be transferred from the Department of Employment and Workforce to the Department of Education.

- 117.116 AMEND** (Employee Compensation) Provides a plan to distribute employee pay increases for FY 16-17 in the amount of 3.25%. Directs allocations associated with the increases for retirement employer contributions be based on the rate of the retirement system in which employees participate. Authorizes the use of funding for statewide employer contributions for other statewide purposes and allow carry forward of those funds.  
**WMC:** AMEND proviso to change employee compensation increase from “3.25” to “zero” percent.  
**HOU:** ADOPT proviso as amended.  
**SFC:** ADOPT proviso as amended.  
**SEN:** ADOPT proviso as amended.

**117.116.(GP: Employee Compensation)** The amounts appropriated to F300-Statewide Employee Benefits for Employee Pay Increases must be allocated by the Department of Administration, Executive Budget Office to the various state agencies to provide for employee pay increases in accordance with the following plan:

(1) With respect to classified and non-judge judicial classified employees, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified employees shall be increased by ~~3.25%~~ *zero percent*.

(2) With respect to unclassified and non-judge judicial unclassified employees or unclassified executive compensation system employees not elsewhere covered in this act, effective on the first pay date that occurs on or after July first of the current fiscal year the compensation of all unclassified employees shall be increased by ~~3.25%~~ *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 ~~3.25%~~ *zero percent*.

(4) With respect to local health care providers compensation increases shall be ~~3.25%~~ *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 ~~3.25%~~ *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 ~~3.25%~~ *zero percent*.

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(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 ~~3.25%~~ 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 ~~3.25%~~ zero percent.

(7) For Fiscal Year 2016-17, 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 ~~3.25%~~ zero percent compensation increase for all full-time employees. If so warranted, the Executive Budget Office shall work with the Office of the Comptroller General to increase such authorization for the affected agencies.

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, F300, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

**117.119 AMEND** (First Steps Reauthorization) Reauthorizes Act 99 of 1999 as amended by Act 287 of 2014 (First Steps) for Fiscal Year 2016-17.

**WMC:** AMEND proviso to update fiscal year reference to "2017-18." Requested by First Steps to School Readiness.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.119.(GP:** First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, as amended by Act 287 of 2014 is reauthorized for the duration of Fiscal Year ~~2016-17~~ 2017-18.

**117.122 DELETE** (County Transportation Committee Road Program Supplement) Directs the Transportation Infrastructure Bank to transfer the \$50,000,000 appropriated by Act 92 of 2015 to DOT. Directs DOT to distribute these funds to the County Transportation Committee Road Program and directs County Transportation Committees to use the funds solely for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement or reconstruction. Prohibits these funds from being used on any road, bridge, or highway that is not part of the state owned system. Authorizes these funds to be carried forward and be spent for the same purpose.

**WMC:** DELETE proviso. *The transfer was completed in FY 2016-17.* Requested by Department of Transportation.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

**117.122.(GP:** County Transportation Committee Road Program Supplement) ~~The South Carolina Transportation Infrastructure Bank shall transfer the \$50,000,000 appropriated by Act 92 of 2015 to the Department of Transportation. The department shall distribute these funds to~~

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~~the County Transportation Committee Road Program pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state owned highway system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state owned system.~~

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

- 117.125 DELETE** (Endowed Chairs Funding) Directs CHE to transfer the Endowed Chairs Program funds set aside for “Commerce Awards” to the Department of Commerce’s Applied Research Centers by August 1, 2016.

**WMC:** DELETE proviso. *Funds were transferred in FY 2016-17.* Requested by Department of Commerce.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~**117.125.(GP: Endowed Chairs Funding)** The Endowed Chairs Program funds that have been set aside for “Commerce Awards” shall be transferred by the Commission on Higher Education to the Department of Commerce’s Applied Research Centers by August 1, 2016.~~

- 117.127 DELETE** (South Carolina State University Debt Fund Balance) Directs SFAA Executive Director, by July 31, 2016, to transfer to SC State University any remaining fund balance, not to exceed \$145,000, related to the debt incurred by the university from the April 30, 2014 loan. Directs that the university can only spend these funds on one-time projects necessary to meet accreditation standards and/or on critical repair and related maintenance.

**WMC:** DELETE proviso. *Funds were returned to the South Carolina State University in FY 2016.* Requested by State Fiscal Accountability Authority.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

~~**117.127.(GP: South Carolina State University Debt Fund Balance)** On or before July 31, 2016, the Executive Director of the State Fiscal Accountability Authority shall transfer to South Carolina State University any remaining fund balance related to the debt incurred by the university from the April 30, 2014 loan to the university by the Budget and Control Board, succeeded in interest by the State Fiscal Accountability Authority, not to exceed \$145,000. The university shall only expend these funds on one-time projects necessary to meet accreditation standards and/or on critical repair and related maintenance projects that are necessary for the safe and efficient operation of the university’s physical plant in its support of its educational purpose.~~

- 117.128 AMEND** (Retail Facilities Revitalization Act Repeal Suspension) Suspends the repeal of Chapter 34 of Title 6 [RETAIL FACILITIES REVITALIZATION ACT] as specified in Act 285 of 2006 for sites that have provided DOR written notification of election of mode of credit before 7/1/16 and for which a building permit has been issued prior to 7/1/16.

**WMC:** DELETE proviso. Fiscal Impact: RFAO states there would be no fiscal impact on state general fund income tax revenue and/or license tax revenue in FY 2017-18.

**HOU:** ADOPT deletion of proviso.

**HOU2:** AMEND House version to REINSERT proviso and AMEND to update fiscal year reference to 2017-18.

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**SFC:** REINSERT proviso and AMEND to update fiscal year reference to 2017-18.

**SEN:** ADOPT proviso as amended.

**117.128.**(GP: Retail Facilities Revitalization Act Repeal Suspension) The repeal of Chapter 34 of Title 6 of the 1976 Code as specified in Act 285 of 2006 as to sites for which written notification of election of mode of credit has been provided to the Department of Revenue prior to July 1, 2016 and for which a building permit has been issued prior to July 1, 2016, is suspended for Fiscal Year ~~2016-17~~ 2017-18.

**117.132 AMEND** (Funds Exempt from Budget Reduction Calculations) Excludes specific funds from the calculation of any across the board base reductions mandated by the Executive Budget Office or the General Assembly as follows: the General Reserve Fund, the Capital Reserve Fund, Debt Service, the Local Government Fund, and the Tax Relief Trust Fund.

**WMC:** AMEND proviso to change F310 reference to "Capital and General Reserve Funds."

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.132.**(GP: Funds Exempt from Budget Reduction Calculations) The ~~General Reserve Fund~~, funds designated in F310, Section 107, Capital and General Reserve ~~Fund~~ Funds, funds designated in V040, Section 112, Debt service, funds designated in X220, Section 113, Aid to Subdivisions - State Treasurer for the Local Government Fund, and funds designated in X500, Section 115, Tax Relief Trust Fund shall be excluded from the calculation of any across-the-board base reduction mandated by the Department of Administration, Executive Budget Office or the General Assembly and shall not be subject to any such reduction.

**117.133 ADD** (BabyNet) **WMC:** ADD new proviso to direct EBO to conduct an inventory of all BabyNet related spending and submit it to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by July 15, 2017. *Executive Order 2016-20 transferred the BabyNet lead agency status to DHHS effective July 1, 2017.*

**HOU:** ADOPT new proviso.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

*117.133.(GP: BabyNet) From funds available in the current fiscal year for budgetary analysis and oversight, the Executive Budget Office shall conduct an inventory of all BabyNet-related spending, which shall be submitted to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee no later than July 15, 2017. All affected agencies shall support the Executive Budget Office in this effort by providing information upon request, so that the first recommendation of the Legislative Audit Council's 2011 report on BabyNet may be implemented.*

**117.136 ADD** (Adult Protective Services Coordination Teams) **WMC:** ADD new proviso to direct the Department of Social Services Adult Protective Services Program to develop county level multi-agency interdisciplinary Adult Protective Services Coordination Teams to develop and implement strategies to ensure appropriate services are available to vulnerable adults during the investigation and adjudication of the report of alleged abuse, neglect and exploitation. Require DHHS, DDSN, and DMH, or their designed local entity, and with advice and resources from the Lt. Governor's Office on Aging to serve on the teams to address abuse and neglect and prevent or delay institutionalization. Direct DSS to submit a progress report on implementation and any

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necessary funding requests to the Governor and Chairmen of the House Ways and Means and Senate Finance Committees by January 1, 2018.

**HOU:** ADOPT new proviso.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

*117.136.(GP: Adult Protective Services Coordination Teams) In order to best coordinate services for the South Carolina vulnerable adult population, the Adult Protective Services Program at the Department of Social Services shall develop county level multi-agency inter-disciplinary Adult Protective Services Coordination Teams. These teams must develop and implement strategies to ensure appropriate services are available and provided to vulnerable adults during the investigation and adjudication of the report of alleged abuse, neglect, and exploitation of vulnerable adults.*

*The following agencies are required to participate and/or designate a local entity to serve on the Adult Protective Services Coordination Teams to address abuse and neglect and to prevent or delay institutionalization: Department of Health and Human Services, Department of Disabilities and Special Needs, Department of Mental Health, and with advice and resources from the Lt. Governor's Office on Aging. Participating agencies may expend necessary funds as authorized and/or appropriated in the current fiscal year, to develop the APS Coordination Teams. The teams must give priority for services for assessment of mental and physical conditions, eligibility for services, home and community based services waivers, home health, hospice, targeted case management, Optional State Supplementation & OSCAP, service coordination, Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID), behavioral health programs such as community mental health programs, inpatients psychiatric services, nursing facility care, and other home and community based services such as home-delivered meals and transportation.*

*The Department of Social Services shall submit a report on the progress of the implementation and any necessary funding requests to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by January 1, 2018.*

**117.137 ADD (Distribution Facility) WMC:** ADD new proviso to direct the State Ports Authority to be considered a distribution facility for the purpose of sales tax exemptions for equipment and construction materials purchases.

**HOU:** ADOPT new proviso.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

*117.137.(GP: Distribution Facility) The State Ports Authority shall be considered a distribution facility for the purpose of sales tax exemptions associated with the purchase of equipment and construction materials.*

**117.142 ADD (Indigent Defense Screening Review) WMC:** ADD new proviso to direct the Commission on Indigent Defense and the Judicial Department Court Administration Program to consult with the Summary Court Judges' Association and Clerks of Court Association on screening indigent defense applications. Direct the Commission on Indigent Defense and Court Administration to make recommendations to the Chairmen of the House Ways and Means, House Judiciary, Senate Finance and Senate Judiciary Committees no later than December 1, 2017, regarding the applicant screening process.

**HOU:** ADOPT new proviso.

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**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

*117.142.(GP: Indigent Defense Screening Review) The Commission on Indigent Defense and the Judicial Department Court Administration Program shall consult with the Summary Court Judges' Association and Clerks of Court Association on issues regarding the screening of applicants for indigent defense representation. The Commission on Indigent Defense and Court Administration shall make recommendations to the Chairman of the House Ways and Means Committee, the Chairman of the House Judiciary Committee, the Chairman of the Senate Finance Committee, and the Chairman of the Senate Judiciary Committee no later than December 1, 2017 regarding: requirements for applicants to verify their financial status, supporting documentation that should be required of all applicants; who should conduct the screening, what resources are necessary to properly screen applicants and any other recommendations that will assist in ensuring only those applicants that are truly indigent qualify for the services of a public defender or other appointed counsel.*

**117.147 ADD** (Prohibited Funding for Aborted Fetus Research) **HOU:** ADD new proviso to prohibit general funds from being used to purchase fetal tissue from an abortion in order to perform research on the tissue. Sponsor: Rep. Long.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

*117.147.(GP: Prohibited Funding for Aborted Fetus Research) Notwithstanding any other provision of this act, general funds appropriated in this act may not be used to purchase fetal tissue obtained from an abortion to perform scientific or laboratory research or other kinds of investigation conducted on fetal tissue.*

**SECTION 118 - X910 - STATEWIDE REVENUE**

**118.1 AMEND** (Year End Cutoff) Directs year-end expenditure deadlines.

**WMC:** AMEND proviso to update calendar year references to "2018." Requested by Office of Comptroller General.

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**118.1.** (SR: Year End 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, ~~2017~~ 2018. 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, 2017~~ 13, 2018. 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.

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**118.9** **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, 2016, 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 update calendar year reference from “2016” to “2017.”

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**118.9.** (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, ~~2016~~ 2017, 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.

**118.11** **AMEND** (Tobacco Settlement) Directs expenditure of Tobacco Master Settlement Agreement (MSA) funds for Fiscal Year 2016-17. Suspends the requirements of Section 11-11-170 [USE OF REVENUES PAYABLE PURSUANT TO MASTER SETTLEMENT AGREEMENT] for Fiscal Year 2016-17.

**WMC:** AMEND proviso to fiscal year references from “2016-17” to “2017-18.”

**HOU:** ADOPT proviso as amended.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**118.11.** (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 ~~2016-17~~ 2017-18, 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:

(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) 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 ~~2016-17~~ 2017-18.

**118.12** **DELETE** (Nonrecurring Revenue) Appropriates non-recurring revenue to various agencies for Fiscal Year 2016-17, generated from specific sources.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC:** ADOPT deletion of proviso.

**SEN:** ADOPT deletion of proviso.

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

~~(1) \$46,750,797 from Fiscal Year 2014-15 Contingency Reserve Fund;~~

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- ~~(2) \$239,798,000 from Fiscal Year 2015-16 unobligated general fund revenue as certified by the Board of Economic Advisors;~~
- ~~(3) \$139,260,007 from the Litigation Recovery Account;~~
- ~~(4) \$14,426,041 from Fiscal Year 2015-16 (V040) Excess Debt Service;~~
- ~~(5) \$11,885,511 from Fiscal Year 2015-16 (X440) Excess Homestead Exemption;~~
- ~~(6) \$5,494,506 from Fiscal Year 2015-16 F30 Carry Forward and Bonus Lapse; and~~
- ~~(7) \$400,000 from the Department of Revenue Identity Theft Reimbursement Fund Lapse.~~

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 2015-16 and shall be available for use in Fiscal Year 2016-17.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2016-17 after September 1, 2016, following the Comptroller General's close of the state's books on Fiscal Year 2015-16.

~~(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, 2016, for the purposes stated:

<del>(1) General Reserve Fund Contribution .....</del>	<del>\$ 20,399,981</del>
<del>(2) U120 Department of Transportation</del>	
<del>(a) Non-Federal Aid Highway Fund .....</del>	<del>\$ 50,000,000</del>
<del>(b) 2015 Flood Road Repair Cost .....</del>	<del>\$ 37,300,000</del>
<del>(3) E240 Office of Adjutant General</del>	
<del>EMD FEMA State and Local Match for 2015 Flooding .....</del>	<del>\$ 72,000,000</del>
<del>(4) H630 Department of Education</del>	
<del>(a) School Bus Lease or Purchase .....</del>	<del>\$ 3,225,424</del>
<del>(b) Hazardous Transportation .....</del>	<del>\$ 3,000,000</del>
<del>(c) Technology Technical Assistance .....</del>	<del>\$ 13,977,209</del>
<del>(d) Education Outreach/State Museum .....</del>	<del>\$ 15,000</del>
<del>(e) Onsite Educational Programming/State Museum .....</del>	<del>\$ 10,000</del>
<del>(f) Teacher Recruitment and Retention for Plaintiff Districts         and Districts with a Poverty Index of Eighty Percent         or Higher .....</del>	<del>\$ 9,058,672</del>
<del>(g) Babynet Autism Therapy .....</del>	<del>\$ 1,200,000</del>

~~(4.1) The Department of Education shall allocate the \$9,058,672 appropriated above in item (4)(f) for any school district that is a plaintiff in the Abbeville law suit or districts with a poverty index of eighty percent or higher based on the poverty index utilized the prior fiscal year that was student eligibility for the free or reduced lunch program and Medicaid to provide for Teacher Recruitment and Retention. The funds shall be allocated on a per pupil basis to each district based on the districts 45-day student enrollment count.~~

<del>(5) H670 Educational Television Commission</del>	
<del>Capital Needs .....</del>	<del>\$ 1,750,000</del>
<del>(6) H790 Department of Archives and History</del>	
<del>(a) Digital Access and Storage Initiative .....</del>	<del>\$ 439,000</del>
<del>(b) Architectural Heritage Preservation .....</del>	<del>\$ 2,300,000</del>
<del>(c) Driving Tours Historic African American Sites .....</del>	<del>\$ 100,000</del>
<del>(7) H870 State Library</del>	
<del>Colleton County Bookmobile .....</del>	<del>\$ 200,000</del>

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<del>(8) H910 Arts Commission</del>		
	<del>SC Artisans Center .....</del>	<del>\$ 500,000</del>
<del>(9) H950 State Museum Commission</del>		
	<del>(a) Collections Database and Management System .....</del>	<del>\$ 125,000</del>
	<del>(b) Collections and Content .....</del>	<del>\$ 5,000</del>
<del>(10) H030 Commission on Higher Education</del>		
	<del>(a) SREB Program and Assessments .....</del>	<del>\$ 1</del>
	<del>(b) Legal Staffing .....</del>	<del>\$ 1</del>
	<del>(c) Out of State Veteran Tuition Reimbursement Colleges .....</del>	<del>\$ 1</del>
	<del>(d) Greenwood Promise Scholarship Program .....</del>	<del>\$ 50,000</del>
<del>(11) H090 The Citadel Educational and General</del>		
	<del>Operating .....</del>	<del>\$ 1</del>
<del>(12) H120 Clemson University E&amp;G</del>		
	<del>Outdoor Lab Facilities .....</del>	<del>\$ 2,400,000</del>
<del>(13) H150 University of Charleston</del>		
	<del>(a) Computer Science Program .....</del>	<del>\$ 650,000</del>
	<del>(b) Gibbs Museum of Art .....</del>	<del>\$ 350,000</del>
	<del>(c) Maintenance: Critical Care and Repair (1:1 Match) .....</del>	<del>\$ 1</del>
	<del>(d) Avery Center .....</del>	<del>\$ 250,000</del>
<del>(14) H170 Coastal Carolina University</del>		
	<del>(a) Maintenance: Critical Care and Repair (1:1 Match) .....</del>	<del>\$ 1</del>
	<del>(b) Atmospheric and Soil Moisture Weather Stations (10) .....</del>	<del>\$ 150,000</del>
	<del>(c) Brooks Stadium Engineering .....</del>	<del>\$ 100,000</del>
	<del>(14.1) Coastal Carolina University shall use the funds appropriated for Brooks Stadium Engineering to offset costs associated with expansion of the football stadium. Once the university has developed a plan for stadium expansion pursuant to any National Collegiate Athletic Association, conference, or contractual requirements, the university shall submit the plan for approval to the Joint Bond Review Committee and the State Fiscal Accountability Authority. Any other statutory requirements for state approval of this project are hereby suspended for the fiscal year.</del>	
<del>(15) H180 Francis Marion University</del>		
	<del>(a) Maintenance: Critical Care and Repair (1:1 Match) .....</del>	<del>\$ 1</del>
	<del>(b) Honors College .....</del>	<del>\$ 200,000</del>
<del>(16) H210 Lander University</del>		
	<del>Nursing and STEM Equipment .....</del>	<del>\$ 550,000</del>
<del>(17) H240 South Carolina State University</del>		
	<del>(a) Maintenance: Critical Care and Repair (1:1 Match) .....</del>	<del>\$ 150,000</del>
	<del>(b) Rural Conference Center .....</del>	<del>\$ 1</del>
<del>(18) H270 University of South Carolina Columbia</del>		
	<del>Law School Taylor Renovations (1:1 Match) .....</del>	<del>\$ 1</del>
<del>(19) H340 University of South Carolina Upstate</del>		
	<del>(a) Maintenance: Critical Care and Repair (1:1 Match) .....</del>	<del>\$ 1</del>
	<del>(b) Manufacturing Management Technology Training .....</del>	<del>\$ 1</del>
<del>(20) H380 University of South Carolina Salkehatchie</del>		
	<del>(a) HVAC and Physical Plant Repairs .....</del>	<del>\$ 100,000</del>
	<del>(b) Science Building Maintenance .....</del>	<del>\$ 250,000</del>
<del>(21) H390 University of South Carolina Sumter</del>		
	<del>Physical Plant Repairs .....</del>	<del>\$ 100,000</del>
<del>(22) H510 Medical University of South Carolina</del>		
	<del>(a) Palmetto Palace .....</del>	<del>\$ 1</del>
	<del>(b) MUSC Shawn Jenkins Children's Hospital .....</del>	<del>\$ 10,000,000</del>

**H.3720 CONFERENCE COMMITTEE  
SUMMARY OF PROVISO CHANGES FOR FY 2017-18  
SAME IN BOTH VERSIONS**

<del>(23) H590 State Board for Technical and Comprehensive Education</del>	
<del>(a) ReadySC Direct Training .....</del>	<del>\$ 13,554,507</del>
<del>(b) Central Carolina Technical College Critical Training</del>	
<del>Equipment .....</del>	<del>\$ 1,320,670</del>
<del>(c) Critical Training Equipment .....</del>	<del>\$ 1</del>
<del>(d) Greenville Technical College CMI Equipment .....</del>	<del>\$ 7,000,000</del>
<del>(e) Greenville Technical College Critical Training Equipment .....</del>	<del>\$ 778,496</del>
<del>(f) Aiken Technical College Life Science Building .....</del>	<del>\$ 650,000</del>
<del>(g) Aiken Technical College Critical Training Equipment .....</del>	<del>\$ 784,216</del>
<del>(h) Denmark Technical College Barnwell Workforce Center .....</del>	<del>\$ 950,000</del>
<del>(i) Denmark Technical College Critical Training Equipment .....</del>	<del>\$ 415,484</del>
<del>(j) Florence Darlington Technical College Academic Building .....</del>	<del>\$ 3,500,000</del>
<del>(k) Florence Darlington Technical College Critical Training</del>	
<del>Equipment .....</del>	<del>\$ 858,078</del>
<del>(l) Horry Georgetown Technical College Critical Training</del>	
<del>Equipment .....</del>	<del>\$ 1,063,730</del>
<del>(m) Midlands Technical College Critical Training Equipment .....</del>	<del>\$ 1,107,743</del>
<del>(n) Northeastern Technical College Instructional Building .....</del>	<del>\$ 3,500,000</del>
<del>(o) Northeastern Technical College Critical Training</del>	
<del>Equipment .....</del>	<del>\$ 642,679</del>
<del>(p) Orangeburg Calhoun Technical College Critical</del>	
<del>Training Equipment .....</del>	<del>\$ 801,512</del>
<del>(q) Orangeburg Calhoun Technical College Nursing</del>	
<del>Cooperative Program with Claflin University .....</del>	<del>\$ 400,000</del>
<del>(r) Piedmont Technical College Upstate Center for</del>	
<del>Manufacturing .....</del>	<del>\$ 3,750,000</del>
<del>(s) Piedmont Technical College Critical Training Equipment .....</del>	<del>\$ 989,767</del>
<del>(t) Spartanburg Community College Critical Training</del>	
<del>Equipment .....</del>	<del>\$ 2,012,265</del>
<del>(u) Technical College of the Lowcountry New River</del>	
<del>Workforce Development Center .....</del>	<del>\$ 150,000</del>
<del>(v) Technical College of the Lowcountry Mobile Welding Lab .....</del>	<del>\$ 1,200,000</del>
<del>(w) Technical College of the Lowcountry Critical Training</del>	
<del>Equipment .....</del>	<del>\$ 717,171</del>
<del>(x) Tri County Technical College Critical Training Equipment .....</del>	<del>\$ 992,641</del>
<del>(y) Trident Technical College Aeronautical Training Center .....</del>	<del>\$ 700,000</del>
<del>(z) Trident Technical College Critical Training Equipment .....</del>	<del>\$ 1,624,725</del>
<del>(aa) Williamsburg Technical College Critical Training</del>	
<del>Equipment .....</del>	<del>\$ 606,872</del>
<del>(bb) York Technical College Health and Human Services</del>	
<del>Building .....</del>	<del>\$ 900,000</del>
<del>(cc) York Technical College Critical Training Equipment .....</del>	<del>\$ 1,309,614</del>
<del>(dd) York Technical College Western York Campus .....</del>	<del>\$ 100,000</del>
<del>(24) J020 Department of Health and Human Services</del>	
<del>(a) Medicaid Management and Information System .....</del>	<del>\$ 8,474,579</del>
<del>(b) Rural Health Initiative .....</del>	<del>\$ 3,000,000</del>
<del>(c) Medical Contracts .....</del>	<del>\$ 4,484,000</del>
<del>(d) Osprey Village .....</del>	<del>\$ 200,000</del>
<del>(25) J040 Department of Health and Environmental Control</del>	
<del>(a) Data Center/Infrastructure .....</del>	<del>\$ 3,700,000</del>
<del>(b) Electronic Medical Records .....</del>	<del>\$ 2,000,000</del>

**H.3720 CONFERENCE COMMITTEE  
SUMMARY OF PROVISO CHANGES FOR FY 2017-18  
SAME IN BOTH VERSIONS**

(c) Cancer Screenings .....	\$ 1,500,000
(d) Donate Life Organ Donor Registry .....	\$ 100,000
(e) Water Quality Infrastructure .....	\$ 2,750,000
(f) Real MAD .....	\$ 200,000
(g) North Myrtle Ocean Outfall .....	\$ 700,000
(h) Air Quality Improvements .....	\$ 300,000

(25.1) Of the funds appropriated above to the Department of Health and Environmental Control for Cancer Screenings, the department shall utilize \$1,000,000 of the funds for the Best Chance Network and \$500,000 as matching funds for the Colon Cancer Prevention Network.

(26) J160 Department of Disabilities and Special Needs

Lander Equestrian Center .....	\$ 300,000
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(27) L040 Department of Social Services

(a) Child Support System Development .....	\$ 1,000,000
(b) Antioch Senior Center .....	\$ 100,000
(c) After School and Summer Reading Programs .....	\$ 500,000
(d) CR Neal Dream Center .....	\$ 100,000
(e) Criminal Domestic Violence SCCADVASA .....	\$ 800,000

(27.1) The funds appropriated above for After School and Summer Reading Programs must be used by the Department of Social Services to leverage any available matching funds for after school and summer childcare programs for Low Income children.

(28) E040 Office of the Lieutenant Governor

Family Caregivers .....	\$ 1
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(29) P320 Department of Commerce

(a) Closing Fund .....	\$ 10,000,000
(b) Existing Industries U.S. DOD Bus. Diversification	
Grant Match .....	\$ 300,000
(c) IT ology Coursepower .....	\$ 400,000
(d) LocateSC .....	\$ 6,000,000
(e) Office of Innovation .....	\$ 2,000,000
(f) Research Initiatives .....	\$ 3,000,000
(g) Applied Research Centers .....	\$ 1,000,000
(h) Community Development Corporations .....	\$ 100,000
(i) Economic Development .....	\$ 100,000
(j) Workforce Coordinating Council Operations .....	\$ 100,000

(30) C050 Administrative Law Court

Rent Increase/Upfit .....	\$ 5,000
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(31) D100 State Law Enforcement Division

(a) Forensic Building .....	\$ 17,800,000
(b) Vehicle Rotation .....	\$ 2,000,000
(c) First Responder PTSD Treatment .....	\$ 500,000

(32) N040 Department of Corrections

Agency Wide Paving .....	\$ 2,360,580
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(33) N080 Department of Probation, Parole and Pardon Services

(a) Offender Education and Reentry Initiative .....	\$ 150,000
(b) Job Training and Preparation Education .....	\$ 105,000

(34) N120 Department of Juvenile Justice

AMI Kids .....	\$ 200,000
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(35) R440 Department of Revenue

(a) CSID Identity and Credit Protection Services .....	\$ 1,000,000
(b) Tax Processing System (COTS) .....	\$ 1,145,202

**H.3720 CONFERENCE COMMITTEE  
SUMMARY OF PROVISO CHANGES FOR FY 2017-18  
SAME IN BOTH VERSIONS**

(36) P160	Department of Agriculture	
	(a) Agricultural Marketing (Certified SC)	\$ 500,000
	(b) Agribusiness Development	\$ 2,500,000
(37) P200	Clemson University PSA	
	(a) Agriculture and Natural Resources Program	\$ 500,000
	(b) Agriculture and Natural Resources Facilities	\$ 1,700,000
(38) P240	Department of Natural Resources	
	(a) Fort Johnson Roof Replacement	\$ 1,515,132
	(b) Law Enforcement Communication Center Upgrade	\$ 800,000
	(c) Springs Stevens Hatchery Harvest Kettle Renovation	\$ 800,000
	(d) Waddell Center Infrastructure	\$ 100,000
	(e) Wildlife Management Areas	\$ 3,000,000
	(f) Heavy Equipment Road and Dike Maintenance	\$ 210,000
	(g) Upper Coastal Waterfowl Project Maintenance and Repair	\$ 1,600,000
	(h) Boat Slip Renovation Fort Johnson	\$ 1,000,000
	(i) Outreach Education	\$ 1,600,000
	(j) Equipment	\$ 1,000,000
(39) P280	Department of Parks, Recreation and Tourism	
	(a) Agency Operations	\$ 1
	(b) Statewide Coastal Beach Renourishment	\$ 30,000,000
	(c) Information Technology Security Audit and PCI Compliance Audit	\$ 300,000
	(d) State Park Piers Repair	\$ 2,200,000
	(e) Oconee Spillway Repair	\$ 100,000
	(f) Sports Development Marketing Program	\$ 3,000,000
	(g) Medal of Honor Museum	\$ 3,000,000
	(h) Sumter Environmental Center	\$ 300,000
	(i) African American Museum	\$ 4,000,000
	(j) Children's Museum of the Upstate	\$ 1,000,000
	(k) Parks and Recreation Development Fund	\$ 5,000,000
(39.1)	The Department of Parks, Recreation and Tourism shall allocate the funds appropriated above in item (39)(b) for Statewide Coastal Beach Renourishment to local governments and state agencies for beach renourishment activities to repair damage caused by storm activity in 2015 and to accelerate routine renourishment activities on beaches damaged by the storms. Local governments and state agencies shall make application for renourishment funds on a form and in the manner prescribed by the department and funds shall be allocated using a prioritization process developed by the department. The department shall report to the Governor, the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee on applications received and the process for prioritizing renourishment funding no later than September 1, 2016.	
(40) R200	Department of Insurance	
	Wind Studies	\$ 20,000
(41) R360	Department of Labor, Licensing and Regulation	
	Fire Suppression	\$ 25,000
(42) Y140	State Ports Authority	
	(a) Jasper Ocean Terminal Permitting	\$ 2,500,000
	(b) Port of Georgetown	\$ 500,000
(43) A150	Codification of Laws and Legislative Council	
	Dues	\$ 187,738
(44) A170	Legislative Services Disaster Recovery	\$ 500,000

**H.3720 CONFERENCE COMMITTEE  
SUMMARY OF PROVISO CHANGES FOR FY 2017-18  
SAME IN BOTH VERSIONS**

<del>(45) X220</del>	<del>Aid to Subdivisions</del>	<del>State Treasurer</del>	
	<del>Local Government Fund</del>		<del>\$ 10,600,000</del>
<del>(46) D500</del>	<del>Department of Administration</del>		
	<del>(a) New Statewide Voting System</del>		<del>\$ 1</del>
	<del>(b) Office of Economic Opportunity</del>	<del>Wateree Community</del>	
	<del>Action Agency</del>		<del>\$ 200,000</del>
	<del>(c) State Human Resources</del>	<del>Leadership South Carolina</del>	<del>\$ 150,000</del>
	<del>(d) Pendleton Street Safety Upgrades</del>		<del>\$ 2,400,000</del>
<del>(46.1)</del>	<del>The Department of Administration shall utilize the \$2,400,000 appropriated above for Pendleton Street Safety Upgrades to improve pedestrian safety and visibility on Pendleton Street for those traveling on the State House grounds and entering and exiting the McEachern Parking Facility.</del>		
<del>(47) E240</del>	<del>Office of Adjutant General</del>		
	<del>(a) Force Protection</del>		<del>\$ 1</del>
	<del>(b) Post Challenge</del>		<del>\$ 1</del>
	<del>(c) EMD</del>	<del>Continuity of Operations and Government Plan</del>	<del>\$ 250,000</del>
	<del>(d) Emergency Commodities</del>		<del>\$ 100,000</del>
	<del>(e) Transitional Workforce Educational Assistance</del>		
	<del>Collaborative</del>		<del>\$ 200,000</del>
	<del>(f) Shaw Encroachment Zone</del>		<del>\$ 200,000</del>
	<del>(g) SC Military Museum</del>		<del>\$ 380,000</del>
<del>(48) R520</del>	<del>State Ethics Commission</del>		
	<del>New Auditors Equipment</del>		<del>\$ 10,000</del>
<del>(49) U300</del>	<del>Division of Aeronautics</del>		
	<del>(a) Airport Facilities Security System Replacement</del>		<del>\$ 100,000</del>
	<del>(b) State Aviation Fund</del>		<del>\$ 7,000,000</del>
	<del>(c) Capital Improvements</del>		<del>\$ 200,000</del>
	<del>(d) Airline Recruitment and Retention</del>		<del>\$ 150,000</del>
<del>(50) E160</del>	<del>Office of State Treasurer</del>		
	<del>ABLE Savings Program</del>		<del>\$ 100,000</del>

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