

## Session 117 - (2007-2008)

**S\*0355 (Rat #0171, Act #0114 of 2007) General Bill, By Grooms, Richardson, Verdin, Campsen and Vaughn**

**Summary:** Transportation Department

AN ACT TO AMEND SECTION 1-30-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING BODIES, SO AS TO PROVIDE THAT THE GOVERNING BODY OF THE DEPARTMENT OF TRANSPORTATION IS A SEVEN-MEMBER COMMISSION AND A SECRETARY OF TRANSPORTATION; TO AMEND SECTION 1-30-105, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 1-3-240, AS AMENDED, RELATING TO THE REMOVAL OF CERTAIN OFFICERS BY THE GOVERNOR, SO AS TO PROVIDE THAT DEPARTMENT OF TRANSPORTATION COMMISSIONERS MAY BE REMOVED FROM OFFICE BY THE GOVERNOR UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 8-13-1110, AS AMENDED, RELATING TO PUBLIC OFFICIALS WHO MUST FILE A STATEMENT OF ECONOMIC INTEREST, SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION DISTRICT ENGINEERING ADMINISTRATORS MUST FILE STATEMENTS OF ECONOMIC INTEREST; TO AMEND CHAPTER 1, TITLE 57, RELATING TO THE ESTABLISHMENT AND OPERATION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REVISE THE DEFINITION OF THE TERM "COMMISSION", TO SUBSTITUTE THE TERM "SECRETARY OF TRANSPORTATION" FOR THE TERM "DIRECTOR", TO PROVIDE THAT MEMBERS AND EMPLOYEES OF THE DEPARTMENT OF TRANSPORTATION COMMISSION ARE SUBJECT TO THE PROVISIONS CONTAINED IN THE STATE ETHICS ACT AND THE PROVISIONS OF THE SOUTH CAROLINA TORT CLAIMS ACT, TO DELETE THE PROVISION THAT REQUIRES THAT THE GOVERNOR'S APPOINTEE TO THE DEPARTMENT OF TRANSPORTATION COMMISSION BE CONFIRMED BY THE SENATE AND SERVE AS THE CHAIRMAN OF THE COMMISSION, TO PROVIDE THAT CANDIDATES FOR ELECTION AND APPOINTMENT TO THE COMMISSION MUST BE SCREENED BY THE JOINT TRANSPORTATION REVIEW COMMITTEE TO BECOME ELIGIBLE FOR APPOINTMENT OR TO BE ELECTED, TO PROVIDE THAT A COMMISSIONER MUST POSSESS CERTAIN QUALIFICATIONS PRIOR TO SERVING ON THE COMMISSION, TO PROVIDE THE CIRCUMSTANCES IN WHICH A MEMBER OF THE GENERAL ASSEMBLY OR A MEMBER OF HIS IMMEDIATE FAMILY MAY SERVE ON THE COMMISSION, TO DELETE THE PROVISION THAT PROVIDES FOR THE ELECTION OF COMMISSIONERS BY THE LEGISLATIVE DELEGATION OF EACH CONGRESSIONAL DISTRICT, TO DELETE THE PROVISIONS THAT ESTABLISH THE INITIAL TERMS OF THE COMMISSIONERS, TO PROVIDE THAT THE COMMISSIONERS SHALL ELECT A CHAIRMAN OF THE COMMISSION AND ARE ELIGIBLE TO VOTE ON ALL MATTERS THAT COME BEFORE THE COMMISSION, TO PROVIDE THAT THE COMMISSIONERS MUST APPOINT A CHIEF INTERNAL AUDITOR AND HIS STAFF, TO PROVIDE FOR THE TERMS OF OFFICE AND PROCEDURES TO REMOVE THE INTERNAL AUDITOR AND HIS STAFF FROM EMPLOYMENT BY THE COMMISSION, TO PROVIDE FOR THE CONTENT AND DISSIMILATION OF AUDITS PERFORMED BY THE CHIEF INTERNAL AUDITOR, TO PROVIDE THAT THE COMMISSION MUST DEVELOP AND IMPLEMENT THE LONG-RANGE STATEWIDE TRANSPORTATION PLAN WHICH MUST BE DEVELOPED AND IMPLEMENTED USING CERTAIN GUIDELINES AND CRITERIA, TO DELETE THE PROVISION THAT PROVIDES THAT THE COMMISSION SHALL EMPLOY THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION AND PROVIDE THAT THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SECRETARY OF TRANSPORTATION WHO SHALL SERVE AT THE PLEASURE OF THE GOVERNOR, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SECRETARY, TO PROVIDE A DEFINITION FOR THE TERM "ROUTINE OPERATION AND MAINTENANCE" AND THE TERM "EMERGENCY REPAIRS", TO PROVIDE THAT THE STATE BUDGET AND CONTROL BOARD MUST AUDIT ANNUALLY THE DEPARTMENT'S INTERNAL PROCUREMENT OPERATION THAT MUST BE PROVIDED TO CERTAIN PERSONS, TO PROVIDE THAT THE LEGISLATIVE AUDIT COUNCIL SHALL PERFORM AN INDEPENDENT PERFORMANCE AND COMPLIANCE AUDIT OF CERTAIN DIVISIONS OF THE DEPARTMENT THAT MUST BE MADE AVAILABLE TO CERTAIN PERSONS, TO PROVIDE THAT THE SECRETARY MUST PROVIDE WORKSHOPS CONCERNING ETHICS AND THE ADMINISTRATIVE PROCEDURES ACT FOR CERTAIN EMPLOYEES OF THE COMMISSION AND THE DEPARTMENT, TO PROVIDE FOR THE ESTABLISHMENT, COMPOSITION, POWERS AND DUTIES, AND COMPENSATION OF THE MEMBERS OF THE JOINT TRANSPORTATION REVIEW COMMITTEE, TO PROVIDE THAT UNLESS EXTENDED BY SUBSEQUENT ACT OF THE GENERAL ASSEMBLY, THE GOVERNOR'S AUTHORITY TO APPOINT THE SECRETARY TERMINATES AND IS DEVOLVED UPON THE COMMISSION ON JULY 1, 2015, TO PROVIDE THE DEPARTMENT AUTHORITY TO PROMULGATE CERTAIN REGULATIONS, TO MAKE TECHNICAL CHANGES, AND TO AUTHORIZE THE CODE COMMISSIONER TO CHANGE CERTAIN REFERENCES IN THE 1976 CODE TO CONFORM TO THIS ACT. - ratified title

**01/30/07 Senate Introduced and read first time SJ-9**

01/30/07	Senate	Referred to Committee on Transportation SJ-9
02/20/07	Senate	Committee report: Majority favorable with amend., minority unfavorable Transportation SJ-11
02/20/07	Senate	Committed to Committee on Judiciary SJ-11
02/21/07		Scrivener's error corrected
03/07/07	Senate	Recalled from Committee on Judiciary SJ-4
03/07/07	Senate	Debate interrupted SJ-34
03/14/07	Senate	Committee Amendment Amended SJ-15
03/14/07	Senate	Debate interrupted SJ-15
03/15/07	Senate	Committee Amendment Amended SJ-13
03/15/07	Senate	Debate interrupted SJ-13
03/15/07		Scrivener's error corrected
03/20/07	Senate	Debate interrupted SJ-21
03/21/07	Senate	Committee Amendment Amended SJ-21
03/21/07	Senate	Debate interrupted SJ-21
03/22/07	Senate	Debate interrupted SJ-22
03/28/07	Senate	Committee Amendment Amended SJ-36
03/28/07	Senate	Debate interrupted SJ-36
03/28/07		Scrivener's error corrected
03/29/07	Senate	Committee Amendment Amended and Adopted SJ-50
03/29/07	Senate	Read second time SJ-50
03/30/07		Scrivener's error corrected
04/02/07		Scrivener's error corrected
04/05/07	Senate	Amended
04/05/07	Senate	Read third time and sent to House
04/09/07		Scrivener's error corrected
04/10/07	House	Introduced and read first time HJ-17
04/10/07	House	Referred to Committee on Ways and Means HJ-18
04/17/07	House	Committee report: Favorable with amendment Ways and Means HJ-8
04/18/07	House	Amended HJ-42
04/18/07	House	Debate interrupted HJ-80
04/18/07	House	Read second time HJ-83
04/18/07	House	Roll call Yeas-97 Nays-0 HJ-86
04/19/07	House	Read third time and returned to Senate with amendments HJ-11
05/02/07	Senate	Consideration Interrupted SJ-21
05/03/07	Senate	Consideration Interrupted SJ-54
05/08/07	Senate	Consideration Interrupted SJ-18
05/09/07	Senate	Consideration Interrupted SJ-15
05/15/07	Senate	Consideration Interrupted SJ-39
05/16/07	Senate	House amendment amended SJ-29
05/16/07	Senate	Returned to House with amendments SJ-29
05/17/07	Senate	Recalled from House SJ-34
05/17/07	Senate	Amended SJ-34
05/17/07	Senate	Returned to House with amendments SJ-34
05/18/07		Scrivener's error corrected
05/23/07	House	Non-concurrence in Senate amendment HJ-34
05/23/07	Senate	Senate insists upon amendment and conference committee appointed McConnell, Moore, and Ryberg SJ-65
05/24/07	House	Conference committee appointed Reps. Young, Merrill, and Anthony HJ-10
06/07/07	Senate	Conference committee appointed Grooms appointed in lieu of McConnell SJ-84
06/07/07	Senate	Conference committee appointed McConnell reappointed to replace Grooms SJ-155
06/19/07	Senate	Free conference powers granted SJ-49
06/19/07	Senate	Free conference committee appointed McConnell, Moore, and Ryberg SJ-49
06/20/07	House	Free conference powers rejected HJ-125

06/21/07	House	Free conference powers granted HJ-21
06/21/07	House	Free conference committee appointed Reps. Young, Merrill, and Anthony HJ-25
06/21/07	House	Free conference report adopted HJ-25
06/21/07	Senate	Free conference report adopted SJ-33
06/21/07	House	Ordered enrolled for ratification HJ-75
06/21/07		Ratified R 171
06/27/07		Signed By Governor
07/11/07		Copies available
07/11/07		Effective date 06/27/07
07/11/07		Act No. 114