Session 117 - (2007-2008)

H 4538 General Bill, By Funderburk, McLeod, Stavrinakis and Whipper

Similar (S 0898)

Summary: Government Accountability Act, Solicitation of Charitable Funds Act

A BILL TO ENACT THE "GOVERNMENT ACCOUNTABILITY ACT OF 2008", INCLUDING PROVISIONS TO AMEND SECTION 8-27-10(4), RELATING TO THE DEFINITION OF REPORT FOR THE PURPOSES OF THE EMPLOYMENT PROTECTION FOR REPORTS OF VIOLATIONS OF STATE OR FEDERAL LAW OR REGULATION BY PROVIDING THAT A REPORT MAY BE A WRITTEN OR ORAL ALLEGATION OR TESTIMONY TO A LEGISLATIVE COMMITTEE; BY ADDING CHAPTER 2 TO TITLE 2, RELATING TO LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS, TO PROVIDE THAT THE STANDING COMMITTEES OF THE GENERAL ASSEMBLY HAVE A DUTY TO REVIEW AND STUDY THE OPERATIONS OF THE STATE AGENCIES WITHIN THE COMMITTEE'S JURISDICTION, TO ESTABLISH COMMITTEE OVERSIGHT JURISDICTION, TO PROVIDE FOR THE PROCESS BY WHICH A COMMITTEE MAY INITIATE AN OVERSIGHT STUDY OR INVESTIGATION, TO PROVIDE FOR THE MANNER IN WHICH AN INVESTIGATING COMMITTEE MAY ACQUIRE EVIDENCE OR INFORMATION RELATED TO THE STUDY OR INVESTIGATION, TO PROVIDE FOR PROGRAM EVALUATION REPORTS, THE MANNER IN WHICH THEY ARE REQUESTED, AND THE CONTENTS OF THE REPORTS, TO PROVIDE THAT ALL TESTIMONY GIVEN TO AN INVESTIGATING COMMITTEE MUST BE GIVEN UNDER OATH, TO PROVIDE THAT WITNESSES TESTIFYING IN FRONT OF AN INVESTIGATING COMMITTEE MAY BE REPRESENTED BY COUNSEL, AND TO PROVIDE THAT WITNESSES ARE GIVEN THE BENEFIT OF ANY PRIVILEGE WHICH HE COULD HAVE CLAIMED IN COURT AS A PARTY TO A CIVIL ACTION; TO AMEND TITLE 11 OF CHAPTER 11 BY ADDING SECTION 11-11-85 TO REQUIRE THE GOVERNOR'S ANNUAL STATE BUDGET RECOMMENDATION AND THE REPORTS OF THE HOUSE COMMITTEE ON WAYS AND MEANS AND THE SENATE FINANCE COMMITTEE ON THE ANNUAL GENERAL APPROPRIATIONS ACT TO BE IN A PROGRAMMATIC FORMAT BY PROVIDING A NARRATIVE DESCRIPTION OF EACH SEPARATE PROGRAM ADMINISTERED BY A STATE AGENCY AND PROVIDING THE ELEMENTS THAT MUST BE INCLUDED IN THE NARRATIVE, TO REQUIRE THE BUDGET RECOMMENDATION FOR AN AGENCY TO INCLUDE AN OVERALL BUDGET RECOMMENDATION BY BUDGET CATEGORY AND A SIMILAR RECOMMENDATION FOR EACH SEPARATE PROGRAM ADMINISTERED BY THE AGENCY AND THE SPECIFIC SOURCE OF FUNDS APPROPRIATED FOR THE AGENCY; TO REPEAL CHAPTER 3 OF TITLE 11 RELATING TO THE COMPTROLLER GENERAL, TO TRANSFER TO THE STATE AUDITOR THE COMPTROLLER GENERAL'S POWERS AND DUTIES, TO AMEND SECTION 1-11-10, RELATING TO THE COMPOSITION OF THE BUDGET AND CONTROL BOARD; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL REPLACE THE COMPTROLLER GENERAL ON THE BUDGET AND CONTROL BOARD, TO AMEND SECTIONS 11-5-130 AND 11-5-180, RELATING TO THE COMPTROLLER GENERAL, TO CONFORM THEM TO THE PROVISIONS PERTAINING TO THE TRANSFER OF DUTIES TO THE STATE AUDITOR FROM THE COMPTROLLER GENERAL; TO REPEAL CHAPTER 5 OF TITLE 1 RELATING TO THE SECRETARY OF STATE, TO AMEND SECTION 1-30-25, RELATING TO THE DEPARTMENT OF COMMERCE, BY TRANSFERRING CERTAIN POWERS, DUTIES, AND FUNCTIONS TO THE DEPARTMENT OF COMMERCE FROM THE SECRETARY OF STATE, TO AMEND CHAPTER 7 OF TITLE 1, RELATING TO THE ATTORNEY GENERAL, BY ADDING ARTICLE 9 TO TRANSFER CERTAIN POWERS, DUTIES, AND FUNCTIONS TO THE ATTORNEY GENERAL FROM THE SECRETARY OF STATE; TO AMEND CHAPTER 1 OF TITLE 5, RELATING TO INCORPORATION OF MUNICIPAL CORPORATIONS, CHAPTER 1 OF TITLE 26, RELATING TO NOTARIES PUBLIC, CHAPTER 56 OF TITLE 33, RELATING TO SOLICITATION OF CHARITABLE FUNDS, ARTICLE 11, CHAPTER 15 OF TITLE 39, RELATING TO TRADEMARKS AND SERVICE MARKS, ARTICLE 3, CHAPTER 12 OF TITLE 58, RELATING TO STATE-ISSUED FRANCHISE AUTHORITY FOR CABLE SERVICE PROVIDERS, SECTIONS 39-57-60, 39-57-55, 5-3-90, 5-3-280, 26-6-190, 15-9-245, 6-11-1620, 6-11-1630, 6-11-1640, 39-15-420, 39-15-430, 39-15-440, 39-15-450, AND 39-15-490, ALL RELATING TO VARIOUS POWERS AND DUTIES OF THE SECRETARY OF STATE TO CONFORM THEM TO THE PROVISIONS TRANSFERRING THOSE POWERS, DUTIES, AND FUNCTIONS TO THE DEPARTMENT OF COMMERCE AND THE ATTORNEY GENERAL, RESPECTIVELY; TO AMEND SECTION 46-3-30, RELATING TO THE QUALIFICATIONS FOR THE COMMISSIONER OF AGRICULTURE, TO PROVIDE THAT THE GOVERNOR APPOINTS THE COMMISSIONER WITH THE ADVICE AND CONSENT OF THE SENATE AND THAT THE COMMISSIONER MAY BE REMOVED FROM OFFICE BY THE GOVERNOR AS PROVIDED IN SECTION 1-3-240(C), TO REPEAL SECTION 46-3-40 RELATING TO THE ELECTION AND TERM OF THE COMMISSIONER OF AGRICULTURE, TO AMEND SECTION 1-3-240(C)(1), RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, TO PROVIDE THAT THE GOVERNOR MAY REMOVE THE COMMISSIONER OF AGRICULTURE FROM OFFICE FOR MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY; TO AMEND SECTION

1-3-240(C)(1), RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, TO PROVIDE THAT THE STATE INSPECTOR GENERAL MAY BE REMOVED FROM OFFICE FOR MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY, TO AMEND TITLE 1, RELATING TO GENERAL PROVISIONS FOR THE ADMINISTRATION OF THE GOVERNMENT, BY ADDING CHAPTER 6 TO CREATE THE OFFICE OF THE STATE INSPECTOR GENERAL, TO PROVIDE THAT THE STATE INSPECTOR GENERAL IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, TO AUTHORIZE THE STATE INSPECTOR GENERAL TO ADDRESS FRAUD, WASTE, ABUSE, AND WRONGDOING WITHIN THE SOUTH CAROLINA EXECUTIVE GOVERNMENT AGENCIES, AND TO PROVIDE THE POWERS, DUTIES, AND FUNCTIONS OF THE OFFICE; TO AMEND SECTION 1-30-10, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1-30-125 TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING ARTICLE 6 TO CHAPTER 3 OF TITLE 1 SO AS TO ESTABLISH THE DIVISION OF THE STATE CHIEF INFORMATION OFFICER WITHIN THE DEPARTMENT OF ADMINISTRATION TO BE HEADED BY THE STATE CHIEF INFORMATION OFFICER, TO PROVIDE THAT THE STATE CHIEF INFORMATION OFFICER SHALL BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE FOR THE POWERS, DUTIES, AND FUNCTIONS OF THE DIVISION; TO CREATE A JOINT INFORMATION TECHNOLOGY REVIEW COMMITTEE, AN INFORMATION TECHNOLOGY BUSINESS CASE REVIEW PANEL, AND AN INFORMATION TECHNOLOGY ARCHITECTURE OVERSIGHT PANEL AND TO PROVIDE FOR THE FUNCTIONS, POWERS, AND RESPONSIBILITIES OF THE COMMITTEE AND PANELS; TO AMEND SECTION 11-35-1580, AS AMENDED, RELATING TO INFORMATION TECHNOLOGY PROCUREMENTS, SO AS TO DELETE CERTAIN RESPONSIBILITIES OF THE INFORMATION TECHNOLOGY MANAGEMENT OFFICE; TO AMEND SECTIONS 1-10-10, 1-11-20, AS AMENDED, 1-11-22, 1-11-55, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-180, 1-11-220, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-11-435, 2-13-240, CHAPTER 9 OF TITLE 3; 10-1-10, 10-1-30, AS AMENDED, 10-1-40, 10-1-130, 10-1-190, CHAPTER 9 OF TITLE 10, 10-11-50, AS AMENDED, 10-11-90, 10-11-110, 11-9-610, 11-9-620, 11-9-630, 11-35-3810, 11-35-3820, 11-35-3830, 11-35-3840, 13-7-30, 13-7-830, ALL AS AMENDED, 48-46-30, 48-46-40, AS AMENDED, 48-46-50, 48-46-60, 48-46-90, 48-52-410, 48-52-440, AS AMENDED, 48-52-460, 48-52-680, 44-53-530, AS AMENDED, AND 44-96-140; AND TO ADD SECTION 1-11-185, ALL RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

01/23/08	**House**	**Introduced and read first time HJ-14**
01/23/08	**House**	**Referred to Committee on Judiciary HJ-18**
04/09/08		**Scrivener's error corrected**
04/09/08	**House**	**Committee report: Favorable with amendment Judiciary HJ-55**
04/10/08	**House**	**Member(s) request name added as sponsor: McLeod**
04/15/08	**House**	**Member(s) request name added as sponsor: Stavrinakis**
04/15/08	**House**	**Requests for debate-Rep(s). Harrison, Merrill, Skelton, Mulvaney, Weeks, Toole, Spires, Stavrinakis, Shoopman, Davenport, GR Smith, Anthony, Harvin, and Daning HJ-41**
04/17/08	**House**	**Member(s) request name added as sponsor: Whipper**
04/22/08	**House**	**Amended HJ-156**
04/22/08	**House**	**Read second time HJ-161**
04/22/08	**House**	**Roll call Yeas-112 Nays-0 HJ-161**
04/23/08	**House**	**Read third time and sent to Senate HJ-64**
04/23/08		**Scrivener's error corrected**
04/24/08	**Senate**	**Introduced and read first time SJ-3**
04/24/08	**Senate**	**Referred to Committee on Judiciary SJ-3**
04/28/08	**Senate**	**Referred to Subcommittee: Martin (ch), Ritchie, Malloy, Sheheen, Cleary**
05/21/08	**Senate**	**Committee report: Favorable with amendment Judiciary SJ-7**
05/22/08		**Scrivener's error corrected**

05/28/08	**Senate**	**Committee Amendment Adopted SJ-81**
05/28/08	**Senate**	**Read second time SJ-81**