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AMENDED

June 2, 2010

**S. 1234**

Introduced by Senator Fair

S. Printed 6/2/10--H.

Read the first time April 27, 2010.

**A** **BILL**

TO ESTABLISH A STUDY COMMITTEE TO STUDY AND DEVELOP A PLAN TO CONSOLIDATE THE FUNCTIONS OF THE DEPARTMENT OF CORRECTIONS AND THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, TO PROVIDE FOR THE STUDY COMMITTEE’S MEMBERSHIP, AND TO PROVIDE FOR THE STUDY COMMITTEE’S DUTIES AND RESPONSIBILITIES.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) There is created a study committee to study and develop a plan to consolidate the functions of the Department of Corrections and the Department of Probation, Parole and Pardon Services. The plan must include an estimate of cost savings that may be realized from the consolidation of both agencies. In addition, the study committee shall study the feasibility of consolidating the State Law Enforcement Division, Department of Public Safety, and the Department of Natural Resources Enforcement Division into one cabinet level department whose director is appointed by the Governor.

(B) The study committee shall be composed of the:

(1) Governor, or his designee;

(2) President Pro Tempore of the Senate, or his designee;

(3) Speaker of the House of Representatives, or his designee;

(4) Chairman of the Senate Judiciary Committee, or his designee;

(5) Chairman of the House of Representatives Judiciary Committee, or his designee;

(6) Chairman of the Senate Corrections and Penology Committee, or his designee;

(7) Chairman of the House of Representatives Medical, Military and Municipal Affairs Committee, or his designee;

(8) Director of the Department of Corrections, or his designee; and

(9) Director of the Department of Probation, Parole and Pardon Services, or his designee.

(C) The members of the study committee shall elect a chairman.

(D) The study committee shall accept committee staffing and coordination from the appropriate committees of the Senate and House of Representatives.

(E) The members of the study committee shall serve without mileage, per diem, and subsistence.

(F) The study committee shall meet as often as is necessary and shall convene no later than sixty days after the effective date of this act.

(G) The study committee shall submit its plan to the Chairman of the Senate Judiciary Committee, Chairman of the House of Representatives Judiciary Committee, Chairman of the Senate Finance Committee, Chairman of the House of Representatives Ways and Means Committee, Chairman of the Senate Corrections and Penology Committee, and Chairman of the House of Representatives Medical, Military, Public and Municipal Affairs Committee no later than December 31, 2010, at which point the study committee will dissolve.

SECTION 2. Chapter 11, Title 1 of the 1976 Code is amended by adding:

“Article 9

Environmental Justice Equitable Redevelopment Commission

Section 1‑11‑1310. For purposes of this chapter ‘Environmental Justice’ means the fair treatment and meaningful involvement of all people with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies and working toward increasing prosperity of all South Carolinians.

Section 1‑11‑1320. (A) There is created the South Carolina Environmental Justice Equitable Redevelopment Commission to be comprised of:

(1) the Chairman of the House of Representatives Agriculture, Natural Resources and Environmental Affairs Committee, who shall serve as a co‑chairperson of the commission;

(2) the Chairman of the Senate Medical Affairs Committee, who shall serve as a co‑chairperson of the commission;

(3) two members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

(4) two members of the Senate to be appointed by the President Pro Tempore of the Senate;

(5) the Commissioner of the Department of Health and Environmental Control;

(6) the Director of the Department of Commerce;

(7) the Director of the Department of Transportation;

(8) four members of the public;

(9) two local government representatives;

(10) one council of government representative;

(11) six business or industry representatives;

(12) one person representing a university;

(13) one person representing a historically black college or university;

(14) one person representing a technical college.

Members provided for in items (8) through (14) must be appointed by the co‑chairpersons of the committee.

(B)(1) The commission initially shall analyze the comments and recommendations in the final report of the South Carolina Environmental Justice Advisory Committee, which was formed by Act 171 of 2007, and shall study the issues recognized in the report and identify barriers to addressing these issues and actions necessary to resolve these issues and to determine optimal methods for implementation.

(2) The commission shall foster economic development and revitalization in distressed areas across the State. The commission shall hold biannual meetings, and staff from the House of Representatives and the Senate shall provide staff support to the commission.

(3) The commission shall undertake to educate state agencies, local governments, and the public on environmental justice issues and concerns which may include, but are not limited to:

(a) assisting state agencies, and upon request local governments, in developing environmental justice policies and establishing program coordinators;

(b) encouraging public participation initiatives for projects and for the mediation and resolution of environmental justice issues;

(c) establishing an ‘abandoned site initiative’, focusing on revitalizing abandoned sites, such as abandoned mills and gas stations, including encouraging public‑private partnerships for revitalization projects;

(d) identifying ways to encourage job creation through alternative energy projects in distressed areas;

(e) developing an education platform, including public service campaigns and showcasing environmental justice projects undertaken by the commission and other entities.

(C) The commission may establish such subcommittees as the commission may find necessary.

Members of the subcommittees must be appointed by the co‑chairpersons of the commission and may include members from outside the membership of the commission.

Each subcommittee shall study the issues relevant to their respective subcommittee and shall identify actions necessary to resolve these issues and barriers to resolution.

Section 1‑11‑1330. (A) There is created the South Carolina Interagency Working Group on Environmental Justice (IWG), which shall serve as an advisory committee to the commission. This advisory committee is comprised of the commissioner, executive director, or head, or a designee, of each of the following:

(1) Office of the Attorney General;

(2) Department of Agriculture;

(3) Department of Commerce;

(4) Department of Education;

(5) Department of Health and Environmental Control;

(6) Department of Health and Human Services;

(7) Department of Labor, Licensing and Regulation;

(8) Department of Natural Resources;

(9) Department of Parks, Recreation and Tourism;

(10) Department of Public Safety;

(11) Department of Transportation;

(12) University of South Carolina, Arnold School of Public Health;

(13) Clemson University’s Public Service Authority;

(14) South Carolina State University’s Public Service Authority;

(15) State Ports Authority;

(16) State Energy Office;

(17) Lieutenant Governor’s Office on Aging;

(18) State Housing Finance and Development Authority.

The IWG must be staffed by an office or division in the State Budget and Control Board determined by the executive director of the board to be most appropriate.

(B) The goal of the IWG is to assist the commission and communities selected by the commission by providing resources and support. The IWG members shall act under the direction of the commission and assist the commission in the implementation of and in furtherance of the commission’s mission. The IWG shall attend commission meetings.”

SECTION 3. This act takes effect upon approval by the Governor.

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