~~Indicates Matter Stricken~~

Indicates New Matter

POLLED OUT OF COMMITTEE

January 8, 2019

**S. 2**

Introduced by Senators Campsen, Massey and Malloy

S. Printed 1/8/19--S. [SEC 1/9/19 9:24 AM]

Read the first time January 8, 2019.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 2) to make technical and conforming changes to the 1976 Code, all relating to appointments and reports received by the President Pro Tempore, to substitute the “President of the Senate”, etc., respectfully

**REPORT:**

Has polled the Bill out of committee without report.

**A** **BILL**

TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE PRESIDENT PRO TEMPORE, TO SUBSTITUTE THE “PRESIDENT OF THE SENATE” FOR THE “PRESIDENT PRO TEMPORE OF THE SENATE,” “PRESIDENT PRO TEMPORE,” OR “PRESIDENT OF THE SENATE PRO TEMPORE” IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014; AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO THE 1976 CODE, ALL RELATING TO APPOINTMENTS AND REPORTS RECEIVED BY THE LIEUTENANT GOVERNOR, TO SUBSTITUTE “PRESIDENT OF THE SENATE” FOR “LIEUTENANT GOVERNOR” OR TO STRIKE REFERENCES TO THE LIEUTENANT GOVERNOR IN ORDER TO CONFORM THE SOUTH CAROLINA CODE OF LAWS RELATED TO THE DUTIES OF THE LIEUTENANT GOVERNOR WITH AMENDMENTS TO THE SOUTH CAROLINA CONSTITUTION ACT 214 OF 2014.

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

SECTION 1. Section 1‑3‑120 of the 1976 Code is amended to read:

“Section 1‑3‑120. In case of the removal, death, resignation or disability of both the Governor, and the Lieutenant Governor, the President of the Senate ~~pro tempore~~ shall perform the duties and exercise the powers of Governor until such disability of the Governor or Lieutenant Governor ~~shall have~~ has been removed or until the next general election, at which a Governor ~~shall~~ must be elected by the electors duly qualified, as ~~is~~ prescribed by Section 3, ~~of~~ Article IV of the Constitution and the general state statutory law.”

SECTION 2. Section 1-3-130 of the 1976 Code is amended to read:

“Section 1‑3‑130. In case of the disability, from whatever cause, of the Governor, the Lieutenant Governor, and the President of the Senate ~~pro tempore~~, the Speaker of the House of Representatives shall perform the duties and exercise the powers of Governor, in like manner and upon like conditions as are prescribed ~~by~~ in Section 1‑3‑120.”

SECTION 3. Section 1-6-30(9) of the 1976 Code is amended to read:

“(9) annually submit a report to the Governor, President ~~Pro Tempore~~ of the Senate, and Speaker of the House of Representatives detailing the State Inspector General’s activities.”

SECTION 4. Section 1-9-30 of the 1976 Code is amended to read:

“Section 1‑9‑30. In the event that the Governor, for any of the reasons specified in the Constitution, is not able to exercise the powers and discharge the duties of his office, or is unavailable, and in the event the Lieutenant Governor, President ~~pro tempore~~ of the Senate, and the Speaker of the House of Representatives, ~~be~~ for any of the reasons specified in the Constitution, are not able to exercise the powers and discharge the duties of the office of Governor, or ~~be~~ are unavailable, the Secretary of State, State Treasurer, or Attorney General ~~shall~~, in the order named, if the preceding named officers ~~be~~ are unavailable, shall exercise the powers and discharge the duties of the office of Governor until a new Governor is elected and qualifies, or until a preceding named officer becomes available; provided, however, that no emergency interim successor to the aforementioned offices may serve as Governor.”

SECTION 5. Section 1-11-425 of the 1976 Code is amended to read:

“Section 1‑11‑425. (A) All agencies using appropriated funds shall print on the last page of all bound publications the following information:

(1) total printing cost;

(2) total number of documents printed; and

(3) cost per unit.

(B) The President ~~Pro Tempore~~ of the Senate, the Speaker of the House, the Legislative Services Agency, the presidents of each institution of higher education, and the State Board for Technical and Comprehensive Education may exempt from this requirement documents published by their respective agencies. Agency publications ~~which~~ that are produced for resale are also exempt from this requirement.

(C) Publications of public relations nature produced by Parks, Recreation and Tourism and the Division of State Development are exempt from this requirement.”

SECTION 6. Section 1-18-70 of the 1976 Code is amended to read:

“Section 1‑18‑70. All recommendations formulated by the commission must be based upon evidence gathered by the commission in public hearings from testimony submitted orally or in writing by interested parties including the commission and upon evidence compiled by the commission in studies conducted by the commission. The recommendations of the commission must be made in writing and delivered to the chairman of the subcommittee of the standing committee of the House or the Senate to which a bill proposing to regulate an occupation has been referred. Copies of the commission’s recommendations must also be delivered to the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, and the Governor. Copies of the commission’s recommendations must be mailed to any person who has made a request concerning occupational regulation that was considered by the commission. If the commission recommends no changes with respect to the regulation of an occupation, then the commission shall notify by mail any person who has requested that regulations or changes be recommended.”

SECTION 7. Section 1-23-280(B) of the 1976 Code is amended to read:

“(B) The committee shall consist of eleven members, appointed as follows:

(1) five members to be appointed by the Governor;

(2) three members to be appointed by the President ~~Pro Tempore~~ of the Senate; and

(3) three members to be appointed by the Speaker of the House of Representatives.”

SECTION 8. Section 1-23-280(E) of the 1976 Code is amended to read:

“(E) The initial appointments to the committee must be made within sixty days from the effective date of this act. The department shall provide the name and address of each appointee to the Governor, the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, and the Chairmen of the House and Senate Labor, Commerce and Industry Committees.”

SECTION 9. Section 1-23-290(D) of the 1976 Code is amended to read:

“(D) If the committee recommends that an agency initiate regulation proceedings for a reason provided in subsection (C), then the committee shall submit to the Speaker of the House of Representatives and the President ~~Pro Tempore~~ of the Senate an evaluation report and the agency’s response as provided in Section 1‑23‑290(B). The General Assembly may take later action in response to the evaluation report and the agency’s response as the General Assembly finds appropriate.”

SECTION 10. Section 2-1-230(C) of the 1976 Code is amended to read:

“(C) A report governed by the requirements of this section may be published in hard copy form for distribution to the General Assembly if authorized by the Speaker of the House and the President ~~Pro Tempore~~ of the Senate.”

SECTION 11. Section 2-1-250(B) of the 1976 Code is amended to read:

“(B)(1) The commission shall consist of fifteen members. Of these members, five must be members of the House of Representatives to be appointed by the Speaker of the House; five must be members of the Senate to be appointed by the President ~~Pro Tempore~~ of the Senate; and five must be nonlegislative members selected by the other legislative members. All members must be qualified electors of this State.

(2) Legislative members shall serve terms concurrent with their terms of office. Nonlegislative members shall serve for terms of four years each. Appointments to fill vacancies, other than by expiration of a term, must be for the unexpired terms. Legislative and nonlegislative members may be reappointed for successive terms. Vacancies must be filled in the same manner as the original appointments.

(3) The commission shall elect a chairman and vice chairman every two years from among its membership, who must be members of the General Assembly.”

SECTION 12. Section 2-2-30(B)(1) of the 1976 Code is amended to read:

“(B)(1) The President ~~Pro Tempore~~ of the Senate, upon consulting with the chairmen of the standing committees in the Senate and the Clerk of the Senate, shall determine the agencies for which each standing committee must conduct oversight studies and investigations. A proposed seven‑year review schedule must be published in the Senate Journal on the first day of session each year.”

SECTION 13. Section 2-2-40(B) of the 1976 Code is amended to read:

“(B) Nothing in the provisions of this chapter prohibits or restricts the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, or chairmen of standing committees from fulfilling their constitutional obligations by authorizing and conducting legislative investigations into agencies’ functions, duties, and activities.”

SECTION 14. Section 2-3-20 of the 1976 Code is amended to read:

“Section 2‑3‑20. (A) Members of the General Assembly shall annually receive as compensation for their services such sum as may be provided by law and mileage at the rate provided for by law for the actual distance traveled in the most direct route going to and returning from their homes on weekend adjournments of the General Assembly at the place where the sessions of the General Assembly are held. The terms of this provision shall be subject to limitations imposed by the State Constitution.

(B) The President of the Senate, ~~the President pro tempore of the Senate,~~ the Speaker of the House, and the Speaker Pro Tempore of the House shall receive, in addition, such amounts as may annually appear in the State appropriation act.”

SECTION 15. Section 2-3-75(B)(3) of the 1976 Code is amended to read:

“(3) Legislative Services Agency may sell by means of electronic transmission or by other means as it considers appropriate any legislative document or report which may be obtained under the provisions of Chapter 4, Title 30. This sale is with the approval of the Clerks of the House and Senate upon their prior consultation with the Speaker of the House and the President ~~Pro Tempore~~ of the Senate.”

SECTION 16. Section 2-3-105(A)(4) of the 1976 Code is amended to read:

“(4) those designated by the President ~~Pro Tempore~~ of the Senate or the Speaker of the House of Representatives.”

SECTION 17. Section 2-15-60(b) of the 1976 Code is amended to read:

“(b) To conduct audits, if authorized by the council, upon request of the General Assembly or either of its respective bodies, a standing committee, the Speaker of the House, the President ~~Pro Tempore~~ of the Senate, or not less than five members of the General Assembly, and to submit a report containing its findings and recommendations to the requesting entity or persons and to any member of the General Assembly who may request a copy.”

SECTION 18. Section 2-17-90(A)(1) of the 1976 Code is amended to read:

“(1) as to members of the General Assembly, a function to which a member of the General Assembly is invited if the entire membership of the House, the Senate, or the General Assembly is invited, or one of the committees, subcommittees, joint committees, legislative caucuses or their committees or subcommittees, or county legislative delegations of the General Assembly of which the legislator is a member is invited. However, the President of the Senate, the Speaker of the House, and the Speaker Pro Tempore of the House may be included in an invitation to one of the above groups. In addition, invitations may be extended and accepted when the invitation is extended to all members in attendance at (a) national and regional conventions and conferences of organizations for which the General Assembly pays annual dues as a membership requirement and (b) American Legislative Exchange Council conventions and conferences;”

SECTION 19. Section 2-17-90(A)(6)(c) of the 1976 Code is amended to read:

“(c) the President ~~Pro Tempore~~ of the Senate, in the case of any member of the Senate or its employees; or”

SECTION 20. Section 2-17-100(3) of the 1976 Code is amended to read:

“(3) the President ~~Pro Tempore~~ of the Senate, in the case of a member of the Senate;”

SECTION 21. Section 2-19-10(B)(2) of the 1976 Code is amended to read:

“(2) three members, appointed by the Chairman of the Senate Judiciary Committee, who ~~and two members appointed by the President Pro Tempore of the Senate and of these appointments:~~

~~(a)~~ ~~three members~~ must be serving members of the ~~General Assembly~~ Senate; and

~~(b)~~(3) two members, appointed by the President of the Senate, who must be selected from the general public.”

SECTION 22. Section 2-41-70 of the 1976 Code is amended to read:

“Section 2‑41‑70. The members of the committee are entitled to receive the per diem, mileage, and subsistence as is allowed by law for members of boards, committees, and commissions when engaged in the exercise of their duties as members of the committee. These expenses must be paid from approved accounts of their respective appointing authority. All other costs and expenses of the committee must be paid in equal proportion by the Senate, the House of Representatives, and the Office of the Governor, but only after the expenditures have been approved in advance by the President ~~Pro Tempore~~ of the Senate, the Speaker of the House, and the Governor.”

SECTION 23. Section 2-59-10 of the 1976 Code is amended to read:

“Section 2-59-10. (A) There is hereby created a permanent Senate Operations and Management Committee composed of nine members of the Senate appointed by the President ~~Pro Tempore~~ whose duties shall include, but not be limited to, the following:

~~1.~~(1) management of the L. Marion Gressette Building and the Senate areas of the State House with sole authority to formulate and implement policies and procedures for the effective utilization of personnel, equipment, and space within the L. Marion Gressette Building and the Senate areas of the State House;

~~2.~~(2) develop and implement policies for a Senate Personnel Plan which shall include:

(a) establishment of policies and procedures for the employment and dismissal of Senate employees;

(b) establishment of guidelines for the effective management and supervision of Senate employees; and

(c) review requirements and needs of members and committees of the Senate for staff support.

(B) The personnel policies and procedures established by the committee shall be the controlling policies and procedures for management of Senate personnel.

(C) In furtherance of the requirements of this section, the committee is authorized to continue work during the interim to secure such information and make such investigations as it may deem necessary. The members shall be paid the regular per diem, mileage, and subsistence allowance provided by law to be paid from approved accounts of the Senate.”

SECTION 24. Section 2-67-20(E)(1)(a) of the 1976 Code is amended to read:

“(a) the President ~~Pro Tempore~~ of the Senate; or”

SECTION 25. Section 2-69-20 of the 1976 Code is amended to read:

“Section 2‑69‑20. Every joint study committee created by act or resolution of the General Assembly, in the discharge of its duties, including, but not limited to, the conducting of studies or investigations, is, by majority vote of the committee, authorized to request a standing committee of the Senate or House of Representatives to issue subpoenas and subpoenas duces tecum on behalf of the joint study committee to any agency, department, board, or commission of this State or of any political subdivision of this State or to any representative of any agency, department, board, or commission of this State or of any political subdivision of this State to compel the attendance of witnesses and production of documents, books, papers, correspondence, memoranda, and other relevant records to its work, investigation, or study. The committee shall have the right to receive the subpoenaed evidence in executive session. The committee must seek instructions from the President ~~Pro Tempore~~ of the Senate and the Speaker of the House of Representatives as to which standing committee shall issue the subpoena. The standing committee ~~which~~ that issues a subpoena on behalf of a joint study committee must comply with the procedures prescribed Section 2‑69‑40.”

SECTION 26. Section 2-69-40 of the 1976 Code is amended to read:

“Section 2‑69‑40. Subpoenas and subpoenas duces tecum may only be issued upon a majority vote of the members of the committee, must be issued in the name of the committee, and must be signed by the committee chairman or the presiding officer who may administer oaths to witnesses. Subpoenas and subpoenas duces tecum which are issued for a joint study committee of the General Assembly must be co‑signed by both the President ~~Pro Tempore~~ of the Senate and the Speaker of the House of Representatives. Subpoenas and subpoenas duces tecum which are issued by a standing committee of the Senate must be co‑signed by the President ~~Pro Tempore~~ of the Senate. Subpoenas and subpoenas duces tecum which are issued by the House of Representatives must be co‑signed by the Speaker of the House of Representatives. If the President ~~Pro Tempore~~ of the Senate refuses to co‑sign the subpoena or subpoena duces tecum, the requirement that the subpoena or subpoena duces tecum must be co‑ signed by the President ~~Pro Tempore~~ of the Senate may be suspended as to that particular subpoena or subpoena duces tecum by a majority vote of the members of the Senate present and voting. If the Speaker of the House of Representatives refuses to co‑sign the subpoena or subpoena duces tecum, the requirement that the subpoena or subpoena duces tecum must be co‑signed by the Speaker of the House of Representatives may be suspended as to that particular subpoena or subpoena duces tecum by a majority vote of the members of the House of Representatives present and voting. In determining whether or not to co‑sign the subpoena or subpoena duces tecum, the President ~~Pro Tempore~~ of the Senate or the Speaker of the House of Representatives must conclude that:

(1) The information sought by the subpoena is within the scope of the committee’s jurisdiction;

(2) The information is relevant to a legitimate legislative purpose;

(3) The nature of the information sought is as clearly described as possible in the subpoena or the authorizing resolution;

(4) The subpoena does not intrude impermissibly upon civil liberties;

(5) The revelation of the information subpoenaed would not unduly intrude into the decision‑making processes of other branches of government; and

(6) A subpoena issued to a local government does not violate the provisions of Articles VII and VIII of the Constitution of South Carolina, 1895, and Title 4 of the Code of Laws of South Carolina, 1976.”

SECTION 27. Section 2-75-10 of the 1976 Code is amended to read:

“Section 2‑75‑10. There is created the Research Centers of Excellence Review Board. The review board shall consist of eleven members. Of the eleven members, three must be appointed by the Governor, three must be appointed by the President ~~Pro Tempore~~ of the Senate, three must be appointed by the Speaker of the House of Representatives, one by the Chairman of the Senate Finance Committee, and one by the Chairman of the House Ways and Means Committee. The terms of members are three years and members are eligible to be appointed for no more than two additional terms. Of the members initially appointed by the Governor, the President ~~Pro Tempore~~ of the Senate, and the Speaker of the House, one shall be appointed for a term of one year, one for a term of two years, and one for a term of three years, the initial term of each member to be designated by the Governor, President ~~Pro Tempore~~ of the Senate, and Speaker of the House when making the appointments. The Governor, the President ~~Pro Tempore~~ of the Senate, and the Speaker of the House shall appoint persons with substantial experience in business, law, accounting, technology, manufacturing, engineering, or other professions and experience which provide an understanding of the purposes of this chapter. The review board shall be responsible for providing annually to the Commission on Higher Education a schedule by which applications for funding are received and awarded on a competitive basis, the awarding of matching funds as provided in Section 2‑75‑60, and for oversight and operation of the fund created by Section 2‑75‑30. Members of the review board shall serve without compensation and must provide an annual report by November thirtieth of each calendar year to the General Assembly as well as the State Fiscal Accountability Authority, Revenue and Fiscal Affairs Office, and Executive Budget Office, which shall include an audit performed by an independent auditor. This annual report must include, but not be limited to, a complete accounting for total state appropriations to the endowment and total proposals awarded up to the previous fiscal year.”

SECTION 28. Section 3-11-400(C)(3)(b)(iii) of the 1976 Code is amended to read:

“(iii) The department must make this information available, on a quarterly basis, to the governing body of the county or municipality from which the gambling vessel originates and to the general public. In addition, quarterly reports must be submitted to the Governor, the President ~~Pro Tempore~~ of the Senate, and the Speaker of the House of Representatives.”

SECTION 29. A. Section 5-1-26(B)(1) of the 1976 Code is amended to read:

“(1) two Senators appointed by the President ~~Pro Tempore~~ of the Senate;”

B. Section 5-1-26(B)(4) of the 1976 Code is amended to read:

“(4) one city manager or elected city official appointed by the President ~~Pro Tempore~~ of the Senate from a list of three persons recommended by the Municipal Association of South Carolina; and”

SECTION 30. Section 5-1-26(F) of the 1976 Code is amended to read:

“(F) Staff for the committee must be provided by the President ~~Pro Tempore~~ of the Senate and Speaker of the House of Representatives.”

SECTION 31. Section 6-4-35(A)(2) of the 1976 Code is amended to read:

“(2) one member appointed by the President ~~Pro Tempore~~ of the Senate;”

SECTION 32. Section 6-29-1330(D)(3) of the 1976 Code is amended to read:

“(3) make an annual report to the President ~~Pro Tempore~~ of the Senate and Speaker of the House of Representatives, no later than April fifteenth of each year, providing a detailed account of the advisory committee’s:

(a) activities;

(b) expenses;

(c) fees collected; and

(d) determinations concerning approved education programs and categories of exemption.”

SECTION 33. Section 6-29-1330(G) of the 1976 Code is amended to read:

“(G) The advisory committee may assess by majority vote of at least a quorum of the members a nominal fee to each entity applying for approval of an orientation or continuing education program; however, any fees charged must be applied to the operating expenses of the advisory committee and must not result in a net profit to the groups or associations that recommend the members of the advisory committee. An accounting of any fees collected by the advisory committee must be made in the advisory committee’s annual report to the President ~~Pro Tempore~~ of the Senate and Speaker of the House of Representatives.”

SECTION 34. Section 8-13-540(D)(6)(d) of the 1976 Code is amended to read:

“(d) The ethics committee shall report its findings in writing to the Speaker of the House of Representatives or President ~~Pro Tempore~~ of the Senate, as appropriate. The report must be accompanied by an order of punishment or dismissal and supported and signed by a majority of the ethics committee members.”

SECTION 35. Section 8-13-715 of the 1976 Code is amended to read:

“Section 8‑13‑715. (A) A public official, public member, or public employee acting in an official capacity may not receive anything of value for speaking before a public or private group. A public official, public member, or public employee is not prohibited by this section from accepting a meal provided in conjunction with a speaking engagement where all participants are entitled to the same meal and the meal is incidental to the speaking engagement. Notwithstanding the limitations of Section 2‑17‑90, a public official, public member, or public employee may receive payment or reimbursement for actual expenses incurred for a speaking engagement. The expenses must be reasonable and must be incurred in a reasonable time and manner in which to accomplish the purpose of the engagement. A public official, public member, or public employee required to file a statement of economic interests under Section 8‑13‑1110 must report on his statement of economic interests the organization which paid for or reimbursed actual expenses, the amount of such payment or reimbursement, and the purpose, date, and location of the speaking engagement. A public official, public member, or public employee who is not required to file a statement of economic interests but who is paid or reimbursed actual expenses for a speaking engagement must report this same information in writing to the chief administrative official or employee of the agency with which the public official, public member, or public employee is associated.

(B) If the expenses are incurred out of state, the public official, public member, or public employee incurring the expenses must receive prior written approval for the payment or reimbursement from:

(1) the Governor, in the case of a public official of a state agency who is not listed in an item in this section;

(2) a statewide constitutional officer, in the case of himself;

(3) the President ~~Pro Tempore~~ of the Senate, in the case of a member of the Senate;

(4) the Speaker of the House, in the case of a member of the House of Representatives; or

(5) the chief executive of the governmental entity in all other cases.”

SECTION 36. Section 8-13-1373 of the 1976 Code is amended to read:

“Section 8‑13‑1373. If the Attorney General, after request by the State or any of its political subdivisions, refuses to defend an action brought in a court of competent jurisdiction challenging any provision of this chapter, the State Fiscal Accountability Authority, using funds appropriated to the civil contingency fund, must defend the action brought against the State or the political subdivision. In cases where the Attorney General refuses to defend such an action, the State Fiscal Accountability Authority must consult with the President ~~Pro Tempore~~ of the Senate and the Speaker of the House of Representatives in the selection of counsel and in other matters relating to the management of the litigation.”

SECTION 37. Section 9-4-10(B)(1)(b) of the 1976 Code is amended to read:

“(b) two members appointed by the President ~~Pro Tempore~~ of the Senate, one a nonrepresentative member and one a representative member who is either an active or retired member of SCPORS;”

SECTION 38. Section 9-4-40 of the 1976 Code is amended to read:

“Section 9‑4‑40. Every four years the State Auditor shall employ a private audit firm to perform a fiduciary audit on the South Carolina Public Employee Benefit Authority. The audit firm must be selected by the State Auditor. A report from the private audit firm must be completed by January 15, 2020, and every four years after that time. Upon completion, the report must be submitted to the Governor, the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.”

SECTION 39. Section 9-16-90 of the 1976 Code is amended to read:

“Section 9‑16‑90. (A)(1) The commission shall provide investment reports at least quarterly during the fiscal year to the State Fiscal Accountability Authority, Revenue and Fiscal Affairs Office, and the Executive Budget Office, the Speaker of the House of Representatives, the President ~~Pro Tempore~~ of the Senate, and other appropriate officials and entities.

~~(B)~~(2) In addition to the quarterly reports provided in subsection (A), the commission shall provide an annual report to the State Fiscal Accountability Authority, Revenue and Fiscal Affairs Office, and the Executive Budget Office, the Speaker of the House of Representatives, members of the House of Representatives or Senate, but only upon their request, the President ~~Pro Tempore~~ of the Senate, and other appropriate officials and entities of the investment status of the retirement systems. The report must contain:

~~(1)~~(a) a description of a material interest held by a trustee, fiduciary, or an employee who is a fiduciary with respect to the investment and management of assets of the system, or by a related person, in a material transaction with the system within the last three years or proposed to be effected;

~~(2)~~(b) a schedule of the rates of return, net of total investment expense, on assets of the system overall and on assets aggregated by category over the most recent one‑year, three‑year, five‑year, and ten‑year periods, to the extent available, and the rates of return on appropriate benchmarks for assets of the system overall and for each category over each period;

~~(3)~~(c) a schedule of the sum of total investment expense, manager fees and expenses, and general administrative expenses for the fiscal year expressed as a percentage of the fair value of assets of the system on the last day of the fiscal year, and an equivalent percentage for the preceding five fiscal years;

~~(4)~~(d) a schedule of the net manager fees and expenses for each asset class for the fiscal year, including the total amount of manager fee and expense for each asset class and the amount of manager fee and expense for each asset class divided into the amounts attributable to management fees, performance fees or carried interest, and other expenses charged to the managed investment vehicle. The amount of manager fees and expenses must be expressed in total, and in each category of fee and expense, as a dollar amount and a percentage of the fair value of assets of the system on the last day of the fiscal year. The schedule also must include the net investment return for each asset class. In addition to being included in the annual report required by this subsection, the schedule of manager fees and expenses required by this item also must be published in a conspicuous location on the commission’s website;

~~(5)~~(e) a schedule of all assets held for investment purposes on the last day of the fiscal year aggregated and identified by issuer, borrower, lessor, or similar party to the transaction stating, if relevant, the asset’s maturity date, rate of interest, par or maturity value, number of shares, costs, and fair value and identifying an asset that is in default or classified as uncollectible; and

~~(6)~~(f) a schedule of investment decisions that have been delegated from the commission to the chief investment officer to include the name, asset class, asset value, fees paid, and performance since inception by the manager.

(B) These disclosure requirements are cumulative to and do not replace other reporting requirements provided by law.”

SECTION 40. Section 9-16-380 of the 1976 Code is amended to read:

“Section 9‑16‑380. Every four years the State Auditor shall employ a private audit firm to perform a fiduciary audit on the Retirement System Investment Commission. The audit firm must be selected by the State Auditor. A report from the private audit firm must be completed by January 15, 2019, and every four years after that time. Upon completion, the report must be submitted to the Governor, the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.”

SECTION 41. Section 10-1-168(I) of the 1976 Code is amended to read:

“(I) An advisory committee is established to make recommendations to the General Assembly and the Department of Archives and History regarding the public representations of the Foundations of American Law and Government display documents, the appropriate information to be included in the display, and recommendations concerning other documents to be added to the list for the display. The committee must submit an annual report to the Commission for the Department of Archives and History, the President ~~Pro Tempore~~ of the Senate, and Speaker of the House of Representatives. The committee shall be appointed by the Commission of the Department of Archives and History to consist of:

(1) a member appointed upon the recommendation of the South Carolina Attorney General;

(2) a member appointed upon the recommendation of the South Carolina Historical Association;

(3) a member appointed upon the recommendation of the South Carolina History Society;

(4) a member with expertise in legal history to be appointed upon the recommendation of the Dean of the University of South Carolina School of Law and the Dean of the Charleston School of Law; and

(5) a member with expertise in United States or South Carolina history appointed upon the recommendation of the presidents of the research universities of South Carolina.”

SECTION 42. Section 11-9-1140(B)(2) of the 1976 Code is amended to read:

“(2) If at the end of the first, second, or third quarter of any fiscal year the Board of Economic Advisors reduces the revenue forecast for the fiscal year by more than three percent below the amount projected for the fiscal year in the forecast in effect at the time the general appropriations bill for the fiscal year is ratified, then the President ~~Pro Tempore~~ of the Senate and the Speaker of the House of Representatives may call each respective house into session to take action to avoid a year‑end deficit. If the General Assembly has not taken action within twenty days of the determination of the Board of Economic Advisors, then the Director of the Executive Budget Office must reduce general fund appropriations by the requisite amount in the manner prescribed by law and in accordance with item (1).”

SECTION 43. Section 11-11-350 of the 1976 Code is amended to read:

“Section 11‑11‑350. Each state agency, department, institution, or entity receiving in the aggregate one percent or more of the state’s general fund appropriations for any fiscal year shall provide to the Revenue and Fiscal Affairs Office~~,~~ and the Executive Budget Office an estimate of its planned general fund expenditures for the next three fiscal years. This data, in conjunction with the Board of Economic Advisors’ long‑term revenue estimate, must be compiled by the Revenue and Fiscal Affairs Office~~,~~ and the Executive Budget Office into a three‑year financial plan that will assist the State in determining and planning for its long‑term financial commitments. The plan must be updated annually and prepared for submission to the State Fiscal Accountability Authority and the Governor, the Speaker of the House of Representatives, and the President ~~Pro Tempore~~ of the Senate during the second quarter of each fiscal year.”

SECTION 44. Section 11-43-140 of the 1976 Code is amended to read:

“Section 11‑43‑140. The board of directors is the governing board of the bank. The board consists of seven voting directors as follows: the Chairman of the Department of Transportation Commission, ex officio; one director appointed by the Governor who shall serve as chairman; one director appointed by the Governor; one director appointed by the Speaker of the House of Representatives; one member of the House of Representatives appointed by the Speaker, ex officio; one director appointed by the President ~~Pro Tempore~~ of the Senate; and one member of the Senate appointed by the President ~~Pro Tempore~~ of the Senate, ex officio. Directors appointed by the Governor, the Speaker of the House, and the President ~~Pro Tempore~~ of the Senate shall serve terms coterminous with those of their appointing authority. The terms for the legislative members are coterminous with their terms of office. The vice chairman must be elected by the board. Any person appointed to fill a vacancy must be appointed in the same manner as the original appointee for the remainder of the unexpired term.”

SECTION 45. Section 11-45-40(B)(1) of the 1976 Code is amended to read:

“(B)(1) The authority must be governed by a board composed of seven directors, one of whom must be appointed by the Speaker of the House of Representatives, one of whom must be appointed by the Chairman of the House Ways and Means Committee, one of whom must be appointed by the President ~~Pro Tempore~~ of the Senate, one of whom must be appointed by the Chairman of the Senate Finance Committee, and three of whom must be appointed by the Governor, one of whom shall serve as chairman. No sitting member of the General Assembly may be appointed to serve on the board in any capacity including an ex officio capacity. Directors must be selected based upon outstanding knowledge and leadership, must be knowledgeable in the management of money and finance, and must possess experience in the management of investments similar in nature and in value to those of the designated investor groups. Directors serve for a term of office of four years and until their successors are appointed and qualify, except that, of the initial directors appointed, the member appointed by the Speaker of the House of Representatives shall serve for an initial term of two years, the member appointed by the President ~~Pro Tempore~~ of the Senate shall serve for an initial term of two years, and one member appointed by the Governor shall serve for an initial term of two years as designated by the Governor so as to allow the terms of the directors to be staggered. Any appointments to the governing board of the South Carolina Venture Capital Fund made prior to the effective date of the creation of the South Carolina Venture Capital Authority as established by this chapter shall expire on the effective date of the creation of the authority, and appointments to the governing board of the authority shall be made as provided in this section and shall supercede these prior appointments.”

SECTION 46. Section 11-50-50 of the 1976 Code is amended to read:

“Section 11‑50‑50. (A) The board of directors is the governing board of the authority. The board consists of seven voting directors appointed as follows:

(1) six members who reside in or represent all or some portion of the counties designated as distressed or least developed pursuant to Section 12‑6‑3360 for 2009 or a county designated as such at the time of appointment; one appointed by the President ~~Pro Tempore~~ of the Senate, one appointed by the Speaker of the House of Representatives, one appointed by the Chairman of the Senate Finance Committee, one appointed by the Chairman of the House Ways and Means Committee, and two appointed by the Governor. Notwithstanding the provisions of Section 8‑13‑770, the members appointed pursuant to this item (1) by the President ~~Pro Tempore~~ of the Senate, Speaker of the House of Representatives, Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee may be members of the General Assembly and, if so appointed, shall serve ex officio; and

(2) the Secretary of Commerce, ex officio, who shall serve as chairman.

(B) Members not serving ex officio shall serve for terms of four years and until their successors are appointed and qualify except that of the members first appointed by the Speaker of the House, President ~~Pro Tempore~~ of the Senate, and one of the members first appointed by the Governor, the member shall serve for a term of two years and the term must be noted on the appointment. Vacancies must be filled in the manner of original appointment for the unexpired portion of the term. Members shall serve without compensation, but are allowed mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.”

SECTION 47. Section 11-57-340 of the 1976 Code is amended to read:

“Section 11‑57‑340. The executive director shall report to the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, and the Governor annually by October first, on the status of the federal ‘Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010’ (Public Law 111‑195), the ‘Iran Divestment Act of 2014’, and any rules or regulations adopted thereunder.”

SECTION 48. Section 13-1-25(B) of the 1976 Code is amended to read:

“(B) In addition to all other required audits, reviews, and reports, by January 1 of each year the director must submit to the Governor, the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, the members of the Senate Finance Committee, and the members of the House Ways and Means Committee a detailed written report of all expenditures for each fund during the previous calendar year. This report must include an explanation of the specific purpose of each expenditure including recreational or entertainment purposes. Expenditures made pursuant to negotiations with an industry or business and which are ongoing as of December 31 of the previous year may be excluded from that calendar year’s report and reported the following January or January of the year following public announcement by the company.”

SECTION 49. Section 23-1-230(G) of the 1976 Code is amended to read:

“(G) The authority and responsibilities of the committee are to research, study, analyze, determine, and report ~~to the General Assembly~~ annually by January first ~~1, 2003, and thereafter~~ to the President ~~Pro Tempore~~ of the Senate and the Speaker of the House concerning the needs of the first responders, including personnel involved with fire, law enforcement, emergency medical, emergency planning and coordinating, and 911 and other emergency communications. The issues to be studied with regard to first responders include, but are not limited to:

(1) performance of their duties, rendering of their services to the public in general, and to the individuals involved in an emergency, including the other first responders involved;

(2) preparing for the performance of those duties, including equipping, training, planning, and coordinating;

(3) funding their operations;

(4) preserving and enhancing their personal fitness, well‑being, morale, and welfare;

(5) the appropriate role the State should play in continuing to assess and address the identified needs, including whether, and in what form, a new or existing state agency could and should be authorized and funded to assist in that role; and

(6) the consideration of legislation to address the identified needs and providing the General Assembly with draft legislation with regard to these issues.”

SECTION 50. Section 24-22-150 of the 1976 Code is amended to read:

“Section 24‑22‑150. (A) The offender management system must not be initiated and offenders shall not be enrolled in the offender management system unless appropriately funded out of the general funds of the State.

(B) During periods when the offender management system is in operation and either the South Carolina Department of Corrections or the South Carolina Department of Probation, Parole and Pardon Services determines that its funding for the system has been exhausted, the commissioner for the department having made the determination that funds are exhausted shall notify the commissioner of the other department, the Governor, the Speaker of the House of Representatives, and the President ~~Pro Tempore~~ of the Senate. The offender management system shall then terminate until appropriate funding has been provided from the general funds of the State.”

SECTION 51. Section 37-29-110 of the 1976 Code is amended to read:

“Section 37‑29‑110. Palmetto Pride is governed by a board of directors composed of eleven members to be appointed as follows: five members of the public must be appointed by the Governor; three members must be appointed by the President ~~Pro Tempore~~ of the Senate, to include one Senator and two members of the public; three members must be appointed by the Speaker of the House of Representatives, to include one member of the House of Representatives and two members of the public. The members of the board shall elect the chairman of the board from among the public members. The board members shall serve terms of four years. A vacancy that occurs on the board must be filled by appointment by the Governor, the President ~~Pro Tempore~~ of the Senate, or the Speaker of the House of Representatives, as appropriate, for the remainder of the unexpired term.”

SECTION 52. Section 38-3-110(5)(c) of the 1976 Code is amended to read:

“(c) The director must submit a report to the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Banking and Insurance Committee, and the Chairman of the House Labor, Commerce and Industry Committee by January thirty‑first of each year regarding the status of the coastal property insurance market. The report shall be posted in an electronic format on the department’s website within five days of its submission. The report shall include, but not be limited to, the following:

(i) status of the South Carolina Wind and Hail Underwriting Association, including any recommended modifications to statutory or regulatory law regarding the operation of the South Carolina Wind and Hail Underwriting Association and its territory;

(ii) status of operations and grants issued under the South Carolina Hurricane Damage Mitigation Program as provided for in Section 38‑75‑485;

(iii) availability and affordability of coverage in the coastal area as defined in Section 38‑75‑310(5), including any portion of the area as it may be expanded pursuant to Section 38‑75‑460;

(iv) consumer outreach and education efforts relating to coastal property insurance issues, including, but not limited to:

(a) summary of the annual meeting as required pursuant to item (5)(a); and

(b) specific projects and efforts undertaken pursuant to item (5)(b).”

SECTION 53. Section 40-47-10(A)(4) of the 1976 Code is amended to read:

“(4) The one lay member and one physician from the State at large must be appointed by the Governor, with the advice and consent of the Senate. Two lay members must be appointed by the Governor, with the advice and consent of the Senate, one upon the recommendation of the President ~~Pro Tempore~~ of the Senate and one upon the recommendation of the Speaker of the House of Representatives.”

SECTION 54. Section 41-27-710(A) of the 1976 Code is amended to read:

“Section 41-27-710. (A) The committee must be composed of nine members, three of whom must be members of the House of Representatives appointed by the Speaker, at least one of whom must be a member of the minority party; three of whom must be members of the Senate appointed by the President ~~Pro Tempore~~ of the Senate, at least one of whom must be a member of the minority party; and three of whom shall be appointed by the Governor from the general public at large, of which one must represent businesses with fewer than fifty employees and one of whom must represent businesses with fewer than five hundred employees. A member of the general public appointed by the Governor may not be a member of the General Assembly.”

SECTION 55. Section 44-59-50 of the 1976 Code is amended to read:

“Section 44-59-50. (A) The Catawba/Wateree Commission shall be composed of fifteen members who reside in counties which abut the Catawba/Wateree River Basin as follows:

(1) two members of the North Carolina House of Representatives, to be appointed by the Speaker of the North Carolina House of Representatives;

(2) two members of the North Carolina Senate, to be appointed by the President Pro Tempore of the North Carolina Senate;

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

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

(5) one member from South Carolina representing a water or sewer municipal utility to be appointed by the South Carolina legislative members of the commission;

(6) one person from a nonprofit land conservation trust operating within the North Carolina portion of the basin, appointed by the Governor of North Carolina;

(7) the President of Duke Power or his designee;

(8) the Chairman of the Bi‑State Catawba River Task Force or his designee;

(9) the Chief Executive Officer of the Carolina’s Partnership, Inc. or his designee;

(10) one person to represent the commissions referenced below, appointed jointly by the three chief executive officers of the commissions: the Lake Wylie Marine Commission established pursuant to Article 4 of Chapter 77 of the North Carolina General Statutes, the Mountain Island Lake Marine Commission established pursuant to Article 6 of Chapter 77 of the North Carolina General Statutes, and the Lake Norman Marine Commission established pursuant to Chapter 1089 of the 1969 North Carolina Session Laws;

(11) one member from a lake homeowner’s association located on the Catawba/ Wateree River whose members reside in South Carolina, to be appointed by the President ~~Pro Tempore~~ of the South Carolina Senate.

(B) The Yadkin/Pee Dee Commission shall be composed of fifteen members who reside in counties which abut the Yadkin/Pee Dee River Basin as follows:

(1) two members of the North Carolina House of Representatives, to be appointed by the Speaker of the North Carolina House of Representatives;

(2) two members of the North Carolina Senate, to be appointed by the President Pro Tempore of the North Carolina Senate;

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

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

(5) one member from South Carolina representing a water or sewer municipal utility to be appointed by the South Carolina legislative members of the commission;

(6) one member from South Carolina representing the agricultural community to be appointed by the South Carolina legislative members of the commission;

(7) one person from a water or sewer municipal authority, appointed by the Governor of North Carolina;

(8) the President of Progress Energy or his designee;

(9) the President of Alcoa Power Generating, Incorporated (APGI) or his designee;

(10) the President of Weyerhaeuser or his designee;

(11) a representative of the land development industry, whose organization does business within the Yadkin/Pee Dee River Basin and who shall be appointed by the chairman of the commission.

(C) The legislative members of the commission may appoint as they consider necessary additional members to the commission to serve as advisory members.

(D) State legislative members appointed to the commission shall serve ex officio and shall have terms coterminous with their terms of office. All other members shall serve for a period of two years. Appointments to fill vacancies must be made for the remainder of the unexpired terms. Vacancies shall be filled in the same manner as the original appointment.”

SECTION 56. Section 44-128-50(B)(2) of the 1976 Code is amended to read:

“(2) two members appointed by the President ~~Pro Tempore~~ of the Senate from the membership of the Senate; and”

SECTION 57. Section 46-3-260(A) of the 1976 Code is amended to read:

“Section 46-3-260. (A) There is established in the state treasury a separate and distinct fund known as the ‘South Carolina Renewable Energy Infrastructure Development Fund’. The revenues of the fund must be distributed by the South Carolina Renewable Energy Revolving Loan Program and the South Carolina Renewable Energy Grant Program. Disbursement of these funds by the loan and grant programs must be approved by the South Carolina Renewable Energy Oversight Committee. The committee shall consist of seven members, one appointed by each of the following persons: the Governor, the Commissioner of Agriculture, the Secretary of Commerce, the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

(1) The South Carolina Renewable Energy Revolving Loan Program shall provide low interest loans, with a rate not to exceed the Wall Street Journal prime interest rate, to an individual or organization that plans to build a qualified renewable energy production facility. A renewable energy production facility is a facility that produces energy or transportation fuels from biomass, solar, or wind resources. A loan from the program may provide up to fifty percent of the total cost of a project, but must not exceed two hundred fifty thousand dollars for each project. The Department of Agriculture shall administer the South Carolina Renewable Energy Revolving Loan Program, in cooperation with the South Carolina Institute of Energy Studies.

(2) The South Carolina Renewable Energy Grant Program shall provide grants to a private and public entity located in South Carolina for the purpose of assisting the entity to be more competitive in obtaining federal and other available grants that may generate renewable energy‑related research and projects to directly benefit the State. The Department of Agriculture shall administer the South Carolina Renewable Energy Grant Program, in cooperation with the South Carolina Institute of Energy Studies and the South Carolina Research Authority. Grants are available in the following three categories:

(a) planning grants up to ten thousand dollars are available to a research institution or private organization to develop proposals to obtain federal grants and other funding sources for biomass, solar, and wind energy projects in South Carolina;

(b) matching grants up to two hundred thousand dollars are available for research and development projects that relate to development of South Carolina biomass, solar, and wind energy resources, provided that the grant does not exceed fifty percent of the total cost of the project; and

(c) matching grants up to two hundred thousand dollars are available for demonstration projects that validate the effectiveness of new and future biomass, solar, geothermal, wind energy, and small hydropower technologies and products, provided that the grant does not exceed fifty percent of the total cost of the demonstration project.”

SECTION 58. Section 48-52-440(D)(2) of the 1976 Code is amended to read:

“(2) three appointed by the President ~~Pro Tempore~~ of the Senate, one of whom must have a substantial background in environmental or consumer protection matters; and”

SECTION 59. Section 48-59-40(A)(4) of the 1976 Code is amended to read:

“(4) four members appointed by the President ~~Pro Tempore~~ of the Senate, one each from the First, Second, Fifth, and Seventh Congressional Districts.”

SECTION 60. Section 51-13-720 of the 1976 Code is amended to read:

“Section 51‑13‑720. (A) Members of the authority must be appointed by the Governor as follows: one upon the joint recommendation of the Chairman of the House Ways and Means Committee and the Speaker of the House, one upon the joint recommendation of the Chairman of the Senate Finance Committee and the President ~~Pro Tempore~~ of the Senate, and three to be appointed by the Governor. The Governor shall appoint the chairman. The terms of the members are for four years and until their successors are appointed and qualify. Members may succeed themselves. Vacancies must be filled in the same manner of the original appointment for the remainder of the unexpired term.

(B) In addition to the members of the board provided in subsection (A), there shall be three additional members of the board appointed by the Governor, one appointed upon recommendation of the President ~~Pro Tempore~~ of the Senate, one appointed upon recommendation of the Speaker of the House of Representatives, and one appointed upon recommendation of the State Adjutant General. These three members shall serve for four years and until their successors are appointed and qualify, and vacancies must be filled in the manner of original appointment for the remainder of the unexpired term.”

SECTION 61. Section 51-13-2120(3) of the 1976 Code is amended to read:

“(3) one member appointed by the President ~~Pro Tempore~~ of the Senate;”

SECTION 62. Section 51-18-40 of the 1976 Code is amended to read:

“Section 51-18-40. There is created a War Between the States Heritage Trust Commission which must consist of nine members. Three members must be appointed from the Senate by the President ~~Pro Tempore~~ of the Senate; three members must be appointed from the House of Representatives by the Speaker of the House; and three members must be appointed by the Governor, one at the recommendation of War Between the States historical groups such as Sons of Confederate Veterans and Daughters of the Confederacy, one at the recommendation of African‑American historical groups such as Avery Institute, and one from historical, preservation, and archeological groups such as the South Carolina Historical Society and Daughters of the American Revolution. The terms of the members shall be coterminous with the term of their appointing authority. The commission shall elect a chairman from among its membership and such other officers as it shall deem necessary.”

SECTION 63. Section 51-18-115 of the 1976 Code is amended to read:

“Section 51‑18‑115. (A) There is created the War Between the States Heritage Preserve Trust Fund, which must be kept separate from other funds of the State. The fund must be administered by the commission for the purpose of acquiring fee simple or lesser interest in priority areas, legal fees, appraisals, surveys, or other costs involved in the acquisition of interest in priority areas and for the development of minimal facilities and management necessary for the protection of the essential character of priority areas.

(B) Unexpended balances, including interest derived from the fund, must be carried forward each year and used only for the purposes provided in this chapter.

(C) No fund money may be expended to acquire interest in property by eminent domain and no funds may be expended to acquire interest in property without the approval of a majority of the War Between the States Heritage Trust Commission. The commission shall report by letter to the Speaker of the House of Representatives and the President ~~Pro Tempore~~ of the Senate not later than January fifteenth each year all funds expended pursuant to this chapter for the previous year, including the amount of funds expended and the uses to which the expenditures were applied. The trust fund is eligible to receive appropriations of state general funds, federal funds, donations, gifts, bond issue receipts, securities, and other monetary instruments of value. Reimbursement for monies expended from this fund must be deposited in this fund. Funds received through sale, exchange, or otherwise of any War Between the States Heritage Preserve acquired under this section, or products of the preserve such as timber, utility easement rights, and the like, accrue to the fund.”

SECTION 64. Section 54-3-1300(B)(1)(d) of the 1976 Code is amended to read:

“(d) two members appointed by the President ~~Pro Tempore~~ of the Senate, one member upon the recommendation of the Senate Majority Leader and one member upon the recommendation of the Senate Minority Leader;”

SECTION 65. Section 54-6-10(B)(3) of the 1976 Code is amended to read:

“(3) the President ~~Pro Tempore~~ of the Senate or his designee;”

SECTION 66. Section 59-6-10 of the 1976 Code is amended to read:

“Section 59‑6‑10. (A)(1) In order to assist in, recommend, and supervise implementation of programs and expenditure of funds for the Education Accountability Act and the Education Improvement Act of 1984, the Education Oversight Committee is to serve as the oversight committee for these acts. The Education Oversight Committee shall:

~~(1)~~(a) review and monitor the implementation and evaluation of the Education Accountability Act and Education Improvement Act programs and funding;

~~(2)~~(b) make programmatic and funding recommendations to the General Assembly;

~~(3)~~(c) report annually to the General Assembly, State Board of Education, and the public on the progress of the programs;

~~(4)~~(d) recommend Education Accountability Act and EIA program changes to state agencies and other entities as it considers necessary.

(2) Each state agency and entity responsible for implementing the Education Accountability Act and the Education Improvement Act funded programs shall submit to the Education Oversight Committee programs and expenditure reports and budget requests as needed and in a manner prescribed by the Education Oversight Committee.

(3) The committee consists of the following persons:

~~(1)~~(a) Speaker of the House of Representatives or his designee;

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

~~(3)~~(c) Chairman of the Education and Public Works Committee of the House of Representatives or his designee;

~~(4)~~(d) Chairman of the Education Committee of the Senate or his designee;

~~(5)~~(e) Governor or his designee;

~~(6)~~(f) Chairman of the Ways and Means Committee of the House of Representatives or his designee;

~~(7)~~(g) Chairman of the Finance Committee of the Senate or his designee;

~~(8)~~(h) State Superintendent of Education or the superintendent’s designee who shall be an ex officio nonvoting member;

~~(9)~~(i) five members representing business and industry who must have experience in business, management, or policy to be appointed as follows: one by the Governor, one by the President ~~Pro Tempore~~ of the Senate, one by the Speaker of the House, one by the Chairman of the Senate Education Committee, and one by the Chairman of the House Education and Public Works Committee; and

~~(10)~~(j) five members representing public education teachers and principals to be appointed as follows: one by the Governor, one by the President ~~Pro Tempore~~ of the Senate, one by the Speaker of the House, one by the Chairman of the Senate Education Committee, and one by the Chairman of the House Education and Public Works Committee.

(4) Initial appointment must be made by July 31, 1998, at which time the Governor or his designee shall call the first meeting. At the initial meeting, a chairman elected from the members representing the business and industry appointees and a vice chairman representing the education members shall be elected by a majority vote of the committee. The members appointed pursuant to items (1) through (8) may serve notwithstanding the provisions of Section 8‑13‑770. Their terms of office on the committee must be coterminous with their terms of office as Governor, Superintendent of Education, or members of the General Assembly.

(B)(1) The terms of office of the members of the Education Oversight Committee, except for the legislative members, Governor, and State Superintendent of Education, are four years and until their successors are appointed and qualify except of those first appointed the terms must be staggered as follows:

~~(1)~~(a) initial terms of two years shall be served by the two members of the business and industry community appointed by the chairmen of the Education Committees;

~~(2)~~(b) initial terms of three years shall be served by the members of the education community appointed by the President ~~Pro Tempore~~ of the Senate and the Speaker of the House; and

~~(3)~~(c) all other voting members shall serve initial four‑year terms. The terms of chairman and vice chairman shall be two years. At the end of each two‑year term, an election must be held for the chairmanship and vice chairmanship by majority vote of the members attending with quorum present. No member shall serve more than four consecutive years as chairman or vice chairman.

(2) Members of the committee shall meet no less than once a quarter and annually shall submit their findings and recommendations to the General Assembly before March first of each fiscal year. The staff positions of the Education Oversight Committee and the people presently in those positions initially shall be transferred to the Education Oversight Committee as administrative staff to carry out its functions.”

SECTION 67. Section 59-40-230(A) of the 1976 Code is amended to read:

“Section 59-40-230. (A)(1) The South Carolina Public Charter School District must be governed by a board of trustees consisting of not more than nine members:

~~(1)~~(a) two appointed by the Governor;

~~(2)~~(b) one appointed by the Speaker of the House of Representatives;

~~(3)~~(c) one appointed by the President ~~Pro Tempore~~ of the Senate; and

~~(4)~~(d) five to be appointed by the Governor upon the recommendation of the:

~~(a)~~(i) South Carolina Association of School Administrators;

~~(b)~~(ii) South Carolina Chamber of Commerce;

~~(c)~~(iii) South Carolina Education Oversight Committee;

~~(d)~~(iv) South Carolina School Boards Association; and

~~(e)~~(v) South Carolina Alliance of Black Educators.

(2) The seven members appointed by the Governor pursuant to this subsection are subject to advice and consent of the Senate. Membership of the committee must reflect representatives from each of the entities in item (4) or their designee as reflected in their recommendation.

(3) Each member of the board of trustees shall serve terms of three years, except that, for the initial members, two appointed by the Governor, one by the Speaker of the House, and one by the President ~~Pro Tempore~~ of the Senate, shall serve terms of one year and three appointed by the Governor shall serve terms of two years. A member of the board may be removed after appointment pursuant to Section 1‑3‑240. In making appointments, every effort must be made to ensure that all geographic areas of the State are represented and that the membership reflects urban and rural areas of the State as well as the ethnic diversity of the State.”

SECTION 68. Section 59-46-40(A)(4) of the 1976 Code is amended to read:

“(4) two members of the Senate appointed by the President ~~Pro Tempore~~ of the Senate;”

SECTION 69. Section 59-59-175(A)(14) of the 1976 Code is amended to read:

“(14) a member from the Senate appointed by the President ~~Pro Tempore~~ of the Senate.”

SECTION 70. Section 59-150-40(A) of the 1976 Code is amended to read:

“Section 59-150-40. (A) The commission is governed by a board composed of nine members to be appointed as follows: three members must be appointed by the Governor, three members must be appointed by the President ~~Pro Tempore~~ of the Senate, and three members must be appointed by the Speaker of the House of Representatives.”

SECTION 71. Sections 59-150-40(C) of the 1976 Code is amended to read:

“(C) In making appointments to the board, the Governor, the President ~~Pro Tempore~~ of the Senate, and the Speaker of the House of Representatives, as appropriate, shall consider legal, financial, accounting, and marketing experience and race, gender, and other demographic factors to ensure nondiscrimination, inclusion, and representation of all segments of the State to the greatest extent possible.”

SECTION 72. Sections 59-150-40(D) of the 1976 Code is amended to read:

“(D) The members shall serve terms of three years, except that of the initial appointments the Governor shall appoint two members, each to serve a two‑year term, and one member to serve a four‑year term; the Speaker of the House of Representatives shall appoint three members, each to serve a two‑ year term, coterminous with the Speaker; and the President ~~Pro Tempore~~ of the Senate shall appoint three members, each to serve an initial four‑year term. A vacancy that occurs on the board must be filled by appointment by the Governor, the President ~~Pro Tempore~~ of the Senate, or the Speaker of the House of Representatives, as appropriate, for the remainder of the unexpired term.”

SECTION 73. Section 59-150-320 of the 1976 Code is amended to read:

“Section 59‑150‑320. To ensure the financial integrity of the lottery, the commission, through its board, shall:

(1) submit quarterly and annual reports to the Governor, the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, the Comptroller General, the State Treasurer, and the Chairmen of the House Ways and Means Committee, the Senate Finance Committee, and the oversight committee created by Section 59‑150‑325 disclosing the total lottery revenues, prize disbursements, operating expenses, and administrative expenses of the commission during the reporting period. The annual report additionally must describe the organizational structure of the commission, summarize the functions performed by each organizational division within the commission, and contain a detailed budget for the next fiscal year. The quarterly reports must be submitted within fifteen days of the end of the quarter, and the annual report must be submitted by October fifteenth;

(2) adopt a system of internal audits;

(3) maintain weekly or more frequently records of lottery transactions including the distribution of lottery game tickets or shares to a lottery retailer, revenues received, claims for prizes, prizes paid, prizes forfeited, and other financial transactions of the commission;

(4) authorize the State Auditor to contract with a certified public accountant or firm for an independently audited financial statement prepared in accordance with generally accepted accounting principles, to be submitted to the Comptroller General’s office each year no later than October fifteenth. The certified public accountant or firm shall not have a financial interest in a lottery vendor with whom the commission is under contract. The certified public accountant or firm shall evaluate the internal auditing controls in effect during the audit period. The cost of this annual financial audit is an operating expense of the commission. The State Auditor may at any time audit, or cause to be audited, any phase of the operations of the commission at the expense of the State and shall receive a copy of the annual independent financial audit. A copy of an interim audit performed by the certified public accountant or firm or the State Auditor must be transmitted after the close of the commission’s fiscal year to the Governor, the President ~~Pro Tempore~~ of the Senate, the Speaker of the House of Representatives, the State Treasurer, the Comptroller General, and the Chairmen of the House Ways and Means Committee and the Senate Finance Committee, and the oversight committee co‑chairmen;

(5) submit, for informational purposes only, to the Office of State Budget of the Executive Budget Office and Revenue and Fiscal Affairs Office by June thirtieth of each year a copy of the annual operating budget for the commission for the next fiscal year. This annual operating budget must be approved by the South Carolina Lottery Commission Board;

(6) submit, for informational purposes only, to the Office of State Budget on November tenth of each year a proposed operating budget for the commission for the upcoming fiscal year; this budget proposal also must be accompanied by an estimate of the net proceeds to be deposited into the Education Lottery Account during the upcoming fiscal year;

(7) adopt the same fiscal year as that used by state government; and

(8) authorize the Legislative Audit Council to contract with an independent firm experienced in security procedures including, but not limited to, computer security and systems security, to periodically conduct a comprehensive study and evaluation of all aspects of security in the operation of the commission and the lottery. This firm shall not have a financial interest in a lottery vendor with whom the commission is under contract. The cost of this evaluation is an operating expense of the commission. The commission shall pay directly to the Legislative Audit Council the cost of the evaluation.”

SECTION 74. Section 59-150-325(A) of the 1976 Code is amended to read:

“Section 59‑150‑325. (A)(1) There is created as a committee, the South Carolina Education Lottery Oversight Committee, to be composed of twelve members. The members of the committee must be appointed as follows: the Speaker of the House of Representatives appoints three members, one of whom must be the Chairman of the House Education and Public Works Committee; the President ~~Pro Tempore~~ of the Senate appoints three members, one of whom must be the Chairman of the Senate Education Committee; the Chairman of the South Carolina Commission on Higher Education appoints three members; and the Chairman of the South Carolina Education Oversight Committee appoints three members. The Speaker of the House of Representatives and the President ~~Pro Tempore~~ of the Senate must each appoint one co‑chairman from the membership of the South Carolina Education Lottery Oversight Committee. The oversight committee must periodically, but at least annually, inquire into and review the operations of the commission and review and evaluate the success with which the commission is accomplishing its statutory duties and functions as provided in this chapter. The oversight committee must also hold an annual public hearing and may conduct an independent audit or investigation of the commission as necessary.

(2) The South Carolina Education Lottery Oversight Committee may initiate and propose changes in the laws of this State so as to prevent abuses and evasions of this chapter or its regulations or to rectify undesirable conditions in connection with the administration or operation of the lottery.

(3) If the funds available for distribution pursuant to Section 59‑150‑350 fall below seventy‑five million dollars for any fiscal year, the oversight committee must immediately conduct an investigation into the reasons for the shortfall and, upon conclusion of their investigation, report their findings along with recommendations for changes in the laws or regulations governing the conduct of the lottery to the executive director, the board, the Governor, the President ~~Pro Tempore~~ of the Senate, and the Speaker of the House of Representatives. The investigation must be completed and the reports delivered to the appropriate officials within one hundred and eighty days of the end of the fiscal year for the shortfall.”

SECTION 75. Section 60-17-10 of the 1976 Code is amended to read:

“Section 60‑17‑10. (A) ~~Effective July 1, 2015, the~~ The South Carolina Confederate Relic Room and Military Museum Commission is established and must be composed of nine voting members who shall be appointed for terms of four years and until their successors are appointed and qualify, except as specified in subsection (B) for initial terms. The members of the board shall be appointed as follows:

(1) three members appointed by the Governor;

(2) two members appointed by the President ~~Pro Tempore~~ of the Senate;

(3) one member appointed by the President ~~Pro Tempore~~ of the Senate upon the recommendation of the South Carolina Division Commander of the Sons of Confederate Veterans;

(4) two members appointed by the Speaker of the House of Representatives; and

(5) one member appointed by the Speaker of the House of Representatives upon the recommendation of the President of the South Carolina Division of the United Daughters of the Confederacy.

(B)(1) Initially, in order to stagger terms:

~~(1)~~(a) one member appointed by the Governor shall serve a term of one year;

~~(2)~~(b) one member appointed by the Governor shall serve a term of two years;

~~(3)~~(c) one member appointed by the Governor shall serve for three years;

~~(4)~~(d) one member appointed by the President ~~Pro Tempore~~ of the Senate shall serve for one year;

~~(5)~~(e) one member appointed by the President ~~Pro Tempore~~ of the Senate shall serve for two years;

~~(6)~~(f) one member appointed by the President ~~Pro Tempore~~ of the Senate shall serve for three years;

~~(7)~~(g) one member appointed by the Speaker of the House of Representatives shall serve for one year;

~~(8)~~(h) one member appointed by the Speaker of the House of Representatives shall serve for two years; and

~~(9)~~(i) one member appointed by the Speaker of the House of Representatives shall serve for three years.

(2) At the expiration of these initial terms, successors must be appointed for terms of four years.”

SECTION 76. Subsections (A) and (B) of Section 63-1-50 of the 1976 Code are amended to read:

“Section 63‑1‑50. (A) There is established the Joint Citizens and Legislative Committee on Children to be composed of three members of the House of Representatives appointed by the Speaker of the House, three members of the Senate to be appointed by the President ~~Pro Tempore~~ of the Senate, and three members to be appointed by the Governor. The Director of the Department of Juvenile Justice, the Director of the Department of Social Services, the Director of the Department of Disabilities and Special Needs, the Superintendent of the Department of Education, and the Director of the Department of Mental Health serve as ex officio, nonvoting members of the committee. Members appointed by the Governor must not be employees of the State. Members serve at the pleasure of the appointing authority. The committee shall study issues relating to children as the committee may undertake or as may be requested or directed by the General Assembly. The committee may contract for all necessary legal research and support services, subject to funding as provided in subsection (E).

(B) The committee shall submit an annual report to the Governor, the President ~~Pro Tempore~~ of the Senate, and the Speaker of the House no later than the first of February. The report must detail the work of the committee, account for the committee’s expenditures, and provide findings and recommendations the committee develops relating to children’s issues it has studied.”

SECTION 77. Subsections (B) and (C) of Section 63-11-1720 of the 1976 Code are amended to read:

“(B) In making the appointments specified in subsection (C)(1), (2), and (3) of this section, the Governor, President ~~Pro Tempore~~ of the Senate, and the Speaker of the House of Representatives shall seek to ensure diverse geographical representation on the board by appointing individuals from each congressional district as possible.

(C) The board shall include members appointed in the following manner:

(1) the Governor shall appoint one member from each of the following sectors:

(a) parents of young children;

(b) business community;

(c) early childhood educators;

(d) medical providers;

(e) child care and development providers; and

(f) the General Assembly, one member from the Senate and one member from the House of Representatives;

(2) the President ~~Pro Tempore~~ of the Senate shall appoint one member from each of the following sectors:

(a) parents of young children;

(b) business community;

(c) early childhood educators; and

(d) medical or child care and development providers;

(3) the Speaker of the House of Representatives shall appoint one member from each of the following sectors:

(a) parents of young children;

(b) business community;

(c) early childhood educators; and

(d) medical or child care and development;

(4) the chairman of the Senate Education Committee or his designee;

(5) the chairman of the House Education and Public Works Committee or his designee; and

(6) the chief executive officer of each of the following shall serve as an ex officio voting member:

(a) Department of Social Services;

(b) Department of Health and Environmental Control;

(c) Department of Health and Human Services;

(d) Department of Disabilities and Special Needs;

(e) State Head Start Collaboration Officer; and

(f) Children’s Trust of South Carolina.”

SECTION 78. Section 63-11-1930(A)(11) of the 1976 Code is amended to read:

“(11) one senator to be appointed by the President ~~Pro Tempore~~ of the Senate;”

SECTION 79. Section 63-11-2110(B)(4) of the 1976 Code is amended to read:

“(4) the President ~~Pro Tempore~~ of the Senate, or his designee; and”

SECTION 80. SECTION 22A of Act 121 of 2014 is amended to read:

“SECTION 22. (A) Notwithstanding any other provision of law, in addition to the present members of the Charleston Naval Complex Redevelopment Authority, as created by gubernatorial executive order pursuant to Section 31‑12‑40 of the 1976 Code, there shall be four additional members, two appointed by the Speaker of the House of Representatives and two appointed by the President ~~Pro Tempore~~ of the Senate. These four additional members shall each serve for terms of four years and until their successors are appointed and qualify. Vacancies shall be filled for the remainder of the unexpired term by appointment in the same manner of original appointment.”

SECTION 81. Section 1-17-20 of the 1976 Code is amended to read:

“Section 1-17-20. The standing Committee on Interstate Cooperation of the Senate shall consist of five Senators. The members and chairman of this Committee shall be designated in the same manner as is customary in the case of the members and chairmen of other standing committees of the Senate. ~~The Lieutenant Governor may serve ex officio as one of the five members of this Committee.~~”

SECTION 82. Section 1‑23‑125(B) of the 1976 Code is amended to read:

“(B) If a majority of a committee determines that it cannot approve a regulation in the form submitted, it shall notify the promulgating agency in writing along with its recommendations as to changes that would be necessary to obtain committee approval. The agency may:

(1) withdraw the regulation from the General Assembly and resubmit it with the recommended changes to the Speaker and the ~~Lieutenant Governor~~ President of the Senate, but any regulation not resubmitted within thirty days is considered permanently withdrawn;

(2) withdraw the regulation permanently; or

(3) take no action and abide by whatever action is taken or not taken by the General Assembly on the regulation concerned.”

SECTION 83. Section 1‑23‑125(D) of the 1976 Code is amended to read:

“(D) This section, as it applies to approval, disapproval, or modification of regulations, ~~does not apply~~ only applies to joint resolutions introduced by ~~other than~~ the committees to which regulations are ~~initially referred by the Lieutenant Governor or the Speaker of the House of Representatives~~ submitted.”

SECTION 84. Section 2‑3‑30 of the 1976 Code is amended to read:

“Section 2‑3‑30. Except for legislative days which, by Senate or House action, are designated for consideration only of local and uncontested matters, members of the General Assembly~~, including the Lieutenant Governor, shall~~ must be paid ~~fifty ($50.00) dollars~~ subsistence expenses as may be provided for by law for each legislative day. Provided, such subsistence allowance ~~shall~~ must be paid for each calendar day occurring within the same legislative day to members of that body in session on each calendar day.”

SECTION 85. Section 2-3-90 of the 1976 Code is amended to read:

“Section 2‑3‑90. The Senate and House of Representatives shall also, at the same time, each for itself elect a reading clerk~~,~~ and a sergeant at arms~~, and an assistant sergeant at arms~~. Should a vacancy occur in the sergeant at arms ~~or assistant sergeant at arms~~ while the General Assembly is not in session, the ~~Lieutenant Governor~~ President of the Senate or the Speaker of the House is authorized to appoint for their respective Houses a sergeant at arms until the convening of the next General Assembly.”

SECTION 86. Section 7‑11‑30(A) of the 1976 Code is amended to read:

“Section 7-11-30. (A) A party may choose to change from nomination of candidates by primary to a method to nominate candidates by convention for all offices including, but not limited to, Governor, ~~Lieutenant Governor,~~ United States Senator, United States House of Representatives, Circuit Solicitor, State Senator, and members of the State House of Representatives if:

(1) there is a three‑fourths vote of the total membership of the convention to use the convention nomination process; and

(2) a majority of voters in that party’s next primary election approve the use of the convention nomination process.”

SECTION 87. Section 7‑17‑10 of the 1976 Code is amended to read:

“Section 7‑17‑10. The commissioners of election for Governor~~,~~ and Lieutenant Governor, state officers, circuit solicitors, members of the General Assembly, and county officers or any of these officers shall meet in some convenient place at the county seat on the Friday next following the election, before one o’clock in the afternoon of that day, and shall proceed to organize as the county board of canvassers. They may appoint some competent person as secretary. The chairman ~~shall~~ then shall proceed to administer the constitutional oath to each member of the board, as canvassers, and shall administer the constitutional oath to the secretary, and the secretary shall administer to the chairman the same oath that he has administered to the other members of the board. The commissioners of election for members of Congress and presidential electors or any of these officers ~~shall~~ likewise shall meet at the same time at the county seat and ~~shall~~ in the same manner shall proceed to organize as the county board of canvassers for the election of the federal officers.”

SECTION 88. Section 10-1-40 of the 1976 Code is amended to read:

“Section 10‑1‑40. There is hereby established a committee to be known as the ‘State House Committee,’~~,~~ consisting of five members of the Senate, appointed by the ~~Lieutenant Governor~~ President of the Senate, and five members of the House of Representatives, appointed by the Speaker, whose duties shall be to review all proposals for alterations and/or renovations to the State House. No alterations or renovations shall be undertaken without the approval of this committee.”

SECTION 89. Section 14-27-20(10) of the 1976 Code is amended to read:

“(10) the ~~Lieutenant Governor~~ President of the Senate or his designee;”

SECTION 90. Section 14-27-30 of the 1976 Code is amended to read:

“Section 14‑27‑30. (A) The Chief Justice of the Supreme Court shall appoint the following members to the Judicial Council: the two circuit court judges; the two family court judges; the two probate judges; the two summary court judges; the two masters‑in‑equity; the Attorney General or one of the Assistant Attorneys General or one of the circuit solicitors; the Dean or member of the faculty of the Law School of the University of South Carolina; one person recommended by the Charleston School of Law; and the six remaining members of the Judicial Council.

(B) The ~~Lieutenant Governor~~ President of the Senate, the Speaker of the House or their designees, the Chairmen of the Senate Finance Committee, House Ways and Means Committee, Senate Judiciary Committee, and House Judiciary Committee or their designees, the Director of the Legislative Council, and the President of the South Carolina Bar or his designee all serve ex officio.”

SECTION 91. Section 14-27-40(2) of the 1976 Code is amended to read:

“(2) The ~~Lieutenant Governor~~ President of the Senate, Speaker of the House or their designees, and the Chairmen of the Senate Finance Committee, House Ways and Means Committee, Senate Judiciary Committee, and House Judiciary Committee or their designees serve during their respective terms as those officers.”

SECTION 92. Section 14-27-80 of the 1976 Code is amended to read:

“Section 14‑27‑80. The duties performed by the Chief Justice of the Supreme Court, or other member of that court designated by him, by the circuit judges, inferior court judges and probate judges, by members of the legal department of the State, and by the ~~Lieutenant Governor~~ President of the Senate, Speaker of the House, legislative members, director of the Legislative Council and dean of the Law School of the University of South Carolina shall be performed as a part of the duties of their respective offices.”

SECTION 93. Section 44-56-840(A) of the 1976 Code is amended to read:

“Section 44‑56‑840. (A) There is created a Hazardous Waste Management Select Oversight Committee to monitor funds generated from the fees imposed under Section 44‑56‑170(C) and (E) and designated for the fund under Section 44‑56‑810. The committee shall oversee the research efforts and projects approved for funding by the foundation. Notwithstanding any other provision of law, the committee is composed of:

(1) the Governor or his designee;

(2) the chairman of the House Agriculture and Natural Resources Committee or his designee;

(3) the chairman of the Senate Agriculture and Natural Resources Committee or his designee;

(4) the chairman of the House Labor, Commerce and Industry Committee or his designee;

(5) the chairman of the Senate Labor, Commerce and Industry Committee or his designee;

(6) the Director of the Department of Health and Environmental Control or his designee;

(7) one member representing business and industry appointed by the Governor;

(8) one public member appointed by the Governor; and

(9) one member representing environmental interests appointed by the Governor~~;~~

~~(10)~~ ~~the Lieutenant Governor or his designee~~.”

SECTION 94. Section 54-7-100 of the 1976 Code is amended to read:

“Section 54‑7‑100. (A) A committee of ~~ten~~ nine members of the ‘Hunley Commission’ shall be appointed, three of whom must be members of the House of Representatives to be appointed by the Speaker, three of whom must be members of the Senate to be appointed by the President ~~Pro Tempore~~ of the Senate, and three members to be appointed by the Governor. ~~The tenth member of the commission shall be the Lieutenant Governor to serve ex officio, or his designee.~~ The committee shall make a study of the law regarding the rights to the salvage of the Hunley and any claim that a person or entity may assert with regard to ownership or control of the vessel. The committee is authorized to negotiate with appropriate representatives of the United States government concerning the recovery, curation, siting, and exhibition of the H.L. Hunley. Provided, inasmuch as actual locations or geographical coordinates of submerged archaeological historic properties are now exempt from disclosure as public records pursuant to Section 54‑7‑820(A), the geographical coordinates of the Hunley’s location, regardless of the custodian, upon receipt from the Navy or receipt otherwise are expressly made exempt from disclosure pursuant to the Freedom of Information Act or any other law and no remedy for the disclosure of such coordinates exists pursuant to the Freedom of Information Act; and provided further, that with respect to the Hunley project, as described herein, the applicable duties and responsibilities contained in Article 5, Chapter 7 of this title shall be vested in the Hunley Commission; and provided further, that with respect to the Hunley project that the Hunley Commission shall be exempt from compliance with the provisions of Chapter 35, Title 11. However, the committee may not negotiate any agreement which would result in the siting outside South Carolina of any remains, not claimed by direct descendants, found in the Hunley or which would relinquish South Carolina’s claim of title to the Hunley unless perpetual siting of the submarine in South Carolina is assured by the federal government in the agreement.

(B) The committee shall make recommendations regarding the appropriate method of preservation of this historic vessel and is also authorized to direct the Attorney General on behalf of South Carolina to take appropriate steps to enforce and protect the rights of the State of South Carolina to the salvage of the Hunley and to defend the State against claims regarding this vessel. The committee shall submit a recommendation for an appropriate site in South Carolina for the permanent display and exhibition of the H.L. Hunley to the General Assembly for its review and approval.

(C) The committee members shall not receive the subsistence, mileage, and per diem as may be provided by law for members of boards, committees, and commissions.”

SECTION 95. Section 59-6-15(A) of the 1976 Code is amended to read:

“Section 59-6-15. (A)(1) There is created the Business‑Education Partnership for Excellence in Education and a permanent standing subcommittee of the partnership for the purpose of reviewing the implementation of the South Carolina Education Improvement Act of 1984 and recommending other major education initiatives.

(2) The Business‑Education Partnership for Excellence in Education consists of the following persons:

~~(1)~~(a) Thirty‑two prominent civic and business leaders of which fourteen are appointed by the Governor; six appointed by the State Superintendent of Education; three appointed by the Speaker of the House of Representatives; three appointed by the President of the Senate; three appointed by the Chairman of the Education and Public Works Committee of the House of Representatives; and three appointed by the Chairman of the Education Committee of the Senate;

~~(2)~~(b) Twenty educators of which eight are appointed by the State Superintendent of Education; four appointed by the Governor; two appointed by the Speaker of the House of Representatives; two appointed by the President of the Senate; two appointed by the Chairman of the Education and Public Works Committee of the House of Representatives; and two appointed by the Chairman of the Education Committee of the Senate;

~~(3)~~ ~~Lieutenant Governor or his designee;~~

~~(4)~~(c) Chairman of the Committee on Children or his designee;

~~(5)~~(d) Chairman of the Education Oversight Committee or his designee;

~~(6)~~(e) The Governor and State Superintendent of Education shall serve as ex officio members.

(3) The term of office of the members of the Business‑Education Partnership must be four years except that of those first appointed an equal number must serve terms of two, three, and four years respectively as determined by lot. Except in those cases where the term of a member of the Business‑Education Subcommittee has not expired, no member of the Business‑Education Partnership may serve more than two consecutive terms. The number of appointments provided for in ~~items~~ subitems ~~(1)~~(a) and ~~(2)~~(b) above must be reduced proportionately by the membership requirements of subsection (B).

(4) The chairman of the Business‑Education Partnership for Excellence in Education must be elected by the members of the partnership and must be chosen from among the thirty‑two business and civic leaders serving on the partnership. The Business‑Education Partnership must meet at the call of the chairman but not less than quarterly. The Governor must preside at all regular and special meetings of the partnership in which he is in attendance; at those meetings at which the Governor is not in attendance the State Superintendent of Education must preside, and in the absence of the Superintendent, the chairman of the partnership must preside.

(5) The partnership in conjunction with the State Department of Education may cause to be held statewide public forums for the purpose of fostering open discussions regarding the impact of the Education Improvement Act on the state's education system and education reform in general.”

SECTION 96. Section 1-11-10(D) of the 1976 Code is amended to read:

“(D) No later than December 31, 2015, the department's director shall submit a report to the President ~~Pro Tempore~~ of the Senate and the Speaker of the House of Representatives that contains an analysis of and recommendations regarding the most appropriate organizational placement for each component of the Office of Executive Policy and Programs as of the effective date of this act. The department shall solicit input from and consider the recommendation of affected constituencies while developing its report.”

SECTION 97. The Code Commissioner is directed to change all references to “President Pro Tempore,” “President Pro Tempore of the Senate,” or “President of the Senate Pro Tempore” not specifically addressed in this act to “President of the Senate.”

SECTION 98. In any non-codified acts and joint resolutions that are not otherwise contained herein and that identify the duties or authority of the President Pro Tempore of the Senate relating to appointments, the receipt of reports, or otherwise, such duties or authority are hereby devolved upon the President of the Senate.

SECTION 99. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of statutory changes to conform the South Carolina Code of Laws related to the duties of the Lieutenant Governor and the President Pro Tempore of the Senate with amendments to the South Carolina Constitution Act 214 of 2014 as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 100. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 101. This act takes effect upon approval by the Governor.

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