

House No. 3910

General Appropriation Bill

1976-77

Introduced by WAYS AND MEANS COMMITTEE

Printer's No. 608—H.

Read the first time April 13, 1976.

A BILL

To Make Appropriations to Meet the Ordinary Expenses of the State Government for the Fiscal Year Beginning July 1, 1976 and for Other Purposes; to Regulate the Expenditure of Such Funds; to Further Provide for the Operation of the State Government During the Fiscal Year;

To Appropriate Funds Allotted to the State Government Under the Provisions of the State and Local Fiscal Assistance Act of 1972 (Federal);

To Amend the 1962 Code as amended, as follows: (1) Section 4-82, so as to Allow Wines Containing More Than 21% Alcohol by Volume to be Sold on All Beer and Wine Permits; (2) Section 65-1505, Item 7, by Eliminating the Exemption from the Sales Tax of Newspaper Sales; (3) Section 65-1404, Item 22, Eliminating from Sales Tax the Exemption of Sales from Vending Machines Selling Exclusively at a Price not in Excess of Ten Cents Per Sale; (4) Section 65-1405.1, by Modifying Provisions for Estimating Sales Tax Liability so as to Increase the Minimum Required; and (5) Section 65-1437 so as to Provide Sales Tax on Campground Space Rentals.

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

funds derived wholly from the activities of student organizations, including income from the operation of canteens (at all State institutions) and book stores, may be retained at the institutions and may be audited annually by the State. Such income shall not be considered as State Funds.

Sec. 124. That if necessary the board of trustees of State institutions of higher learning may limit the admission of students upon the basis of scholarship standing, or upon any other basis determined upon by the respective boards. *Provided, Further,* That no State scholarships shall be granted by State institutions of higher learning, namely: The University of South Carolina, Clemson University, The Citadel, Winthrop College, S. C. State College, Francis Marion College, the College of Charleston and Lander College.

Sec. 125. The Boards of Trustees of the University of South Carolina, Clemson University, The Citadel, Winthrop College, S. C. State College, Francis Marion College, the College of Charleston, and Lander College, are hereby authorized to abate the tuition fee charged at these institutions to the extent of Fifty (\$50.00) Dollars to the winner of the American Legion High School Oratorical Contest and to the Governor of Boys' State and to the highest ranking student in the State in the annual National Science Talent Search and to the Governor of Girls' State; and said abatements to be for four (4) years in each instance. As to the winner of the American Legion High School Oratorical Contest and the Governor of Boys' State, the abatement shall be granted only when the American Legion, Department of South Carolina, shall have contributed a like amount per year. The abatement of tuition herein provided is for the purpose of furnishing a scholarship of One Hundred (\$100.00) Dollars per year to the winners of the above contests, the State of South Carolina and the American Legion, Department of South Carolina, co-operating on an equal basis in providing these scholarships.

Sec. 126. All departments, institutions, and agencies of the State are hereby required and directed to budget and allocate the appropriation herein made to them, so as to provide for operation on uniform standards throughout the fiscal year 1976-77, and in order to avoid a deficiency in such appropriations, and upon request of the Budget and Control Board to submit to the Board its budget or plan of operation for the year, and the said Board is authorized to restrict the rate of expenditures of such agency if it appears that an unjustifiable deficit is likely to occur. *Provided, Further,* That the bonds of State officials violating the terms of this section shall be held liable thereof, unless the State Budget and Control Board has been advised of, and officially recognizes, the necessity for such deficit.

Sec. 127. All agencies of the State Government are hereby required to submit to the Budget and Control Board for its approval all allocations of Federal Funds for programs and services to be administered through State Government agencies during the fiscal year 1976-77. The colleges and universities shall submit the plans and allocations to the Commission on Higher Education for review prior to submission to the Budget and Control Board. In considering each allocation, the

Board shall take into account the public benefit to be derived from the program or service involved, its permanence as to Federal financing, the extent to which State Funds may be immediately required for matching purposes, and the effect of a continuation of the program or service on future State finances. With the Board's approval, all Federal Funds received shall be deposited in the State Treasury, if not in conflict with Federal regulations, and withdrawn therefrom as needed, in the same manner as that provided for the disbursement of state funds. If it shall be determined that federal funds are not available for, or cannot be appropriately used in connection with, all or any part of any activity or program for which state funds are appropriated in this Act on a matching basis, the appropriated funds may nevertheless be expended for the activities or programs for which appropriated without regard to any matching arrangement. *Provided Further,* That donations or contributions from sources other than the Federal Government, for use by any state agency, shall be deposited in the state treasury, but in special accounts, and shall be withdrawn from the treasury as needed to fulfill the purposes and conditions of the said donations, or contributions, if specified, and, if not specified, as may be directed by the proper authorities of the department or institution. *Provided, Further,* That the expenditure of funds by agencies of the State Government from sources other than General Fund appropriations shall be subject to the same limitations and provisions of law applicable to the expenditure of appropriated funds with respect to salaries, wages or other compensation, travel expense, and other allowances or benefits for employees.

Sec. 128. Except as otherwise provided in this Act, all appropriations for compensation of State Employees shall be paid in weekly or bi-weekly installments to the person holding such position. In order to provide a regular and permanent schedule for payment of employees it is hereby established that Thursday, July 1, 1976, shall be the first date for payment of employees compensated on a weekly basis, and Thursday, July 8, 1976, the date for the first payment of employees compensated on a bi-weekly basis. In each instance the payroll period shall begin June 25, 1976 and end on the payment date, both inclusive. For the remainder of the fiscal year payment dates shall fall in one week and two week intervals following the initial dates indicated above. It is the intent of the General Assembly that the schedule thus established will continue from one fiscal year to another without interruption. The Budget and Control Board is authorized to approve any exceptions to this schedule where circumstances are deemed justifiable.

Provided, Further, That the appropriated salaries for specified positions shall mean the maximum compensation for such position, and in any case where the head of any department can secure the services for a particular position or work at a lower rate than the salary specified in this Act, authority for so doing is hereby given.

Provided, Further, That no employee of any state department or institution shall be paid any compensation from any other department of the state government except with the approval of the State Budget and Control Board, and no employee