

TRANSFER COMPARISON IN SENATE AND HOUSE VERSIONS OF S. 22

S. 22 (Senate Version)	S. 22 (House Version)	NOTES
General Transfer Date--7/1/15	General Transfer Date--7/1/14	
Section 1-11-10 (unless otherwise noted)	Section 1-30-125 (unless otherwise noted)	
<u>(1) the Division of General Services,</u>	(1) Division of General Services;	DOA
<u>(2) the State Office of Human Resources;</u>	(2) Office of Human Resources;	DOA
<p><u>(3) the Executive Budget and Strategic Planning Office as established in Article 2, Title 1;</u></p> <p>Section 1-3-60. (A) There is established, within the Department of Administration, the Executive Budget and Strategic Planning Office which shall support the Office of the Governor by conducting analysis, assist with strategic planning and recommendations concerning capital expenditures, implementing and monitoring the annual general appropriations act, and evaluating program performance.</p> <p>(B) The Executive Budget and Strategic Planning Office shall use the existing resources of the organizations transferred to the Department of Administration including, but not limited to, funding, personnel, equipment, and supplies. Vacant FTE's at the former State Budget and Control Board also may be used to fill needed positions for the office.</p>	<p>Executive Budget Office</p> <p>(B)(1) There is established, within the Department of Administration, the Executive Budget Office which shall support the Office of the Governor by conducting analysis, implementing and monitoring the annual general appropriations act, and evaluating program performance.</p> <p>(2) The Executive Budget Office shall use the existing resources of the organizations transferred to the Department of Administration including, but not limited to, funding, personnel, equipment, and supplies. Vacant FTE's at the former State Budget and Control Board also may be used to fill needed positions for the office.</p>	DOA

<p>§ 1-11-10 <u>(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.</u></p>	<p>(3) Office of Executive Policy and Programs;</p>	<p>Senate version DOA to submit a report House version to DOA</p>
<p><u>(4) the Guardian Ad Litem Program as established in Article 5, Chapter 11, Title 63;</u></p>	<p>(12) Guardian Ad Litem program as established by Section 63-11-500;</p>	<p>DOA</p>
<p><u>(5) the Office of Economic Opportunity, the office designated by the Governor to be the state administering agency that is responsible for the receipt and distribution of the federal funds as allocated to South Carolina for the implementation of Title VI, Public Law 97-35;</u></p>	<p>(4) Office of Economic Opportunity;</p>	<p>DOA</p>
<p><u>(6) the Developmental Disabilities Council as established by Executive Order in 1971 and reauthorized in 2010;</u></p>	<p>(5) Developmental Disabilities Council;</p>	<p>DOA</p>

<u>(7) the Continuum of Care for Emotionally Disturbed Children as established in Article 13, Chapter 11, Title 63;</u>	(14)Continuum of Care for Emotionally Disturbed Children as established by Section 63-11-1310.	DOA
<u>(8) the Division for Review of the Foster Care of Children as established by Article 7, Chapter 11, Title 63;</u>	(6) Children’s Foster Care as established by Article 7, Chapter 11, Title 63;	DOA
<u>(9) the Children’s Case Resolution System as established by Article 11, Chapter 11, Title 63;</u>	(13)Children’s Case Resolution System as provided for in Section 63-11-1110;	DOA
<u>(10)the Client Assistance Program;</u>	NOT MENTIONED IN HOUSE VERSION	Senate version to DOA Not in House version
<u>(11)the Division of Veterans’ Affairs as established by Chapter 11, Title 25;</u>	(7) Veterans Affairs as established by Section 25-11-10;	DOA
<u>(12)the Commission on Women as established by Chapter 15, Title 1;</u>	(8) Commission on Women as established by Section 1-15-10;	DOA
<u>(13)the Office of Victims Assistance, including the South Carolina Victims Advisory Board and the Victims Compensation Fund, both as established by Article 13, Chapter 3, Title 16;</u>	(9) Victims Assistance as established by Article 13, Chapter 3, Title 16;	DOA
<u>(14)the Crime Victims’ Ombudsman as established by Article 16, Chapter 3,</u>	§ 16-3-1620 “(A) The Crime Victims’ Ombudsman	DOA

<p><u>Title 16;</u></p>	<p>of the Office of the Governor to be administratively a part of the Department of Administration is created. The Crime Victims' Ombudsman is appointed by the Governor with the advice and consent of the Senate and serves at the pleasure of the Governor.</p>	
<p><u>(15)the Governor's Office of Ombudsman;</u></p>	<p>NOT MENTIONED IN HOUSE VERSION</p>	<p>Senate version to DOA Not in House version</p>
<p><u>(16)the Division of Small and Minority Business Contracting and Certification, as established pursuant to Article 21, Chapter 35, Title 11, formerly known as the Small and Minority Business Assistance Office;</u></p>	<p>§ 1-11-15 (G) Effective July 1, 2014, the Small and Minority Business Assistance Office, as established by Section 11-35-5270, is transferred to the Office of Secretary of State as a Division of this Office to be renamed the Division of Small and Minority Business Contracting and Certification.</p>	<p>Senate version to DOA House version to Secretary of State</p>
<p><u>(17)the Division of State Information Technology, including the Data Center, Telecommunications and Information Technology Services, the South Carolina Enterprise Information System, and the Division of Information Security; and</u></p>	<p>(10)Division of State Information Technology of the State Budget and Control Board;</p>	<p>DOA</p>
<p><u>(18)the Nuclear Advisory Council as established in Article 9, Chapter 7, Title 13.</u></p>	<p>“Section 13-7-810. There is hereby established a Governor's Nuclear Advisory Council <u>in the Department of Administration</u>, which shall be responsible</p>	<p>DOA</p>

	to the Director of the Department of Administration and report to the Governor.”	
§ 1-11-20 <u>(G) The Procurement Services Division of the State Budget and Control Board is transferred to, and incorporated into, the State Fiscal Accountability Authority.</u>	(11) Division of Procurement Services of the State Budget and Control Board;	Senate version to State Fiscal Accountability Authority (SFAA) House version to DOA
§ 1-11-20 <u>(D) The State Energy Office is transferred from the State Budget and Control Board to the Office of Regulatory Staff.</u>	(15) State Energy Office as established in Section 48-52-410.	Senate version to ORS House version to DOA
§ 1-11-20 <u>(A) The South Carolina Confederate Relic Room and Military Museum is transferred from the State Budget and Control Board and is governed by the South Carolina Confederate Relic Room and Military Museum Commission, as established in Section 60-17-10.</u>	§ 1-11-15 (B) Effective July 1, 2014, the South Carolina Confederate Relic Room and Military Museum is transferred from the State Budget and Control Board and is governed by the South Carolina Confederate Relic Room and Military Museum Commission, as established in Section 60-17-10;	South Carolina Confederate Relic Room and Military Museum to South Carolina Confederate Relic Room and Military Museum Commission
§ 1-11-20 <u>(E) The offices, divisions, or components of the State Budget and Control Board named in this subsection are transferred to, and incorporated into, the Rural Infrastructure Authority as established in Section 11-50-30. All functions, powers, duties, responsibilities, and authority vested in the agencies and</u>	§ 1-11-15 (A) Effective July 1, 2014, the Division of Local Government of the State Budget and Control Board is transferred to, and incorporated into, the South Carolina Rural Infrastructure Authority as established in Section 11-50-30. All functions, powers, duties, responsibilities, and authority vested in the Division of Local	Senate version Infrastructure, Local Government, Water Quality Revolving Fund, Division of Regional Development combined into the Rural Infrastructure Authority House version Local Government to Rural Infrastructure and Water Quality Revolving Fund to SCAA

<p><u>authorities, including their governing boards, if any, named in this subsection are devolved upon the Rural Infrastructure Authority and the authority shall constitute the agencies and authorities, including their governing boards, if any, named in this subsection:</u></p> <p><u>(1) South Carolina Infrastructure Facilities Authority as established in Chapter 40, Title 11;</u></p> <p><u>(2) Local Government Division in support of the local government loan program as established in Section 1-11-25;</u></p> <p><u>(3) South Carolina Water Quality Revolving Fund Authority in support of water quality projects and federal loan programs as established in Chapter 5, Title 48; and</u></p> <p><u>(4) Division of Regional Development as established in Section 11-42-40.</u></p>	<p>Government is devolved upon the South Carolina Rural Infrastructure Authority.</p> <p>“Section 48-5-30. There is created the South Carolina Water Quality Revolving Fund Authority. The authority is a public instrumentality of this State and the exercise by it of a power conferred in this chapter is the performance of an essential public function. The members of the State Budget and Control Board <u>Contracts and Accountability Authority</u> comprise the authority <u>to serve ex officio in the same capacity they serve as members of the SCAA.</u>”</p>	
<p>§ 1-11-20</p> <p><u>(B) The Board of Economic Advisors of the State Budget and Control Board is transferred to, and incorporated into, the State Fiscal Accountability Authority.</u></p>	<p>§ 1-11-15</p> <p>(C) Effective July 1, 2014, the Board of Economic Advisors of the State Budget and Control Board is transferred to the Revenue and Fiscal Affairs Office.</p>	<p>Senate version BEA to SFAA</p> <p>House version BEA to Revenue and Fiscal Affairs Office</p>

<p>§ 1-11-20 <u>(C) The Office of Research and Statistics of the Budget and Control Board is transferred to, and incorporated into, the State Fiscal Accountability Authority.</u></p>	<p>§ 1-11-15 (D) Effective July 1, 2014, the Office of Research and Statistics of the Budget and Control Board is transferred to, and incorporated into the Revenue and Fiscal Affairs Office;</p>	<p>Senate version Office of Research and Statistics to SFAA</p> <p>House version Office of Research and Statistics to Revenue and Fiscal Affairs Office</p>
<p>Section 2-3-240. (A) The Legislative Fiscal Office is established under the joint direction and management of the Clerk of the Senate and the Clerk of the House of Representatives as a division of the Legislative Services Agency.</p> <p>(B) The Legislative Fiscal Office must support the work of the General Assembly through the provision of data, fiscal impact statements and revenue impact statements, as appropriate, on proposed legislation, forecast of economic conditions pursuant to Section 11-9-880, and support the General Assembly’s budget writing duties without regard to political or other considerations beyond technical accuracy and professionalism required to perform the duties of the office.”</p> <p>B. (1) The employees of the Office of State Budget required to provide fiscal impact statements on proposed legislation, to support the General Assembly’s budget writing duties, and to support the other duties assigned to the Legislative Fiscal Office are transferred to the Legislative Fiscal Office, organized as recommended by the Clerk of the Senate and the Clerk of</p>	<p>§ 1-11-15 (F) Effective July 1, 2014, portions of the Office of State Budget of the State Budget and Control Board which are directly related to the development of the annual general appropriations act are transferred to the Revenue and Fiscal Affairs Office except for the employees required to support the Executive Budget Office.</p>	<p>Senate version places Legislative Fiscal Office in Legislative Services Agency</p> <p>House version transfers employees to Revenue and Fiscal Affairs Office</p>

<p>the House of Representatives.</p> <p>(2) The Clerk of the Senate, the Clerk of the House of Representatives, and the executive director of the Budget and Control Board, in consultation with the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, shall determine the employees, authorized appropriations, and assets and liabilities to be transferred pursuant to items (1) and (2) of subsection (A).</p>		
<p>§ 1-11-20</p> <p><u>(F) The regulation of minerals and mineral interests on public land, and the regulation of Geothermal Resources as provided in Chapter 9, Title 10 is transferred to, and incorporated into, the Department of Health and Environmental Control.</u></p>	<p>In Part V, Conforming and Miscellaneous Amendments, Minerals and Geothermal Resources code provisions transferred to DOA</p>	<p>Senate version regulation of minerals and geothermal resources to DHEC</p> <p>House version regulation of minerals and geothermal resources to DOA</p>
<p>§ 1-11-20</p> <p><u>(H) The State Auditor is transferred to, and incorporated into, the State Fiscal Accountability Authority.</u></p>	<p>§ 11-55-20</p> <p>(B)(1) There is established within SCAA the Office of Accountability and Auditing. The State Auditor’s Office as provided for in Chapter 7, Title 11 shall also be included in the Office of Accountability and Auditing. The State Auditor serving in office as of June 30, 2014, shall continue to serve, but any successor must be selected by the SCAA. Also included in this office is the Office of the State</p>	<p>Senate version State Auditor to SFAA</p> <p>House version State Auditor to the South Carolina Contracts and Accountability Authority (SCAA)</p>

	<p>Inspector General as established pursuant to Chapter 6, Title 1.</p> <p>(2) The State Auditor within the Office of Accountability and Auditing also shall be the entity that shall receive annual accountability reports pursuant to Article 13, Chapter 1, Title 1.</p> <p>(3) The State Auditor and the Office of the State Inspector General, while maintaining their individual and separate missions, shall both be located in the Office of Accountability and Auditing of the SCAA. The State Auditor and Inspector General shall work together, with advice and consent of the SCAA, to develop a relationship that ensures timely and complete auditing and oversight of both fiscal and programmatic affairs of state agencies and, except for limited administrative purposes, shall remain independent and not subject to supervision by the SCAA.</p>	
<p>SECTION 30. (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</p>	<p>SECTION 31. (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</p>	<p>Charleston Naval Complex Redevelopment Authority provisions same in each version (except for one scrivener's error in House version).</p>

<p>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.</p> <p>(B) These four additional members shall serve as members of the Charleston Naval Complex Redevelopment Authority with the same powers, duties, and responsibilities of other such members as provided by law. In addition, these four members, together with the gubernatorial appointees to the Charleston Naval Complex Redevelopment Authority, shall also constitute the Charleston Navy Base Museum Authority as a division of the Charleston Naval Redevelopment Authority. Service as a member of the Navy Base Museum Authority is considered an additional and supplemental function and duty of those specified members of the Naval Complex Redevelopment Authority and is not considered another office of honor or profit of this State. The Navy Base Museum Authority shall select from among its members a chairman and such other officers as they consider necessary.</p> <p>(C) The Naval Base Museum Authority shall become operative upon the signing of a Memorandum of Understanding between the RDA and the Hunley Commission. With respect to the Hunley project, the MOU must provide for the Naval Base Museum Authority division of the RDA to undertake and comply with the duties, responsibilities, powers, and functions of the Hunley Commission as specified in Sections 54-7-100 and 54-7-110 of</p>	<p>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.</p> <p>(B) These four additional members shall serve as members of the Charleston Naval Complex Redevelopment Authority with the same powers, duties, and responsibilities of other such members as provided by law. In addition, these four members, together with the gubernatorial appointees to the Charleston Naval Complex Redevelopment Authority, shall also constitute the Charleston Naval Base Museum Authority as a division of the Charleston Naval Redevelopment Authority. Service as a member of the Naval Base Museum Authority is considered an additional and supplemental function and duty of those specified members of the Naval Complex Redevelopment Authority and is not considered another office of honor or profit of this State. The Naval Base Museum Authority shall select from among its members a chairman and such other officers as they consider necessary.</p> <p>(C) The Naval Base Museum Authority shall become operational upon the signing of a Memorandum of Understanding between the RDA and the Hunley Commission. With respect to the Hunley project, the MOU must provide for the Naval Base Museum Authority division of the RDA to undertake and comply with the duties, responsibilities, powers, and functions of the Hunley Commission as specified in Sections 54-7-100 and 54-7-110 of</p>	
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<p>the 1976 Code, and as otherwise provided by law. The Navy Base Museum Authority shall possess and may exercise all powers and authority granted to the Hunley Commission by specific statutory reference in Sections 54-7-100 and 54-7-110.</p> <p>(D) Notwithstanding the provisions of this act, the provisions of this section take effect upon approval by the Governor.</p>	<p>the 1976 Code, and as otherwise provided by law. The Naval Base Museum Authority shall possess and may exercise all powers and authority granted to the Hunley Commission by specific statutory reference in Sections 54-7-100 and 54-7-110.</p> <p>(D) Notwithstanding the provisions of SECTION 35, the provisions of this section take effect upon approval by the Governor.</p>	<p>[NOTE: Reference to SECTION 35 is in error because there is no SECTION 35 in the House version.]</p>
<p>SECTION 31. Division of Information Security and Technology Investment Council</p>	<p>NOT MENTIONED IN HOUSE VERSION</p>	<p>Senate version provides for Division of Information Security and Technology Investment Council</p> <p>Not in House version</p>
<p>Part V Legislative Oversight of Executive Departments</p>	<p>Part IV Legislative Oversight of Executive Departments</p>	<p>Provisions in Senate and House versions</p>
<p>SECTION 14. A. Title 2 of the 1976 Code is amended by adding:</p> <p>CHAPTER 79</p> <p>State Agency Deficit Prevention and Recognition</p>	<p>SECTION 14. A. Title 2 of the 1976 Code is amended by adding:</p> <p>CHAPTER 79</p> <p>State Agency Deficit Prevention and Recognition</p>	<p>Provisions in Senate and House versions</p>