

MINUTES OF  
BUDGET AND CONTROL BOARD  
MEETING

November 9, 1988

05021



State of South Carolina  
**State Budget and Control Board**

CARROLL A. CAMPBELL, JR., CHAIRMAN  
GOVERNOR  
GRADY L. PATTERSON, JR.  
STATE TREASURER  
EARLE E. MORRIS, JR.  
COMPTROLLER GENERAL

Box 12444  
Columbia  
29211

JAMES M. WADDELL, JR.  
CHAIRMAN, SENATE FINANCE COMMITTEE  
ROBERT N. McLELLAN  
CHAIRMAN, WAYS AND MEANS COMMITTEE  
JESSE A. COLES, JR., Ph.D.  
EXECUTIVE DIRECTOR

November 9, 1988

MEMORANDUM

TO: Budget and Control Board Division Directors  
FROM: William A. McInnis, Deputy Executive Director *WAM*  
SUBJECT: Summary of Board Actions at November 9, 1988, Meeting

This listing of actions is not the minutes of the referenced meeting. It is an unofficial (meaning it has not been approved by the Board) summary of the Board actions taken at that meeting. The minutes of the meeting are presented in a separate, much more detailed document which becomes official when approved by the Board at a subsequent meeting.

1. After agreeing to consider all proposed agenda items other than the one proposed for executive session before taking up the 1989-90 budget item, adopted the agenda as proposed;
2. Approved the minutes of the October 25, 1988, meetings of the Budget and Control Board and the State Education Assistance Authority;
3. Expressed sympathy to Fire Marshal Richard S. Campbell upon the death of his son Neil in an automobile accident;
4. Concurred and acquiesced in the following easements:

a. County Location: Richland County  
From: University of South Carolina  
To: South Carolina Electric & Gas Co.  
Description/Purpose: provide electrical service to the new Roost Dorm

b. County Location: Laurens County  
From: Employment Security Commission  
To: County of Laurens  
Description/Purpose: construct/maintain/repair underground pipelines and mains for conveyance of sewage and/or water across lands of the ESC Clinton local office in order to serve a new hospital and industrial park  
County will allow ESC one tap-on to the line at no charge for the tap-on fee  
Consideration:

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November 9, 1988, Meeting  
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- c. County Location: Hampton County  
From: Clemson University  
To: Department of Highways and Public Transportation  
Description/Purpose: widen an existing road to allow better access to Clemson's aquaculture demonstration facility
- d. County Location: Pickens County  
From: Clemson University  
To: JRG Developments, Inc.  
Description/Purpose: extend Lee Street for ingress and egress over Parcels 1 and 2, and ingress from Daniel Drive over Parcel 3  
Consideration: JRG has quitclaimed back to Clemson its rights of an easement over a portion of a tract of land conveyed to JRG 1/4/88.
- e. County Location: Pickens County  
From: Clemson University  
To: Duke Power Company  
Description/Purpose: construct, operate and maintain underground lines and conduits with other necessary apparatus and appliances to provide additional electrical power needed by Outdoor Hydraulics Laboratory

5. Approved the following easements:

- a. County Location: Berkeley County  
From: State of South Carolina  
To: South Carolina Electric & Gas Company  
Description/Purpose: construct/install/operate/maintain a 115KV overhead transmission line across two unnamed tributaries leading to the Cooper River at the Charleston Naval Weapons Station  
Consideration: \$390
- b. County Location: Lexington County  
From: State of South Carolina  
To: New Covenant Church, Inc.  
Description/Purpose: construct/install/operate/maintain an 8" sewer line across the Opportunity School property. Once this easement is granted, it and two others will be transferred to the City of Cayce for sewer line maintenance

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- c. County Location: Spartanburg County  
From: State of South Carolina  
To: AT&T  
Description/Purpose: install/operate/maintain a subaqueous fiber optic communication cable beneath the bed of the South Tyger River to improve long distance telecommunication service  
Consideration: \$20
- d. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install/construct/operate/maintain a subaqueous sewer line across a tributary of the upper portion of Lawson Fork Creek known as Standing Stone Branch
- e. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install/construct/operate/maintain a subaqueous sewer line across the upper part of Lawson Fork Creek
- f. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install/construct/operate/maintain a subaqueous sewer line across the upper part of Lawson Fork Creek
- g. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install/construct/operate/maintain a subaqueous sewer line across upper part of Lawson Fork Creek
- h. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install/construct/operate/maintain a subaqueous sewer line at two locations across the upper part of Lawson Fork Creek
6. Received as information a report that about \$27.3 million of capital improvement bond funds have been drawn by agencies during the first four months of fiscal year 1988-89 of the \$65.8 million available in Priority Group 13 (July-December 1988 period);

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7. Received background information from staff in response to the Board's interest in considering alternative methods of allocating the State ceiling on the issuance of private activity bonds;
8. Received as information a report on Lander College and University of South Carolina foreign travel involving over \$1,000 and less than \$2,000 of State funds approved by staff;
9. Released for use by the Department of Corrections \$318,000 of fiscal year 1987-88 funds brought forward in accord with Appropriations Act Section 55.8 for costs incurred by the Department specifically related to double-celling;
10. Authorized the Department of Social Services to allow a standard cash advance each month for approximately 60 employees traveling in connection with a statewide computer conversion project;
11. Approved the selection of the Haynsworth, Marion, McKay and Guerard firm to provide bond counsel services for the Jobs-Economic Development Authority for a tax-exempt issue (one borrower);
12. Approved the following expenditures of Local Government special match funds: (a) Richland County, \$72,000; and (b) Town of Chapin, \$100,000;
13. Approved amendments to the State Fleet Safety Program as recommended by the Division of Motor Vehicle Management;
14. Carried over regulations on Group Child Care, Family Day Care and Foster Care proposed by the State Fire Commission;
15. In accord with Code Section 8-11-135, authorized the following reimbursements for the costs incurred in moving personal and household effects to South Carolina: (a) Department of Corrections: Not to exceed \$5,000 to Mr. Richard Witkowski, Warden, Perry Correctional Institution; (b) Orangeburg-Calhoun Technical College: \$4,718.14 to Dr. Carol Hamer, Associate Degree Nursing Department Head; and \$4,124.32 to Mr. James E. McDonnell, Computer Program Instructor;
16. Adopted the following regular meeting schedule for 1989:

January	9	31	July	18	
February	14	28	August	8	22
March	14	28	September	12	26
April	11	25	October	10	24
May	9	23	November	7	21
June	13	27	December	5	19



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17. Agreed to hold a regular meeting at 9:30 a.m. on Wednesday, November 30, 1988, in the Governor's conference room in the State House;
18. Approved a modification of the State Health Plan contract to allow payment for a posterior selective rhizotomy for spasticity in cerebral palsy for a total cost for the surgery and all related procedures including therapy not to exceed \$25,000 and directed staff to survey other states for specific procedural costs which might apply to such procedures and to report the results to the Board; and
19. Carried over to November 30 its consideration of 1989-90 budget recommendations, after directing staff to prepare a recommendation based on the revenue forecast of the Board of Economic Advisors and the known surplus from 1987-88.

WAM/dw

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MINUTES OF STATE BUDGET AND CONTROL BOARD MEETING

NOVEMBER 9, 1988

10 A. M.

The Budget and Control Board met at 10 a.m. on Wednesday, November 9, 1988, in the Governor's conference room in the State House, with the following members in attendance:

Governor Carroll A. Campbell, Jr., Chairman;  
Mr. Grady L. Patterson, Jr., State Treasurer;  
Mr. Earle E. Morris, Jr., Comptroller General;  
Senator James M. Waddell, Jr., Chairman, Senate Finance Committee;  
Representative Robert N. McLellan, Chairman, House Ways & Means Comm.

Also attending were:

J. Samuel Griswold, Ph.D.	Deputy Executive Director
William A. McInnis	Secretary
Philip G. Grose, Jr.	Assistant Executive Director
Charles H. Smith	Special Projects Administrator
Donna K. Williams	Assistant to Board Secretary
Other Board staff	
Joseph D. Shine	Chief Deputy Attorney General
Q. Whitfield Ayres, Ph.D.	Governor's Senior Executive Assistant for Budget and Policy
Luther F. Carter, Ph.D.	Governor's Senior Executive Assistant for Finance and Administration
George M. Lusk	Comptroller General, Senior Assistant
J. Michael Ey	Senate Finance Committee
Scott R. Inkley, Jr.	Ways & Means Committee Dir. of Research

**Adoption of Agenda**

After agreeing with Governor Campbell's suggestion that the Board consider all proposed agenda items other than the one for executive session before taking up the 1989-90 budget item, upon a motion by Senator Waddell, the Board adopted the agenda as proposed.

**Minutes of Previous Meeting (Regular #1)**

Board members previously had been furnished a draft version of the minutes of the October 25, 1988, meetings of the Budget and Control Board and the State Education Assistance Authority.

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board approved the minutes as written.

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**Regular Session -- November 9, 1988 -- Page 2**

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**Expression of Sympathy to State Fire Marshal**

Governor Campbell, on behalf of the Board, extended sympathy to Fire Marshal Richard S. Campbell upon the death of his son Neil in an automobile accident and directed the Board Secretary to express the Board's deep sympathy to the Campbell family.

**Blue Agenda**

Dr. Griswold reported that five items were on the blue agenda most of which he reviewed briefly.

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board approved the five items on the blue agenda.

**General Services: Easements from State Agencies (Blue #1)**

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board concurred and acquiesced in the following easements as recommended by the Division of General Services:

- a. County Location: Richland County  
From: University of South Carolina  
To: South Carolina Electric & Gas Co.  
Description/Purpose: to provide electrical service to the new Roost Dormitory
  
- b. County Location: Laurens County  
From: Employment Security Commission  
To: County of Laurens  
Description/Purpose: to construct, maintain, and repair underground pipelines and mains for conveyance of sewage and/or water across lands of the ESC Clinton local office in order to serve a new hospital and industrial park  
Consideration: County will allow ESC one tap-on to the line at no charge for the tap-on fee
  
- c. County Location: Hampton County  
From: Clemson University  
To: Department of Highways & Public Transportation  
Description/Purpose: to widen an existing road to allow better access to Clemson's aquaculture demonstration facility

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Consideration: County will allow ESC one tap-on to the line at no charge for the tap-on fee
  
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- d. County Location: Pickens County  
From: Clemson  
University To: JRG Developments, Inc.  
Description/Purpose: to extend Lee Street for  
ingress and egress over Parcels 1 and 2, and  
ingress from Daniel Drive over Parcel 3  
Consideration: JRG has quitclaimed back to Clemson its rights  
of an easement over a portion of a tract of  
land conveyed to JRG 1/4/88.
- e. County Location: Pickens County  
From: Clemson University  
To: Duke Power Company  
Description/Purpose: to construct, operate and maintain underground  
lines and conduits with other necessary  
apparatus and appliances to provide additional  
electrical power needed by Outdoor Hydraulics  
Laboratory

Information relating to this matter has been retained in these files and  
is identified as Exhibit 1.

**General Services: Easements (Blue #2)**

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board approved  
the following easements as recommended by the Division of General Services:

- a. County Location: Berkeley County  
From: State of South Carolina  
To: South Carolina Electric & Gas Company  
Description/Purpose: construct, install, operate and maintain a 115KV  
overhead transmission line across two unnamed  
tributaries leading to the Cooper River at the  
Charleston Naval Weapons Station  
Consideration: \$390
- b. County Location: Lexington County  
From: State of South Carolina  
To: New Covenant Church, Inc.  
Description/Purpose: construct, install, operate and maintain an 8"  
sewer line across the Opportunity School  
property. Once this easement is granted, it and  
two others will be transferred to the City of  
Cayce for sewer line maintenance.

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- c. County Location: Spartanburg County  
From: State of South Carolina  
To: AT&T  
Description/Purpose: install, operate and maintain a subaqueous fiber optic communication cable beneath the bed of the South Tyger River to improve long distance telecommunication service  
Consideration: \$20
- d. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line across a tributary of the upper portion of Lawson Fork Creek known as Standing Stone Branch
- e. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line across the upper part of Lawson Fork Creek
- f. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line across the upper part of Lawson Fork Creek
- g. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line across the upper part of Lawson Fork Creek
- h. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line at two locations across the upper part of Lawson Fork Creek

Information relating to this matter has been retained in these files and is identified as Exhibit 2.

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**Executive Director: Report on Capital Improvement Bond Fund Draws (B#3)**

The Board received as information a report that about \$27.3 million of the \$65.8 million of capital improvement bond funds available in Priority Group 13 (July-December 1988 period) have been drawn by agencies during the first four months of fiscal year 1988-89.

Information relating to this matter has been retained in these files and is identified as Exhibit 3.

**Executive Director: Private Activity Bond Ceiling Allocation Policy (B#4)**

At the October 25 meeting, the Board asked staff to develop approaches other than first-come, first-served for allocating the State ceiling on private activity bonds. The Board had indicated it wanted to consider other bases for allocating the ceiling in the future.

In the materials submitted in this item, the Board was reminded that the present first-come, first-served approach is set out in Code Sections 1-11-500 through 1-11-570. The Board's particular attention was called to §1-11-510 (C) which provides for the first-come, first-served approach and to §1-11-540 (A) which provides that the Board, with review and comment by the Bond Committee, may disapprove, reduce, or defer any authorized request, taking into account the public interest in promoting economic growth and job creation. Section 1-11-540 (B) defers State ceiling allocations of more than ten million dollars for a single project until after July first unless the Board, after review and comment by the Committee, determines that approval of a larger allocation would have a positive impact upon the State.

The Board also was furnished extracts from various options for allocating the State ceiling considered in 1984. Staff did not suggest the adoption of any of those options now but pointed out that the options raise some of the points to be considered if the allocation process is to be handled on something other than the first-come, first-served basis.

Staff pointed out that Option V in the materials deals with problems associated with basing allocation decisions on "objective" measures like the number of jobs created or retained and noted that it raises the likely dilemma



of allocation competitions and the intrusion of the process into project financing schedules. That option provided that projects with the higher numbers will be favored though numbers could be higher or lower in one competition period than another and, therefore, could raise equal protection issues.

Staff advised it will continue work on this assignment and will report to the Board from time to time. The Board was advised that if it intends to pursue changing the process, draft legislation should be developed very soon. The Board was reminded that the process is on a calendar year basis and that if a change is to be pursued it faces the prospect of having the very early part of the year operate under the existing process and the remainder under a revision approved by the General Assembly.

The Board received this report as information.

Information relating to this matter has been retained in these files and is identified as Exhibit 4.

**Executive Director: Foreign Travel (Bluc #5)**

The Board received as information a report that, in accord with Board policy, staff has approved the following foreign travel involving over \$1,000 and less than \$2,000 of State-appropriated funds:

(a) Lander College:

- (1) Professor Janet Sipple, Director of Nursing, to England during the November 13-22, 1988, period at an estimated cost of \$1,300 State funds.
- (2) Dr. Richard A. Skinner, Vice President for Academic Affairs, to England during the November 20-28, 1988, period at an estimated cost of \$2,000 State funds.

- (b) University of South Carolina: Chester W. Bain, Brynes International Center, to Manila, Philippines, and Hong Kong during the November 13-22, 1988 period at an estimated cost of \$1,950 State funds.

Information relating to this matter has been retained in these files and is identified as Exhibit 5.

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**Budget Div: Request to Release Carried Forward Funds, Corrections (R#2)**

Budget Division Director Charles A. Brooks, Jr., appeared before the Board on this matter.

The Budget Division advised in the agenda materials that Section 55.8 of the 1988-89 Appropriations Act authorized the Department of Corrections to carry forward unspent fiscal year 1987-88 funds to offset costs of double-celling in fiscal year 1988-89 if the Budget and Control Board determines that additional funds for that purpose are necessary.

The Division reported that the amount carried forward for this purpose was \$1,961,341. The Department of Corrections asked that \$318,000 of that total be released to reimburse accounts from which funds were used to purchase necessary equipment items related to double-celling. The Department indicated that the remaining funds brought forward will be requested at year-end when a full accounting of double-celling costs has been determined.

The Budget Division recommended that the request be approved.

Upon a motion by Mr. McLellan, seconded by Mr. Patterson, the Board released for use by the Department of Corrections \$318,000 of fiscal year 1987-88 funds brought forward in accord with Appropriations Act Section 55.8 for costs incurred by the Department specifically related to double-celling.

Information relating to this matter has been retained in these files and is identified as Exhibit 6.

**Department of Social Services: Travel Advances (Regular #3)**

The Department of Social Services advised the Board in the agenda materials that it is in the process of converting to a new computer system to support the AFDC and Food Stamp programs. DSS reported that all client cases statewide will be converted to the new system, with an average of six to eight counties being converted each month. The Department anticipates that all AFDC and Food Stamp cases will be on the system by the end of this fiscal year.

DSS advised that a team of approximately 60 employees (1 to 2 from each county office) is traveling each month to the converting counties and keying the cases into the new system.

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DSS pointed out that each employee's estimated monthly net pay is \$930 and that the estimated meal expense is \$360 each (20 days at \$18 per day). The Board was reminded that, under its regulations, travel advances are limited to 80% of the anticipated cost and that the 80% must exceed \$250. In this case, 80% of the anticipated monthly expense is \$288.

The Department requested Board approval to allow a standard cash advance each month for each employee traveling in the computer conversion project. The Department advised that each advance will be reconciled monthly and that DSS will maintain all required records.

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board authorized the Department of Social Services to allow a standard cash advance each month for approximately 60 employees traveling in connection with a statewide computer conversion project.

Information relating to this matter has been retained in these files and is identified as Exhibit 7.

**State Treasurer: Bond Counsel Selection (Regular #4)**

The Jobs-Economic Development Authority asked for Board approval of bond counsel listed below in JEDA's order of preference in connection with a tax-exempt issue involving one borrower:

- (1) Haynsworth, Marion, McKay and Guerard; and
- (2) The McNair Firm.

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board approved the selection of the Haynsworth, Marion, McKay and Guerard firm to provide bond counsel services for the Jobs-Economic Development Authority for a tax-exempt issue (one borrower, Jackson Mills).

Information relating to this matter has been retained in these files and is identified as Exhibit 8.

**Local Government: Special Match Fund Expenditures (Regular #5)**

Upon a motion by Mr. Morris, seconded by Senator Waddell, the Board approved the following expenditures of Local Government Division special match funds:



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- (a) Richland County, \$72,000 to close open ditches on Jasmine Lane by installing drainage pipes. The County is providing 20% of the total cost (\$18,000).
- (b) Town of Chapin, \$100,000 to construct a main trunk line in the southern portion of the town to provide municipal sewer service. Lexington County and the City of Columbia are providing a total of \$754,893.

Information relating to this matter has been retained in these files and is identified as Exhibit 9.

**Motor Vehicle Management: State Fleet Safety Program Changes (Regular #6)**

Division Director Allan Spence and Safety Officer Robert Bonner appeared before the Board on this matter.

The recommended changes to the State Fleet Safety Program were furnished to Board members in the agenda materials.

The Board was reminded it had approved the State Fleet Safety Program in March of 1987 which now has been implemented by many State agencies. The Board was advised that agencies have proposed a variety of changes to the Program which have been evaluated by the State Accident Action Committee.

The Committee supports adoption of the changes shown in the materials supplied to the members. The Division reported that the proposed changes have been reviewed by the Division of Human Resource Management and by the Attorney General's Office and that their comments were in the materials provided.

Two of the recommended changes considered by the Division to be major are:

1. The special hazards encountered by law enforcement officers are recognized. A "line of duty" accident category is created so that law enforcement officers will not be penalized for vehicle accidents experienced in the legitimate "line of duty."
2. The driving suspension requirements are made more flexible to allow agencies more latitude in imposing periods of suspension for repetitive "at fault" State vehicle accidents.

At the meeting, Mr. Spence said the changes mostly clean up the language of the program. He said the special problems of law enforcement officers are acknowledged by one of the proposed changes which gives some flexibility regarding line of duty, at fault accidents.

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Mr. McLellan asked about the second major change proposed which allows flexibility on imposing periods of suspension.

Mr. Spence introduced Mr. Bonner who said the original language had required a one-year suspension but the proposed change allows a range of from three months to one year.

Mr. Patterson asked if there is an existing procedure for determining line of duty accidents. Mr. Spence said it is not addressed in the program regulations but that law enforcement agencies do have those procedures. He also advised Mr. Patterson that he assumes those conclusions are admissible in court.

Following a brief discussion, upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board approved amendments to the State Fleet Safety Program as recommended by the Division of Motor Vehicle Management.

Information relating to this matter has been retained in these files and is identified as Exhibit 10.

**State Fire Marshal: Day Care Facilities Regulations (Regular #7)**

Fire Marshal Division Assistant Director David Cullum appeared before the Board on this matter.

The Board was advised that, following the Notice of Drafting Period published in the September 23, 1988, State Register, the State Fire Commission proceeded with the development of regulations to be promulgated on Group Child Day Care Facilities, Family Day Care Facilities, and Foster Homes licensed by the Department of Social Services (to become part of Article 3, Subarticle 1, Fire Prevention and Life Safety--Buildings, if approved).

Written comments were invited and a drafting period public hearing was held on November 2.

A copy of the proposed regulations which had been marked to show new portions was provided for Board members in the agenda materials. The Board was advised that, if it approves the proposed regulations, they will be submitted for publication in the State Register and a hearing on them would be held January 4, 1989. After that, the regulations would come back to the Board for approval of their submission to the General Assembly.

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Mr. Cullum advised that the proposed regulations have been developed at the request of the Department of Social Services (DSS) as a step to getting these types of facilities licensed. He noted that four meetings had been held at which the regulations were considered. He said DSS representatives and various providers had attended those meetings. Mr. Cullum expressed the view that the regulations do not appear to be controversial and that they provide for fire and life safety protection.

Mr. McLellan asked if the regulations will impose many additional costs on operators of these types of facilities.

Mr. Cullum advised that the primary cost will be for smoke alarms, outswinging doors, and for wiring inspections by electricians.

Mr. McLellan asked Mr. Cullum to expand on the provision exempting places of worship which operate a nursery for the care of children during worship services from the regulations provided the parents or guardians of the children are physically present in the place of worship during the time the children are in the nursery. Mr. Cullum said this puts parents in the same facility with the children and makes it possible for them to provide direct care.

Mr. McLellan expressed concern that these regulations will end up putting additional costs on foster care providers, who he noted are not that easy to come by in the first place. He expressed concern that these providers will be overburdened by the cost of wiring inspection, smoke detectors, changing door swing and he wondered if all that is necessary.

Mr. Cullum said that DSS and the consumer advocates involved apparently did not feel the proposed regulations were a real hurdle.

Governor Campbell asked how many day care facilities, such as those housed in double-wide mobile homes, will be put out of business as a result of the proposed regulations.

Mr. Cullum responded that DSS could provide information on the number and type of day care facilities. He noted that only group care is allowed in mobile homes and that the proposed regulations do not ask foster care providers to comply with the group care regulations. He also advised that these regulations meet national standards.

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Governor Campbell asked if any cost impact analyses had been done in connection with the proposed regulations and Mr. Cullum estimated that the cost of complying with the regulations to foster care providers could be \$250 to \$300. In response to Mr. Morris, Mr. Cullum noted that 26 to 28 states have adopted the fire and life safety code. Mr. Cullum also advised Governor Campbell that now only about 25 licensed family day care facilities exist but he said that number could grow to 800 if the federal funding is made available.

Mr. Patterson asked about the possibility of phasing the requirements in over two years so as to spread the expense impact. He expressed the view that the proposals have merit but he noted that they will have an impact although the costs seem small.

Governor Campbell said he had great sympathy for where the proposed regulations are heading but he expressed concern that day care facilities will be shut down as a result of them. He asked that staff make sure the regulations would not be putting facilities out of business with no one left to take up the slack.

Mr. McLellan asked that the question of who has jurisdiction over foster care facilities be made clear, noting that the whole question may be moot.

Mr. Morris asked that DSS provide information on the types and numbers of day care, group care, and foster care facilities.

Governor Campbell asked Dr. Griswold to work with DSS to obtain the requested information.

Following this discussion, the Board carried over regulations on Group Child Care, Family Day Care and Foster Care proposed by the State Fire Commission.

Information relating to this matter has been retained in these files and is identified as Exhibit 11.

**Executive Director: Moving Expenses (Regular #8)**

In accord with Code Section 8-11-135, approval was requested for the payment of the following reimbursements for the costs incurred in moving personal and household effects to South Carolina:

05038



- (a) Department of Corrections: Not to exceed \$5,000 to Mr. Richard Witkowski, Warden, Perry Correctional Institution, moving from Alabama.

The cost for relocating household and personal items is \$3,390.88. Because of delays in closing dates for selling and buying houses, Mr. Witkowski must store his furniture for approximately 30 days at a cost of \$1,671.98.

- (b) Orangeburg-Calhoun Technical College:

- (1) \$4,718.14 to Dr. Carol Hamer, Associate Degree Nursing Department Head, moving from Philadelphia, Pennsylvania.
- (2) \$4,124.32 to Mr. James E. McDonnell, Computer Program Instructor, moving from Carson City, Nevada.

Dr. Griswold noted that there is a unique twist in the Department of Corrections request in that the storage of furniture is involved.

Mr. Morris asked if payment for furniture storage is authorized under Code Section 8-11-135 which Dr. Griswold then quoted in part.

Senator Waddell observed that payment for furniture storage would be opening another avenue. He said the Code should be changed or the request should be denied as he did not see that storage is covered under the Code.

Mr. Shine advised that the federal government will pay storage costs as they are considered to be part of the moving process. He said it is up to the Board to interpret the law on this.

Dr. Griswold noted that it looks like the moving company also is storing the furniture in this instance making it part of the same contract.

Following further discussion, upon a motion by Mr. Morris, who noted that he had raised the question about paying storage costs, seconded by Mr. McLellan, the Board approved the referenced reimbursements as requested by the Department of Corrections and by Orangeburg-Calhoun Technical College.

Information relating to this matter has been retained in these files and is identified as Exhibit 12.



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**Budget and Control Board: Meeting Schedule, Calendar Year 1989 (Reg #9)**

Following a brief discussion in which Governor Campbell said he might have to ask for a change in the late January meeting date, the Board adopted the following regular meeting schedule for calendar year 1989 (noting that the January 9 date is the Monday before the General Assembly reconvenes on Tuesday, January 10, and that all other dates are Tuesdays):

January	9(Mon)	31	July	18	
February	14	28	August	8	22
March	14	28	September	12	26
April	11	25	October	10	24
May	9	23	November	7	21
June	13	27	December	5	19

**Future Meeting**

The Board then considered the date for its next regular meeting. It had been scheduled previously for 9:30 a.m. on Tuesday, November 29, 1988, in the Governor's conference room in the State House. Mr. Morris said he had a problem with that date. [Secretary's Note: The Board did not settle this matter at this time in deference to Mr. McLellan's request that the executive session item be considered because the persons involved were waiting. After the executive session, the Board agreed to hold its next regular meeting on Wednesday, November 30, 1988, at which time the 1989-90 budget recommendations would be considered further.]

**Executive Session**

Dr. Griswold advised that a modification of the State Health Plan contract had been proposed for consideration during executive session.

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board agreed to consider this item in executive session whereupon Governor Campbell declared the meeting to be in executive session.

**Vote on Matters Discussed in Executive Session**

Following the executive session, the meeting was opened, and the Board voted on the following item which had been discussed during executive session:

05040



**Retirement Systems: Modification of State Health Plan Contract (Exec. #1)**

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board approved a modification of the State Health Plan contract to allow payment for a posterior selective rhizotomy for spasticity in cerebral palsy for a total cost for the surgery and all related procedures including therapy not to exceed \$25,000 and directed staff to survey other states for specific procedural costs which might apply to such procedures and to report the results to the Board.

**Budget and Control Board: More on Future Meeting**

[Secretary's Note: Board members considered the necessity for a special meeting in light of the possibility that the Board might not complete its work on the 1989-90 budget recommendations at this meeting. Mr. McLellan urged members to be mindful of the deadline for delivery of the budget recommendations and the printing effort involved. He moved that the next regular meeting be held on November 30 and that a special meeting to complete work on the budget be set if it is not completed today. Mr. McLellan's motion was not seconded and it was not voted on. The next meeting date matter was not resolved until later in the meeting.]

**Budget and Control Board: 1989-90 Budget Recommendation (Regular #1)**

Budget Division Director Charles A. Brooks, Jr., appeared before the Board on this matter.

On October 25, the Board of Economic Advisors (BEA) presented a revenue estimate of \$3,280,000,000 for fiscal year 1989-90.

The Governor and the Budget Division, after consulting with individual Budget and Control Board members, developed separate recommendations for use of the \$3,280,000,000 with a previously-approved base of \$3,008,000,000 (fiscal year 1988-89 appropriations less 3% base reduction plus annualization of agency head/unclassified salary increases).

The Governor's proposed budget and the version proposed by the Budget Division staff were provided to Board members in the agenda materials.

Governor Campbell, noting that everyone had received the recommendations sent by Mr. Morris and Mr. Patterson along with his executive budget and the Budget Division's version, suggested, in the interest of time, that Board

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members work from the Budget Division's recommended budget. Hearing no objection to that approach, Governor Campbell announced that that approach would be followed.

Mr. Brooks prefaced his comments on the Division's proposed budget by noting that he and Division staff over the past several weeks had met with each Board member and/or their staffs two or more times seeking their advice on budget recommendations for State agencies for 1989-90. He said the Division's proposal presented today is a result of that process. He expressed the belief that the Division's budget meets legislative, statutory and constitutional requirements. He said the Division looked at the needs of State agencies and the needs of the State itself for economic and educational growth.

Mr. Morris asked if the Board doesn't have to adopt the official revenue estimate for 1989-90 of the Board of Economic Advisors and he moved its adoption. His motion was seconded by Mr. Patterson. [Secretary's Note: No vote was taken on the motion but no objection to it was expressed.]

Governor Campbell observed that the BEA estimate includes a 5.7% growth factor. He noted that in the previous two years the growth factor was 7.4% and 8.9%. He said that the BEA estimate is a very conservative figure. Mr. Morris noted that we all said we wanted a more conservative BEA and we got it.

Governor Campbell observed that the BEA also has said there is a surplus of about \$8.9 million for 1988-89 and that \$6.1 million are left over from 1987-88.

Mr. Brooks advised that the Budget Division had not made recommendations for the expenditure of the known surplus from 1988-89. He said the budget recommended does include the expenditure of a carried forward surplus of \$6,132,199 from 1987-88. He indicated that the Division has a list of priorities it would recommend for using the expected surplus. He said those recommendations were not made at this time because the Board has the responsibility in January to make supplemental appropriation recommendations. He said he thought it best to consider all of these together at one time.

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In further discussion on available funds, Governor Campbell noted the surplus from 1987-88 of \$6,132,199. He also said the BEA had given us a surplus for 1988-89 of \$8.9 million; that we have a known lapse from 1988-89 of \$3.819 million; and that we have a lapse of about \$788,000 in the employee bonus because it was over-funded, for a total of about \$19.6 million. Mr. Brooks said the employee bonus lapse figure can go up.

Mr. Patterson asked if the Division had recommended the expenditure of the \$19.6 million described by Governor Campbell. Mr. Brooks said the Division had recommended spending the \$6 million left over from last year for the general reserve fund. In addition, Mr. Brooks said about \$3.8 million of the \$3.9 million appropriated in Part III last year for the inventory tax will lapse. He suggested that a proviso be included allowing that money to be carried forward for the same purpose next year. He said a balance of \$2.5 million of these funds had not been included in the Division's budget.

Governor Campbell asked Mr. Brooks to confirm that the available figure for 1989-90, including the 3% reduction, is \$274,034,683; that the Capital Reserve Fund is at \$53,855,082; and that known surpluses, including the \$8.9 million projected for 1988-89, total \$19,640,000. Mr. Brooks agreed with Governor Campbell's figures.

In response to Mr. McLellan's inquiry, Mr. Brooks advised that approximately \$85 million had been gained by the 3% base reduction and that about \$73 million of that amount had been restored.

Governor Campbell said he had done about the same thing in his executive budget, noting that we did have agencies which did not take the 3% reduction very seriously. He said in some instances he had not restored the reduction but the agencies had gotten for other priorities the same amount of funds or more. He said we should entertain the right of agencies to shift funds but he said there is a need to stop some of the agencies from gaining in this situation.

Mr. McLellan asked Mr. Brooks if he had recognized known deficits in the recommendations. Mr. Brooks said he had not. Mr. McLellan noted, in the face of that, that Mr. Brooks proposes to spend all known surplus funds for other



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things. Mr. Brooks disagreed with Mr. McLellan's assessment, saying that some \$12 million in known surplus were left. Mr. McLellan said he was referring to what we have in current, cash funds as the only known surplus and he asked Mr. Brooks how he would propose funding known deficits. Mr. Brooks said a \$3.8 million known surplus exists. Mr. Morris said we know of \$10 million and Mr. Brooks said the Division had not used the estimated 1988-89 surplus of \$9 million. Governor Campbell said that estimated surpluses were appropriated all around last year using the same types of estimates being discussed here this morning.

Mr. Morris noted that he and Governor Campbell had talked last Thursday and that he had told Governor Campbell he has problems about spending a surplus that did not exist. He also said he is in agreement with Governor Campbell's basic thrust for the budget.

Mr. Morris also said he would take Governor Campbell back to 1981 when Dick Riley was Governor and he read from the minutes of a Board meeting. [Secretary's Note: The meeting Mr. Morris referred to was held on October 13, 1981.] Mr. Morris read that State Auditor Vaughn had asked the Board to transfer a budgeted surplus of some \$3.9 million (which resulted from Governor Riley's vetoes which were sustained by the General Assembly) to the reserve fund. Mr. Morris read further from the minutes that he had questioned how the transfer could be made before a surplus is determined to be a reality, noting that he had called the proposal folly and had said the Board cannot transfer a surplus it does not have. He said the Budget and Control Board had voted 4 to 1 to require him to transfer the budgeted surplus which he said he never did. He noted that the State ran a deficit that year and the \$4 million surplus did not exist, resulting in dipping into the reserve fund. He said his problem is using any anticipated surplus before it gets there, saying that it is fiscally imprudent and not very exemplary for the Board to do that. He said he did not mind using the Capital Reserve Fund because it is there but he said phantom surpluses bother him. He said that this is the only major disagreement he has with Governor Campbell's proposals.

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Governor Campbell observed that the BEA gave us that surplus figure. He also pointed out that the Ways and Means Committee last year appropriated \$12.3 million in projected surplus for 1987-88 in their bill which also was based on a projection.

Mr. Morris observed that that was a General Assembly action, not a Budget and Control Board action, and that the Board ought to set an example for them. Governor Campbell said he just wanted Mr. Morris to know that the use of projected surplus funds is not a deviation from past practice.

Governor Campbell called attention to a couple of things he thought were important. He said there are some unknown things which may or may not materialize. One of these he said was the large amount of money which may or may not come down under medicaid. The other was the transfer into the reserve fund which he said put those funds in the position of staying with us.

Mr. Morris said a supplemental appropriations bill is when we address extras and that comes later. Governor Campbell observed that any supplemental bill will be anticipatory just as any recommendation of this Board would be due to the fact that a supplemental bill done in March would be on anticipated year-end surplus.

Governor Campbell said the bill would be anticipatory coming out of the House or the Senate or as a recommendation by the Board bearing in mind that this Board leads in making recommendations to the General Assembly which can make any modifications it chooses or accept or reject anything the Board sends it. He said the Board's recommendations, therefore, can be looked at in any manner as a recommendation of expenditure on those revenue items materializing just as the General Assembly is going to have to budget on estimated revenue and estimated surplus.

Mr. Morris observed that the Governor's budget and the Budget Division's budget recommend spending every penny in sight. He said he didn't feel like that is a safe or exemplary action for the Board to take. He said it is just like Washington spending money we don't have and never will have.

Governor Campbell said he disagreed with Mr. Morris on that one due to the fact that the Board of Economic Advisors came in and basically increased its

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revenue estimate from the standpoint of the \$8.9 million surplus based on the revenues that were coming in. Governor Campbell pointed out that the BEA also said that the figure probably is a very conservative figure. Mr. Morris said he believed that but that he did not like to spend it or recommend spending it before it shows.

Governor Campbell then asked Mr. Morris if he would agree that we take the surplus part, if it comes, and apply that to the tax reduction which won't take place unless it comes. Mr. Morris said Governor Campbell knew Mr. Morris agreed with that. Governor Campbell said he is amenable to that sort of approach which keeps us from obligating an outlay. He also noted that when he announced his tax reduction proposal he had said that Earle Morris pointed out a problem in the tax code and, in looking at it, there was a problem in the lower middle income, lower income area.

Mr. Patterson noted that, as far as the Board of Economic Advisors estimates are concerned, they make estimates according to law and we are required to go by them whether they are high estimates or medium estimates or low estimates. He said that whatever number they come out with is what the Board has to work with. He said he did not think the Board had any choice and that it is governed by the amount the BEA recommends.

Mr. Patterson also observed that it is not wise to consider the Capital Reserve Fund in connection with Part I of the budget which deals with annual appropriations. He said he did not think it is a good idea to work capital improvement money into recurring expenses which he said is what is going to happen in a number of recommendations of the Board's staff. With regard to the Capital Reserve, he recommended that it not be addressed until March 1 when we know what the numbers are going to be and what the law requires. He said it is a bad precedent to consider spending money we think we might get beyond the official BEA estimate.

Governor Campbell said he had no objection to Mr. Patterson's comment except he pointed out that the fact is that the Capital Reserve Fund is an appropriated item and that most of the expenditures recommended in both budgets are nonrecurring. He said the recommended use of these monies is

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totally within the law and that these funds will be used in the budget of the House just as it was last year.

Mr. Patterson noted that the first call on the Capital Reserve Fund is in the event of a shortfall and we don't know about that yet and the second call at the end of the budget year is for capital improvements. He strongly urged that consideration be given to paying cash for the relocation of the Central Correctional Institution to Lee County from the Capital Reserve and/or any other combination of surplus that may materialize.

Mr. Morris observed that the Board has the responsibility for making recommendations on all spending: budget, capital improvements, and supplemental bill. He stressed that the Board should not abrogate its responsibility and that it should make recommendations on use of the Capital Reserve Fund.

Mr. Patterson commented that those recommendations will have to be made March 1 when we know what the numbers are for this budget year.

Governor Campbell said we know we are appropriating under the known figures into the Capital Reserve Fund.

Mr. McLellan noted that we know what the first call on that Fund is and that the funds may not be there. He questioned the nonrecurring items included for funding from the Capital Reserve Fund, noting in particular the \$17 million for higher education which he said would have to be annualized to get them back to 91% of formula next year. Governor Campbell said the same thing had been done this year and that it was understood. He also said his budget did not fund \$22 million of nonrecurring items they had built in.

Mr. McLellan said his staff had analyzed the Capital Reserve Fund proposed expenditures and estimated that approximately \$58.6 million would have to be annualized next year from this budget plus the tax cuts proposed for funding from the projected surplus.

Mr. Patterson noted that expenditures for school buses and text books are recurring expenditures which will have to be annualized to be in next year's budget.



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Governor Campbell said he would go back and defend his proposed budget from the standpoint that it does not deviate from policy as the same thing was done last year. Then, he said, we put about \$11 million in library books, \$2.7 in the formula distribution for computers, and funds for the desegregation program. He said this is not a deviation and observed that some items could be dropped without shutting down schools or putting people out of work. He said there is a difference in the base formula for higher education between his proposed budget and the Budget Division's proposal. He said there appears to be a difference of opinion between our staff and that of the Commission on Higher Education on the base formula. He said he agonized long and hard over what to do about formulas. He said he had serious reservations about the Board redefining the several formulas. Basically, he said his budget accepts what the law says. He noted that the difference of opinion accounts for a difference of about \$2 million in the proposed budgets.

In further discussion, Mr. McLellan expressed concern about the reliance on a projected surplus and on the Capital Reserve Fund. He said he would like to see a proposal put together by staff that does not incorporate into Part I the anticipated use of either of those two types of funds just to see where we would be if we did not put into the permanent base of our appropriations bill these two funds.

Mr. Brooks said that \$29 million of the BEA estimate would have to be used to cover Part I type items if the Capital Reserve Fund does not cover them.

Mr. McLellan expressed concern over the use of the Capital Reserve Fund as the money is not certain and its use is restricted. He said if we should have a downturn in the economy and have a shortfall then all of these things that were used to fund that were tied to Part I possibly would not be funded. He said we would be in one big mess in February juggling around to budget to meet the necessary operating expenses. He suggested that, since these funds are contingent on other things happening, a budget be prepared without recognizing that these other funds even exist because they may not. He said he does not like to see the Reserve Fund welded into Part I appropriations. He said if we did not have the Capital Reserve Fund we would probably have to move some



figure over to school buses which would mean we would have to give new priorities to some of the other things. He expressed the view that the Board ought to be sticking with the money it knows it has and if it means cutting programs then maybe that is what we ought to be doing. He said he did not feel that proper emphasis had been given to the priorities in the Part I proposals in either of the budget proposals because there is a reliance on what he characterized as crutches in the form of the two funds which may or may not be used at some later time. He said he is uncomfortable doing that now.

Mr. Patterson said if you start doing that every year you will fund from the reserve fund certain items that are going into the annual operating budget and that is not the purpose of the Capital Reserve Fund.

Mr. McLellan said he had already gone through an exercise with his Committee which took the known revenue, subtracted the statutory and constitutional requirements, looked at a nominal pay increase for State employees and found no money was left for other things. He said that is really the money we are dealing with and that really is where we are. To rely on these others, he said, is not playing real world.

Governor Campbell pointed out the appropriations bills out of the Ways and Means Committee have included items put there with the understanding that the items out there would fall if necessary to cover a midyear shortfall. Mr. McLellan said that could happen again in that his is a committee of twenty-five but he said he spoke against it last year and would propose to do so again this year.

Mr. McLellan moved that this meeting be adjourned and that the Board agree to meet to consider the budget only in the interim (before the next scheduled meeting) and to come prepared to spend the entire day if necessary. Mr. Patterson seconded the motion.

Mr. Morris asked if the Board wants to give any direction to staff other than to show bare bones. Mr. McLellan said all annualizations should be looked at. Mr. Brooks asked about pay increases for employees.



Mr. McLellan said if all of the statutory requirements, constitutional requirements, debt service and things like that were funded then we would have to see what is left. He said the alternative is a tax increase or using the Capital Reserve Fund or the surplus. He expressed the view that that is the world we ought to deal in.

Governor Campbell said he agrees with what Mr. McLellan is saying. Mr. McLellan then made it clear he was not suggesting a tax increase and Governor Campbell agreed that Mr. McLellan had not made that suggestion. Mr. McLellan said what he is trying to do is to focus us in on what are the options we really have. He said obviously the options are to go to the Capital Reserve Fund or to surplus or to a tax increase (which he again said he does not recommend though he acknowledged it to be an alternative which he said he hopes we do not see and which he also said he hoped the Governor would veto should it be offered).

Mr. Patterson said that, in doing the exercise requested by the Board, the Budget Division would have to go back through the entire budget and look at priorities again and come up with a budget that does not utilize the Capital Reserve Fund.

Governor Campbell noted that he earlier supported Mr. Morris' earlier position regarding his proposed use of \$10 million from the proposed tax cut in Part I which would move it over to the anticipated surplus and making it contingent upon those funds coming in. He also said he would like to have some details on the difference on the proposed higher education formula.

Governor Campbell commented again that he knew Mr. McLellan was not suggesting a tax increase earlier. He said Mr. McLellan hoped he would veto any tax increase and Governor Campbell said he would. He also said he did not anticipate that as being necessary during this budget year.

Mr. Brooks was told by Board members that he should include last year's surplus in the known revenue for the purposes of the proposal to be developed.

Mr. McLellan also asked that Mr. Brooks look at the question of health insurance because of the rather large differences there in the two proposed budgets. Governor Campbell explained his rationale for proposing a 4% pay



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increase and an increase in the insurance deductible to \$300 from \$100, noting that the increase for health insurance under his proposal would be between \$3 million and \$4 million as compared with the \$22 million shown in the Budget Division proposal. He said his budget used the funds saved for the pay increase and he pointed out that the increased salary offers a better net benefit because of its impact on retirement benefits. He said he had rejected any additional premiums in his proposal.

[Secretary's Note: Board members then searched for an interim date for the meeting to consider further the 1989-90 budget recommendations and concluded that an interim date was not feasible.]

The Board then agreed without objection to carry over to November 30 (with the meeting to be held in the Governor's Conference Room, beginning at 9:30 a.m., with the possibility of lasting all that day) its consideration of 1989-90 budget recommendations, after directing staff to prepare a recommended version based on the revenue forecast of the Board of Economic Advisors and the known surplus from 1987-88.

Information relating to this matter has been retained in these files and is identified as Exhibit 13.

#### Adjournment

Upon a motion by Mr. Patterson, the meeting was adjourned at 12:10 p.m.

[Secretary's Note: In compliance with Code §30-4-80, public notice of and the agenda for this meeting were posted on bulletin boards in the office of the Governor's Press Secretary and in the Press Room in the State House, near the Board Secretary's office in the Wade Hampton Building, and in the lobby of the Wade Hampton Office Building at 3:45 p.m. on Friday, November 4, 1988.]

05051



# EXHIBIT

NOV 9 1988

NO. 1

## STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD  
MEETING OF November 9, 1988

BLUE AGENDA  
ITEM NUMBER

1

AGENCY: General Services

SUBJECT: Easements from State Agencies

The Division of General Services recommends that the Board concur and acquiesce in the following easements:

- a. County Location: Richland County  
From: University of South Carolina  
To: South Carolina Electric & Gas Co.  
Description/Purpose: to provide electrical service to the new Roost Dormitory
- b. County Location: Laurens County  
From: Employment Security Commission  
To: County of Laurens  
Description/Purpose: to construct, maintain, and repair underground pipelines and mains for conveyance of sewage and/or water across lands of the ESC Clinton local office in order to serve a new hospital and industrial park  
Consideration: County will allow ESC one tap-on to the line at no charge for the tap-on fee
- c. County Location: Hampton County  
From: Clemson University  
To: Department of Highways and Public Transportation  
Description/Purpose: to widen an existing road to allow better access to Clemson's aquaculture demonstration facility
- d. County Location: Pickens County  
From: Clemson University  
To: JRG Developments, Inc.  
Description/Purpose: to extend Lee Street for ingress and egress over Parcels 1 and 2, and ingress from Daniel Drive over Parcel 3  
Consideration: JRG has quit-claimed back to Clemson its rights of an easement over a portion of a tract of land conveyed to JRG 1/4/88.
- e. County Location: Pickens County  
From: Clemson University  
To: Duke Power Company  
Description/Purpose: to construct, operate and maintain underground lines and conduits with other necessary apparatus and appliances to provide additional electrical power needed by Outdoor Hydraulics Laboratory

BOARD ACTION REQUESTED:

Concur and acquiesce in the referenced easements.

ATTACHMENTS:

Agenda item worksheet; attachments

05052



**§ 1-11-65. Approval and recordation of real property transactions involving governmental bodies.**

All transactions involving real property, made for or by any governmental bodies, excluding political subdivisions of the State, must be approved by and recorded with the State Budget and Control Board unless a governmental body is expressly exempted by the Budget and Control Board.

**HISTORY:** 1985 Act No. 201, Part II, § 5.

**§ 1-11-80. Board authorized to grant easements for public utilities on vacant State lands.**

The State Budget and Control Board is authorized to grant easements and rights of way to any person for construction and maintenance of power lines, pipe lines, water and sewer lines and railroad facilities over, on or under such vacant lands or marshland as are owned by the State, upon payment of the reasonable value thereof.

**HISTORY:** 1962 Code § 1-357.1; 1963 (53) 177.

**Cross references—**

As to sale or donation of, or rights of way over, public lands, see SC Const. Art 3, § 31.

**§ 1-11-90. Board authorized to grant rights of way over State marshlands for roads or power or pipe lines to State agencies or political subdivisions.**

The State Budget and Control Board may grant to agencies or political subdivisions of the State, without compensation, rights of way through and over such marshlands as are owned by the State for the construction and maintenance of roads, streets and highways or power or pipe lines, if, in the judgment of the Budget and Control Board, the interests of the State will not be adversely affected thereby.

**HISTORY:** 1962 Code § 1-357.2; 1963 (53) 177.

**Cross references—**

As to sale or donation of, or rights of way over, public lands, see SC Const. Art 3, § 31.

**§ 1-11-100. Execution of instruments conveying rights of way or easements over marshlands or vacant lands.**

Deeds or other instruments conveying such rights of way or easements over such marshlands or vacant lands as are owned by the State shall be executed by the Governor in the name of the State, when authorized by resolution of the Budget and Control Board, duly recorded in the minutes and records of such Board and when duly approved by the office of the Attorney General; deeds or other instruments conveying such easements over property in the name of or under the control of State agencies, institutions, commissions or other bodies shall be executed by the majority of the governing body thereof, shall name both the State of South Carolina and the institution, agency, commission or governing body as grantors, and shall show the written approval of the majority of the members of the State Budget and Control Board.

**HISTORY:** 1962 Code § 1-357.3; 1963 (53) 177.

**Cross References—**

As to authority of State institutions and agencies to grant easements and rights of way, see § 10-1-130.

**Research and Practice References—**

63A Am Jur 2d, Public Lands § 115.  
73B CJS, Public Lands §§ 178, 180.  
17 Am Jur Legal Forms 2d, States, Territories, and Dependencies § 239:21 (agricultural lease-provision-reservation of right to grant easements).

**§ 10-1-130. State institutions and agencies may grant easements and rights of way on consent of Budget and Control Board.**

The trustees or governing bodies of State institutions and agencies may grant easements and rights of way over any property under their control, upon the concurrence and acquiescence of the State Budget and Control Board, whenever it appears that such easements will not materially impair the utility of the property or damage it and, when a consideration is paid therefor, any such amounts shall be placed in the State Treasury to the credit of the institution or agency having control of the property involved.

**HISTORY:** 1962 Code § 1-49.3; 1963 (53) 177.

**Cross references—**

As to composition, powers and duties of State Budget and Control Board generally, see Chapter 11 of Title 1.  
As to the State Budget and Control Board, generally, see §§ 1-11-10 et seq.  
As to execution of conveyances of such easements, see § 1-11-100.

**§ 25-1-1660. Transfer of surplus armories to political subdivisions.**

The State Budget and Control Board may transfer to a political subdivision ownership of a national guard armory being replaced and declared surplus if the political subdivision has donated real property for use as a site for a replacement armory.

**HISTORY:** 1985 Act No. 201, Part II, § 12, eff June 20, 1985.

05053

STATE BUDGET & CONTROL BOARD

NOV 9 1988

NO. 1

EXHIBIT



# EXHIBIT

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988 NO. 1

For meeting scheduled for:

November 9, 1988

XXXXXXX

Blue Agenda

STATE BUDGET & CONTROL BOARD

Regular Session Agenda

Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Utility Easement from the University of South Carolina to South Carolina Electric and Gas Company

3. Summary Background Information:

This is a Utility Easement from USC to SCE&G for the purpose of installing a power line across USC's property in Columbia, Richland County, South Carolina in order to provide electrical service to the new Roost Dormitory.

This proposed easement has been executed by Thomas L. Stepp, Secretary for the University of South Carolina's Board of Trustees.

4. What is Board asked to do?

Approve the grant of the proposed easement in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the proposed easement be approved in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available from Submitter

1. Original Easement
2. §§1-11-100 and 10-1-130 of the Code

05054

a.



# EXHIBIT

NOV 9 1988

NO. 1

INDENTURE, made this 15th day of September, 1988  
by and between University of South Carolina **STATE BUDGET & CONTROL BOARD**

of the \_\_\_\_\_ of \_\_\_\_\_ County of \_\_\_\_\_ and State of  
South Carolina (hereinafter called Grantors), and the SOUTH CAROLINA ELECTRIC & GAS COMPANY, a South Carolina  
corporation, having its principal office in Columbia, South Carolina (hereinafter called Grantee).

## WITNESSETH:

That, in consideration of the sum of One Dollar (\$1.00) received from Grantee, Grantors, being the owners of land situate in the  
County of Richland State of South Carolina, hereby grant and convey to Grantee, its successors and  
assigns, the right to construct, extend, replace, relocate, perpetually maintain and operate an electric line or lines consisting of any  
or all of the following: poles, conductors, overhead and underground lightning protective wires, municipal, public, or private com-  
munication wires, underground cables, conduits, transformer pads, guys, push braces and other accessory apparatus and equipment  
deemed by Grantee to be necessary therefor, upon, over, across, through, and under land described as follows: a tract or lot of land  
containing 22 acres, more or less, and being the same lands conveyed to grantor by deed ~~XXXX~~ of Southern  
Homes, Inc., dated May 14, 1954, and  
recorded in the R. M. C. ~~XXXXXXXXXX~~ Office for Richland  
County in Deed Book #133 at Page #580. Right of way to begin  
at existing line on Grantor's property and extend in a  
northerly direction for a distance of 50 feet more or less  
to a pad-mounted transformer. Location of line being shown  
more fully on S.C. Electric & Gas Company Dwg. #C-28, 829  
sheet 1 of 1.

Together with the right from time to time to install on said line such additional lines, apparatus and equipment as Grantee may  
deem necessary and the right to remove said line or any part thereof.

Together also with the right from time to time to trim, cut or remove trees, underbrush and other obstructions that are within,  
over, under or through a strip of land extending Ten (10) feet on each side of the center  
of said lines, cables, conduits, or pipes as they may be located now or in the future; provided, however, any damage to the property of  
Grantors (other than that caused by trimming, cutting or removing) caused by Grantee in maintaining or repairing said lines, shall be  
borne by Grantee; provided further, however that Grantors agree for themselves, their successors and assigns, not to build or allow any  
structure to be placed on the premises in such a manner that any part thereof will exist within the above specified number of feet of  
any wire strung on the said lines or over any such cables, pipes, conduits, or other associated facilities, and in case such structure is  
built, then the Grantor, or such successor and assign as may be in possession and control of the premises at the time, will promptly  
remove the same upon demand of the Grantee herein. Together also with the right of entry upon the Grantors' said lands for all of the  
purposes aforesaid.

Grantee's rights shall be subject to the lien of the mortgage indenture dated January 1, 1945 and supplements thereto, entered into  
between Grantee and Central Hanover Bank and Trust Company (now Manufacturers Hanover Trust Company) which mortgage  
indenture is recorded in the office of the R. M. C. or Clerk of Court in the County and State aforesaid.

The words "Grantors" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, as the case  
may be.

IN WITNESS WHEREOF, Grantors have caused this indenture to be duly executed the day and year first above written.

WITNESS,

University of South Carolina

By: Thomas L. Styer

(SEAL)

LaVonne C. Lister

(SEAL)

Approved by the State Budget and Control  
Board at its meeting held November 9,  
1988.

(SEAL)

(SEAL)

BY: William A. Theunis, Secretary

05055

RW-4-E - SC (Rev. 11-85)



# EXHIBIT

STATE OF SOUTH CAROLINA,

County of \_\_\_\_\_

ss

NOV 9 1988

NO. 1

Personally appeared before me \_\_\_\_\_  
and made oath that he saw the within named \_\_\_\_\_

STATE BUDGET & CONTROL BOARD

\_\_\_\_\_ sign, seal and  
as his act and deed deliver the within easement for the uses and purposes therein mentioned, and that he with \_\_\_\_\_  
in the presence of each other, witnessed the due execution thereof.

Sworn to before me this \_\_\_\_\_ }  
day of \_\_\_\_\_ A. D., 19 \_\_\_\_\_ }

Notary Public for S. C. \_\_\_\_\_

STATE OF SOUTH CAROLINA,

County of \_\_\_\_\_

ss

Personally appeared before me \_\_\_\_\_  
and made oath that he saw the within named \_\_\_\_\_

\_\_\_\_\_ sign, seal and  
as his act and deed deliver the within easement for the uses and purposes therein mentioned, and that he with \_\_\_\_\_  
in the presence of each other, witnessed the due execution thereof.

Sworn to before me this \_\_\_\_\_ }  
day of \_\_\_\_\_ A. D., 19 \_\_\_\_\_ }

Notary Public for S. C. \_\_\_\_\_

STATE OF SOUTH CAROLINA,

Richland County, }

Personally appeared before me \_\_\_\_\_

and made oath that she saw the within named \_\_\_\_\_

by the hand of \_\_\_\_\_

\_\_\_\_\_ sign, affix the  
corporate seal, and as the act and deed of said corporation deliver the within written instrument for the uses and purposes therein  
mentioned, and that she with Laverne C. Fister witnessed the execution thereof and  
subscribed these names as witnesses thereto.

Sworn to and subscribed before me this 15th }  
day of September A. D., 19 88 }

(L. S.)

Therese A. Lehman

Notary Public for S. C. \_\_\_\_\_  
My Commission Expires September 23, 1992

Line \_\_\_\_\_  
County Richland  
**RIGHT OF WAY GRANT**  
R/W File No. \_\_\_\_\_ Block No. \_\_\_\_\_

TO

**South Carolina Electric & Gas  
Company**

Dated \_\_\_\_\_, 19 88

Received in the Clerk's Office of the County

of \_\_\_\_\_  
South Carolina, on the \_\_\_\_\_  
day of \_\_\_\_\_ A. D. 19 \_\_\_\_\_  
at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon  
and recorded in Book \_\_\_\_\_ of Deeds  
for said County on Page \_\_\_\_\_

05056



**EXHIBIT**  
**BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET**

For meeting scheduled for **NOV 9 1988**

NO. 1

XXXXXXX

Blue Agenda

Regular Session Agenda

Executive Session Agenda

November 9, 1988

**STATE BUDGET & CONTROL BOARD**

**1. Submitted By:**

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

**2. Subject:**

Right-of-Way Utility Easement from the State of South Carolina, Employment Security Commission to the County of Laurens

**3. Summary Background Information:**

This is a Utility Easement from the Employment Security Commission to the County of Laurens for the purpose of constructing, maintaining, and repairing underground pipelines and mains for the conveyance of sewage and/or water across lands of the Commission's Clinton Local Office in order to serve a new Hospital and Industrial Park in Laurens County.

As a consideration for the grant of this easement, the County has agreed to allow the Commission one tap-on to the sewer/water line at no charge for the tap-on fee.

This Utility Easement has been executed by Robert E. David, Executive Director for the Employment Security Commission.

**4. What is Board asked to do?**

Approve the grant of the proposed Utility Easement in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

**5. What is recommendation of the Board Division involved?**

That the proposed Utility Easement be approved in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

**6. Recommendation of other office (as required).**

(a) Office Name: \_\_\_\_\_

(b) Authorized Signature: \_\_\_\_\_

**7. Supporting Documents:**

List Those Attached

List Those Not Attached But Available from Submitter

1. Original Easement
2. §§10-1-130 and 1-11-100 of the Code

05057

b



# EXHIBIT

NOV 9 1988

NO. 1

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)

)

GRANT OF EASEMENT

COUNTY OF LAURENS )

We, The State of South Carolina, Employment Security Commission, in the State and County aforesaid, in consideration of \$1.00 and right to one tap-on without charge for the tap-on fee, the receipt of which is hereby acknowledged, hereby grant, bargain, sell, and release unto the County of Laurens, its successors and assigns forever, a twenty (20') foot wide easement and right-of-way including the perpetual right to enter upon the real estate hereinafter described as may be necessary and convenient to construct, maintain, and repair underground pipelines and mains for the purpose of conveying sewage and/or water over, across, through and under the lands described herein together with the right to excavate and refill ditches or trenches for the locations of said lines together with the further right to remove trees, bushes, other growth and obstructions which may interfere with the location, construction, and maintenance of said lines, provided that said work shall not encroach upon grantors blacktop parking lots.

It is understood and agreed that the property will be restored as near as practicable to its prior condition by grantee after construction of, repair of, maintenance of or other work on said sewage and/or water lines.

Said easement is immediately adjacent to the S.C. Highway Department's right-of-way for U.S. Highway #76 and is shown and delineated on plans prepared by Harwood Beebe Company, Inc. as of January 1988 job design #47042, preliminary print dated September 19, 1988.

Further, said grantees shall have the right to re-enter the premises at any time it may deem necessary or convenient in order to repair, redesign, rebuild or alter said lines and equipment or to remove any of said lines or any part thereof, and to do whatever may be required for the enjoyment of said right-of-way.

The property over which this right-of-way passes is the land conveyed to The State of South Carolina, Employment Security Commission, by Hyde Park, Incorporated, by deed recorded in Deed Book 238, at page 345, on the 5th day of May, 1986, in the office of the Clerk of Court for Laurens County, South Carolina.

Reserving, however, to the Grantor the right to cultivate and the use of the ground within the limits of said right-of-way, provided that such use does not interfere with or obstruct the rights herein granted, and provided further, that the grantor shall not build, create or

05058



# EXHIBIT

NOV 9 1988 NO. 1

## STATE BUDGET & CONTROL BOARD

construct, any building or other structure on or over said pipeline or lines which will interfere with the construction, operation or maintenance thereof.

TO HAVE AND TO HOLD said easement and right-of-way before mentioned unto the said County of Laurens, its successors and assigns forever.

The State of South Carolina, Employment Security Commission, binds its successors and assigns forever, so that neither it nor its successors or assigns, nor any other person or persons, claiming under it or them, shall at any time hereafter, by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part or parcel thereof, forever.

WITNESS our hands and seals this the 25<sup>th</sup> day of October, 1988.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

William H. Griffin  
C. Michael Mingo

SOUTH CAROLINA EMPLOYMENT  
SECURITY COMMISSION

Laurens E. Damp  
Its Executive Director

Reviewed:  
W.H. Griffin

STATE OF SOUTH CAROLINA )  
COUNTY OF LAURENS )

PROBATE

Personally appeared the undersigned witness and made oath that (s)he saw the within named grantor sign, seal and as its act and deed deliver the within written Grant Of Easement and that (s)he with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 25<sup>th</sup>  
day of October, 1988.

Gerda Selman  
Notary Public for South Carolina  
My Commission Expires:

William H. Griffin

Approved by the State Budget and  
Control Board at its meeting held  
November 9, 1988.

BY: William H. Griffin, Secretary



# EXHIBIT

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988

NO. 1

For meeting scheduled for:

November 9, 1988

XXXXXXX Blue Agenda

STATE BUDGET & CONTROL BOARD

Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Right-of-Way Easement from Clemson University to the South Carolina Department of Highways and Public Transportation

3. Summary Background Information:

This is an easement from Clemson University to the Highway Department for the purpose of widening an existing road which will allow better access to Clemson University's Aquaculture Demonstration Facility located in Hampton County.

The proposed easement has been executed by Louis P. Batson, Jr., Chairman of Clemson University's Board of Trustees.

4. What is Board asked to do?

Approve the grant of the proposed easement in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the grant of the proposed easement be approved in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available from Submitter

1. Original Easement
2. §§1-11-100 and 10-1-130 of the Code
3. Drawing attached as Exhibit A

05060

C.



EXHIBIT

NOV 9 1988 NO. 1

STATE BUDGET &amp; CONTROL BOARD

## THE STATE OF SOUTH CAROLINA

COUNTY OF Hampton  
 Road/Route No. S-810  
 File No. 25  
 Project No. C-

## RIGHT OF WAY EASEMENT

APPROXIMATE SURVEY STATION

1+30 TO 8+00 Rt. &amp; Lt.

TO

TO

KNOW ALL MEN BY THESE PRESENTS, That I (or we) CLEMSON UNIVERSITY201 Jackson Street, West, Hampton, S. C. 29924

In consideration of the sum of One Dollar, to me (or us) in hand paid, and other valuable consideration at and before the sealing and delivering thereof, by the South Carolina Department of Highways and Public Transportation, receipt of which is hereby acknowledged, have granted, bargained, sold and released and by these presents do grant, give, bargain, sell, release and quitclaim, unto the said South Carolina Department of Highways and Public Transportation, its successors and assigns, an easement or right of way for the construction, improvement,

operation and maintenance of a public road as a State Highway from US Route 321 to

Northwesterly for 0.149 miles on Road S-810, State and County aforesaid, as shown by plans prepared by the South Carolina Department of Highways and Public Transportation, upon and across the land which I (or we) may own, in whole or in part, between the survey stations referenced above and as depicted and described on the above referenced plans together with, all and singular, the rights, members, hereditaments, and appurtenances thereunto belonging, or in any way incident or appertaining.

Said right of way to have a width of 60 feet, that is 30 feet on each side of the centerline of the highway. The grantor expressly recognizes the possibility that the property described herein may be used in the future by a public utility or others granted the statutory right to use the right of way.

SPECIAL PROVISIONS: Right of way herein granted is along a relocated centerline as shown on the plans by a dashed line between survey stations 4+14 and 8+00.

A lso, granted herein is permission to the South Carolina Department of Highways and Public Transportation to construct earth connector ahead survey station 8+00 to tie Road S-810 to existing dirt road.

\*\*\*It is hereby understood by SCDHPT that if in the future the lands involved in right-of-way grant authorized by this instrument cease to be used for the reasons herein granted, all such lands involved shall revert back to Clemson University.

TO HAVE AND TO HOLD, all and singular, the said easement or right of way and the rights hereinbefore granted, unto the said South Carolina Department of Highways and Public Transportation, its successors and assigns forever for a public road, highway, other public transportation purposes or other public uses as are permitted within and in conjunction with highway rights of way and the grantors hereby dedicate their respective interest in said strip of land to public use for such purposes.

It is agreed that buildings, fences, signs or other obstructions will not be erected by me (or us), my (or our) heirs, assigns or administrators within the limits of the right of way herein conveyed and that such buildings and fences as are now within the limits of the right of way herein conveyed will be moved from the right of way and restored in as good condition as before moving at the expense of the South Carolina Department of Highways and Public Transportation.

IN WITNESS WHEREOF, I (or we) have hereunto set my (or our) hand and seal this 27<sup>th</sup> day of

Octoberin the year of our Lord, One Thousand Nine Hundred and Eighty-Eight.

Signed, sealed and delivered in the presence of:

Rebecca S. Copeland

1st Witness

CLEMSON UNIVERSITY

By: James F. Babson, Jr. (L.S.)  
Chairman of the Board of TrusteesJayne M. McCall

2nd Witness

(L.S.)

NOTE: All right of way agreements must be in writing and are subject to rejection by the South Carolina Department of Highways and Public Transportation.

THE STATE OF SOUTH CAROLINA

COUNTY OF Pickens

Approved by the State Budget  
and Control Board at its  
meeting held November 9, 1988

BY: William A. McFalls, Secretary

Personally appeared before me the undersigned witness and made oath that s/he saw the within named grantor sign, seal and as the grantor's act and deed, deliver the within written easement; and that s/he with the other witness whose signature appears above witnessed the execution thereof.

Sworn to before me this 27<sup>th</sup>  
day of October, A.D., 1988

E. Lynn McCallain (L.S.)My Commission Expires My Commission Expires June 8, 1994Rebecca S. Copeland

1st Witness sign here

05061

Recorded \_\_\_\_\_ By: \_\_\_\_\_

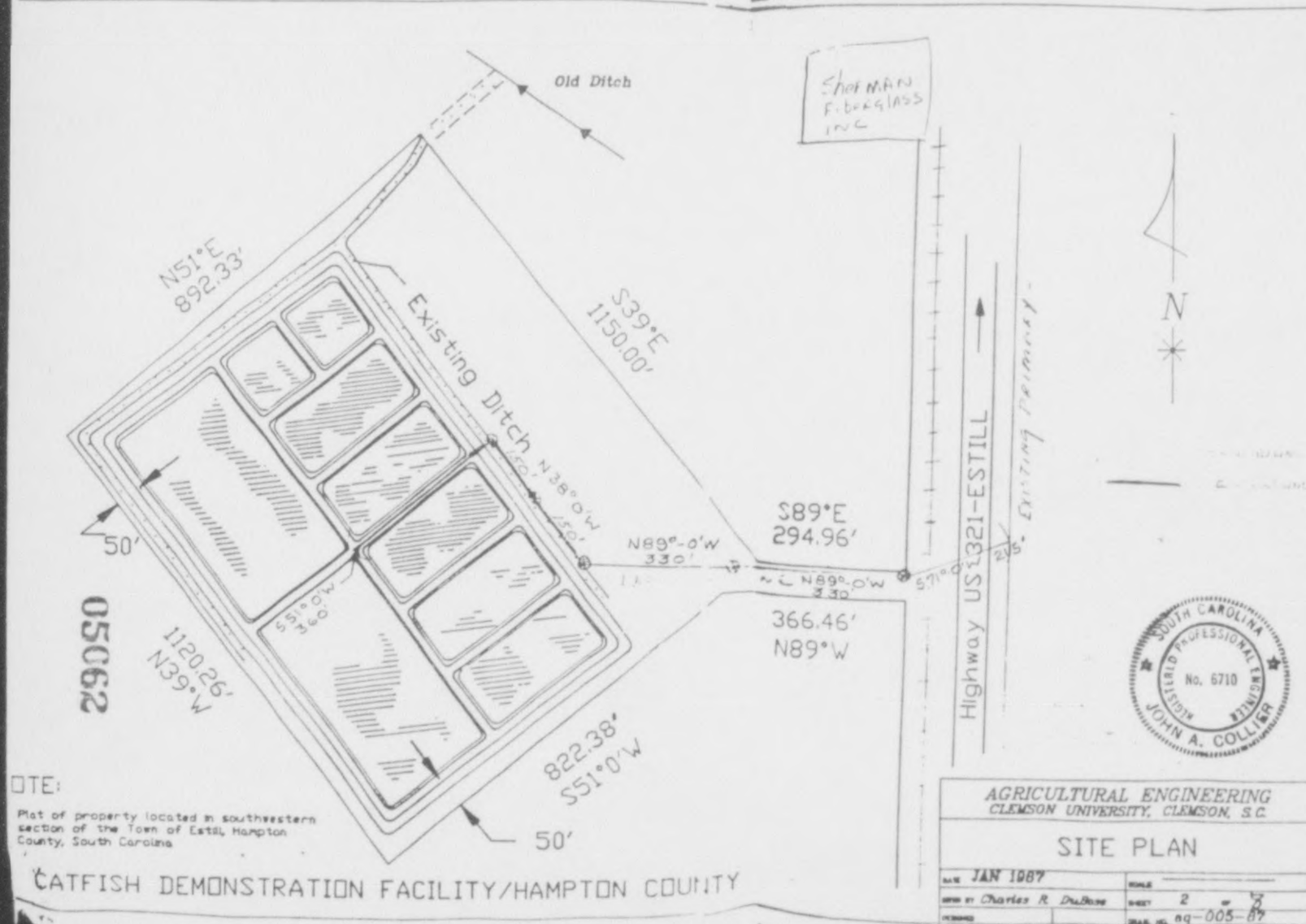
File \_\_\_\_\_

Project \_\_\_\_\_

Tract 1



EXHIBIT A



NOTE:

Plot of property located in southwestern section of the Town of Estill, Hampton County, South Carolina

CATFISH DEMONSTRATION FACILITY/HAMPTON COUNTY

AGRICULTURAL ENGINEERING  
CLEMSON UNIVERSITY, CLEMSON, S.C.

SITE PLAN

DATE	JAN 1987	SCALE	
DRAWN BY	Charles R. DeRose	SHEET	2 of 3
PROJECT		STATE NO.	ag-005-87

STATE BUDGET & CONTROL BOARD

NOV 9 1988 NO. 1

EXHIBIT



# EXHIBIT

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988

NO. 1

For meeting scheduled for:

November 9, 1988

XXXXXXX

Blue Agenda

Regular Session Agenda  
STATE BUDGET & CONTROL BOARD  
Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Right-of-Way Easement from Clemson University to JRG Developments, Inc.

3. Summary Background Information:

This is a right-of-way easement from Clemson University to JRG Developments, Inc., for the purpose of extending Lee Street for ingress and egress over Parcels 1 and 2 described therein, and for the sole purpose of ingress from Daniel Drive over Parcel 3 also described therein.

As a consideration for this easement JRG Developments, Inc., has quit-claimed back to Clemson University its rights of an easement over a portion of a tract of land conveyed to JRG Developments, Inc., by deed of Hubert N. Smith, Jr., and John D. Sullivan dated January 4, 1988.

This property transaction was approved by the Clemson University Board of Trustees at its meeting held October 14, 1988. The easement document has been executed by Louis P. Batson, Jr., Chairman of the Board of Trustees.

4. What is Board asked to do?

Concur and acquiesce in the grant of the proposed easement in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

Approve Clemson University's acceptance of the quit-claim deed as the consideration for the easement grant in accordance with §1-11-65 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the Board concur and acquiesce in the grant of the proposed easement in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

That the Board approve Clemson University's acceptance of the quit-claim deed in accordance with §1-11-65 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

List Those Not Attached But  
Available from Submitter

1. Easement document
2. Plat attached as Exhibit A
3. Quit-Claim Deed
4. §§1-11-65, 1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended

05063

d.



# EXHIBIT

NOV 9 1988 NO. 1

## STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA )  
 ) RIGHT-OF-WAY EASEMENT  
COUNTY OF PICKENS )

KNOW ALL MEN BY THESE PRESENTS, that CLEMSON UNIVERSITY, an educational institution located in Clemson, South Carolina, hereinafter referred to as "Grantor," in consideration of the sum of one dollar (\$1.00), in hand paid by JRG Developments, Inc., hereinafter referred to as "Grantee," (the receipt of which is hereby acknowledged) and in further consideration of the relinquishment of an existing right-of-way easement over the property of the Grantor for the benefit of the Grantee adjacent to Martin Street, does hereby grant unto the said Grantee, its successors and assigns, a permanent right-of-way easement in, to, upon, and over the following portions of Grantor's land subject to limitations as hereinafter stated:

### Parcel 1

All that certain piece, parcel or tract of land lying and situate in Pickens County on the campus of Clemson University adjacent to Daniel Drive and described as follows: Beginning at a point N 72° 32' 36W, 140.0 feet from CU monument CU12, thence along a line that lies 37.5 feet southwest of and parallel to a line S 45° 29' 24" E, 45.09 feet, thence S 61° 48' 25" E, 32.60 feet, thence S 63° 59' 55" E, 37.66 feet, thence S 69° 51' 02" E, 105.38 feet, thence S 69° 22' 27" E, 65.56 feet, thence S 53° 51' 58" E, 34.13 feet, thence S 46° 49' 36" E, 32.30 feet, thence S 40° 26' 55" E, 28.02 feet, thence S 27° 05' 26" E, 24.96 feet, thence S 15° 31' 49" E, 37.96 feet to a point of intersection, thence along a line S 53° 23' 51" E, 30.74 feet, thence S 83° 17' 04" E, 39.16 feet, thence N 29° 02' 19" E, 32.39 feet, thence along a line that lies 37.5 feet northeast of and parallel to a line N 15° 31' 49" W, 37.96 feet, thence N 27° 05' 26" W, 24.96 feet, thence N 40° 26' 55" W, 28.02 feet, thence N 46° 49' 36" W, 32.30 feet, thence N 53° 51' 58" W, 34.13 feet, thence N 69° 22' 27" W, 65.56 feet, thence N 69° 51' 02" W, 105.38 feet, thence N 63° 59' 55" W, 37.66 feet, thence N 61° 48' 25" W, 32.60 feet, thence N 45° 28' 24" W, 45.09 feet, thence along a line S 08° 23' 26" W, 9.49 feet to CU monument CU12, thence N 72° 32' 36" W, 140 feet to its beginning point - all as shown as Parcel 1 on a plat by John R. Long, Registered Land Surveyor, dated June 21, 1988, which is attached hereto and incorporated herein as Exhibit A.

### Parcel 2

Also, all that certain piece, parcel, or tract of land lying and situate in Pickens County on the campus of Clemson University adjacent to Daniel Drive and described as follows: Beginning at a point on the back of the existing curb along the north side of Daniel Drive thence N 12° 26' 13" E, 14.59 feet, thence S 83° 17' 04" E, 39.16 feet, thence S 07° 55' 27" W, 15.43 feet, thence N 81° 59' 54" W, 40.30 feet to its beginning point all as shown as Parcel 2 on a plat by John R. Long, Registered Land Surveyor, dated June 21, 1988.

05064



EXHIBIT

NOV 9 1988 NO. 1

STATE BUDGET & CONTROL BOARD

The right-of-way easement granted on the above described Parcel 1 and Parcel 2 is given for the sole purpose of ingress and egress over said parcels for the benefit of the property of the Grantee.

Parcel 3

Also, all that certain piece, parcel or tract of land lying and situate in Pickens County on the campus of Clemson University adjacent to Daniel Drive and described as follows: Beginning at a point, this point being CU monument CULLA thence S 72° 32' 36" E, 46.62 feet, thence S 18° 50' 15" W, 36.84 feet, thence N 75° 24' 12" W, 52.04 feet, thence N 26° 27' 35" E, 39.91 feet to its beginning point all as shown as Parcel 3 on a plat by John R. Long, Registered Land Surveyor, dated June 21, 1988.

The right-of-way easement granted on this Parcel 3 is given for the sole purpose of ingress only over said parcel for the benefit of the property of the Grantee. There is no right-of-way easement granted over this Parcel 3 for egress from the property of the Grantee to Daniel Drive.

All of the above described property is a portion of the property deeded to Clemson College by Florida Lee, said deed being recorded in the Pickens County Courthouse in Deed Book M at page 328.

TO HAVE AND TO HOLD said rights-of-way easements unto the said Grantee, its successors and assigns forever so long as the property is used for the purposes described herein and if it ever ceases to be so used the Grantee will relinquish the right-of-way easement in favor of the Grantor.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name by its duly authorized officer, and its corporate seal to be hereunto affixed, this 30 day of September, 1988.

Signed, sealed, and

delivered in the presence of:

CLEMSON UNIVERSITY

Phyllis B. Campbell

By: Robert J. Bolton, Jr.

Chairman, Board of Trustees

Elizabeth H. Dinsley

Approved by the State Budget and Control Board at its meeting held November 9, 1988.

BY: William A. McInnis, Secretary

05065



# EXHIBIT

NOV 9 1988 NO. 1

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA )  
COUNTY OF ~~PICKENS~~ )  
GREENVILLE

PERSONALLY appeared before me, Phyllis B. Campbell and made oath that she saw the within named Clemson University, by Louis P. Batson, Jr., Chairman of its Board of Trustees, Sign, Seal and as his Act and Deed deliver the within written Deed; and that she with Elizabeth Tinsley witnessed the execution thereof.

Phyllis B. Campbell

Sworn to before me this

30 day of September,

A.D., 1988

Lucille K. Merritt (L.S.)

(Notary Public for South Carolina)

My Commission expires \_\_\_\_\_

MY COMMISSION EXPIRES  
MAY 1, 1991  
SOUTH CAROLINA

05066

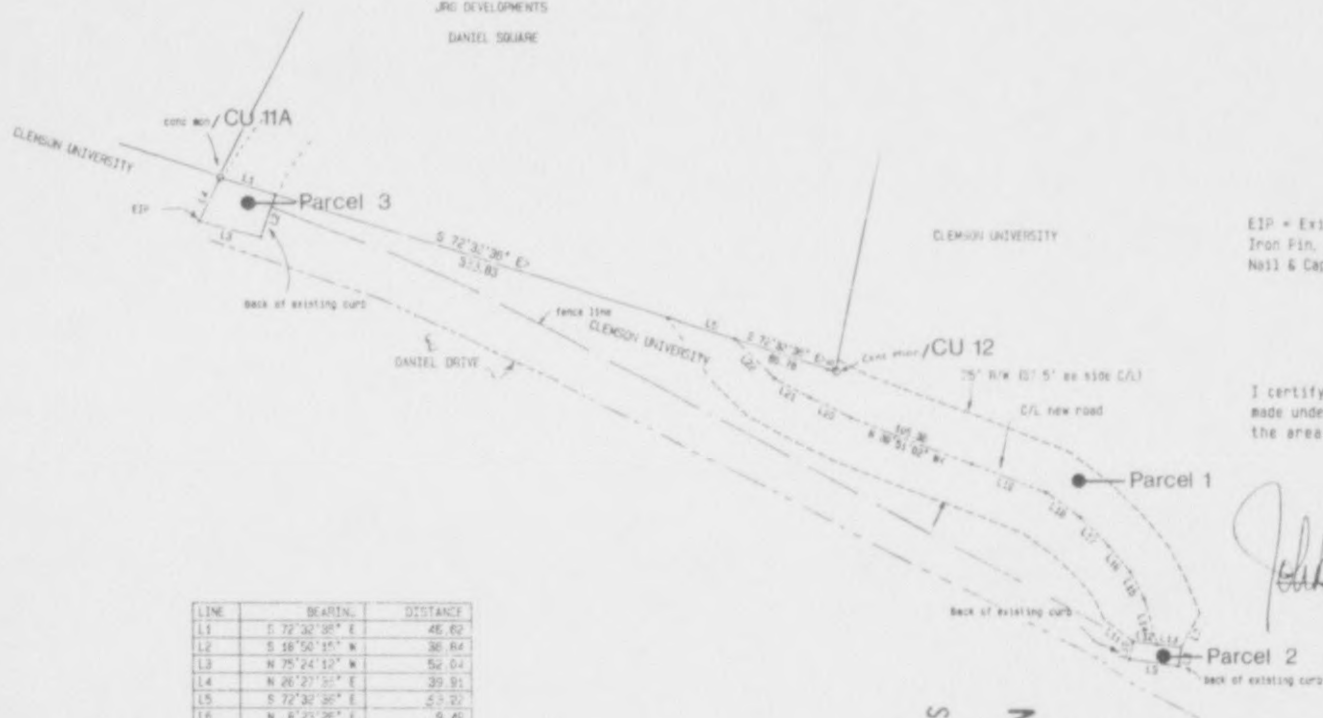


## EXHIBIT A

M. K. LITTLEJOHN

JRG DEVELOPMENTS  
DANIEL SQUARE

Magnetic North ref plot by CLIXTON  
ENGINEERING on 1-4-88 for LUKWIK  
SQUARE LTD



EIP = Existing Iron Pin, NIP = New  
Iron Pin, RR = Railroad Spike, N/C =  
Nail & Cap, MH = Manhole

I certify that this plat was prepared from a field survey made under my supervision and the precision is 1:7500+ and the area is by the DMD Method.

SC 86.5 6270



LINE	BEARING	DISTANCE
1	S 72° 32' 38" E	46.82
12	S 16° 50' 15" W	38.84
13	N 75° 24' 12" W	52.05
14	N 26° 27' 55" E	39.91
15	S 72° 32' 36" E	45.22
16	N 8° 25' 26" E	9.46
17	S 29° 02' 18" W	32.26
18	S 7° 55' 27" W	15.43
19	N 81° 58' 54" E	40.35
110	N 12° 25' 13" E	14.85
111	N 57° 23' 51" E	55.74
112	S 83° 17' 04" E	10.55
113	S 83° 17' 04" E	10.58
114	N 15° 34' 49" W	37.98
115	N 27° 05' 28" W	24.11
116	N 40° 26' 55" W	26.02
117	N 46° 43' 36" E	32.26
118	N 52° 54' 56" W	34.13
119	N 69° 22' 27" W	65.92
120	N 62° 58' 59" W	37.66
121	N 61° 48' 25" W	32.86
122	N 45° 26' 24" W	40.45

EXHIBIT  
NOV 9 1988 NO. 1  
STATE BUDGET & CONTROL BOARD

- JRG DEVELOPMENTS & CLEMSON UNIVERSITY -

PICKENS COUNTY, SOUTH CAROLINA  
City of Clemson June 21, 1988

SCALE 1" = 100'      JOB 842-4442

John R Long & Associates  
803-651-5033  
Clemson, South Carolina

05067

SCALE 1" = 100'





# The State of South Carolina

To All Whom These Presents May Come:

## EXHIBIT

NOV 9 1988 NO. 1

STATE BUDGET & CONTROL BOARD

WHEREAS: JRG DEVELOPMENTS, INC.

SEND GREETING:

NOW, KNOW ALL MEN BY THESE PRESENTS, That the said  
JRG DEVELOPMENTS, INC.

in consideration of the premises and also in consideration of the sum of ONE (\$1.00) dollars  
to us in hand paid at and before the sealing and delivery of these presents by  
JRG DEVELOPMENTS, INC.

(the receipt whereof is hereby acknowledged) have remised, released and forever quit-claimed, and by these presents  
do remise, release and forever quit-claim unto the said

CLEMSON UNIVERSITY, an educational  
institution located in Clemson, South  
Carolina, its successors and/or assigns

ALL that certain piece, parcel or tract of land lying and situate in Pickens County on the campus of Clemson University adjacent to Martin Street containing approximately 0.13 acre and described as follows: BEGINNING at a point, this point being Monument CU 14, thence S87-36-36E for 29.00 feet, to a nail in cap in the center of Martin Street, thence S18-41-18E for 60.08 feet to a nail in cap, thence S25-11-10E for 59.56 feet to a nail in cap, thence N81-33W for 32.80 feet to an iron pin, thence N08-27E for 100.00 feet to the BEGINNING point as shown on a plat prepared by Eugene M. Adamsn, RLS dated March 21, 1986 with a revision dated of April 29, 1986. For a more accurate description, see Plat Book 33, Page 72-A, records of Pickens County, South Carolina.

This is a portion of a tract of land conveyed to JRG Developments, Inc. by deed of Hubert N. Smith, Jr., and John D. Sullivan, dated January 4, 1988 and recorded in Deed Book 27, Page 244, records of Pickens County, South Carolina.

05C68



belonging or in anywise incident or appertaining:

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said  
CLEMSON UNIVERSITY, its

successors

~~here~~ and assigns, forever—so that neither the said JRG DEVELOPMENTS, INC.

nor its ~~heirs~~ nor any other person or persons, claiming under it or them, shall at any time hereafter,  
successors  
by any ways or means, have, claim or demand any right to title or to the aforesaid premises or appurtenances, or any  
part of parcel thereof, forever.

Witness our hands and seals this day of September 26, 19 88

JRG DEVELOPMENTS, INC.

Signed, Sealed and Delivered  
in the presence of

*Linda W. Crandall*  
*Linda L. Snoddy*

BY: *E. H. Howard, Jr.* (L.S.)  
EUGENE H. HOWARD, JR., PRESIDENT

BY: *J. L. Wright, Jr.* (L.S.)  
J. L. WRIGHT, JR., SEC.-TREAS.

### The State of South Carolina,

Pickens County.

PERSONALLY appeared before me the undersigned

and made oath that (s)he saw the within named JRG DEVELOPMENTS, INC.

sign, seal, and as their act and deed, deliver the within written

Deed; and that (s)he with the other witness

witnessed the execution thereof.

SWORN to before me, this

day of September 26 A.D. 19 88

(SEAL) \_\_\_\_\_

NOTARY PUBLIC FOR S.C.  
My Commission Expires: 7-14-97

*James T. Roberts*

05069

The State of South Carolina

JRG DEVELOPMENTS, INC.

To

CLEMSON UNIVERSITY, an  
educational institution  
located in Clemson, S.C.

### QUIT-CLAIM DEED

Filed day

of A.D. 19

at o'clock M.

and recorded in book

Page Fee, \$

R.M.C. or Clerk Court C. P. & G. S.

PICKENS County S. C.

Recorded this day

of 19

in Book Page

Fee, \$

Auditor PICKENS County, S. C.



# EXHIBIT

BUDGET AND CONTROL BOARD AGENDA ITEM NOV 9 1988

NO. 1

For meeting scheduled for:

November 9, 1988

XXXXXXX Blue Agenda  
STATE BUDGET & CONTROL BOARD  
Regular Session Agenda  
Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Utility Easement from Clemson University to Duke Power Company

3. Summary Background Information:

This is a Utility Easement from Clemson University to Duke Power Company for the purpose of constructing, operating and maintaining underground lines and conduits with other necessary apparatus and appliances in order to provide additional electrical power needed by the Outdoor Hydraulics Laboratory.

This property transaction was approved by Clemson University's Board of Trustees at its meeting on October 14, 1988. The easement document has been signed by Louis P. Batson, Jr., Chairman of the Board of Trustees.

4. What is Board asked to do?

Concur and acquiesce in the grant of the proposed easement in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the Board concur and acquiesce in the grant of the proposed easement in accordance with §§1-11-100 and 10-1-130 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

List Those Not Attached But  
Available from Submitter

1. Original easement document
2. Drawing
3. §§1-11-100 and 10-1-130 of the Code

05070

e



## EXHIBIT

NOV 9 1988

NO. 1

Project No. 464131669  
Drawn By HSCSTATE OF SOUTH CAROLINA  
COUNTY OF PICKENS

STATE BUDGET &amp; CONTROL BOARD

KNOW ALL MEN BY THESE PRESENTS, That

Clemson University  
off of Road 5-39-195 (FOR CIVIL ENG)  
hereinafter called "Grantor" (whether one or more), in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, does hereby grant unto DUKE POWER COMPANY, its successors and assigns, hereinafter called "Grantee", the right, privilege and easement to go in and upon that certain land of Grantor (hereinafter "premises") situated in said County and State, bounded by lands of:

NORTH By Clemson Univ. (Fish Ponds)  
SOUTH By Road (off Rd 5-39-195)  
WEST By Clemson Univ. (Dog Pounds + Treatment Plant)  
EAST By Clemson Univ. (Pasture)

and over and across said premises within a right-of-way strip having a width of 10 feet on each side of a centerline determined by the centerline of the electrical facilities as installed, to (check applicable):

☐ construct, maintain and operate with poles, crossarms, wires, guys, anchors, cables, transformers and other necessary apparatus and appliances, overhead lines for the purpose of transporting electricity and for the communications purposes of Grantee and regulated telephone utilities. The following rights are also granted to Grantee: to enter said premises to inspect said lines, to perform necessary maintenance and repairs, and to make alterations and additions thereto; to remove from the right of way strip, now or at any time in the future, trees, structures or other obstructions that may endanger the proper maintenance and operation of said lines and trees of any species that Grantee determines will grow at maturity to a height that will endanger the proper maintenance and operation of said lines; to trim or remove and to keep trimmed or removed dead, diseased, weak or leaning trees or limbs outside of the right of way strip which, in the opinion of Grantee, might interfere with or fall upon the electric or communication facilities within the right of way strip; and to install guy wires and anchors extending beyond the limits of the right of way strip when determined necessary by Grantee.

☒ construct, maintain and operate underground lines and conduits with other necessary apparatus and appliances, either above ground or below ground, to include transformers and service connections, for the purpose of transporting electricity and for the communications purposes of Grantee and its licensees. The following rights are also granted to Grantee: to enter said premises to inspect said lines, to perform necessary maintenance and repairs, and to make alterations and additions thereto; and to clear the land within the right of way strip and to keep it clear of trees, structures or other obstructions; and to clear that land outside the right-of-way strip within ten feet of the service door of any transformer or cabinet located within the right-of-way strip and to keep the area within ten feet of said door clear of trees, structures or other obstructions. All underground facilities are to be installed in accordance with the provisions of Grantee's Underground Distribution Installment Plan, SCPSC Docket No. 87-275-E, Order No. 87-568, receipt of a copy of which is acknowledged by grantor.

This right-of-way is given to permit the construction of electrical facilities presently proposed. Facilities at other locations and future extensions of presently constructed facilities are not permitted by this agreement. The foregoing notwithstanding, Grantee may relocate its electrical facilities and right-of-way strip over the premises to conform to any future highway or street relocation, widening or improvement.

05071



IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, this 10th day of October, 19 88.

By Louis P. Batson, Jr. (Corporate Name)  
Chr. of Board of President  
Trustees

Signed, Sealed and Delivered in the  
Presence of:

Phyllis B. Campbell  
Rita B. Gibson

Approved by the State Budget and Control  
Board at its meeting held November 9,  
1988.

BY: William A. McAnis, Secretary

STATE OF SOUTH CAROLINA, GREENVILLE COUNTY

Personally appeared before me Phyllis B. Campbell and made oath that he saw the within named  
Louis P. Batson, Jr. sign, seal and as his act and deed deliver the within written instrument, and that  
she with Rita B. Gibson witnessed the execution thereof.

Sworn to me this 10th day of October,  
A.D., 19 88.

Lucille H. Merrell  
Notary Public

Phyllis B. Campbell

My Commission Expires MARCH 29, 1998  
SOUTH CAROLINA

STATE OF SOUTH CAROLINA, Pickens COUNTY

Personally appeared before me \_\_\_\_\_ and made oath that \_\_\_\_\_ he saw the within named  
\_\_\_\_\_, a corporation, by \_\_\_\_\_, \_\_\_\_\_ President, sign, seal and as  
its act and deed deliver the within written instrument, and that \_\_\_\_\_ he with \_\_\_\_\_ witnessed  
the execution thereof.

Sworn to me this \_\_\_\_\_ day of \_\_\_\_\_,  
A.D., 19 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

EXHIBIT

NOV 9 1988 NO. 1

STATE BUDGET & CONTROL BOARD

05072

Filed this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 19 \_\_\_\_\_ and recorded in Book \_\_\_\_\_ Page \_\_\_\_\_ Fee \$ \_\_\_\_\_



Duke Power

63B PRINT FORMAT

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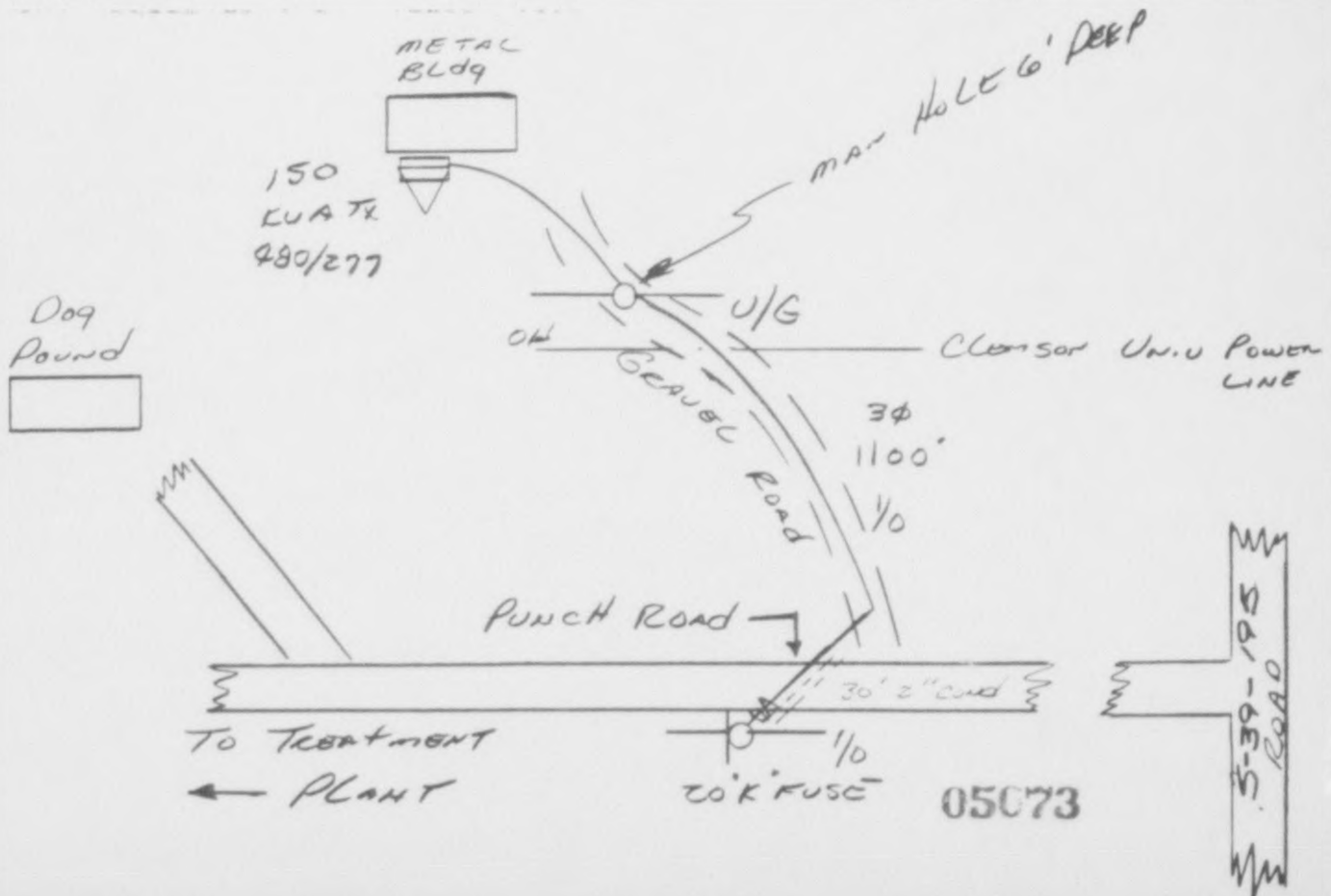
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# EXHIBIT

NOV 9 1988

NO. 1

STATE BUDGET & CONTROL BOARD





# EXHIBIT

NOV 9 1988 NOV 2

STATE BUDGET AND CONTROL BOARD  
MEETING OF November 9, 1988

ITEM NUMBER

2

AGENCY: General Services

SUBJECT: Easements

The Division of General Services recommends that the Board approve the following easements:

- a. County Location: Berkeley County  
From: State of South Carolina  
To: South Carolina Electric & Gas Company  
Description/Purpose: construct, install, operate and maintain a 115KV overhead transmission line across two unnamed tributaries leading to the Cooper River at the Charleston Naval Weapons Station  
Consideration: \$390
- b. County Location: Lexington County  
From: State of South Carolina  
To: New Covenant Church, Inc.  
Description/Purpose: construct, install, operate and maintain an 8" sewer line across the Opportunity School property. Once this easement is granted, it and two others will be transferred to the City of Cayce for sewer line maintenance
- c. County Location: Spartanburg County  
From: State of South Carolina  
To: AT&T  
Description/Purpose: install, operate and maintain a subaqueous fiber optic communication cable beneath the bed of the South Tyger River to improve long distance telecommunication service  
Consideration: \$20
- d. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line across a tributary of the upper portion of Lawson Fork Creek known as Standing Stone Branch
- e. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line across the upper part of Lawson Fork Creek

05074



# XHIBIT

NOV 9 1988

NO. 2

STATE BUDGET AND CONTROL BOARD ~~STATE BUDGET & CONTROL BOARD~~ AGENDA  
MEETING OF November 9, 1988 ITEM NUMBER

2

AGENCY: General Services

SUBJECT: Easements

- f. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line across the upper part of Lawson Fork Creek
- g. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line across the upper part of Lawson Fork Creek
- h. County Location: Spartanburg County  
From: State of South Carolina  
To: Spartanburg Sanitary Sewer District  
Description/Purpose: install, construct, operate and maintain a subaqueous sewer line at two locations across the upper part of Lawson Fork Creek

BOARD ACTION REQUESTED:

Approve the referenced easements as recommended by the Division of General Services.

ATTACHMENTS:

Agenda item worksheets; referenced easements

05075



**§ 1-11-65. Approval and recordation of real property transactions involving governmental bodies.**

All transactions involving real property, made for or by any governmental bodies, excluding political subdivisions of the State, must be approved by and recorded with the State Budget and Control Board unless a governmental body is expressly exempted by the Budget and Control Board.

HISTORY: 1985 Act No. 201, Part II, § 5.

**§ 1-11-80. Board authorized to grant easements for public utilities on vacant State lands.**

The State Budget and Control Board is authorized to grant easements and rights of way to any person for construction and maintenance of power lines, pipe lines, water and sewer lines and railroad facilities over, on or under such vacant lands or marshland as are owned by the State, upon payment of the reasonable value thereof.

HISTORY: 1962 Code § 1-357.1; 1963 (53) 177.

**Cross references—**

As to sale or donation of, or rights of way over, public lands, see SC Const. Art 3, § 31.

**§ 1-11-90. Board authorized to grant rights of way over State marshlands for roads or power or pipe lines to State agencies or political subdivisions.**

The State Budget and Control Board may grant to agencies or political subdivisions of the State, without compensation, rights of way through and over such marshlands as are owned by the State for the construction and maintenance of roads, streets and highways or power or pipe lines, if, in the judgment of the Budget and Control Board, the interests of the State will not be adversely affected thereby.

HISTORY: 1962 Code § 1-357.2; 1963 (53) 177.

**Cross references—**

As to sale or donation of, or rights of way over, public lands, see SC Const. Art 3, § 31.

**§ 1-11-100. Execution of instruments conveying rights of way or easements over marshlands or vacant lands.**

Deeds or other instruments conveying such rights of way or easements over such marshlands or vacant lands as are owned by the State shall be executed by the Governor in the name of the State, when authorized by resolution of the Budget and Control Board, duly recorded in the minutes and records of such Board and when duly approved by the office of the Attorney General; deeds or other instruments conveying such easements over property in the name of or under the control of State agencies, institutions, commissions or other bodies shall be executed by the majority of the governing body thereof, shall name both the State of South Carolina and the institution, agency, commission or governing body as grantors, and shall show the written approval of the majority of the members of the State Budget and Control Board.

HISTORY: 1962 Code § 1-357.3; 1963 (53) 177.

**Cross References—**

As to authority of State institutions and agencies to grant easements and rights of way, see § 10-1-130.

**Research and Practice References—**

63A Am Jur 2d, Public Lands § 115.

73B CJS, Public Lands §§ 178, 180.

17 Am Jur Legal Forms 2d, States, Territories, and Dependencies § 239:21 (agricultural lease-provision-reservation of right to grant easements).

**§ 10-1-130. State institutions and agencies may grant easements and rights of way on consent of Budget and Control Board.**

The trustees or governing bodies of State institutions and agencies may grant easements and rights of way over any property under their control, upon the concurrence and acquiescence of the State Budget and Control Board, whenever it appears that such easements will not materially impair the utility of the property or damage it and, when a consideration is paid therefor, any such amounts shall be placed in the State Treasury to the credit of the institution or agency having control of the property involved.

HISTORY: 1962 Code § 1-49.3; 1963 (53) 177.

**Cross references—**

As to composition, powers and duties of State Budget and Control Board generally, see Chapter 11 of Title 1.

As to the State Budget and Control Board, generally, see §§ 1-11-10 et seq.

As to execution of conveyances of such easements, see § 1-11-100.

**§ 25-1-1660. Transfer of surplus armories to political subdivisions.**

The State Budget and Control Board may transfer to a political subdivision ownership of a national guard armory being replaced and declared surplus if the political subdivision has donated real property for use as a site for a replacement armory.

HISTORY: 1985 Act No. 201, Part II, § 12, eff June 20, 1985.



# EXHIBIT

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988

NO. 2

For meeting scheduled for:

November 9, 1988

XXXXXXX

Blue Agenda

Regular Session Agenda  
Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Right-of-Way Utility Easement from the State of South Carolina, Budget and Control Board to SC Electric & Gas Company

3. Summary Background Information:

This is a Utility Easement from the State to SCE&G for the purpose of constructing, installing, operating and maintaining a 115KV overhead transmission line across two unnamed tributaries leading to the Cooper River at the Charleston Naval Weapons Station in Berkeley County, South Carolina.

This easement has been reviewed and approved by Kenneth P. Woodington, Senior Assistant Attorney General, on behalf of the State Attorney General's Office and has been executed by Grover C. Croft, Jr., Vice President, on behalf of SCE&G.

A consideration in the amount of \$390.00 has been paid by SCE&G for the grant of this easement.

4. What is Board asked to do?

Grant the proposed easement in accordance with §1-11-80 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the proposed easement be granted in accordance with §1-11-80 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available from Submitter

1. Original Easement.
2. Drawing attached as Exhibit A.
3. §1-11-80 of the Code.

05077

a



## EXHIBIT

ORIGINAL

NOV 9 1988

NO. 2

This Copy to be returned for  
Files of S. C. Electric & Gas Company.

STATE OF SOUTH CAROLINA )  
COUNTY OF BERKELEY )  
STATE BUDGET & CONTROL BOARD  
EASEMENT

THIS EASEMENT, made and entered into this 26<sup>th</sup> day of October, 1988, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "STATE"), and South Carolina Electric and Gas Company, as Grantee (hereinafter "SCE&G").

## WITNESSETH

WHEREAS, SCE&G is an investor-owned utility authorized to conduct business within the State of South Carolina. SCE&G's mailing address is S.C. Electric and Gas Company, Columbia, South Carolina 29218; and

WHEREAS, SCE&G proposes to construct, install, operate and maintain a 115KV overhead transmission line across two unnamed tributaries leading to the Cooper River at the Charleston Naval Weapons Station in Berkeley County, South Carolina. The easement areas are more particularly described herein.

WHEREAS, pursuant to Section 1-11-80 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, installation, operation, and maintenance of transmission lines over, on, or under such land or marshland as are owned by the STATE; and

WHEREAS, SCE&G is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in Berkeley County, and the STATE considers the granting of such an easement to be in the public interest.

05078



NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of Three Hundred Ninety and NO/100 (\$390.00) Dollars and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto SCE&G, its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Berkeley County and lying below the mean high water line.

This Easement of right-of-way shall be used solely for the purposes incidental with the construction, installation, operation and maintenance of said 115KV overhead transmission line across two unnamed tributaries leading to the Cooper River at the Charleston Naval Weapons Station in Berkeley County, South Carolina. The easement areas are more particularly described as follows:

A 70' wide Utility Easement beginning at a point on the north side of an unnamed tributary at the high water mark which is located 648.5 feet from the centerline of an unnamed access road and railroad at Station 58+75 on a course South 07 Degrees 07 Minutes 52 Seconds West; thence following the same course for a distance of 349.2' across the tributary to a point on the south side at the high water mark.

A 70' wide Utility Easement beginning at a point on the north side of an unnamed tributary at the high water mark which is located 2226.8' from the centerline of an unnamed access road and railroad at Station 58+75 on a course South 07 Degrees 07 Minutes 52 Seconds West; thence following the same course a distance of 862.8' across the tributary to a point on the south side at the high water mark.

The easement areas are more particularly shown and delineated on Drawing No. CP-29760, Block G, entitled "NAVAL WEAPONS STATION 115KV TAP CROSSING WATER BETWEEN 67+35 AND 68+84" which is attached hereto and incorporated herein by reference as Exhibit A.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

05679



The vertical clearance of all electrical wire, conductors, cables and live parts of equipment across all navigable waters and/or waters of the State of South Carolina shall be constructed in accordance with National Electrical Safety Code (ANSI - C2 - 1981) Part 2, Section 23, as amended.

SCE&G hereby agrees and covenants with the STATE that SCE&G, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. SCE&G shall use the easement areas solely for the purposes incidental with the construction, installation, operation, and maintenance of said 115KV transmission line and shall maintain each easement area and transmission line in good condition.

SCE&G further agrees and covenants that SCE&G shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

SCE&G will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

05080



# EXHIBIT

NOV 9 1988 NO. 2

## STATE BUDGET & CONTROL BOARD

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if SCE&G, its successors and assigns: (1) quits and abandons all use of such 115KV transmission line, in which case this easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breach of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restrictions and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.

IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 9th day of November, 1988.

WITNESSES:

[Signature]  
[Signature]

STATE OF SOUTH CAROLINA  
BUDGET & CONTROL BOARD

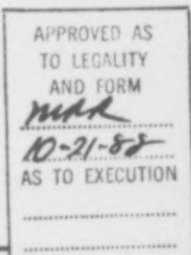
BY: [Signature]  
Governor Carroll A. Campbell, Jr.  
Chairman

SOUTH CAROLINA ELECTRIC AND  
GAS COMPANY

BY: [Signature]  
TITLE: VP - T & D Eng.

Jean Fisher  
W. A. Healy

(signatures continue)





OFFICE OF THE ATTORNEY GENERAL

Approved: Kenneth B. Woody

05082



# EXHIBIT

NOV 9 1988 NO. 2

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

STATE BUDGET & CONTROL BOARD

PERSONALLY appeared before me John J. Watford  
and made oath that he/she saw the within named State of South  
Carolina, Budget and Control Board, by its Chairman, Governor  
Carroll A. Campbell, Jr., sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
William F. Littlejohn, witnessed the execution thereof.

John J. Watford

SWORN to before me this 9th  
day of NOVEMBER, 1988.

Jane Adkins (L.S.)  
Notary Public for South Carolina

My Commission Expires: 3-21-95

\*\*\*\*\*

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

PERSONALLY appeared before me Jean Fisher  
and made oath that he/she saw the within named South Carolina  
Electric and Gas Company by Grover C. Croft, Jr., its  
Vice President, sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
W. A. Hentz, witnessed the execution thereof.

Jean Fisher

SWORN to before me this 26th  
day of October, 1988.

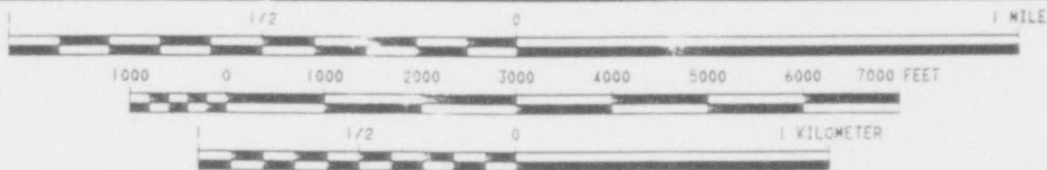
William Alvin Hentz (L.S.)  
Notary Public for South Carolina

My Commission Expires: 4-24-91

05083



EXHIBIT A



SOUTH CAROLINA ELECTRIC & GAS CO. REFERENCE : NORTH CHARLESTON QUADRANGLE

BLOCK G	CP-29760	FOR NAVAL WEAPONS STATION 115KV TAP
SHT 1 OF 3 SHTS	SHT 8	DETAIL CROSSING WATER BETWEEN 67+35 AND 68+84

05084



# EXHIBIT

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988 NO. 2

For meeting scheduled for:

STATE BUDGET & CONTROL BOARD

November 9, 1988

XXXXXX

Blue Agenda

Regular Session Agenda

Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Right-of-Way Utility Easement from the State of South Carolina, Budget and Control Board to New Covenant Church, Inc.

3. Summary Background Information:

This is a Utility Easement from the State to New Covenant Church, Inc., for the construction, installation, operation and maintenance of an 8" sewer line across State-owned property more commonly known as the Opportunity School situate in the Town of Springdale, Lexington County, South Carolina.

This easement has been reviewed and approved by Kenneth P. Woodington, Senior Assistant Attorney General, on behalf of the State Attorney General's Office and has been executed by Reverend John T. Latsinger, Jr., on behalf of the Church.

The Church has obtained easements from two adjacent property owners in connection with this project and once this easement is granted, the Church plans to simultaneously transfer title to all three easements over to the City of Cayce for maintenance of the sewer lines.

4. What is Board asked to do?

Grant the proposed easement in accordance with §§1-11-65 and 1-11-100 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the proposed easement be granted in accordance with §§1-11-65 and 1-11-100 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available from Submitter

1. Original Easement
2. Plat attached as Exhibit A
3. §§1-11-65 and 1-11-100 of the Code

05085

b



# EXHIBIT

NOV 9 1988

NO. 2

STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )

EASEMENT STATE BUDGET & CONTROL BOARD

THIS EASEMENT, made and entered into this 25<sup>th</sup> day of October, 1988, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "STATE"), and New Covenant Church, Inc., as Grantee (hereinafter "CHURCH").

## WITNESSETH

WHEREAS, CHURCH is a membership-owned private entity. CHURCH's mailing address is 3220 Platt Springs Road, West Columbia, South Carolina 29171; and

WHEREAS, CHURCH proposes to construct, install, operate and maintain an 8" sewer line across State-owned property more commonly known as the Opportunity School situate in the Town of Springdale, Lexington County, South Carolina. The easement area is more particularly described herein.

WHEREAS, pursuant to §1-11-65 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant easements across State-owned property; and

WHEREAS, CHURCH is desirous of obtaining the hereinafter described easement through and over State-owned property in the Town of Springdale, Lexington County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of One and No/100 (\$1.00) Dollars, receipt of which is hereby

05086



acknowledged, does hereby grant, remise, and release unto the GRANTEE, its successors and assigns, an easement in, to, upon and over the below described portion of State-owned lands.

This easement shall be used solely for the purposes incidental with the construction, installation, operation and maintenance of said 8" sewer line contained within a 15' wide easement area. This easement area is more particularly described as follows:

Commencing at an old iron at the southeast corner of property of NCR Corporation and the southwest corner of property of Jimmy B. Roof, then on a course North 71 Degrees 05 Minutes 55 Seconds East 190.59' to an old iron, then on a course South 16 Degrees 45 Minutes 51 Seconds West 8.89' and then from said point on a course South 68 Degrees 59 Minutes 00 Seconds West 178.33' to the point and place of beginning of the easement hereby granted and running thence 1) South 68 Degrees 59 Minutes 00 Seconds West 64.68'; thence 2) South 65 Degrees 36 Minutes 11 Seconds West 47.05'; thence 3) South 24 Degrees 23 Minutes 49 Seconds East 15'; thence 4) North 65 Degrees 36 Minutes 11 Seconds East 109.91'; and thence 5) North 15 Degrees 44 Minutes 50 Seconds West 11.32' to the point and place of beginning.

The easement area is more particularly shown and delineated on a plat entitled "EASEMENT PLAT FOR NEW COVENANT CHURCH, INC." prepared by William A. Whitworth of Whitworth & Associates, Inc., dated September 22, 1988 which is attached hereto and incorporated herein by reference as Exhibit A.

The granting of this easement does not and is not intended to relieve the CHURCH of any obligation to obtain any and all other certifications, permits, licenses, agreements or other documents required for the activities contemplated by this easement and the granting of this easement shall not be construed to be an exercise of exclusive jurisdiction over the activities described in



# EXHIBIT

NOV 9 1988

NO. 2

## STATE BUDGET & CONTROL BOARD

this easement; and the CHURCH shall comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any such certifications, permits, licenses, agreements or other documents affecting the activities described in this easement.

CHURCH agrees and covenants that CHURCH shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if CHURCH, its successors and assigns: (1) quits and abandons all use of such sanitary sewer line, in which case this easement shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breach of any of the terms and conditions herein.

This easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, covenants and plats of record, or which may be revealed upon inspection of the property.



# EXHIBIT

NOV 9 1988

NO. 2

IN WITNESS WHEREOF, this instrument ~~is being~~ **STATE BUDGET & CONTROL BOARD** in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 9th day of November, 1988.

WITNESSES:

[Signature]  
[Signature]

STATE OF SOUTH CAROLINA  
BUDGET & CONTROL BOARD

BY: [Signature]  
Governor Carroll A. Campbell, Jr.  
Chairman

NEW COVENANT CHURCH, INC.

[Signature]  
[Signature]

BY: [Signature]  
TITLE: President

ATTORNEY GENERAL'S OFFICE

Approved: [Signature]



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

PERSONALLY appeared before me JOHN J. WATFORD  
and made oath that he/she saw the within named State of South  
Carolina, Budget and Control Board, by its Chairman, Governor  
Carroll A. Campbell, Jr., sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
William F. Littlejohn, witnessed the execution thereof.

John J. Watford

SWORN to before me this 9th  
day of November, 1988.  
Jane Odell (L.S.)  
Notary Public for South Carolina

My Commission Expires: 3-21-95

\*\*\*\*\*

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )

PERSONALLY appeared before me Gloria J. Deas  
and made oath that he/she saw the within named New Covenant  
Church, Inc., by John T. Hastings Jr., its  
President, sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
Dawn G. Hileman, witnessed the execution thereof.

Gloria J. Deas

SWORN to before me this 25th  
day of October, 1988.  
Dawn L. Howard (L.S.)  
Notary Public for South Carolina

My Commission Expires: 5-17-95

05090



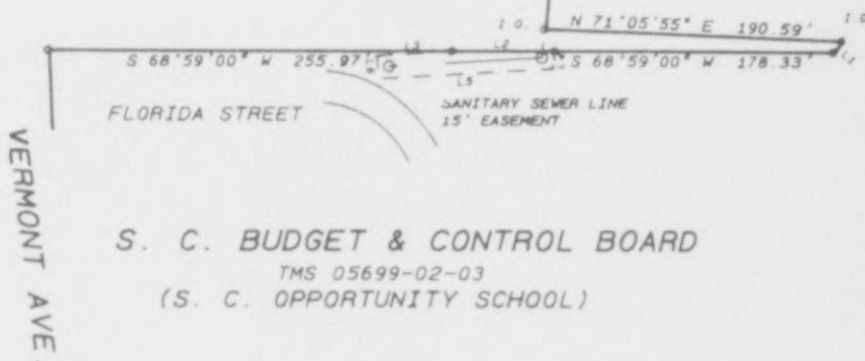
# PLATT SPRINGS ROAD

LINE	BEARING	DISTANCE
L1	S 16°45'51" W	8.89
L2	S 68°59'00" W	64.68
L3	N 65°36'11" E	47.05
L4	S 15°44'50" E	11.32
L5	S 65°36'11" W	109.91
L6	N 24°23'49" W	15.00



NCR CORPORATION

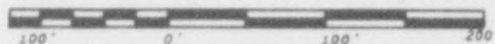
JIMMY B. ROOF



S. C. BUDGET & CONTROL BOARD  
TMS 05699-02-03  
(S. C. OPPORTUNITY SCHOOL)

## EASEMENT PLAT FOR NEW COVENANT CHURCH, INC.

TOWN OF SPRINGDALE, LEXINGTON COUNTY, SOUTH CAROLINA



SCALE: 1" = 100'

SEPTEMBER 22, 1988

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE THAT THE RATIO OF PRECISION OF THE FIELD SURVEY IS 1/7500 AS SHOWN HEREON AND THE AREA WAS DETERMINED BY THE COORDINATE METHOD OF AREA CALCULATION.

REFERENCE: PLAT FOR NCR BY THE PIEDMONT GROUP, PLAT BOOK 2026 PAGE 324. DEED BOOK 8 P. PAGE 399.

05091

WILLIAM A. WHITWORTH, PLS # 3440

*William A. Whitworth*

WHITWORTH & ASSOCIATES, INC.

PO BOX 1073 - LEXINGTON, S. C. - 29072 - (803) 359-6441

A204-88

FB.T-84



# EXHIBIT

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988

NO. 2

For meeting scheduled for:

November 9, 1988

STATE BUDGET & CONTROL BOARD

XXXXXXX

Blue Agenda

Regular Session Agenda

Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

*Richard W. Kelly*

2. Subject:

Right-of-Way Utility Easement from the State of South Carolina, Budget and Control Board to AT&T Communications, Inc., A Delaware Corporation

3. Summary Background Information:

This is a Utility Easement from the State to AT&T for the purpose of installing, operating and maintaining a subaqueous fiber optic communication cable beneath the bed of the South Tyger River in Spartanburg County in order to improve long distance telecommunication service to the area.

This easement has been reviewed and approved by Kenneth P. Woodington, Senior Assistant Attorney General on behalf of the State Attorney General's Office and has been executed by Dallas L. Mercer, Supervisor, Lightguide Project, on behalf of AT&T.

Consideration in the amount of Twenty and NO/100 (\$20.00) Dollars has been paid by AT&T for the grant of this easement.

4. What is Board asked to do?

Grant the proposed easement in accordance with §§1-11-80 and 1-11-100 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the proposed easement be granted in accordance with §§1-11-80 and 1-11-100 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name: \_\_\_\_\_

(b) Authorized Signature: \_\_\_\_\_

7. Supporting Documents:

List Those Attached

1. Original Easement
2. Drawing attached as Exhibit A.
3. §§1-11-80 and 1-11-100 of the Code

List Those Not Attached But Available from Submitter

05092

C



# EXHIBIT

NOV 9 1988

NO. 2

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

## STATE BUDGET & CONTROL BOARD EASEMENT

THIS EASEMENT, made and entered into this 28th day of October, 1988, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "STATE"), and AT&T Communications, Inc., A Delaware Corporation, as Grantee (hereinafter "AT&T").

### WITNESSETH

WHEREAS, AT&T is a telecommunications company engaged in communications, both domestic and international, and is authorized to do business in the State of South Carolina. AT&T's mailing address is Post Office Box 1777, Greenville, South Carolina 29604; and

WHEREAS, AT&T proposes to install, operate and maintain a subaqueous fiber optic communication cable beneath the bed of the South Tyger River in Spartanburg County, South Carolina in order to improve long distance telecommunication service to the area. The easement area is more particularly described herein.

WHEREAS, pursuant to Section 1-11-80 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for installation, operation, and maintenance of communication cables over, on, or under such land or marshland as are owned by the STATE; and

WHEREAS, AT&T is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in

05093



Spartanburg County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of Twenty and NO/100 (\$20.00) Dollars and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto AT&T, its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Spartanburg County and lying below the mean high water line.

This Easement of right-of-way shall be used solely for the purposes incidental with the installation of a fiber optic cable 60" below the riverbed of the South Tyger River in Spartanburg County, South Carolina. The easement area is more particularly described as follows:

A 40' wide Utility Easement across the South Tyger River the centerline of which commences at the intersection of the centerline of Rogers Bridge with the centerline of the South Tyger River; thence South 09 Degrees 45 Minutes East 170' to a point of crossing on the centerline of said South Tyger River; thence North 82 Degrees 15 Minutes East approximately 51' to a point on the mean high water line of the east bank of said South Tyger River, being the True Point of Beginning; thence extending across the South Tyger River to the mean high water line on the west bank on a course South 82 Degrees 15 Minutes West approximately 110' to the Point of Termination.

The easement area is more particularly shown and delineated on Drawing No. SN41310-4 entitled "SPARTANBURG/ASHVILLE LIGHTGUIDE PROJECT EST. ES 7321 SOUTH TYGER RIVER" dated June 14, 1988 which is attached hereto and incorporated herein by reference as Exhibit A.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.



# EXHIBIT

NOV 9 1988 NO. 2

## STATE BUDGET & CONTROL BOARD

AT&T hereby agrees and covenants with the STATE that AT&T, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. AT&T shall use the easement area solely for the purposes incidental with the installation, operation, and maintenance of said fiber optic cable and shall maintain such easement area and fiber optic cable in good condition.

AT&T further agrees and covenants that AT&T shall indemnify and hold harmless the STATE from and against any all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

AT&T will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if AT&T, its successors and assigns: (1) quits and aban-



# EXHIBIT

NOV 9 1988 NO. 2

## STATE BUDGET & CONTROL BOARD

AT&T hereby agrees and covenants with the STATE that AT&T, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. AT&T shall use the easement area solely for the purposes incidental with the installation, operation, and maintenance of said fiber optic cable and shall maintain such easement area and fiber optic cable in good condition.

AT&T further agrees and covenants that AT&T shall indemnify and hold harmless the STATE from and against any all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

AT&T will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if AT&T, its successors and assigns: (1) quits and aban-



# EXHIBIT

NOV 9 1988

NO. 2

STATE BUDGET & CONTROL BOARD  
dons all use of such fiber optic cable, in which case this ease-  
ment of right-of-way shall terminate thirty (30) days after the  
date of such abandonment; or (2) continues an uncorrected viola-  
tion or breach of any of the terms and conditions herein.

It is further understood and agreed that this easement is not  
to be construed as an easement granted to the exclusion of the  
STATE or to others later granted a similar right. This easement  
is subject to all easements, permits, restrictions and covenants  
of record, or of plats of record, or which may be revealed upon  
inspection of the property.

IN WITNESS WHEREOF, this instrument is being executed in  
accordance with the action of the South Carolina Budget and  
Control Board at its meeting held on the 9th day of  
November, 1988.

WITNESSES:

[Signature]  
[Signature]

STATE OF SOUTH CAROLINA  
BUDGET & CONTROL BOARD

BY: [Signature]  
Governor Carroll A. Campbell, Jr.  
Chairman

AT&T COMMUNICATIONS, INC.  
A DELAWARE CORPORATION

Patricia C. Simmons  
[Signature]

BY: [Signature]

TITLE: Supervisor, Lightguide Project

CERTIFICATE OF WAIVER  
OF ATTEST  
CORPORATE SEAL FILED AS OF  
FEB. 4, 1985

OFFICE OF THE ATTORNEY GENERAL

Approved: [Signature]



# EXHIBIT

NOV 9 1988

NO. 2

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

PERSONALLY appeared before me John J. Watford  
and made oath that he/she saw the within named State of South  
Carolina, Budget and Control Board, by its Chairman, Governor  
Carroll A. Campbell, Jr., sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
William F. Littlejohn, witnessed the execution thereof.



SWORN to before me this 9th

day of NOVEMBER, 1988.

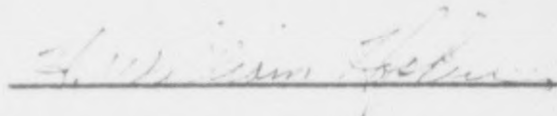
Jane Adams (L.S.)  
Notary Public for South Carolina

My Commission Expires: 3-21-95

\*\*\*\*\*

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

PERSONALLY appeared before me H. William Hopkins  
and made oath that he she saw the within named AT&T  
Communications, Inc., A Delaware Corporation by Dallas L.  
Mercer its Supervisor, Lightguide Project sign, seal, and  
as its act and deed deliver the within written Easement, and that  
he she, along with Patricia C. Simmons, witnessed the exe-  
cution thereof.



SWORN to before me this 28th

day of October, 1988.

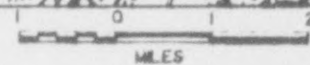
Thomas D. Simmons (L.S.)  
Notary Public for South Carolina

My Commission Expires: 3-2-98

05097



EXHIBIT A



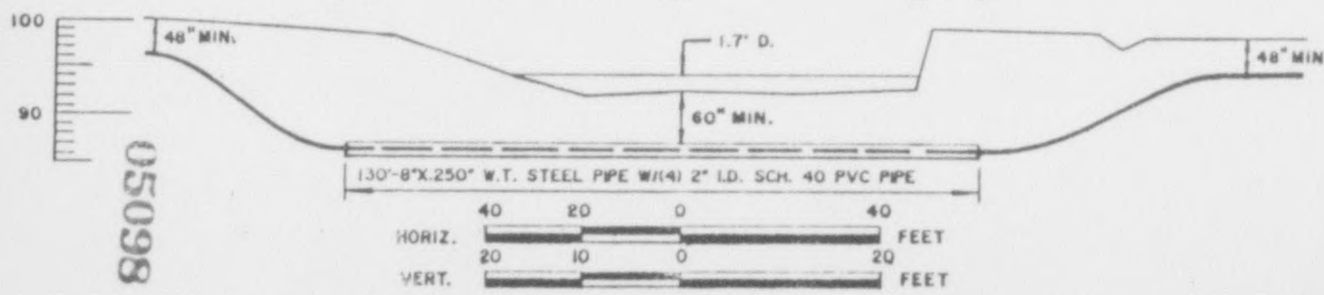
NOTES:

DIST. FROM SITE TO TOWN OF DUNCAN: 3.9 MI.  
LOCATION MAP FROM GENERAL  
HIGHWAY MAP OF SPARTANBURG  
COUNTY, SOUTH CAROLINA PREPARED  
BY S.C. DEPT. OF HIGHWAYS & PUBLIC  
TRANSPORTATION, COLUMBIA, S.C.

## PROPERTY OWNERS

① SPARTAN MILLS  
② THOMAS D. ROGERS

NOTE: BEARINGS SHOWN ARE BASED ON THE BEARING ON THE MOST NORTHERLY EAST LINE OF THE THOMAS D. ROGERS TRACT.

SPARTANBURG  $\longleftrightarrow$  ASHEVILLE

LIGHTGUIDE PROJECT  
EST. ES 7321

SOUTH TYGER RIVER

SPARTANBURG, COUNTY SOUTH CAROLINA

WITH SPECS	DRAWN BY:	CHECKED BY:	DATE
SN29352	REF		6/14/88

AT&T COMMUNICATIONS  
ENGINEERING DEPARTMENT  
SOUTHERN REGION

DRAWING NO.	SIZE
SN41310-4	



# EXHIBIT

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988

NO. 2

For meeting scheduled for:

XXXXXX

Blue Agenda

November 9, 1988

Regular Session Agenda  
State Budget & Control Board  
Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Right-of-Way Utility Easement from the State of South Carolina, Budget and Control Board to the Spartanburg Sanitary Sewer District

3. Summary Background Information:

This is a Utility Easement from the State to the Spartanburg Sanitary Sewer District for the purpose of installing, constructing, operating and maintaining a subaqueous sewerline across a tributary of the upper portion of Lawson Fork Creek known as Standing Stone Branch in Spartanburg County, South Carolina.

This easement has been reviewed and approved by Kenneth P. Woodington, Senior Assistant Attorney General, on behalf of the State Attorney General's Office and has been executed by Billy G. Turner, Director, on behalf of the Sewer District.

4. What is Board asked to do?

Grant the proposed easement in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the proposed easement be granted in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

List Those Not Attached But  
Available from Submitter

1. Original Easement
2. Drawing attached as Exhibit A
3. §1-11-90 of the Code

05099

d.



# EXHIBIT

NOV 9 1988

NO. 2

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

EASEMENT STATE BUDGET & CONTROL BOARD

THIS EASEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1988, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "STATE"), and Spartanburg Sanitary Sewer District, as Grantee (hereinafter "DISTRICT").

## WITNESSETH

WHEREAS, DISTRICT is a special purpose municipality created by the South Carolina Legislature in 1929 with powers expanded by the Legislature in 1970 via Act 1503 in order to provide utility service within the State. DISTRICT's mailing address is Post Office Box 5404, Spartanburg, South Carolina 29304; and

WHEREAS, DISTRICT proposes to install, construct, operate and maintain a subaqueous sewerline across a tributary of the upper portion of Lawson Fork Creek known as Standing Stone Branch in Spartanburg County, South Carolina. The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

WHEREAS, pursuant to Section 1-11-90 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of sewerlines over, on, or under such land or marshland as are owned by the STATE; and

05100



NOV 9 1988

NO. 2

## STATE BUDGET &amp; CONTROL BOARD

WHEREAS, DISTRICT is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in Spartanburg County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of One and NO/100 (\$1.00) Dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto DISTRICT, its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Spartanburg County and lying below the mean high water line.

This Easement of right-of-way shall be used solely for the purposes incidental with the installation, construction, operation and maintenance of said subaqueous sewerline across a tributary the upper portion of Lawson Fork Creek known as Standing Stone Branch in Spartanburg County, South Carolina. The easement area is more particularly described as follows:

A 25' wide utility easement (12.5' on each side of the surveyor's line drawn perpendicular to the centerline of the easement area. The centerline of the easement area is located on the southeast bank of Standing Stone Branch at a point 28.47' distant from a manhole shown on the plat as Station No. 160+49.53, and extends across the Creek to its northwest bank on a bearing of North 48 Degrees 19 Minutes 00 Seconds West a distance of 54'.

The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.



DISTRICT hereby agrees and covenants with the STATE that DISTRICT, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. DISTRICT shall use the easement area solely for the purposes incidental with the installation, construction, operation, and maintenance of said subaqueous sewerline and shall maintain such easement area and sewerline in good condition.

DISTRICT further agrees and covenants that DISTRICT shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

DISTRICT will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if DISTRICT, its successors and assigns: (1) quits and abandons all use of such subaqueous sewerline, in which case this



# EXHIBIT

NOV 9 1988

NO. 2

## STATE BUDGET & CONTROL BOARD

easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breach of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restrictions and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.

IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 9th day of November, 1988.

WITNESSES:

[Signature]  
Mr. [Signature]

STATE OF SOUTH CAROLINA  
BUDGET & CONTROL BOARD

BY: [Signature]  
Governor Carroll A. Campbell, Jr.  
Chairman

SPARTANBURG SANITARY SEWER DISTRICT

J. Samuel Coakley  
Billie A. Lezza

BY: Billy J. Lunn  
TITLE: Director

ATTORNEY GENERAL'S OFFICE

Approved: [Signature]

05103



# EXHIBIT

NOV 9 1988

NO. 2

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

STATE BUDGET & CONTROL BOARD

PERSONALLY appeared before me John J. Watford  
and made oath that he/she saw the within named State of South  
Carolina, Budget and Control Board, by its Chairman, Governor  
Carroll A. Campbell, Jr., sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
William F. Littlejohn, witnessed the execution thereof.



SWORN to before me this 9th  
day of NOVEMBER, 1988.

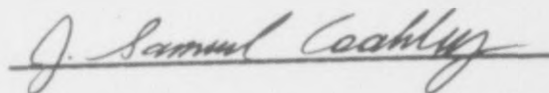
Sam Adkins (L.S.)  
Notary Public for South Carolina

My Commission Expires: 3-21-95

\*\*\*\*\*

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

PERSONALLY appeared before me J. Samuel Coakley  
and made oath that he/she saw the within named Spartanburg  
Sanitary Sewer District by Billy G. Turner, its  
Director, sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
Billie S. Tezza, witnessed the execution thereof.



SWORN to before me this 21<sup>st</sup>  
day of October, 1988.

Spil M. Lox (L.S.)  
Notary Public for South Carolina

My Commission Expires: 9-4-90

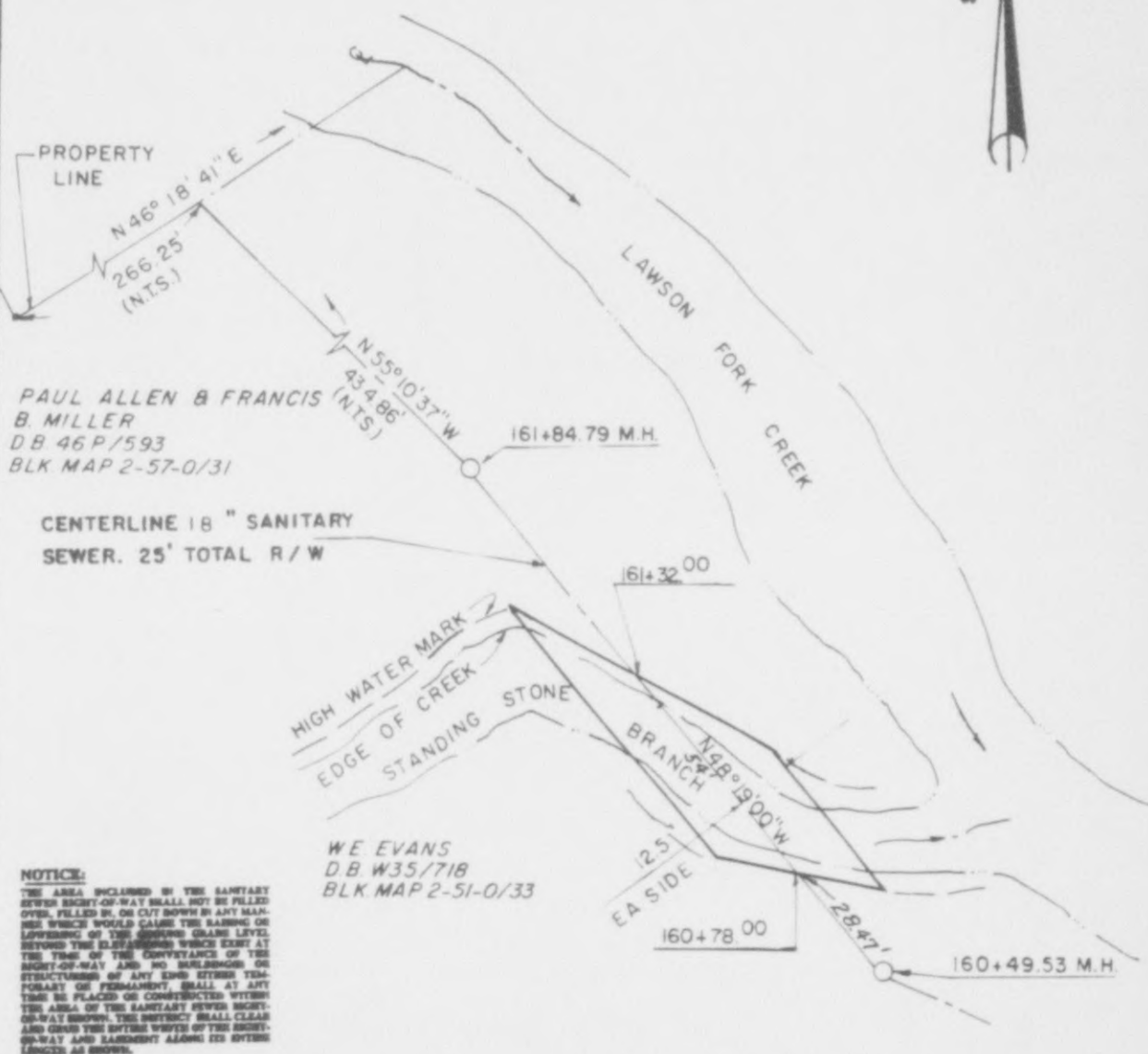
05104





LOCATION MAP

S.C. GRID NORTH



**NOTICE:**

THE AREA ENCLOSED BY THE SANITARY SEWER RIGHT-OF-WAY SHALL NOT BE FILLED OVER, FILLED IN, OR CUT DOWN BY ANY MAN-MADE WORKS WHICH WOULD CAUSE THE RAINING OR LAPPING OF THE SURFACE GRADE LEVEL BEYOND THE ELEVATIONS WHICH EXIST AT THE TIME OF THE COMPLETION OF THE RIGHT-OF-WAY AND NO BUILDINGS OR STRUCTURES OF ANY KIND EXISTING TEMPORARILY OR PERMANENT, SHALL AT ANY TIME BE PLACED OR CONSTRUCTED WITHIN THE AREA OF THE SANITARY SEWER RIGHT-OF-WAY SHOWN. THE DISTRICT SHALL CLEAR AND GRAD THE EXISTING TOP OF THE RIGHT-OF-WAY AND LANDMENT AROUND ITS ENTIRE LENGTH AS SHOWN.

SHOWING RIGHT OF WAY REQUIRED FROM S.C. WATER RESOURCES COMMISSION

SEAL:



SURVEY FOR:

SPARTANBURG SANITARY SEWER DIST.

LOCATION:

UPPER LAWSON FORK CREEK

STATE:

SOUTH CAROLINA

COUNTY:

SPARTANBURG

DATE:

SEPT. 30, 1987

SCALE: 1" = 30'



B. P. BARBER & ASSOCIATES, INC.

ENGINEERS • SURVEYORS • PLANNERS

801-C EAST BLACKSTOCK ROAD

SPARTANBURG, S. C. 29301

05105



# EXHIBIT

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988

NO. 2

For meeting scheduled for:

November 9, 1988

XXXXXXX

BUDGET & CONTROL BOARD  
Regular Session Agenda  
Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Right-of-Way Utility Easement from the State of South Carolina, Budget and Control Board to the Spartanburg Sanitary Sewer District

3. Summary Background Information:

This is a Utility Easement from the State to the Spartanburg Sanitary Sewer District for the purpose of installing, constructing, operating and maintaining a subaqueous sewerline across the upper part of Lawson Fork Creek in Spartanburg County, South Carolina.

This easement has been reviewed and approved by Kenneth P. Woodington, Senior Assistant Attorney General, on behalf of the State Attorney General's Office and has been executed by Billy G. Turner, Director, on behalf of the Sewer District.

4. What is Board asked to do?

Grant the proposed easement in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the proposed easement be granted in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name: \_\_\_\_\_

(b) Authorized Signature: \_\_\_\_\_

7. Supporting Documents:

List Those Attached

1. Original Easement
2. Plat attached as Exhibit A
3. §1-11-90 of the Code

List Those Not Attached But Available from Submitter

05106

e



# EXHIBIT

NOV 9 1988

NO. 2

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

EASEMENT

THIS EASEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1988, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "STATE"), and Spartanburg Sanitary Sewer District, as Grantee (hereinafter "DISTRICT").

## WITNESSETH

WHEREAS, DISTRICT is a special purpose municipality created by the South Carolina Legislature in 1929 with powers expanded by the Legislature in 1970 via Act 1503 in order to provide utility service within the State. DISTRICT's mailing address is Post Office Box 5404, Spartanburg, South Carolina 29304; and

WHEREAS, DISTRICT proposes to install, construct, operate and maintain a subaqueous sewerline across the upper portion of Lawson Fork Creek in Spartanburg County, South Carolina. The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

WHEREAS, pursuant to Section 1-11-90 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of sewerlines over, on, or under such land or marshland as are owned by the STATE; and

05107



# EXHIBIT

NOV 9 1988

NO. 2

## STATE BUDGET & CONTROL BOARD

WHEREAS, DISTRICT is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in Spartanburg County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of One and NO/100 (\$1.00) Dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto DISTRICT, its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Spartanburg County and lying below the mean high water line.

This Easement of right-of-way shall be used solely for the purposes incidental with the installation, construction, operation and maintenance of said subaqueous sewerline across the upper portion of Lawson Fork Creek in Spartanburg County, South Carolina. The easement area is more particularly described as follows:

A 25' wide utility easement (12.5' east of the centerline and 12.5' west of the centerline). The centerline of the easement area is located on the south bank of Lawson Fork Creek at a point parallel to a manhole shown on the plat as Station No. 0+00 which can be found on property of E.E. & Charlott C. Lockman, and extends across the Creek to its north bank on a bearing of North 22 Degrees 29 Minutes 37 Seconds East a distance of 54'.

The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

05108



# EXHIBIT

NOV 9 1988

NO. 2

## STATE BUDGET & CONTROL BOARD

WHEREAS, DISTRICT is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in Spartanburg County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of One and NO/100 (\$1.00) Dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto DISTRICT, its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Spartanburg County and lying below the mean high water line.

This Easement of right-of-way shall be used solely for the purposes incidental with the installation, construction, operation and maintenance of said subaqueous sewerline across the upper portion of Lawson Fork Creek in Spartanburg County, South Carolina. The easement area is more particularly described as follows:

A 25' wide utility easement (12.5' east of the centerline and 12.5' west of the centerline). The centerline of the easement area is located on the south bank of Lawson Fork Creek at a point parallel to a manhole shown on the plat as Station No. 0+00 which can be found on property of E.E. & Charlott C. Lockman, and extends across the Creek to its north bank on a bearing of North 22 Degrees 29 Minutes 37 Seconds East a distance of 54'.

The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

05108



DISTRICT hereby agrees and covenants with the STATE that DISTRICT, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. DISTRICT shall use the easement area solely for the purposes incidental with the installation, construction, operation, and maintenance of said subaqueous sewerline and shall maintain such easement area and sewerline in good condition.

DISTRICT further agrees and covenants that DISTRICT shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

DISTRICT will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if DISTRICT, its successors and assigns: (1) quits and abandons all use of such subaqueous sewerline, in which case this



# EXHIBIT

NOV 9 1988 NO. 2

## STATE BUDGET & CONTROL BOARD

easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breach of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restrictions and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.

IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 9th day of November, 1988.

WITNESSES:

[Signature]  
[Signature]

STATE OF SOUTH CAROLINA  
BUDGET & CONTROL BOARD

BY: [Signature]  
Governor Carroll A. Campbell, Jr.  
Chairman

SPARTANBURG SANITARY SEWER DISTRICT

[Signature]  
[Signature]

BY: [Signature]  
TITLE: Director

ATTORNEY GENERAL'S OFFICE

Approved: [Signature]



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

PERSONALLY appeared before me John J. Watford  
and made oath that he/she saw the within named State of South  
Carolina, Budget and Control Board, by its Chairman, Governor  
Carroll A. Campbell, Jr., sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
William F. Littlejohn, witnessed the execution thereof.

John J. Watford

SWORN to before me this 9th  
day of NOVEMBER, 1988.  
Jane Adkins (L.S.)  
Notary Public for South Carolina

My Commission Expires: 3-21-95

\*\*\*\*\*

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

PERSONALLY appeared before me J. Samuel Coakley  
and made oath that he/she saw the within named Spartanburg  
Sanitary Sewer District by Billy G. Turner, its  
Director, sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
Billie S. Tezza, witnessed the execution thereof.

J. Samuel Coakley

SWORN to before me this 21<sup>st</sup>  
day of October, 1988.  
Ann M. Coakley (L.S.)  
Notary Public for South Carolina

My Commission Expires: 9-4-90

05111

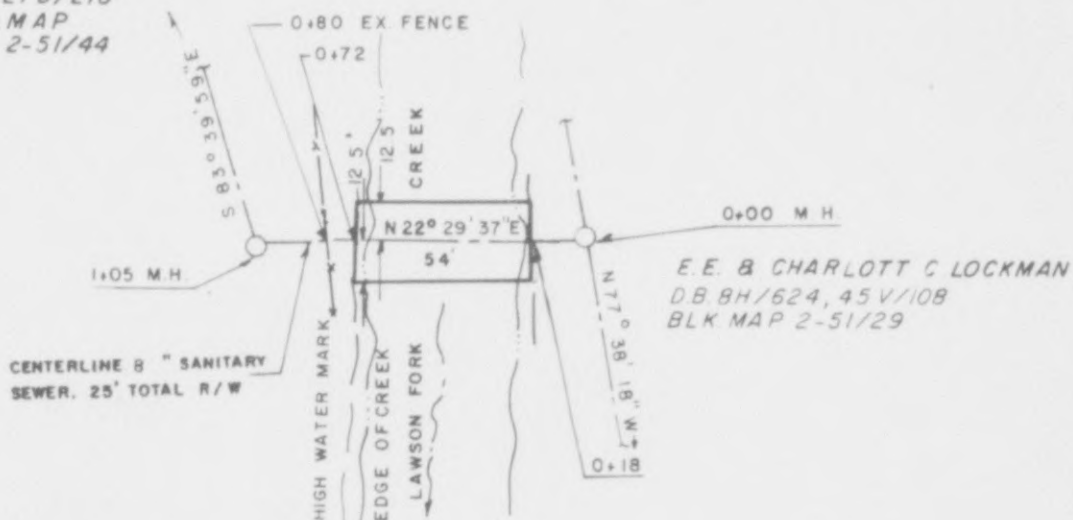




LOCATION MAP



ADA P JOHNSON  
D.B. 270/216  
BLK. MAP  
2-51/44



E.E. & CHARLOTT C LOCKMAN  
D.B. 8H/624, 45 V/108  
BLK MAP 2-51/29

**NOTICE:**

THE AREA INCLUDED IN THE SANITARY SEWER RIGHT-OF-WAY SHALL NOT BE FILLED OVER, FILLED IN, OR CUT DOWN IN ANY MANNER WHICH WOULD CAUSE THE RISING OR LOWERING OF THE GROUND GRADE LEVEL BEYOND THE ELEVATIONS WHICH EXIST AT THE TIME OF THE CONSTRUCTION OF THE RIGHT-OF-WAY AND NO BUILDINGS OR STRUCTURES OF ANY KIND OTHER THAN PERMANENT OR SEMIPERMANENT SHALL AT ANY TIME BE PLACED OR CONSTRUCTED WITHIN THE AREA OF THE SANITARY SEWER RIGHT-OF-WAY SHOWN. THE DISTRICT SHALL CLEAR AND GRASS THE ENTIRE WIDTH OF THE RIGHT-OF-WAY AND MAINTAIN ALONG ITS ENTIRE LENGTH AS SHOWN.

SHOWING RIGHT OF WAY REQUIRED FROM S.C. WATER RESOURCES COMMISSION

SEAL:



SURVEY FOR:

SPARTANBURG SANITARY SEWER DIST.

LOCATION: UPPER LAWSON FORK CREEK

STATE: SOUTH CAROLINA

COUNTY: SPARTANBURG

DATE: SEPT. 30, 1987

SCALE: 1"=50'



B. P. BARBER & ASSOCIATES, INC.

ENGINEERS • SURVEYORS • PLANNERS

351-C EAST BLACKSTOCK ROAD

SPARTANBURG, S. C. 29301

05112



# EXHIBIT

BUDGET AND CONTROL BOARD AGENDA ITEM NO. 91555

NO. 2

For meeting scheduled for:

November 9, 1988

XXXXXXX Blue Agenda  
STATE BUDGET & CONTROL BOARD  
Regular Session Agenda  
Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Right-of-Way Utility Easement from the State of South Carolina, Budget and Control Board to the Spartanburg Sanitary Sewer District

3. Summary Background Information:

This is a Utility Easement from the State to the Spartanburg Sanitary Sewer District for the purpose of installing, constructing, operating and maintaining a subaqueous sewerline across the upper portion of Lawson Fork Creek in Spartanburg County, South Carolina.

This easement has been reviewed and approved by Kenneth P. Woodington, Senior Assistant Attorney General, on behalf of the State Attorney General's Office and has been executed by Billy G. Turner, Director, on behalf of the Sewer District.

4. What is Board asked to do?

Grant the proposed easement in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the proposed easement be granted in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

List Those Not Attached But  
Available from Submitter

1. Original Easement
2. Drawing attached as Exhibit A
3. §1-11-90 of the Code

05113



# EXHIBIT

NOV 9 1988

NO. 2

STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

STATE BUDGET & CONTROL BOARD  
EASEMENT

THIS EASEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1988, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "STATE"), and Spartanburg Sanitary Sewer District, as Grantee (hereinafter "DISTRICT").

## WITNESSETH

WHEREAS, DISTRICT is a special purpose municipality created by the South Carolina Legislature in 1929 with powers expanded by the Legislature in 1970 via Act 1503 in order to provide utility service within the State. DISTRICT's mailing address is Post Office Box 5404, Spartanburg, South Carolina 29304; and

WHEREAS, DISTRICT proposes to install, construct, operate and maintain a subaqueous sewerline across the upper part of Lawson Fork Creek in Spartanburg County, South Carolina. The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

WHEREAS, pursuant to Section 1-11-90 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of sewerlines over, on, or under such land or marshland as are owned by the STATE; and

05114



WHEREAS, DISTRICT is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in Spartanburg County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of One and NO/100 (\$1.00) Dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto DISTRICT, its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Spartanburg County and lying below the mean high water line.

This Easement of right-of-way shall be used solely for the purposes incidental with the installation, construction, operation and maintenance of said subaqueous sewerline across the upper portion of Lawson Fork Creek in Spartanburg County, South Carolina. The easement area is more particularly described as follows:

A 25' wide utility easement (12.5' east of the centerline and 12.5' west of the centerline). The centerline of the easement area is located on the south bank of Lawson Fork Creek at a point 30.99' distant from a manhole shown on the plat as Station No. 305+70.01, and extends across the Creek to its north bank on a bearing of North 05 Degrees 58 Minutes 09 Seconds West a distance of 28'.

The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

05115



# EXHIBIT

NOV 9 1988 NO. 2

## STATE BUDGET & CONTROL BOARD

DISTRICT hereby agrees and covenants with the STATE that DISTRICT, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. DISTRICT shall use the easement area solely for the purposes incidental with the installation, construction, operation, and maintenance of said subaqueous sewerline and shall maintain such easement area and sewerline in good condition.

DISTRICT further agrees and covenants that DISTRICT shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

DISTRICT will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if DISTRICT, its successors and assigns: (1) quits and abandons all use of such subaqueous sewerline, in which case this



# EXHIBIT

NOV 9 1988

NO. 2

## STATE BUDGET & CONTROL BOARD

easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breach of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restrictions and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.

IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 9th day of November, 1988.

WITNESSES:

[Signature]  
Mr. [Signature]

STATE OF SOUTH CAROLINA  
BUDGET & CONTROL BOARD

BY: [Signature]  
Governor Carroll A. Campbell, Jr.  
Chairman

SPARTANBURG SANITARY SEWER DISTRICT

[Signature]  
Billy S. Lanza

BY: [Signature]  
TITLE: Director

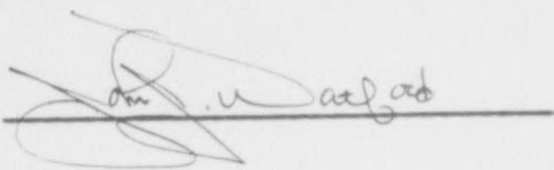
ATTORNEY GENERAL'S OFFICE

Approved: [Signature]

05117



before me John J. WATFORD  
e/she saw the within named State of South  
trol Board, by its Chairman, Governor  
Jr., sign, seal, and as its act and deed  
en Easement, and that he/she, along with  
\_, witnessed the execution thereof.



7th

\_, 1988.

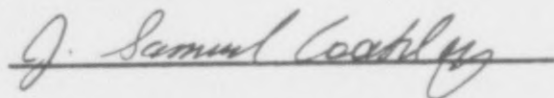
\_(L.S.)  
Carolina

-21-95

\*\*\*\*\*

)  
)  
)

id before me J. Samuel Coakley  
/she saw the within named Spartanburg  
ct by Billy G. Turner, its  
\_, sign, seal, and as its act and deed  
tten Easement, and that he/she, along with  
\_, witnessed the execution thereof.



21st

\_, 1988.

\_(L.S.)  
h Carolina

9-4-90

05118





LOCATION MAP

# EXHIBIT

NOV 9 1988

NO. 2

STATE BUDGET & CONTROL BOARD

BEAUFORD WILLIAMS  
DB 40 V/397  
BLK MAP 2-50-0/89.2

CENTERLINE 15" SANITARY  
SEWER, 25' TOTAL R/W  
12.5' EA SIDE OF Q

303+66.77 M.H.

303+37 EOP

305+70.01 M.H.

306+01

30.99

50.67

N 05° 58' 09" W

306+79.67 M.H.

306+29

N 74° 55' 10" W

N 63° 26' 43" W

BELCHER RD.

LAWSON FORK CREEK

N 13° 18' 00" E

PROPERTY LINE

LILLIAN G. LOCKMAN  
DB 07 V/322  
BLK MAP 2-50-90

## NOTICE

THE AREA ENCLOSED BY THE SANITARY  
SEWER RIGHT-OF-WAY SHALL NOT BE FILLED  
OVER, FILLED IN, OR CUT DOWN IN ANY MANNER  
WHICH WOULD CAUSE THE RABBING OR  
LOWERING OF THE GROUND GRADE LEVEL  
BEYOND THE ELEVATIONS WHICH EXIST AT  
THE TIME OF THE CONVEYANCE OF THE  
RIGHT-OF-WAY AND NO BUILDINGS OR  
STRUCTURES OF ANY KIND OTHER THAN  
PERMANENT OR PERMANENT SHALL AT ANY  
TIME BE PLACED OR CONSTRUCTED WITHIN  
THE AREA OF THE SANITARY SEWER RIGHT-  
OF-WAY UNLESS THE DISTRICT SHALL CLEAR  
AND GRAD THE ENTIRE WIDTH OF THE RIGHT-  
OF-WAY AND MAINTAIN ALONG ITS ENTIRE  
LENGTH AS SHOWN.

SHOWING RIGHT OF WAY REQUIRED FROM ' S C WATER RESOURCES COMMISSION

SEAL:



SURVEY FOR:

SPARTANBURG SANITARY SEWER DIST.

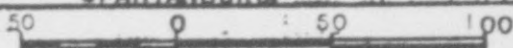
LOCATION: UPPER LAWSON FORK CREEK

STATE: SOUTH CAROLINA

COUNTY: SPARTANBURG

DATE: SEPT. 30, 1987

SCALE: 1" = 50'



B. P. BARBER & ASSOCIATES, INC.

ENGINEERS • SURVEYORS • PLANNERS

801-C EAST BLACKSTOCK ROAD

SPARTANBURG, S. C. 29301

05119



# EXHIBIT

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988

NO. 2

For meeting scheduled for:

November 9, 1988

XXXXXXX

Blue Agenda

Regular Budget and Control Board

Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Right-of-Way Utility Easement from the State of South Carolina, Budget and Control Board to the Spartanburg Sanitary Sewer District

3. Summary Background Information:

This is a Utility Easement from the State to the Spartanburg Sanitary Sewer District for the purpose of installing, constructing, operating and maintaining a subaqueous sewerline across the upper portion of Lawson Fork Creek in Spartanburg County, South Carolina.

This easement has been reviewed and approved by Kenneth P. Woodington, Senior Assistant Attorney General, on behalf of the State Attorney General's Office and has been executed by Billy G. Turner, Director, on behalf of the Sewer District.

4. What is Board asked to do?

Grant the proposed easement in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the proposed easement be granted in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

1. Original Easement
2. Plat attached as Exhibit A
3. §1-11-90 of the Code

List Those Not Attached But  
Available from Submitter

05120

9



# EXHIBIT

NOV 9 1988 NO. 2

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

STATE BUDGET & CONTROL BOARD  
EASEMENT

THIS EASEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1988, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "STATE"), and Spartanburg Sanitary Sewer District, as Grantee (hereinafter "DISTRICT").

## WITNESSETH

WHEREAS, DISTRICT is a special purpose municipality created by the South Carolina Legislature in 1929 with powers expanded by the Legislature in 1970 via Act 1503 in order to provide utility service within the State. DISTRICT's mailing address is Post Office Box 5404, Spartanburg, South Carolina 29304; and

WHEREAS, DISTRICT proposes to install, construct, operate and maintain a subaqueous sewerline across the upper portion of Lawson Fork Creek in Spartanburg County, South Carolina. The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

WHEREAS, pursuant to Section 1-11-90 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of sewerlines over, on, or under such land or marshland as are owned by the STATE; and

35121



WHEREAS, DISTRICT is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in Spartanburg County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of One and NO/100 (\$1.00) Dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto DISTRICT, its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Spartanburg County and lying below the mean high water line.

This Easement of right-of-way shall be used solely for the purposes incidental with the installation, construction, operation and maintenance of said subaqueous sewerline across the upper portion of Lawson Fork Creek in Spartanburg County, South Carolina. The easement area is more particularly described as follows:

A 25' wide utility easement (12.5' east of the centerline and 12.5' west of the centerline). The centerline of the easement area is located on the south bank of Lawson Fork Creek at a point 48' distant from a manhole shown on the plat as Station No. 155+76.61, and extends across the Creek to its north bank on a bearing of North 08 Degrees 25 Minutes 56 Seconds West a distance of 63.4'.

The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

C5122



# EXHIBIT

NOV 9 1988 NO. 2

STATE BUDGET & CONTROL BOARD

DISTRICT hereby agrees and covenants with the STATE that DISTRICT, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. DISTRICT shall use the easement area solely for the purposes incidental with the installation, construction, operation, and maintenance of said subaqueous sewerline and shall maintain such easement area and sewerline in good condition.

DISTRICT further agrees and covenants that DISTRICT shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

DISTRICT will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if DISTRICT, its successors and assigns: (1) quits and abandons all use of such subaqueous sewerline, in which case this



# EXHIBIT

NOV 9 1988 NO. 2

STATE BUDGET & CONTROL BOARD

DISTRICT hereby agrees and covenants with the STATE that DISTRICT, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. DISTRICT shall use the easement area solely for the purposes incidental with the installation, construction, operation, and maintenance of said subaqueous sewerline and shall maintain such easement area and sewerline in good condition.

DISTRICT further agrees and covenants that DISTRICT shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

DISTRICT will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if DISTRICT, its successors and assigns: (1) quits and abandons all use of such subaqueous sewerline, in which case this



# EXHIBIT

NOV 9 1988 NO. 2

STATE BUDGET & CONTROL BOARD  
easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breach of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restrictions and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.

IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 9th day of November, 1988.

WITNESSES:

[Signature]  
Mr. [Signature]

STATE OF SOUTH CAROLINA  
BUDGET & CONTROL BOARD

BY: [Signature]  
Governor Carroll A. Campbell, Jr.  
Chairman

J. Samuel Coakley  
Billie D. Jago

SPARTANBURG SANITARY SEWER DISTRICT

BY: Billy I. Linn  
TITLE: Director

ATTORNEY GENERAL'S OFFICE

Approved: Kenneth P. Woodruff



# EXHIBIT

NOV 9 1988

NO. 2

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

STATE BUDGET & CONTROL BOARD

PERSONALLY appeared before me John J. Waitford  
and made oath that he/she saw the within named State of South  
Carolina, Budget and Control Board, by its Chairman, Governor  
Carroll A. Campbell, Jr., sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
William F. Littlejohn, witnessed the execution thereof.

SWORN to before me this 9th  
day of November, 1988.  
Lang Atkins (L.S.)  
Notary Public for South Carolina

My Commission Expires: 3-21-95

\*\*\*\*\*

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

PERSONALLY appeared before me J. Samuel Coakley  
and made oath that he/she saw the within named Spartanburg  
Sanitary Sewer District by Billy G. Turner, its  
Director, sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
Billie S. Tezza, witnessed the execution thereof.

SWORN to before me this 21st  
day of October, 1988.  
Spil M. Roy (L.S.)  
Notary Public for South Carolina

My Commission Expires: 9-4-90

05125

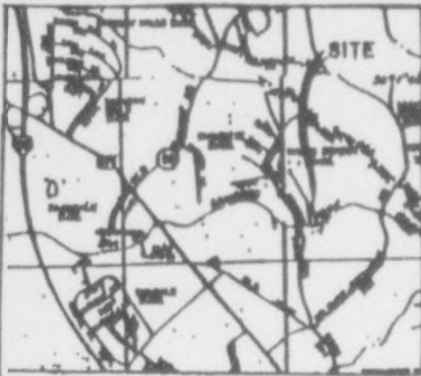


Exhibit A

EXHIBIT

NOV 9 1988 NO. 2

STATE BUDGET & CONTROL BOARD



LOCATION MAP

CENTERLINE 8" SANITARY  
SEWER. 25' TOTAL R/W

S.C. GRID NORTH

ELBERT LAWS  
D.B. 151/542  
BLK. MAP 2-51-0/45

W.E. EVANS  
D.B. W35/718  
BLK. MAP 2-51-0/33



**NOTICE:**  
 THE AREA ENCLOSED BY THE SANITARY  
 SEWER RIGHT-OF-WAY SHALL NOT BE FILLED  
 OVER, FILLED IN, OR CUT DOWN IN ANY MANNER  
 WHICH WOULD CAUSE THE RAISING OR  
 LOWERING OF THE GROUND GRADE LEVEL  
 BEYOND THE ELEVATIONS WHICH EXIST AT  
 THE TIME OF THE COMPLETION OF THE  
 RIGHT-OF-WAY AND NO BUILDINGS OR  
 STRUCTURES OF ANY KIND OTHER THAN  
 PERMANENT OR PERMANENT, SHALL AT ANY  
 TIME BE PLACED OR CONSTRUCTED WITHIN  
 THE AREA OF THE SANITARY SEWER RIGHT-  
 OF-WAY SHOWN. THE DISTRICT SHALL CLEAR  
 AND GRUB THE ENTIRE WIDTH OF THE RIGHT-  
 OF-WAY AND MAINTAIN ALONG ITS ENTIRE  
 LENGTH AS SHOWN.

SHOWING RIGHT OF WAY REQUIRED FROM S.C. WATER RESOURCES COMMISSION

SEAL:



SURVEY FOR:

SPARTANBURG SANITARY SEWER DIST.

LOCATION: UPPER LAWSON FORK CREEK

STATE: SOUTH CAROLINA

COUNTY: SPARTANBURG

DATE: SEPT. 30, 1987

SCALE: 1"=50' 50' 0 50' 100'

05126



# EXHIBIT

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

NOV 9 1988

NO. 2

For meeting scheduled for:

November 9, 1988

XXXXXXX

Blue Agenda

Regular Session Agenda

STATE BUDGET & CONTROL BOARD  
Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director

2. Subject:

Right-of-Way Utility Easement from the State of South Carolina, Budget and Control Board to the Spartanburg Sanitary Sewer District

3. Summary Background Information:

This is a Utility Easement from the State to the Spartanburg Sanitary Sewer District for the purpose of installing, constructing, operating and maintaining an 18" sub-aqueous sewerline at two locations across the upper part of Lawson Fork Creek in Spartanburg County, South Carolina.

This easement has been reviewed and approved by Kenneth P. Woodington, Senior Assistant Attorney General, on behalf of the State Attorney General's Office and has been executed by Billy G. Turner, Director, on behalf of the Sewer District.

4. What is Board asked to do?

Grant the proposed easement in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

5. What is recommendation of the Board Division involved?

That the proposed easement be granted in accordance with §1-11-90 of the Code of Laws of South Carolina, 1976 as amended.

6. Recommendation of other office (as required).

(a) Office Name:

(b) Authorized Signature:

7. Supporting Documents:

List Those Attached

1. Original Easement
2. Drawing attached as Exhibit A
3. Copy of §1-11-90 of the Code

List Those Not Attached But  
Available from Submitter

05127

h



# EXHIBIT

NOV 9 1988

NO. 2

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF SPARTANBURG )

EASEMENT STATE BUDGET & CONTROL BOARD

THIS EASEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1988, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "STATE"), and Spartanburg Sanitary Sewer District, as Grantee (hereinafter "DISTRICT").

## WITNESSETH

WHEREAS, DISTRICT is a special purpose municipality created by the South Carolina Legislature in 1929 with powers expanded by the Legislature in 1970 via Act 1503 in order to provide utility service within the State. DISTRICT's mailing address is Post Office Box 5404, Spartanburg, South Carolina 29304; and

WHEREAS, DISTRICT proposes to install, construct, operate and maintain an 18" subaqueous sewerline at two locations across the upper part of Lawson Fork Creek in Spartanburg County, South Carolina. The easement areas are more particularly shown and delineated on two plats prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., one dated September 30, 1987 attached hereto and incorporated herein by reference as Exhibit A, and the other dated September 2, 1988 attached hereto and incorporated herein as Exhibit B.

WHEREAS, pursuant to Section 1-11-90 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of sewerlines over, on, or under such land or marshland as are owned by the STATE; and

05128



WHEREAS, DISTRICT is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in Spartanburg County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of One and NO/100 (\$1.00) Dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto DISTRICT, its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Spartanburg County and lying below the mean high water line.

This Easement of right-of-way shall be used solely for the purposes incidental with the installation, construction, operation and maintenance of an 18" subaqueous sewerline at two locations across the upper portion of Lawson Fork Creek in Spartanburg County, South Carolina. The easement areas are more particularly described as follows:

A 25' wide utility easement (12.5' east of the centerline and 12.5' west of the centerline). The centerline of the easement area is located at the mean high water line on the south bank of Lawson Fork Creek at a point North 49 Degrees 38 Minutes 48 Seconds West 17.24' distant from a manhole shown on the plat as Station 217+92.76, thence extends across the Creek to the mean high water line at its north bank on a bearing of North 49 Degrees 38 Minutes 48 Seconds West a distance of 62' and to a point shown as Station 218+72 on the plat. The easement area is bounded on the southeast by property of American Fast Print.

The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 30, 1987, a copy of which is attached hereto and incorporated herein by reference as Exhibit A.



# EXHIBIT

NOV 9 1988

NO. 2

STATE BUDGET & CONTROL BOARD

A 25' utility easement (12.5' on the east side of the centerline and 12.5' on the west side of the centerline). The centerline of the easement area is located at the mean high water on the south bank of Lawson Fork Creek at a point North 14 Degrees 44 Minutes 05 Seconds East 58.21' distant from a manhole shown on the plat as Station 187+80.79, thence extends across the Creek to the mean high water line at its north bank on a bearing of North 14 Degrees 44 Minutes 05 Seconds East a distance of 44' and to a point shown as Station 188+83 on the plat. The easement area is bounded on the south by property of American Fast Print Limited and on the north by Hanging Rock Road.

The easement area is more particularly shown and delineated on a plat prepared for the Spartanburg Sanitary Sewer District by B.P. Barber and Associates, Inc., dated September 2, 1988, a copy of which is attached hereto and incorporated herein by reference as Exhibit B.

This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

DISTRICT hereby agrees and covenants with the STATE that DISTRICT, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. DISTRICT shall use the easement area solely for the purposes incidental with the installation, construction, operation, and maintenance of said subaqueous sewerlines and shall maintain such easement area and sewerlines in good condition.

DISTRICT further agrees and covenants that DISTRICT shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees, resulting from bodily injury or death to any person or persons or damage to



any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

DISTRICT will comply with and be bound by any and all applicable State statutes, regulations, and terms and conditions of any permits or agreements concerning this project and any and all lands and waters involved therewith.

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if DISTRICT, its successors and assigns: (1) quits and abandons all use of such subaqueous sewerlines, in which case this easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breach of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right. This easement is subject to all easements, permits, restrictions and covenants of record, or of plats of record, or which may be revealed upon inspection of the property.



EXHIBIT

NOV 9 1988

NO. 2

IN WITNESS WHEREOF, this instrument is <sup>STATE BUDGET & CONTROL BOARD</sup> being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 9th day of November, 1988.

WITNESSES:

[Signature]  
[Signature]

STATE OF SOUTH CAROLINA  
BUDGET & CONTROL BOARD

BY: [Signature]  
Governor Carroll A. Campbell, Jr.  
Chairman

SPARTANBURG SANITARY SEWER DISTRICT

[Signature]  
[Signature]

BY: [Signature]  
TITLE: Director

ATTORNEY GENERAL'S OFFICE

Approved: [Signature]



# EXHIBIT

NOV 9 1988 NO. 2

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

STATE BUDGET & CONTROL BOARD

PERSONALLY appeared before me John J. WATFORD  
and made oath that he/she saw the within named State of South  
Carolina, Budget and Control Board, by its Chairman, Governor  
Carroll A. Campbell, Jr., sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
William F. Littlejohn, witnessed the execution thereof.

SWORN to before me this 9th  
day of NOVEMBER, 1988.  
Lang Atkins (L.S.)  
Notary Public for South Carolina

My Commission Expires: 3-21-95

\*\*\*\*\*

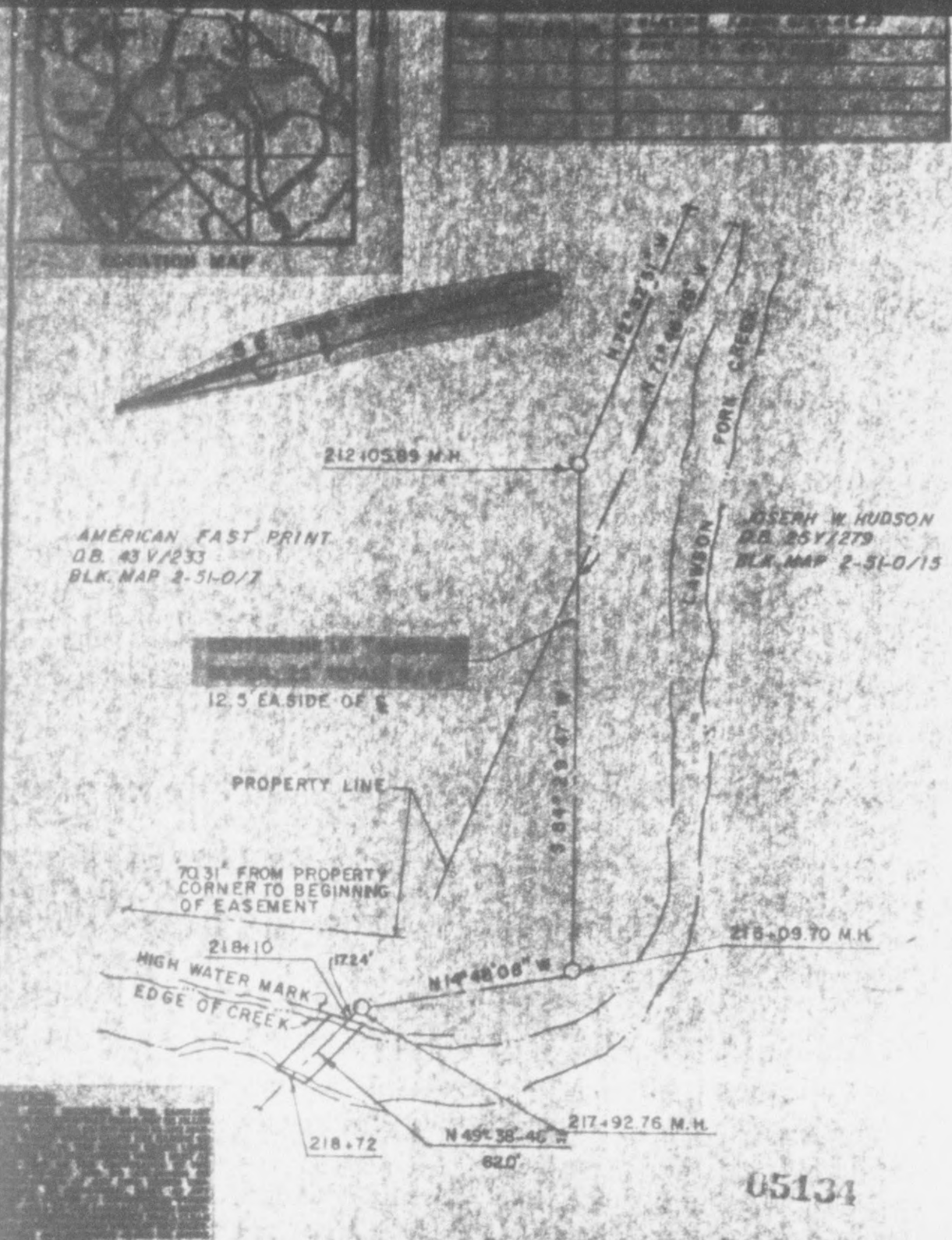
STATE OF SOUTH CAROLINA )  
COUNTY OF SPARTANBURG )

PERSONALLY appeared before me J. Samuel Coakley  
and made oath that he/she saw the within named Spartanburg  
Sanitary Sewer District by Billy G. Turner, its  
Director, sign, seal, and as its act and deed  
deliver the within written Easement, and that he/she, along with  
Billie S. Tezza, witnessed the execution thereof.

SWORN to before me this 21st  
day of October, 1988.  
April M. Roy (L.S.)  
Notary Public for South Carolina  
My Commission Expires: 9-4-90




05133





05134

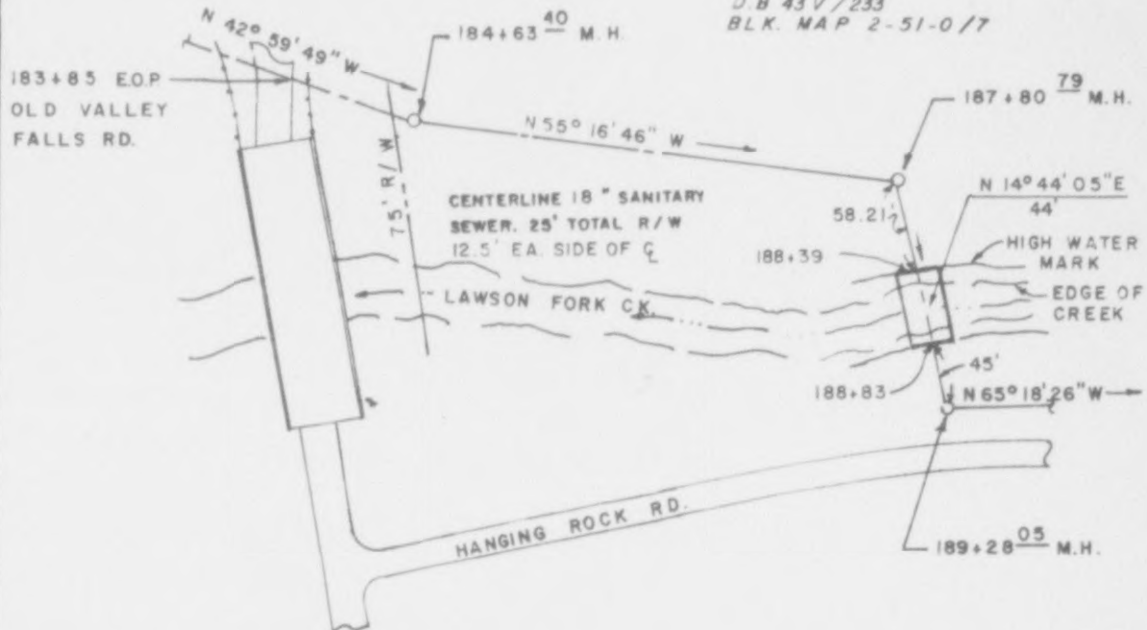
EXHIBIT 2

SHOWING RIGHT OF WAY REQUIRED FROM		S.C. WATER RESOURCES COMMISSION.	
			
SURVEY FOR:			
SPARTANBURG SANITARY SEWER DIST.			
LOCATION: UPPER CANYON FORK CREEK			
STATE:	COUNTY:	DATE:	
SOUTH CAROLINA	SPARTANBURG	SEPT. 30, 1987	
SCALE: 1"=100'			
BY:  R. E. BARNES, S. LAND SURVEYOR, INC. ENGINEER - SURVEYING - PLANNING 1000 E. MAIN ST., SPARTANBURG, S.C. 29301			





AMERICAN FAST PRINT LIMITED  
D.B. 43 V/233  
BLK. MAP 2-51-0/7



**NOTES:**  
THE AREA INCLUDED BY THE SANITARY SEWER RIGHT-OF-WAY SHALL NOT BE FILLER, OVER, FILLED IN, OR CUT DOWN IN ANY MANNER WHICH WOULD CAUSE THE RABBING OR LOWERING OF THE GROUND GRADE LEVEL BEYOND THE ELEVATIONS WHICH EXIST AT THE TIME OF THE CONVEYANCE OF THE RIGHT-OF-WAY AND NO BUILDINGS OR STRUCTURES OF ANY KIND EITHER TEMPORARY OR PERMANENT, SHALL AT ANY TIME BE PLACED OR CONSTRUCTED WITHIN THE AREA OF THE SANITARY SEWER RIGHT-OF-WAY SHOWN. THE DISTRICT SHALL CLEAR AND GRUB THE ENTIRE WIDTH OF THE RIGHT-OF-WAY AND EASEMENT ALONG ITS ENTIRE LENGTH AS SHOWN.

05135

EXHIBIT B

SHOWING RIGHT OF WAY REQUIRED FROM:  
S. C. WATER RESOURCES COMMISSION

<b>SEAL:</b> 	<b>SURVEY FOR:</b> <b>SPARTANBURG SANITARY SEWER DISTRICT</b>			
	<b>LOCATION:</b> UPPER LAWSON FORK CREEK			
	<b>STATE:</b> SOUTH CAROLINA	<b>COUNTY:</b> SPARTANBURG	<b>BLOCK MAP:</b> 2-51-0/7	
	<b>SCALE:</b> 1" = 100'	<b>DATE:</b> 9-2-88	<b>FIELD BOOK:</b> N/A	<b>CREW CHIEF:</b> T. CANNON
	 GRAPHIC SCALE			
<b>B. P. BARBER &amp; ASSOCIATES, INC.</b> ENGINEERS - SURVEYORS - PLANNERS 351-C EAST BLACKSTOCK ROAD SPARTANBURG, S. C. 29301				



# EXHIBIT

NOV 9 1988 NO. 3

STATE BUDGET AND CONTROL ~~STATE BUDGET & CONTROL BOARD~~ AGENDA  
MEETING OF November 9, 1988 ITEM NUMBER

3

AGENCY: Executive Director

SUBJECT: Report on Capital Improvement Bond Fund Draws

In response to the Board's direction at the September 13 meeting, the attached report shows capital improvement bond funds drawn by agencies during the first four months of fiscal year 1988-89. Also shown are amounts available to each agency in Priority Group 13 (July-December 1988 period) and the percentage of that available amount each agency has drawn during the first four months.

This report will be presented to the Board each month. This one for the July-December 1988 period as of the end of October shows the following:

Funds available for draw	\$65.8 million
Funds drawn	\$27.3 million (41.5% of available)

BOARD ACTION REQUESTED:

Receive as information a report on capital improvement bond funds drawn by agencies during the first four months of fiscal year 1988-89 which shows amounts available to each agency in Priority Group 13 (July-December 1988 period) and the percentage of that available amount each agency has drawn during the first four months.

ATTACHMENTS:

Referenced report

05136



CAPITAL IMPROVEMENT BOND FUNDS: DRAWS BY AGENCY, FISCAL YEAR 1988-89  
(Amount Drawn Compared to Amount Available in Group 13)

Agency	July 1988	August 1988	September 1988	October 1988	November 1988	December 1988	Total Drawn FY to End of Month Reported	Available Jul-Dec 1988 Group 13	Draw as % of \$ Avail. in Group 13
Adjutant General	81,262.47	37,471.30	76,189.51	100,533.55			295,456.83	768,078	38.47%
Aeronautics Comm	.00	40,510.46	129,010.05	132,698.12			302,218.63	375,185	80.55%
Agriculture Dept	.00	.00	.00	.00			0.00	115,000	0.00%
Archives & History	.00	.00	.00	.00			0.00	25,000	0.00%
Budget & Control Bd	697.42	618,119.61	501,036.03	343,953.57			1,463,806.63	4,222,142	34.67%
Citadel	.00	.00	.00	1,739,607.18			1,739,607.18	3,647,287	47.70%
Clemson University	.00	518,067.07	391,451.63	248,241.05			1,157,759.75	2,190,164	52.86%
Coastal Council	.00	.00	.00	.00			0.00	224,152	0.00%
Col. of Charleston	.00	127,000.00	.00	657,769.40			784,769.40	834,769	94.01%
Corrections Dept	1,047,269.90	2,285,100.07	1,526,304.96	1,177,698.56			6,036,373.49	12,495,741	48.31%
de la Howe School	45,383.53	24,061.77	49,049.20	.00			118,494.50	279,796	42.35%
Deaf/Blind School	1,569.15	92,513.00	64,315.59	50,897.34			209,295.08	538,659	38.85%
Development Board	.00	.00	.00	.00			0.00	0	
Education Dept	.00	45,765.00	.00	.00			45,765.00	46,418	98.59%
ETV	.00	98,473.76	2,240.00	3,321.60			104,035.36	827,234	12.58%
Election Commission	.00	588,250.00	1,350,680.18	57,069.82			1,996,000.00	2,000,000	99.80%
Employment Security	.00	209,765.79	227,098.10	202,676.14			639,540.03	1,798,681	35.56%
Forestry Commission	.00	29,629.00	.00	35,309.00			64,938.00	108,863	59.65%
Francis Marion	846,840.00	.00	.00	47,000.00			893,840.00	893,840	100.00%
Greenville Arts Cntr.	.00	.00	.00	.00			0.00	500,000	0.00%
Lander College	.00	.00	7,973.88	.00			7,973.88	1,041,458	0.77%
Medical University	426,081.90	115,419.67	150,555.56	184,004.00			876,061.13	1,777,114	49.30%
Mental Health	38,833.94	79,501.43	61,062.12	6,980.20			186,377.69	1,112,399	16.75%
Mental Retardation	124,000.00	524,454.29	27,900.00	128,000.00			804,354.29	2,330,970	34.51%
Museum Commission	.00	.00	.00	.00			0.00	0	
Opportunity School	.00	.00	.00	10,003.14			10,003.14	133,190	7.51%
PRT	217,321.84	130,875.43	1,458,922.14	112,476.18			1,919,595.59	3,695,115	51.95%
Patriots Point	.00	.00	.00	.00			0.00	0	
Ports Authority	.00	.00	.00	.00			0.00	1,891,694	0.00%
Savannah Valley Auth.	.00	.00	16,722.00	57,708.00			74,430.00	149,256	49.87%
SC State College	.00	6,211.00	.00	.00			6,211.00	35,099	17.70%
SLED	30,802.21	326,049.21	374,951.00	321,333.00			1,053,135.42	4,994,199	21.09%
Tech & Comp Educ	541,909.16	851,474.89	651,640.52	1,198,676.50			3,243,701.07	5,309,553	61.09%
University of SC	675,000.00	425,000.00	844,000.00	449,800.00			2,393,800.00	9,088,161	26.34%
Voc Rehab	.00	.00	.00	.00			0.00	0	
Wildlife & Marine	2,988.48	556,212.44	57,121.10	258,131.83			874,453.85	1,326,888	65.90%
Winthrop College	1,403.75	.00	13,577.04	16,019.08			30,999.87	464,111	6.68%
Youth Services	.00	.00	10,163.88	.00			10,163.88	588,936	1.73%
	<u>4,081,363.75</u>	<u>7,729,925.19</u>	<u>7,991,964.49</u>	<u>7,539,907.26</u>			<u>27,343,160.69</u>	<u>65,829,152</u>	<u>41.54%</u>

# EXHIBIT

NOV 9 1988 NO. 3

STATE BUDGET & CONTROL BOARD

05137



# EXHIBIT

NOV 9 1988

NO. 4

STATE BUDGET AND CONTROL BOARD AGENDA

MEETING OF NOVEMBER 9, 1988

ITEM NUMBER

4

AGENCY: Executive Director

SUBJECT: Private Activity Bond Ceiling Allocation Policy

At the October 25 meeting, the Board asked staff to develop approaches other than the strict first-come, first-served one for allocating the State ceiling on private activity bonds. The Board indicated it wanted to consider other bases for allocating the ceiling in the future.

As background, the Board is reminded that the present first-come, first-served approach is set out in the Code in §1-11-500 through §1-11-570 (copy attached). In particular, §1-11-510 (C) provides for the first-come, first-served approach. §1-11-540 (A) says the Board, with review and comment by the [Bond] Committee, may disapprove, reduce, or defer any authorized request, taking into account the public interest in promoting economic growth and job creation. §1-11-540 (B) defers state ceiling allocations of more than ten million dollars for a single project until after July first unless the Board, after review and comment by the Committee, determines that approval would have a positive impact upon the State.

As further background, extracts from various options for allocating the State ceiling considered in 1984 are attached. Staff does not suggest the adoption of any of these now. However, they do raise some of the points to be met if the allocation process is to move to something other than the mindless, first-come, first-served one it now is.

Most notable among these is Option V. It deals to some degree with the problems associated with basing allocation decisions on "objective" measures like the number of jobs created or retained. It raises the dilemma of allocation competitions and the intrusion of the process into project financing schedules. It says, in effect, projects with the higher numbers will be favored. A difficulty is that the numbers could be higher or lower in one competition period than another which could raise equal protection issues.

Staff will continue work on this assignment and will report to the Board from time to time. However, if the Board does intend to pursue changing the process, draft legislation should be developed very soon. Since the process is on a calendar year basis, we do face the prospect of having the very early part of the year operate under the existing process and the remainder under whatever revision is approved by the General Assembly.

BOARD ACTION REQUESTED:

Receive as information a staff response to the Board's interest in considering alternative methods of allocating the State ceiling on the issuance of private activity bonds.

ATTACHMENTS:

§1-11-500 through §1-11-570; allocation options.

05138



Allocation of State Ceiling on Issuance of Private Activity  
Bonds

EXHIBIT

NOV 9 1988 NO. 4

STATE BUDGET & CONTROL BOARD

**§ 1-11-500. Calculation and certification of state ceiling.**

The state ceiling on the issuance of private activity bonds as defined in Section 146 of the Internal Revenue Code of 1986 (the Code) established in the act must be certified annually by the Budget and Control Board secretary based upon the provisions of the act. The board secretary shall make this certification as soon as practicable after the estimates of the population of the State of South Carolina to be used in the calculation are published by the United States Bureau of the Census but in no event later than February first of each calendar year.

**HISTORY:** 1987 Act No. 117 § 1, eff May 26, 1987.

**Editor's Note—**

The preamble to 1987 Act No. 117 provides as follows:

"Whereas, the General Assembly finds that the United States Congress through passage of the Tax Reform Act of 1986, Public Law 99-514 (the act), imposed a new volume limitation on the number of tax-exempt private activity bonds that can be issued in each state; and

"Whereas, the Governor of each state was given interim authority by the act to proclaim a different formula than that provided in the act for allocating the state's volume limitation among its governmental units which have authority to issue private activity bonds; and

"Whereas, the act provides that the Governor's interim authority does not apply to any bonds issued after the earlier of the effective date of any state legislation with respect to the allocation of the state ceiling or December 31, 1987; and

"Whereas, Executive Order 87-01, issued on January 7, 1987, and effective on January 8, 1987, sets forth the plan under which the state's volume limitation under the act is now being allocated among its governmental units which have authority to issue private activity bonds; and

"Whereas, to provide continuity in the processes for allocating the state's volume limitation under the act among the governmental units authorized to issue private activity bonds, it is essential that the General Assembly act to provide a formula for allocating the state's ceiling and to establish a procedure for making these allocations which will be effective beyond the end of calendar year 1987 when the interim authority granted to and exercised by the Governor expires."

As used in §§ 1-11-500 through 1-11-570, the words "the act" refers to the Tax Reform Act of 1986, Public Law 99-514, and the words "the Code" refers to the Internal Revenue Code of 1986, 26 USCS §§ 1 et seq.

**Cross References—**

As to determination and designation of indebtedness to be included within any limits on private activity bonds, see § 1-11-370.

**§ 1-11-510. Allocation of bond limit amounts.**

(A) The private activity bond limit for all issuing authorities must be allocated by the board in response to authorized requests as described in § 1-11-530 by the issuing authorities.

(B) The aggregate private activity bond limit amount for all South Carolina issuing authorities is allocated initially to the State for further allocation within the limits prescribed herein.

(C) Except as is provided in § 1-11-540, all allocations must be made by the board on a first-come, first-served basis, to be determined by the date and time sequence in which complete authorized requests are received by the board secretary.

**HISTORY:** 1987 Act No. 117 § 2, eff May 26, 1987.

**Editor's Note—**

As used in §§ 1-11-500 through 1-11-570, the words "the act" refers to the Tax Reform Act of 1986, Public Law 99-514, and the words "the Code" refers to the Internal Revenue Code of 1986, 26 USCS §§ 1 et seq.

05139



**§ 1-11-520. Private activity bond limits and pools.**

(A) The private activity bond limit for all state government issuing authorities now or hereafter authorized to issue private activity bonds as defined in the act, to be known as the "state government pool", is forty percent of the state ceiling less any amount shifted to the local pool as described in subsection (B) of this section or plus any amount shifted from that pool.

(B) The private activity bond limit for all issuing authorities other than state government agencies, to be known as the "local pool", is sixty percent of the state ceiling plus any amount shifted from the state government pool or less any amount shifted to that pool.

(C) The board, with review and comment by the Joint Bond Review Committee, may shift unallocated amounts from one pool to the other at any time.

**HISTORY:** 1987 Act No. 117 § 3, eff May 26, 1987.

**Editor's Note—**

As used in §§ 1-11-500 through 1-11-570, the words "the act" refers to the Tax Reform Act of 1986, Public Law 99-514, and the words "the Code" refers to the Internal Revenue Code of 1986, 26 USCS §§ 1 et seq.

**§ 1-11-530. Authorized requests for allocation of bond limit amounts.**

(A) For private activity bonds proposed for issue by other than state government issuing authorities, an authorized request is a request included in a petition to the board that a specific amount of the state ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by a copy of the Inducement Contract, Inducement Resolution, or other comparable preliminary approval entered into or adopted by the issuing authority, if any, relating to the bonds. The board shall forward promptly to the committee a copy of each petition received.

(B) For private activity bonds proposed for issue by any state government issuing authority, an authorized request is a request included in a petition to the board that a specific amount of the state ceiling be allocated to the bonds for which the petition is filed. The petition must be accompanied by a bond resolution or comparable action by the issuing authority authorizing the issuance of the bonds. The board shall forward promptly to the committee a copy of each petition received.

(C) Each authorized request must demonstrate that the allocation amount requested constitutes all of the private activity bond financing contemplated at the time for the project and any other facilities located at or used as a part of an integrated operation with the project.

**HISTORY:** 1987 Act No. 117 § 4, eff May 26, 1987.

**Editor's Note—**

As used in §§ 1-11-500 through 1-11-570, the words "the act" refers to the Tax Reform Act of 1986, Public Law 99-514, and the words "the Code" refers to the Internal Revenue Code of 1986, 26 USCS §§ 1 et seq.

**Cross References—**

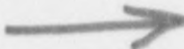
As to the allocation of bond limit amounts in response to authorized requests made pursuant to this section, see § 1-11-510.



# EXHIBIT

NOV 9 1988 NO. 4

STATE BUDGET & CONTROL BOARD



## § 1-11-540. Limitations on allocations.

(A) The board, with review and comment by the committee, may disapprove, reduce, or defer any authorized request. If it becomes necessary to exercise this authority, the board and the committee shall take into account the public interest in promoting economic growth and job creation.

(B) Authorized requests for state ceiling allocations of more than ten million dollars for a single project are deferred until after July first unless the board, after review and comment by the committee, determines in any particular instance that the positive impact upon the State of approving an allocation of an amount greater than ten million dollars is of such significance that approval of the allocation is warranted.

**HISTORY:** 1987 Act No. 117 § 5, eff May 26, 1987.

### Editor's Note—

As used in §§ 1-11-500 through 1-11-570, the words "the act" refers to the Tax Reform Act of 1986, Public Law 99-514, and the words "the Code" refers to the Internal Revenue Code of 1986, 26 USCS §§ 1 et seq.

### Cross References—

As to the applicability of this section to the allocation of bond limit amounts, see § 1-11-510.

## § 1-11-550. Certificates by issuing authority and by board.

(A) An allocation of the state ceiling approved by the board is made formal initially by a certificate which allocates tentatively a specific amount of the state ceiling to the bonds for which the allocation is requested. This tentative allocation certificate must specify the state ceiling amount allocated, the issuing authority and the project involved, and the time period during which the tentative allocation is valid. This certificate must remind the issuing authority that the tentative allocation is made final after the issuing authority chairman or other duly authorized official or agent of the issuing authority, before the issue is made, certifies the issue amount and the projected date of issue, as is required by subsection (B) of this section. It also may include other information considered relevant by the board secretary.

(B) The chairman or other authorized official or agent of an issuing authority issuing any private activity bond for which a portion of the state ceiling has been allocated tentatively shall execute and deliver to the board secretary an issue amount certificate setting forth the exact amount of bonds to be issued and the projected bond issue date which date must not be more than ten business days after the date of the issue amount certificate and it must be before the state ceiling allocation involved expires. The issue amount certificate may be an executed copy of the appropriate completed Internal Revenue Service form to be submitted to the Internal Revenue Service on the issue or it may be in the form of a letter which certifies the exact amount of bonds to be issued and the projected date of the issue.

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# EXHIBIT

NOV 9 1988 NO. 4

## STATE BUDGET & CONTROL BOARD

(C) In response to the issuing authority's issue amount certificate required by subsection (B) of this section, the board secretary is authorized to issue and, as may be necessary, to revise a certificate making final the ceiling allocation approved previously by the board on a tentative basis, if the secretary determines that:

- (1) the issuing authority's issue amount certificate specifies an amount not in excess of the approved tentative ceiling allocation amount;
- (2) the issue amount certificate was received prior to the issue date projected and that the certificate is dated not more than ten days prior to the issue date projected;
- (3) the issue date projected is within the time period approved previously for the tentative ceiling allocation; and
- (4) the bonds when issued and combined with the total amount of bonds requiring a ceiling allocation included in issue amount certificates submitted previously to the board by issuing authorities do not exceed the state ceiling for the calendar year. Except under extraordinary circumstances, the board secretary shall issue this certificate within two business days following the date the issue amount certificate is received.

(D) In accordance with Section 149(e)(2)(F) of the Code, the secretary of the Budget and Control Board is designated as the state official responsible for certifying, if applicable, that certain bonds meet the requirements of Section 146 of the Code relating to the volume cap on private activity bonds.

(E) Any tentative or final state ceiling allocation granted by the board before the effective date of this act remains valid as an allocation of a portion of the volume cap for South Carolina provided under Section 146 of the Code. The allocations expire in accordance with the regulations under which they were granted or extended and their validity may be extended or reinstated in accordance with the provisions of §§ 1-11-500 through 1-11-570.

**HISTORY:** 1987 Act No. 117 § 6, eff May 26, 1987.

### **Editor's Note—**

As used in §§ 1-11-500 through 1-11-570, the words "the act" refers to the Tax Reform Act of 1986, Public Law 99-514, and the words "the Code" refers to the Internal Revenue Code of 1986, 26 USCS §§ 1 et seq.

### **Cross References—**

As to time limits on allocations, see § 1-11-560.



**§ 1-11-560. Time limits on allocations.**

(A) Any state ceiling allocation approved by the board is valid only for the calendar year in which it is approved, unless eligible and approved for carry-forward election or unless specified differently in the board certificates required by § 1-11-550.

(B) Unless eligible and approved for carry-forward election or unless specified differently in board certificates required by § 1-11-550, each state ceiling allocation expires automatically if the bonds for which the allocation is made are not issued within ninety consecutive calendar days from the date the allocation is approved by the board.

(C) In response to a written request by the chairman or other duly authorized official or agent of an issuing authority, the board, acting during the period an approved allocation is valid, may extend the period in which an allocation is valid in a single calendar year by thirty-one consecutive calendar days to a total of not more than one hundred twenty-one consecutive calendar days.

(D) In response to a written request by the chairman or other authorized official or agent of an issuing authority, the board may reinstate for a period of not more than thirty-one consecutive calendar days in any one calendar year part or all of an allocation approved but not extended previously in accordance with subsection (C) of this section in that same calendar year which has expired. The reinstatement request must certify that the authorized request submitted previously is still true and correct or a new authorized request must be submitted.

(E) A tentative ceiling allocation is canceled automatically if the chairman or other authorized official or agent of the issuing authority involved fails to deliver the issue amount certificate required by § 1-11-550 to the board secretary before the bonds for which the allocation is made are issued.

(F) The chairman or other authorized official or agent of an issuing authority shall advise the board secretary in writing as soon as is practicable after a decision is made not to issue bonds for which a portion of the state ceiling has been allocated. All notices of relinquishment of ceiling allocations must be entered promptly in the board's records by the board secretary.

(G) Ceiling allocations which are eligible and approved for carry-forward election are not subject to the validity limits of this section. The board shall join with the issuing authorities involved in carry-forward election statements to meet the requirements of the Internal Revenue Service.

**HISTORY:** 1987 Act No. 117 § 7, eff May 26, 1987.

**Editor's Note—**

As used in §§ 1-11-500 through 1-11-570, the words "the act" refers to the Tax Reform Act of 1986, Public Law 99-514, and the words "the Code" refers to the Internal Revenue Code of 1986, 26 USCS §§ 1 et seq.



**§ 1-11-570. Budget and Control Board to adopt policies and procedures.**

The Budget and Control Board, after review and comment by the committee, may adopt the policies and procedures it considers necessary for the equitable and effective administration of §§ 1-11-500 through 1-11-570.

**HISTORY:** 1987 Act No. 117 § 8, eff May 26, 1987.

**Editor's Note—**

As used in §§ 1-11-500 through 1-11-570, the words "the act" refers to the Tax Reform Act of 1986, Public Law 99-514, and the words "the Code" refers to the Internal Revenue Code of 1986, 26 USCS §§ 1 et seq.



# EXHIBIT

NOV 9 1988

NO. 4

## STATE BUDGET & CONTROL BOARD

### REGULATIONS ON ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS

#### A Summary of Six ~~Proposed~~ Options

(from 1984)

<u>Option</u>	<u>Distinguishing Features</u>	<u>Pros/Cons</u>
I	First-come, first-served basis but Board reserves right to disapprove, reduce or defer any request	Maximum flexibility; no mandatory decision; potential equal protection problem (need documentation on each request); no standards or guidelines to guide decisions
II	Strict first-come, first-served basis up to \$10,000,000 and Board does <u>not</u> reserve right to disapprove, reduce or defer any request. Board may approve above \$10,000,000 after considering "economic or public benefits."	No decision/discretion on \$10,000,000 or less requests; Board can monitor/control large requests; predictable; no standards or guidelines to guide decisions on large requests.
III	First 75% of State Ceiling allocated on same basis as Option II. Last 25% allocated on individual case basis considering economic or public benefits and reserving right to disapprove, reduce, or defer any request.	Individual decisions required after 75% of Ceiling has been allocated; potential equal protection problem within \$10,000,000 and under category; no standards or guidelines to guide decisions.
IV	First 75% of State Ceiling allocated on same basis as Option I. Last 25% allocated as in Option III.	Maximum flexibility; individual decisions required after 75% of Ceiling has been allocated; potential equal protection problem (need documentation on each request); no standards or guidelines to guide decisions.
V	Divides Local Pool allocations into four time periods and limits amount allocable in each; requires requests be filed in advance to permit Board to grant allocations to those meeting guidelines (jobs, payrolls, unemployment, geographical spread, use of private activity bonds).	Very different in that requires four competitions, in effect; does give guidelines for decision-making.
VI	Hybrid of Option II with structured spread of Local Pool allocations into four time periods.	Same as Option II but with limits on amounts allocable in each time period

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STATE BUDGET & CONTROL BOARD

Option II  
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II

Pool," shall be sixty per cent (60%) of the State Ceiling (1) plus any amount  
reallocated by the Budget and Control Board from the State Agency and Exempt  
Facilities Pool; or (2) less any amount reallocated by the Board to the State  
Agency and Exempt Facilities Pool.

(c) The Budget and Control Board may at any time it determines that  
either the basic Local Pool or the basic State Agency and Exempt Facilities  
Pool is exhausted reallocate any unused amounts from one pool to the other.

## SECTION 3: Allocation of Bond Limit Amounts

(a) The private activity bond limit amounts for all issuing  
authorities will be allocated by the Budget and Control Board in response to  
Authorized Requests (as described in Section 4 below) by such issuing  
authorities.

(b) All Authorized Requests for allocations from the Local Pool or  
from the State Agency and Exempt Facilities Pool by the Budget and Control  
Board to the extent of ten million dollars (\$10,000,000) shall be approved on  
a first-come, first-served basis, to be determined by the date and time  
sequence in which complete Authorized Requests are received by the Board's  
Secretary. The Budget and Control Board may approve additional amounts of  
Authorized Requests exceeding ten million dollars (\$10,000,000) after  
considering any economic or public benefits to be derived from the proposed  
project.

## SECTION 4: Authorized Requests for an Allocation

(a) For purposes of Section 3, an Authorized Request shall mean, for  
any bonds issued by issuing authorities other than State Agencies, a request  
contained in a petition to the Budget and Control Board that a portion of the  
State Ceiling be allocated to the bonds for which the petition has been filed,  
accompanied by a copy of the Inducement Contract, Inducement Resolution, or  
comparable preliminary approval on such bonds entered into by such issuing  
authority.

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STATE BUDGET & CONTROL BOARD Option III  
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III

reallocated by the Budget and Control Board from the State Agency and Exempt Facilities Pool; or (2) less any amount reallocated by the Board to the State Agency and Exempt Facilities Pool.

(c) The Budget and Control Board may at any time it determines that either the basic Local Pool or the basic State Agency and Exempt Facilities Pool is exhausted reallocate any unused amounts from one pool to the other.

## SECTION 3: Allocation of Bond Limit Amounts

(a) The private activity bond limit amounts for all issuing authorities will be allocated by the Budget and Control Board in response to Authorized Requests (as described in Section 4 below) by such issuing authorities.

(b) All Authorized Requests for allocations from the Local Pool or from the State Agency and Exempt Facilities Pool by the Budget and Control Board to the extent of ten million dollars (\$10,000,000) of such request shall be approved on a first-come, first-served basis, to be determined by the date and time sequence in which complete Authorized Requests are received by the Board's Secretary. The Budget and Control Board may approve additional amounts of Authorized Requests exceeding ten million dollars (\$10,000,000) after considering any economic or public benefits to be derived from the proposed project. Provided, however, when seventy-five (75%) of the State Ceiling for the calendar year has been allocated, the Budget and Control Board will consider all Authorized Requests, regardless of the amount of such Authorized Requests, on an individual basis after considering any economic or public benefits to be derived from the proposed project and may then disapprove, reduce or defer any Authorized Request.

## SECTION 4: Authorized Requests for an Allocation

(a) For purposes of Section 3, an Authorized Request shall mean, for any bonds issued by issuing authorities other than State Agencies, a request contained in a petition to the Budget and Control Board that a portion of the State Ceiling be allocated to the bonds for which the petition has been filed,

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IV

reallocated by the Budget and Control Board from the State Agency and Exempt Facilities Pool; or (2) less any amount reallocated by the Board to the State Agency and Exempt Facilities Pool.

(c) The Budget and Control Board may at any time it determines that either the basic Local Pool or the basic State Agency and Exempt Facilities Pool is exhausted reallocate any unused amounts from one pool to the other.

## SECTION 3: Allocation of Bond Limit Amounts

(a) The private activity bond limit amounts for all issuing authorities will be allocated by the Budget and Control Board in response to Authorized Requests (as described in Section 4 below) by such issuing authorities.

(b) Except as is provided in Section 5 hereof, all allocations from the Local Pool or from the State Agency and Exempt Facilities Pool by the Budget and Control Board will be made on a first-come, first-served basis, until seventy-five percent (75%) of the State Ceiling for that calendar year is allocated. Thereafter, each Authorized Request must be approved by the Budget and Control Board on an individual basis after considering any economic or public benefits to be derived from the proposed project.

## SECTION 4: Authorized Requests for an Allocation

(a) For purposes of Section 3, an Authorized Request shall mean, for any bonds issued by issuing authorities other than State Agencies, a request contained in a petition to the Budget and Control Board that a portion of the State Ceiling be allocated to the bonds for which the petition has been filed, accompanied by a copy of the Inducement Contract, Inducement Resolution, or comparable preliminary approval on such bonds entered into by such issuing authority.

(b) For private activity bonds proposed for issuance by any State Agency, an Authorized Request shall mean a petition filed with the Budget and Control Board not sooner than the adoption of a bond ordinance or bond resolution authorizing the issuance of such bonds.

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V (1)

Pool," shall be sixty per cent (60%) of the State Ceiling (1) plus any amount  
reallocated by the Budget and Control Board from the State Agency and Exempt  
Facilities Pool; or (2) less any amount reallocated by the Board to the State  
Agency and Exempt Facilities Pool.

(c) The Budget and Control Board may at any time it determines that  
either the basic Local Pool or the basic State Agency and Exempt Facilities  
Pool is exhausted reallocate any unused amounts from one pool to the other.

## SECTION 3: Allocation of Bond Limit Amounts

(a) The private activity bond limit amounts for all issuing  
authorities will be allocated by the Budget and Control Board in response to  
Authorized Requests (as described in Section 4 below) by such issuing  
authorities.

(b) All allocations from the Local Pool by the Budget and Control  
Board to the extent of ten million dollars (\$10,000,000) will be made in  
accord with the provisions of Sections 5(a) and 5(b) hereof in response to  
Authorized Requests.

(c) Allocations from the Local Pool are to be divided among the  
periods of the year as follows:

(1) Period 1, January 1 through March 31: Up to 25% of State  
Ceiling;

(2) Period 2, April 1 through June 30: Up to 20% of State  
Ceiling plus any unused amount from prior periods;

(3) Period 3, July 1 through September 30: Up to 10% of State  
Ceiling plus any unused amount from prior periods; and

(4) Period 4, October 1 through December 31: Up to 5% of State  
Ceiling plus any unused amount from prior periods.

(d) Except as is provided in Section 5(a), allocations from the  
State Agency and Exempt Facilities Pool by the Board to the extent of ten  
million dollars (\$10,000,000) will be approved at any time during the year on  
a first-come, first-served basis, to be determined by the date and time  
sequence in which complete Authorized Requests are received by the Board's  
Secretary.

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STATE BUDGET & CONTROL BOARD

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(e) The Board may approve additional allocations from the Local Pool or from the State Agency and Exempt Facilities Pool exceeding ten million dollars (\$10,000,000) in response to Authorized Requests using as the bases for such approval the guidelines in Section 5(b) hereof.

## SECTION 4: Authorized Requests for an Allocation

(a) For purposes of Section 3, an Authorized Request shall mean, for any bonds issued by issuing authorities other than State Agencies, a request contained in a petition to the Budget and Control Board that a portion of the State Ceiling be allocated to the bonds for which the petition has been filed, accompanied by a copy of the Inducement Contract, Inducement Resolution, or comparable preliminary approval on such bonds entered into by such issuing authority.

(b) For private activity bonds proposed for issuance by any State Agency, an Authorized Request shall mean a petition filed with the Budget and Control Board not sooner than the adoption of a bond ordinance or bond resolution authorizing the issuance of such bonds.

(c) Authorized Requests for allocations from the Local Pool must be filed with the Budget and Control Board as follows:

- (1) On or before the November 15 prior to Period 1 for Period 1 allocations;
- (2) On or before the February 15 prior to Period 2 for Period 2 allocations;
- (3) On or before the May 15 prior to Period 3 for Period 3 allocations; and
- (4) On or before the August 15 prior to Period 4 for Period 4 allocations.

(d) Authorized Requests for allocations from the State Agency and Exempt Facilities Pool may be filed with the Board at any time.

(e) Each Authorized Request must demonstrate that the allocation amount requested constitutes all of the private activity bond financing

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V(3)

contemplated at the time for the project and any other facilities located at or used as a part of an integrated operation with the project.

## SECTION 5: Limitation on Board Allocations in Response to Authorized Requests

(a) The Budget and Control Board may disapprove, reduce or defer any Authorized Request.

(b) The Board, on or before the first day of each Period, may approve Authorized Requests for allocations from the Local Pool which equal the amounts available as provided in Section 3(c) giving priority and favor to Authorized Requests which will finance projects which:

- (1) Are reasonably expected to produce or retain the greater number of jobs per \$100,000 of private activity bond financing;
- (2) Are reasonably expected to produce or retain jobs with the greater aggregate monthly payroll per \$100,000 of private activity bond financing;
- (3) Are located within areas where the average level of unemployment most exceeds the average level of unemployment in the State as a whole;
- (4) Will result in the most even geographical distribution of allocations in the same calendar year;
- (5) Involve lower ratios of private activity bond financing to total project cost; and
- (6) Will be located in or which will have significant economic impact upon a county which has issued relatively small amounts of private activity bonds in the past.

(c) Any complete Authorized Request for an allocation from the Local Pool for any Period which was not approved for that Period will be deemed automatically to have been received in timely fashion for the next period provided the issuing authority filing the request certifies that the request is then current.

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reallocated by the Budget and Control Board from the State Agency and Exempt Facilities Pool; or (2) less any amount reallocated by the Board to the State Agency and Exempt Facilities Pool.

(c) The Budget and Control Board may at any time it determines that either the basic Local Pool or the basic State Agency and Exempt Facilities Pool is exhausted reallocate any unused amounts from one pool to the other.

## SECTION 3: Allocation of Bond Limit Amounts

(a) The private activity bond limit amounts for all issuing authorities will be allocated by the Budget and Control Board in response to Authorized Requests (as described in Section 4 below) by such issuing authorities.

(b) All Authorized Requests for allocations from the Local Pool or from the State Agency and Exempt Facilities Pool by the Budget and Control Board to the extent of ten million dollars (\$10,000,000) shall be approved on a first-come, first-served basis, to be determined by the date and time sequence in which complete Authorized Requests are received by the Board's Secretary. The Budget and Control Board may approve additional amounts of Authorized Requests exceeding ten million dollars (\$10,000,000) after considering any economic or public benefits to be derived from the proposed project.

(c) Allocations from the Local Pool are to be divided among the periods of the year as follows:

- (1) Period 1, January 1 through March 31: Up to 25% of State Ceiling;
- (2) Period 2, April 1 through June 30: Up to 20% of State Ceiling plus any unused amount from prior periods;
- (3) Period 3, July 1 through September 30: Up to 10% of State Ceiling plus any unused amount from prior periods; and
- (4) Period 4, October 1 through December 31: Up to 5% of State Ceiling plus any unused amount from prior periods.

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(d) Any complete Authorized Request for an allocation from the Local Pool for any Period which was not approved for that Period will be deemed automatically to have been received in timely fashion for the next period provided the issuing authority filing the request certifies that the request is then current.

(e) Allocations from the State Agency and Exempt Facilities Pool by the Board will be approved at any time during the year on a first-come, first-served basis, to be determined by the date and time sequence in which complete Authorized Requests are received by the Board's Secretary.

## SECTION 4: Authorized Requests for an Allocation

(a) For purposes of Section 3, an Authorized Request shall mean, for any bonds issued by issuing authorities other than State Agencies, a request contained in a petition to the Budget and Control Board that a portion of the State Ceiling be allocated to the bonds for which the petition has been filed, accompanied by a copy of the Inducement Contract, Inducement Resolution, or comparable preliminary approval on such bonds entered into by such issuing authority.

(b) For private activity bonds proposed for issuance by any State Agency, an Authorized Request shall mean a petition filed with the Budget and Control Board not sooner than the adoption of a bond ordinance or bond resolution authorizing the issuance of such bonds.

(c) Each Authorized Request must demonstrate that the allocation amount requested constitutes all of the private activity bond financing contemplated at the time for the project and any other facilities located at or used as a part of an integrated operation with the project.

## SECTION 5: Filing of Certificate

(a) Prior to the issuance of any private activity Bond for which a portion of the State Ceiling has been allocated by the Budget and Control Board pursuant to Sections 3 and 4 hereof, the chairman or other official of the issuing authority shall certify to the Secretary of the Budget and Control

05153



# EXHIBIT

NOV 9 1988

NO. 5

STATE BUDGET AND CONTROL BOARD  
MEETING OF November 9, 1988

BLUE AGENDA  
ITEM NUMBER

5

AGENCY: Executive Director

SUBJECT: Foreign Travel

In accord with Board policy, staff has approved the following foreign travel involving over \$1,000 and less than \$2,000 of State-appropriated funds:

(a) Lander College:

- (1) Professor Janet Sipple, Director of Nursing, to England during the November 13-22, 1988, period at an estimated cost of \$1,300 State funds.
- (2) Dr. Richard A. Skinner, Vice President for Academic Affairs, to England during the November 20-28, 1988, period at an estimated cost of \$2,000 State funds.

- (b) University of South Carolina: Chester W. Bain, Brynes International Center, to Manila, Philippines, and Hong Kong during the November 13-22, 1988 period at an estimated cost of \$1,950 State funds.

BOARD ACTION REQUESTED:

Receive as information a report on Lander College and University of South Carolina foreign travel involving over \$1,000 and less than \$2,000 of State funds approved by staff.

ATTACHMENTS:

Jackson October 25 letter to McInnis; Denton October 26 memo to Williams

05154



# Lander

COLLEGE  
Greenwood, South Carolina 29646

## EXHIBIT

NOV 9 1988

NO. 5

OCT 26 1988

STATE BUDGET & CONTROL BOARD

Office of the President  
Telephone (803) 229-8300

October 25, 1988

Mr. William A. McInnis  
Deputy Executive Director  
Budget and Control Board  
Post Office Box 12444  
Columbia, South Carolina 29211

Dear Bill:

I have asked our Vice President for Academic Affairs, Dr. Richard A. Skinner, and our Director of Nursing, Professor Janet Sipple, to visit a group of Lander students in Plymouth, England, this semester.

These students, 17 in number, are participants in our Trustees' Honors Program. Because of the cost, we do not have a full-time professor in England with them, but I think it is important that they be visited once during their semester there. The importance of Dr. Skinner's visit at this time is not only to spend some time with the students, but to get acquainted with the program as he is our newly appointed Vice President for Academic Affairs. Professor Janet Sipple is visiting to see what facilities for an exchange are available at Plymouth Polytechnic. We would like to have a larger number of nurses participating in the program. The total cost for Professor Sipple's visit is estimated at \$1300, from the College budget, and the cost for Dr. Skinner's visit is \$2000. Both are taking advantage of the low airfares available at this time of the year.

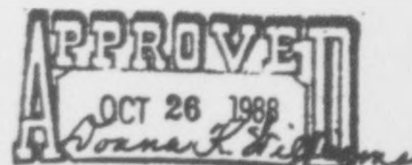
Sincerely,

*Larry A. Jackson*  
Larry A. Jackson  
President

LAJ:bd

*Dates of travel:*  
*Professor Sipple - Nov. 13-22, 1988*  
*(\$1,300 State funds)*

*Dr. Skinner - Nov. 20-28, 1988*  
*(\$2,000 State funds)*



STATE BUDGET AND  
CONTROL BOARD

05155





EXHIBIT

OCT 31 1988

NOV 9 1988

NO. 5

STATE BUDGET &amp; CONTROL BOARD

## UNIVERSITY OF SOUTH CAROLINA

COLUMBIA, S.C. 29208

EXECUTIVE VICE PRESIDENT

Business and Finance  
(803) 777-7478

October 26, 1988

REQUEST FOR APPROVAL OF FOREIGN TRAVEL

TO : Donna K. Williams  
Administrative Assistant  
Budget and Control Board

FROM : R. W. Denton *[Signature]*  
Executive Vice President for Business and Finance

SUBJECT : Chester W. Bain  
Byrnes International Center

DESTINATION : Manila, Philippines, and Hong Kong

TIME PERIOD : November 13 - 22, 1988

PURPOSE : Attending the International Conference on Education  
and Development in Manila and visiting officials  
at the University of Hong Kong

STATE FUNDS : \$1,950.00

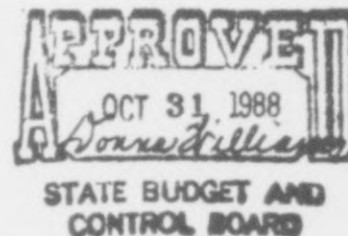
FEDERAL FUNDS : -0-

OTHER  
INSTITUTIONAL FUNDS : -0-

TOTAL USC FUNDS : \$1,950.00

TOTAL COST OF TRIP : \$1,950.00

pdo



05156



# EXHIBIT

NOV 9 1988 NO. 6

STATE BUDGET AND CONTROL BOARD  
MEETING OF November 9, 1988

STATE BUDGET & CONTROL BOARD  
REGULAR SESSION  
ITEM NUMBER

2

AGENCY: Budget Division

SUBJECT: Request to Release Carried Forward Funds, Corrections Dept.

The Budget Division advises that Section 55.8 of the 1988-89 Appropriation Act authorized the Department of Corrections to carry forward unspent fiscal year 1987-88 funds to offset costs of double-celling in fiscal year 1988-89 if the Budget and Control Board determines that additional funds for that purpose are necessary.

The amount carried forward for this purpose was \$1,961,341. Now the Department of Corrections asks that \$318,000 of that total be released to reimburse accounts from which funds were used to purchase necessary equipment items related to double-celling. The Department indicates that the remaining funds brought forward will be requested at year-end when a full accounting of double-celling costs has been determined.

The Budget Division recommends that the request be approved.

BOARD ACTION REQUESTED:

Release for use by the Department of Corrections \$318,000 of fiscal year 1987-88 funds brought forward in accord with Appropriations Act Section 55.8 for costs incurred by the Department specifically related to double-celling.

ATTACHMENTS:

Agenda item worksheet; Franz October 5 memo to Kincaid; Section 55.8;  
Equipment List; STARS Form 30

05157



# EXHIBIT

NOV 9 1988

NO. 6

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84) STATE BUDGET & CONTROL BOARD

89-14

Meeting Scheduled for: November 9, 1988

Regular Agenda

1. Submitted By:

(a) Agency: State Budget Division

(b) Authorized Official Signature: 

2. Subject:

Department of Corrections Request to Release Carried Forward Funds

3. Summary Background Information:

The Department of Corrections requests the release of \$318,000 of authorized carried forward funding. Section 55.8 of the 1988-89 Appropriation Act provided that the Department of Corrections may carry forward unspent FY 1987-88 funds in the amount of \$1,961,341 to offset costs of double-celling in FY 1988-89 if the Budget and Control Board determines that the additional funds are necessary to support double-celling. The agency requests that \$318,000 be released to reimburse accounts used to purchase necessary equipment items related to double-celling. The remaining funds will be requested at year-end when a full accounting of double-celling costs has been determined.

4. What is Board asked to do?

To approve the Department of Corrections request to release \$318,000 of FY 1987-88 carried forward funding.

5. What is recommendation of Board Division involved?

Recommend approval



6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: \_\_\_\_\_

(b) Division/Agency Name: \_\_\_\_\_

7. Supporting Documents:

(a) List Those Attached:

1. Memo to Budget Analyst
2. Copy of Proviso
3. Itemized List of Equipment
4. Transfer Form #30

(b) List Those Not Attached But Available From Submitter:

05158



# EXHIBIT

NOV 9 1988

NO. 6

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

STATE BUDGET & CONTROL BOARD

## MEMORANDUM

\* \* \* \* \*

TO: Mr. Allan Kincaid, State Budget Analyst, Budget Division

FROM: Glen Franz, Director, Division of Budget and Planning

SUBJECT: SCDC DOUBLE CELLING FUNDS - FY 88/89

DATE: October 5, 1988

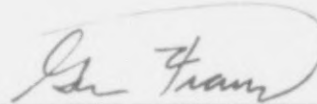
Authorized through a Legislative proviso, the Department of Corrections carried-over \$1,961,341 of unspent FY 87-88 funds into FY 88-89 to help offset the cost of double celling at five institutions. SCDC is currently double celling at two institutions (Lieber and McCormick) and is forecasting the need for additional double celling at the Broad River Institution prior to calendar year end. The Agency has utilized a portion of their base budget equipment funds to procure the necessary beds, lockers, etc.; but those funds need to be replenished and additional bed purchases need to be made. In affect, the Department of Corrections is requesting authority to spend \$318,000 of the \$1.9 million of carried-over funds for basic equipment purchases, specifically associated with double celling.

The Commissioner has agreed to delay the request until later in the year, for applicable operating funds; but funds to cover equipment costs are needed as soon as possible.

Please expedite whatever action is necessary to release these funds and/or authorize spending. If I can be of any assistance or you need additional information, please do not hesitate to call me.

Your cooperation is greatly appreciated.

S/



Glen Franz

GF/pam

cc: Commissioner Evatt  
Dr. Clements  
Mr. Catoe

05159



# EXHIBIT

NOV 9 1988

NO. 6

STATE BUDGET & CONTROL BOARD

55.8. Notwithstanding any provision of this section or other provision of law, if negotiations by the South Carolina Department of Corrections for double celling its institutions are successful, funds to support this double celling may be provided by carrying forward into Fiscal Year 1988-89 any unexpended General Funds as of June 30, 1988 for the Department of Corrections if the Budget and Control Board determines that the additional funds are necessary to support double celling.

05160



# EXHIBIT

NOV 9 1988 NO. 6

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS STATE BUDGET & CONTROL BOARD  
EQUIPMENT FUNDS REQUIRED FOR DOUBLE CELLING  
REQUESTED BY DEPUTY COMMISSIONER OF OPERATIONS  
AS OF SEPTEMBER 27, 1988

## McCormick C.I. & Lieber C.I.

## Funds Required

Beds - 254 @ \$96.00 each	x 2	\$ 48,768.00
Lockers - 254 @ \$97.50 each	x 2	49,530.00
Mattresses - 254 @ \$46.00 each	x 2	23,368.00
Pillows - 254 @ \$6.00 each	x 2	3,048.00
Sheets - 1,016 (4 per inmate) @ \$4.25 each	x 2	8,636.00
Pillow Cases - 508 (2 per inmate) @ \$1.85 each	x 2	1,879.60
Blankets - 508 (2 per inmate) @ \$4.62 each	x 2	4,693.92
Tax Miscellaneous		6,996.48

## Broad River C.I.

Beds (solid steel) - 456 @ \$180.00 each		\$ 82,080.00
Lockers - 456 @ \$95.00 each		43,320.00
Mattresses - 456 @ \$46.00 each		20,976.00
Pillows - 456 @ \$6.00 each		2,736.00
Sheets - 1,824 (4 per inmate) @ \$4.25 each		7,752.00
Pillow Cases - 912 (2 per inmate) @ \$1.85 each		1,687.20
Blankets - 912 (2 per inmate) @ \$4.62 each		4,213.44
Tax Miscellaneous		8,315.36

## GRAND TOTAL

\$318,000.00

05161



AGENCY NUMBER: N04      AGENCY BATCH NUMBER:      OBJECT CODE HASH TOTAL: 6400      TOTAL BATCH AMOUNT: 636,000.00      BATCH DATE: 10/28/88      BATCH NUMBER:      DOCUMENT: 3

AGENCY VOUCHER NUMBER

16

AGENCY TRANSFERRED TO (CIR)

NAME: Corrections

ADDRESS:

P.O. Box 21787

Columbia, SC 29221

## STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

## APPROPRIATION TRANSFER

## TO REQUESTING AGENCY:

This form must be supported with documentation indicating the reason for the transfer. No commitment should be made in anticipation of the approval of a transfer.

CG WARRANT NUMBER

AGENCY TRANSFERRED FROM (CIR)

NAME:

Corrections

ADDRESS:

P.O. Box 21787

Columbia, SC 29221

REASON FOR TRANSFER: See Attached Letter

FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE	C G R
04	350	N04	5119	1001					16	6100	318,000.00		
TOTAL										6100	318,000.00		

O

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE	C G R
04	300	N04	0689	1001					16	0300	318,000.00		
TOTAL										0300	318,000.00		

RECEIVED

NOV 01 1988

Budget and Control Board  
STATE BUDGET DIVISION  
318,000.00

REQUESTED BY

DATE

10/28/88

STATE BUDGET ANALYST

DATE

To the Comptroller General and Treasurer: By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.

05162

STATE AUDITOR

DATE



# EXHIBIT

NOV 9 1988

NO. 7

STATE BUDGET AND CONTROL BOARD  
MEETING OF November 9, 1988

REGULAR SESSION

ITEM NUMBER

3

AGENCY: Department of Social Services

SUBJECT: Travel Advances

The Department of Social Services advises that it is in the process of converting to a new computer system to support the AFDC and Food Stamp programs. All client cases statewide will be converted to the new system, with an average of six to eight counties converting each month. The Department anticipates that all AFDC and Food Stamp cases will be on the system by the end of this fiscal year.

DSS advises that a team of approximately 60 employees (1 to 2 from each county office) is traveling each month to the converting counties and keying the cases into the new system.

Each employee's estimated monthly net pay is \$930; estimated meal expense is \$360 (20 days at \$18 per day). Travel advances are limited to 80% of the anticipated cost if the 80% exceeds \$250. In this case, 80% of the anticipated monthly expense is \$288.

The Department requests Board approval to allow a standard cash advance each month for each employee traveling in this computer conversion project. The Department advises that each advance will be reconciled monthly and that DSS will maintain all required records.

BOARD ACTION REQUESTED:

Authorize the Department of Social Services to allow a standard cash advance of \$288 each month for approximately 60 employees traveling in connection with a statewide computer conversion project.

ATTACHMENTS:

Solomon November 2 letter to Coles; attachments

05163



# EXHIBIT

NOV 2 1988



NOV 9 1988

NO. 7

STATE BUDGET & CONTROL BOARD

South Carolina  
Department of Social Services



P. O. BOX 1520  
Columbia, South Carolina 29202-1520

JAMES L. SOLOMON, JR.

COMMISSIONER

November 2, 1988

Dr. Jesse A. Coles, Jr.  
Executive Director  
State Budget and Control Board  
612 Wade Hampton Office Building  
Post Office Box 12444  
Columbia, South Carolina 29211

Dear Dr. Coles:

The Department of Social Services is in the process of converting to a new computer system to support the AFDC and Food Stamp programs. All client cases statewide will be converted to this new system, with an average of six to eight counties converting each month. We anticipate having all AFDC and Food Stamp cases on the system by the end of June 1989.

A team of approximately 60 employees (1 to 2 from each county office) are traveling each month to the converting counties and keying the cases into the new system. This travel requires a fairly large expenditure of funds by each employee for meals. Each employee's estimated monthly net pay is \$930.00. Their estimated meal expense is \$360.00 (20 days at \$18.00 per day).

We are aware that travel advances are limited to 80 percent of the anticipated cost if the 80 percent will exceed \$250.00. In the case above, 80 percent of the monthly anticipated cost will amount to \$288.00.

I am therefore requesting approval of the Budget and Control Board to allow a standard cash advance each month for each employee traveling on this conversion effort through June 1989. Each advance will be reconciled monthly via the processing of a request for travel reimbursement from each employee for the month's travel, and DSS will maintain all required records.

If you have any questions or need additional information, please feel free to contact me. I appreciate your consideration of this request.

Sincerely,

*James L. Solomon, Jr.*

James L. Solomon, Jr.  
Commissioner

JLSjr:brs

05164

## South Carolina Board of Social Services

R. JAMES AYCOCK, II	DOLores S. GREENE	DR. OSCAR F. BUTLER, JR.	BETTY C. DAVENPORT	JOHN K. EARLE	DR. AGNES H. WILSON	MELVIN S. NICKLES, JR., M.D.
CHAIRMAN	MEMBER	MEMBER	MEMBER	MEMBER	MEMBER	MEMBER
AT-LARGE	FIRST DISTRICT	SECOND DISTRICT	THIRD DISTRICT	FOURTH DISTRICT	FIFTH DISTRICT	SIXTH DISTRICT
MANNING	CHARLESTON	ORANGEBURG	ANDERSON	GREENVILLE	SUMTER	HARTSVILLE



CHAPTER	NOV 9 1988	NO.	Section Page Number
DISBURSEMENT REGULATIONS			4.2.3.19-21 Page 12
SECTION	STATE BUDGET & CONTROL BOARD		Effective Date
SUB-SECTION	SUBSISTENCE		July 1, 1985
MULTIPLE - SEE BELOW			Revision Number
			85-001

## 19. Dual Employment

Travel expenses incurred by a state employee while working on official State business in a Budget and Control Board approved dual employment status may be paid travel expenses in accordance with travel regulations by the secondary agency if prior written approval is secured from the employee's Home Agency. (See Code 4.2.11.2 of this manual.)

## 20. Volunteers

Volunteers who provide services to State agencies free-of-charge may be reimbursed expenses for mileage incurred when performing their services. Mileage incurred while driving to and from volunteer work is not reimbursable. Reimbursements for meals and lodging incurred when making departmental trips at departmental requests are allowed in accordance with regulations established for State employees.

## 21. Travel Advances

The Appropriations Act provides authority for advance travel payments as follows:

"That a State agency may advance travel and subsistence expense monies to employees of that agency for the financing of ordinary and necessary travel required in the conducting of the business of the agency. The Budget and Control Board is directed to develop and publish rules and regulations pertaining to the advancing of travel expenses and no State agency shall make such advances except under the rules and regulations as published. Provided, all advances for travel and subsistence monies shall be repaid to the agency within thirty (30) days after the end of the trip or by the end of the fiscal year, whichever comes first.

Budget and Control Board Policy regarding travel advances:

- (1) No travel advance shall be made to an employee for travel within the State of South Carolina without specific approval of the State Budget and Control Board.
- (2) No travel advance shall be made for more than 80% of the estimated amount of the total travel expense, excluding airline transportation.
- (3) No advance shall be made in instances where 80% of the estimated travel expense does not exceed \$250.00.
- (4) The agency, department or institution making advances shall keep such records of advances made in accordance with rules prescribed by the Comptroller General. If any agency fails to keep proper records, the privilege to make travel advances shall be withdrawn.



# EXHIBIT

STATE OF SOUTH CAROLINA  
OFFICE OF THE COMPTROLLER GENERAL

NOV 9 1988

NO. 7

CHAPTER	DISBURSEMENT REGULATIONS	STATE BUDGET & CONTROL BOARD	Section Page Number 4.2.3.21	Page 13
SECTION	SUBSISTENCE		Effective Date	
SUB-SECTION	TRAVEL ADVANCES		July 1, 1985	
			Revision Number	
			85-001	

## 21. Travel Advances (Cont'd)

- (5) Request for travel advances must be submitted to the Comptroller General's Office not later than seven (7) business days prior to the beginning of the trip for which the advance is requested.

The primary purpose for providing cash advances to employees who are traveling on official business of a State agency is to reduce the amount of personal funds required to finance official travel, thereby relieving the financial burden of the traveler.

The Request for Official Travel Cash Advance (STARS Form 61) must be completed with all information required and approved by the Agency Director and Budget and Control Board (see Code 2.1.3.103, STARS Agency User's Manual).

Travel advances for subsistence (meals and lodging) will be requested on a contingent voucher (STARS Form 60) supported by an Approved Request for Official Travel Cash Advance (STARS Form 61). The contingent voucher must be completed as outlined in Code 2.1.3.87, STARS Agency User's Manual and marked "Advance". Request for travel advance must be processed as a single transaction on the contingent voucher. Travel reimbursement and per diem payments can not be combined on the same voucher with travel advances.

The voucher(s) for travel advance(s) should be batched separately and marked "Advance". The vouchers for request for travel advances must be submitted to the Director, Central State Audit Division of the Comptroller General's Office not later than seven (7) business days prior to the beginning of the trip for which the advance is requested.

When the employee returns from the trip for which the travel advance was made, a contingent voucher must be completed for recording the actual travel expense in the proper expenditure object codes and reimbursing the travel advance (see Code 2.1.3.88 and 2.1.3.89, STARS Agency User's Manual).

If the Travel Advance exceeds the actual travel expenses, the excess amount of the Travel Advance must be deposited with the State Treasurer on the bank deposit form completed in accordance with procedures outlined in the STARS Agency User's Manual (Section 2) (Exhibit IV) issued by the State Treasurer. The excess of the Travel Advance must be refunded to the same subfund code and mini code from which the original Travel Advance was made. The agency voucher number of the original Travel Advance must be recorded in the encumbrance number column. The expenditure object code 0599 will be used for all travel advance reimbursements.

05167



STATE OF SOUTH CAROLINA  
OFFICE OF THE COMPTROLLER GENERAL

# EXHIBIT

CHAPTER	NOV 9 1988	NO.	Section Page Number
DISBURSEMENT REGULATIONS			4.2.3.19-21 Page 12
SECTION	STATE BUDGET & CONTROL BOARD		Effective Date
SUBSISTENCE			July 1, 1985
SUB-SECTION	MULTIPLE - SEE BELOW		Revision Number
			85-001

## 19. Dual Employment

Travel expenses incurred by a state employee while working on official State business in a Budget and Control Board approved dual employment status may be paid travel expenses in accordance with travel regulations by the secondary agency if prior written approval is secured from the employee's Home Agency. (See Code 4.2.11.2 of this manual.)

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Volunteers who provide services to State agencies free-of-charge may be reimbursed expenses for mileage incurred when performing their services. Mileage incurred while driving to and from volunteer work is not reimbursable. Reimbursements for meals and lodging incurred when making departmental trips at departmental requests are allowed in accordance with regulations established for State employees.

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Budget and Control Board Policy regarding travel advances:

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- (4) The agency, department or institution making advances shall keep such records of advances made in accordance with rules prescribed by the Comptroller General. If any agency fails to keep proper records, the privilege to make travel advances shall be withdrawn.

05165



STATE OF SOUTH CAROLINA  
OFFICE OF THE COMPTROLLER GENERAL

CHAPTER	DISBURSEMENT REGULATIONS	Section Page Number	4.2.3.21 Page 13
SECTION	SUBSISTENCE	Effective Date	July 1, 1985
SUB-SECTION	TRAVEL ADVANCES	Revision Number	85-001

21. Travel Advances (Cont'd)

- (5) Request for travel advances must be submitted to the Comptroller General's Office not later than seven (7) business days prior to the beginning of the trip for which the advance is requested.

The primary purpose for providing cash advances to employees who are traveling on official business of a State agency is to reduce the amount of personal funds required to finance official travel, thereby relieving the financial burden of the traveler.

The Request for Official Travel Cash Advance (STARS Form 61) must be completed with all information required and approved by the Agency Director and Budget and Control Board (see Code 2.1.3.103, STARS Agency User's Manual).

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05166



# EXHIBIT

STATE OF SOUTH CAROLINA  
OFFICE OF THE COMPTROLLER GENERAL

NOV 9 1988

NO. 7

CHAPTER	DISBURSEMENT REGULATIONS	STATE BUDGET & CONTROL BOARD	Section Page Number 4.2.3.21	Page 13
SECTION	SUBSISTENCE		Effective Date	
SUB-SECTION	TRAVEL ADVANCES		July 1, 1985	
			Revision Number	
			85-001	

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The primary purpose for providing cash advances to employees who are traveling on official business of a State agency is to reduce the amount of personal funds required to finance official travel, thereby relieving the financial burden of the traveler.

The Request for Official Travel Cash Advance (STARS Form 61) must be completed with all information required and approved by the Agency Director and Budget and Control Board (see Code 2.1.3.103, STARS Agency User's Manual).

Travel advances for subsistence (meals and lodging) will be requested on a contingent voucher (STARS Form 60) supported by an Approved Request for Official Travel Cash Advance (STARS Form 61). The contingent voucher must be completed as outlined in Code 2.1.3.87, STARS Agency User's Manual and marked "Advance". Request for travel advance must be processed as a single transaction on the contingent voucher. Travel reimbursement and per diem payments can not be combined on the same voucher with travel advances.

The voucher(s) for travel advance(s) should be batched separately and marked "Advance". The vouchers for request for travel advances must be submitted to the Director, Central State Audit Division of the Comptroller General's Office not later than seven (7) business days prior to the beginning of the trip for which the advance is requested.

When the employee returns from the trip for which the travel advance was made, a contingent voucher must be completed for recording the actual travel expense in the proper expenditure object codes and reimbursing the travel advance (see Code 2.1.3.88 and 2.1.3.89, STARS Agency User's Manual).

If the Travel Advance exceeds the actual travel expenses, the excess amount of the Travel Advance must be deposited with the State Treasurer on the bank deposit form completed in accordance with procedures outlined in the STARS Agency User's Manual (Section 2) (Exhibit IV) issued by the State Treasurer. The excess of the Travel Advance must be refunded to the same subfund code and mini code from which the original Travel Advance was made. The agency voucher number of the original Travel Advance must be recorded in the encumbrance number column. The expenditure object code 0599 will be used for all travel advance reimbursements.

05167



# EXHIBIT

State of South Carolina

NOV 9 1988

NO. 7

## State Budget and Control Board

STATE BUDGET & CONTROL BOARD

CARROLL A. CAMPBELL, JR., CHAIRMAN  
GOVERNOR

GRADY L. PATTERSON, JR.  
STATE TREASURER

EARLE E. MORRIS, JR.  
COMPTROLLER GENERAL




Box 12444  
Columbia  
29211

JAMES M. WADDELL, JR.  
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN  
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.  
EXECUTIVE DIRECTOR

October 27, 1988

MEMORANDUM TO: Jesse A. Coles, Jr.  
FROM: Alan Pollack   
SUBJECT: DSS Travel Advance Request

I met this morning with Mr. Shealy of the Comptroller General's Office. The Comptroller General's Office is only authorized to approve travel advances for out-of-state travel. The Board must approve advances for in-state travel on a trip basis. Additionally, the following two conditions must be met.

1. Travel advances are limited to 80% of the anticipated cost if the 80% will exceed \$250.00. In the case presented, 80% of the monthly anticipated cost will in fact be \$288.00.
2. Accounts must be reconciled within thirty days of the trip.

Mr. Shealy agreed that they would be willing to treat each month as a single trip, and we also agreed that we would limit the Board approval to this fiscal year, i.e., June 30, 1989, as requested in Mr. Solomon's letter.

If this is satisfactory, which I feel it will be, do you wish me to contact Mr. Solomon and have him prepare an agenda item or would you prefer that we prepare the agenda item for him?

AP:hc

05168



# EXHIBIT

NOV 9 1988

NO. 7



JAMES L. SOLOMON, JR.

COMMISSIONER

STATE BUDGET & CONTROL BOARD

South Carolina

Department of Social Services

P. O. BOX 1520

Columbia, South Carolina 29202-1520

October 21, 1988

Dr. Jesse A. Coles, Jr., Executive Director  
Budget and Control Board  
612 Wade Hampton Office Building  
P. O. Box 12444  
Columbia, S.C. 29211

Dear Dr. Coles:

The Department of Social Services is in the process of converting to a new computer system to support the AFDC and Food Stamp programs. All client cases statewide will be converted to this new system, with an average of six to eight counties converting each month. We anticipate having all AFDC and Food Stamp cases on the system by the end of June 1989.

A team of approximately 60 employees (1 to 2 from each county office) are traveling each month to the converting counties, and keying the cases into the new system. This travel requires a fairly large expenditure of funds by each employee for meals. Each employee's estimated monthly net pay is \$930. Their estimated meal expense is \$360.00 (20 days at \$18.00 per day).

I am therefore requesting approval of the Budget and Control Board to allow a standard cash advance each month for each employee traveling on this conversion effort, through June 1989. Each advance will be reconciled monthly via the processing of a request for travel reimbursement from each employee, and DSS will maintain all required records.

If you have any questions or need additional information, please feel free to contact me. I appreciate your consideration of this request.

Sincerely,

*James L. Solomon, Jr.*  
James L. Solomon, Jr.  
Commissioner

JLSjr/sws

05169

## South Carolina Board of Social Services

R. JAMES AYCOCK, III CHAIRMAN	DOLORES S. GREENE MEMBER FIRST DISTRICT	DR. OSCAR P. BUTLER, JR. MEMBER SECOND DISTRICT	BETTY C. DAVENPORT MEMBER THIRD DISTRICT	JOHN K. EARLE MEMBER FOURTH DISTRICT	DR. AGNES H. WILSON MEMBER FIFTH DISTRICT	MELVIN B. NICKLES, JR., M.D. MEMBER SIXTH DISTRICT
----------------------------------	---	---	--	--	---	--



# EXHIBIT

NOV 9 1988

NO. 8

STATE BUDGET AND "CONTROL BOARD  
MEETING OF November 9, 1988

STATE BUDGET & CONTROL BOARD  
REGULAR SESSION

ITEM NUMBER

4

AGENCY: State Treasurer

SUBJECT: Bond Counsel Selection

The Jobs-Economic Development Authority asks for Board approval of bond counsel (listed below in JEDA's order of preference) in connection with a tax-exempt issue involving one borrower:

- (1) Haynsworth, Marion, McKay and Guerard; and
- (2) The McNair Firm.

BOARD ACTION REQUESTED:

Approve the selection of the Haynsworth, Marion, McKay and Guerard firm to provide bond counsel services for the Jobs-Economic Development Authority for a tax-exempt issue (one borrower).

ATTACHMENTS:

Huey November 2 letter to McInnis; attachments

05170



# EXHIBIT

NOV 9 1988

NO. 8

## REQUEST FOR ASSIGNMENT OF BOND COUNSEL STATE BUDGET & CONTROL BOARD

FROM: The South Carolina Jobs-Economic Development Authority

TO: Grady L. Patterson, Jr., State Treasurer

DATE: November 1, 1988

SUBJECT: REQUEST FOR ASSIGNMENT OF BOND COUNSEL

Any agency, department or institution contemplating a debt issue must immediately contact the State Treasurer's Office who will work with them in obtaining assignment of bond counsel pursuant to State Budget and Control Board directives.

DESCRIPTION OF DEBT ISSUE: Tax-Exempt Issue (One Borrower)

The recommendation of bond counsel proposed by order of preference is as follows:

1. The Haynsworth, Marion, McKay and Guerard Law Firm  
NAME OF FIRM

2. The McNair Law Firm

NAME OF FIRM

Resubmitted  
~~SOXKXXXXXX~~ BY:

Elmer E. Jenkins, III  
SIGNATURE/TITLE

ON 11/01/88  
DATE

FOR STATE BUDGET AND CONTROL BOARD USE ONLY:

BOND COUNSEL APPROVED: HAYNSWORTH, MARION, MCKAY + GUERARD ON 11-09-88  
FIRM DATE

CERTIFIED BY: William A. McNair ON 11-09-88  
FOR STATE BUDGET AND CONTROL BOARD DATE

FOR STATE TREASURER'S OFFICE USE ONLY:

Notification given to agency/institution by the State Treasurer's

Office on \_\_\_\_\_ by \_\_\_\_\_  
DATE (NAME/TITLE)

STC/BC-2

05171



NOV - 2 1988

STATE OF SOUTH CAROLINA

OFFICE OF STATE TREASURER

GRADY L. PATTERSON, JR.  
TREASURER



COLUMBIA  
29211

November 2, 1988

P. O. DRAWER 11778

EXHIBIT

NOV 9 1988

NO. 8

STATE BUDGET & CONTROL BOARD

Honorable William A. McInnis  
Deputy Executive Director  
State Budget and Control Board  
Post Office Box 12444  
Columbia, South Carolina 29211

Dear Bill:

The attached request for approval of bond counsel has been received and needs to be placed on the Agenda for consideration by the Budget and Control Board at its next meeting.

Once a determination has been made by the Board, we will notify the requesting agency's of the Board's decision.

If you need any further information, please feel free to call me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Sandy Agee Huey".

Sandy Agee Huey  
Deputy State Treasurer

SAH:fm

Enclosure

05172



Attachment - 11/02/88

The following request for assignment of bond counsel on a proposed revenue issues has been received by the State Treasurer's Office and is in a position to be considered by the Budget and Control Board.

Agency	Approximate Size of Proposed Issue	Attorney Recommendation by Order of Preference
Jobs-Economic Development Authority	Tax-Exempt Issue (One Borrower)	Haynsworth, Marion, McKay and Guerard The McNair Law Firm

EXHIBIT

NOV 9 1988 NO. 8

STATE BUDGET & CONTROL BOARD

05173



NOV - 3 1988

South Carolina Jobs-Economic Development Authority



Elliott E. Franks, III  
Chief Executive Officer

November 1, 1988

Ms. Ann M. Lockman  
State Treasurer's Office  
State of South Carolina  
Post Office Drawer 1778  
Columbia, South Carolina 29211

Dear Ms. Lockman:

Per your request please find attached one properly executed "Request for Assignment of Bond Counsel," Form STO/BC-2.

This request is being submitted in anticipation of a December, 1988 Bond Closing.

Thank you as always for your splendid assistance and support.

Best wishes and kindest regards.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Elliott E. Franks, III".

Elliott E. Franks, III

EEF:fls

Attachment

c: Mr. William A. McInnis

05174



REQUEST FOR ASSIGNMENT OF BOND COUNSEL

FROM: The South Carolina Jobs-Economic Development Authority  
TO: Grady L. Patterson, Jr., State Treasurer  
DATE: November 1, 1988  
SUBJECT: REQUEST FOR ASSIGNMENT OF BOND COUNSEL

Any agency, department or institution contemplating a debt issue must immediately contact the State Treasurer's Office who will work with them in obtaining assignment of bond counsel pursuant to State Budget and Control Board directives.

DESCRIPTION OF DEBT ISSUE: Tax-Exempt Issue (One Borrower)

The recommendation of bond counsel proposed by order of preference is as follows:

1. The Haynsworth, Marion, McKay and Guerard Law Firm  
NAME OF FIRM

2. The McNair Law Firm

NAME OF FIRM

Resubmitted  
~~SOB/MCC/BC~~ BY:

  
SIGNATURE/TITLE

ON 11/01/88  
DATE

-----  
FOR STATE BUDGET AND CONTROL BOARD USE ONLY:

BOND COUNSEL APPROVED: \_\_\_\_\_ ON \_\_\_\_\_  
FIRM DATE

CERTIFIED BY: \_\_\_\_\_ ON \_\_\_\_\_  
FOR STATE BUDGET AND CONTROL BOARD DATE

-----  
FOR STATE TREASURER'S OFFICE USE ONLY:

Notification given to agency/institution by the State Treasurer's

Office on \_\_\_\_\_ by \_\_\_\_\_  
DATE (NAME/TITLE)

STO/BC-2

05175



OCT 27 1988

South Carolina Jobs-Economic Development Authority



Elliott E. Franks, III  
Chief Executive Officer

October 26, 1988

The Honorable Grady L. Patterson, Jr.  
State Treasurer  
State of South Carolina  
Post Office Drawer 1778  
Columbia, South Carolina 29211

*Jackson  
Null*

Dear Mr. Patterson:

Please find attached one properly executed "Request for Assignment of Bond Counsel", Form STO/BC-2.

This request is submitted in anticipation of a December, 1988 Bond Closing.

Thank you as always for your splendid assistance and support.

Best wishes and kindest personal regards.

Yours sincerely,

Elliott E. Franks, III

EEF:fls

Attachment

c: Mr. William A. McInnis

05176

*765-2396*



REQUEST FOR ASSIGNMENT OF BOND COUNSEL

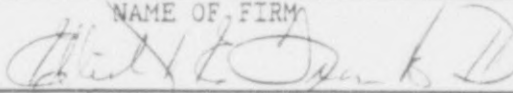
FROM: The South Carolina Jobs-Economic Development Authority  
TO: Grady L. Patterson, Jr., State Treasurer  
DATE: October 25, 1988  
SUBJECT: REQUEST FOR ASSIGNMENT OF BOND COUNSEL

Any agency, department or institution contemplating a debt issue must immediately contact the State Treasurer's Office who will work with them in obtaining assignment of bond counsel pursuant to State Budget and Control Board directives.

DESCRIPTION OF DEBT ISSUE: Tax Exempt Issue (One Borrower)

The recommendation of bond counsel proposed by order of preference is as follows:

1. The Haynsworth, Marion, McKay and Guerard Firm  
NAME OF FIRM
2. \_\_\_\_\_  
NAME OF FIRM

SUBMITTED BY:  ON 10/25/88  
SIGNATURE TITLE DATE

-----  
FOR STATE BUDGET AND CONTROL BOARD USE ONLY:

BOND COUNSEL APPROVED: \_\_\_\_\_ ON \_\_\_\_\_  
FIRM DATE

CERTIFIED BY: \_\_\_\_\_ ON \_\_\_\_\_  
FOR STATE BUDGET AND CONTROL BOARD DATE

-----  
FOR STATE TREASURER'S OFFICE USE ONLY:

Notification given to agency/institution by the State Treasurer's  
Office on \_\_\_\_\_ by \_\_\_\_\_  
DATE (NAME/TITLE)

STC/BC-2

05177



# EXHIBIT

NOV 9 1988 NO. 9

STATE BUDGET AND CONTROL BOARD  
MEETING OF November 9, 1988

REGULAR SESSION  
ITEM NUMBER

5

AGENCY: Local Government

SUBJECT: Special Match Fund Expenditures

The Division of Local Government recommends approval of the following expenditures of special match funds:

- (a) Richland County, \$72,000 to close open ditches on Jasmine Lane by installing drainage pipes. The County is providing 20% of the total cost (\$18,000).
- (b) Town of Chapin, \$100,000 to construct a main trunk line in the southern portion of the town to provide municipal sewer service. Lexington County and the City of Columbia are providing a total of \$754,893.

BOARD ACTION REQUESTED:

Approve the following expenditures of Local Government special match funds:

- (a) Richland County, \$72,000; and (b) Town of Chapin, \$100,000.

ATTACHMENTS:

Agenda item worksheets; attachments

05178



# EXHIBIT

NOV 9 1988

NO. 9

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

STATE BUDGET & CONTROL BOARD

Meeting Scheduled for:

Agenda

November 9, 1988

Regular

1. Submitted By:

(a) Agency: Local government - Budget and Control Board

(b) Authorized Official Signature: Nancy P. White

2. Subject: Richland County is requesting funds to close open ditches on Jasmine Lane.

3. Summary Background Information:

Richland County is requesting funds to close open ditches on Jasmine Lane by installing drainage pipes. By so doing, this will reduce health, safety, and environmental hazards in the area. Richland County is providing 20% of the total cost - \$ 18,000. The remainder will be supplied from the Special Match Fund. The breakdown is as follows:

Richland County \$ 18,000

Special Match Fund 72,000

TOTAL \$ 90,000

4. What is Board asked to do?

Approve request

5. What is recommendation of Board Division involved?

Approve request

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: \_\_\_\_\_

(b) Division/Agency Name: \_\_\_\_\_

7. Supporting Documents:

(a) List Those Attached:

Attached application

(b) List Those Not Attached But Available From Submitter:

05179

(a)



# EXHIBIT

\$72,000.<sup>00</sup>

②

NOV 9 1988

NO. 9

000478

BUDGET AND CONTROL BOARD

STATE BUDGET & CONTROL BOARD DIVISION OF LOCAL GOVERNMENTS

**CERTIFIED**

## APPLICATION FOR RURAL IMPROVEMENT FUNDS

NAME OF APPLICANT Richland County/House District 73 Development Council  
STREET ADDRESS 1701 Main Street  
CITY OR TOWN Columbia STATE S. C. ZIP 29201

Application must be completed in full. Submit original and one copy.

### Description of Project:

This is a project to close open ditches on Jasmine Lane by installing drainage pipes in the ditch.

### Anticipated Results of Projects:

Place drainage pipes in ditch along side Jasmine Lane.

Reduce health, safety, and environmental hazards associated with open ditches.

Alleviate and reduce the overflowing and flooding caused by the present drainage system which is inadequate to take care of the flow, especially in heavy rain.

### Source of Funding (Federal, State, Local, Private donations, etc...)

There is no other source of funding for this project at the present time.

05180

MAY 19 1988



# EXHIBIT

Anticipated Expenditures (IN DETAIL)

NOV 9 1988

NO. 9

000478

(see attached)

STATE BUDGET & CONTROL BOARD

CERTIFIED

If approved, when will you need the funds? Date: \_\_\_\_\_ \$ 90,840

House Funds \$ \_\_\_\_\_

Senate Funds \$ \_\_\_\_\_

TOTAL \$ 90,840

## General Information

A. Unencumbered General Fund Balance \_\_\_\_\_ N/A

B. How often is the applicant audited? \_\_\_\_\_ Annually

C. What period was covered by the last audit? \_\_\_\_\_ July 1, 1986 - June 30, 1987

D. What audit procedures will apply to Rural Improvement funds? \_\_\_\_\_ Standard

E. Name and Title of individual responsible for administration of Grant:  
Dean D. Hunter, Jr. Title County Administrator

748-4616

Approved by:

(Legislative Approval-- Requires signature of both Senate and House member)

Kay Patten  
Joe E. Brown

Organization \_\_\_\_\_ Richland County Government

Authorized Signature \_\_\_\_\_ Title County Administrator

Phone \_\_\_\_\_ Date 5-18-88

ALL FUNDS ARE SUBJECT TO RANDOM AUDIT

05181



# EXHIBIT

NOV 9 1988

NO. 9

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84) STATE BUDGET & CONTROL BOARD

Meeting Scheduled for:

November 9, 1988

Agenda

Regular

1. Submitted By:

(a) Agency: Local Government - Budget and Control Board

(b) Authorized Official Signature: Nancy P. White

2. Subject: Town of Chapin is requesting funds to construct a main truck line to provide municipal sewer service.

3. Summary Background Information:

The Town of Chapin is requesting funds to construct a main truck line in the southern portion of the Town to provide municipal sewer service. Residential, as well as, commercial ventures will be able to tie into the line. This will aid in economic development. The proposed funding is as follows:

Lexington County/City of Columbia	\$ 754,893
Special Match Fund	100,000

4. What is Board asked to do?

Approve request

5. What is recommendation of Board Division involved?

Approve request

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: \_\_\_\_\_

(b) Division/Agency Name: \_\_\_\_\_

7. Supporting Documents:

(a) List Those Attached:

Attached application

(b) List Those Not Attached But Available From Submitter:

05182

(b)



# EXHIBIT

NOV 9 1988

NO. 9

BUDGET AND CONTROL BOARD

000534

STATE BUDGET & CONTROL BOARD

DIVISION OF LOCAL GOVERNMENTS

CERTIFIED

APPLICATION FOR RURAL IMPROVEMENT FUNDS

NAME OF APPLICANT Town of Chapin

STREET ADDRESS Town Hall, P.O. Box 183

CITY OR TOWN Chapin

STATE S.C.

ZIP 29036

Application must be completed in full. Submit original and one copy.

## Description of Project:

Grant monies are being requested to construct a main trunk line in the southern portion of the Town of Chapin to provide municipal sewer service to a portion of the Town's residents. The Foodland grocery store, including all other commercial units within the shopping center, will tie on to the line as will over 50 residential customers initially.

## Anticipated Results of Projects:

In 1986, the Town of Chapin was designated as the entity responsible for provision of sewer service for all of Lexington County to the north of Lake Murray. In January 1988, the Town received title to a 1.2 million gallon per day regional wastewater treatment plant with 100 existing customers. Providing sewer service to the Town's residents represents the second phase of implementation for the region, whose ultimate population is projected to be 37,800 persons in the year 2010.

## Source of Funding (Federal, State, Local, Private donations, etc...)

State funds (FY 1989) - \$100,000

Previous application (No. 000533

for FY 1988) -

\$754,893 from Lexington County, City of Columbia  
and FmHA

05183



000534

## Anticipated Expenditures (IN DETAIL)

For pump stations - 8" PVC sewer main, force mains, manholes, service lines and connections and appurtenances =	\$ 901,128.00
Engineering design =	57,765.00
Inspection =	24,015.00
Cont., R/W, etc. =	71,985.00
<b>TOTAL</b>	<b>\$1,054,893.00</b>

**CERTIFIED  
EXHIBIT**

NOV 9 1988 NO. 9

STATE BUDGET &amp; CONTROL BOARD

-----  
If approved, when will you need the funds? Date: July 1, 1988 \$ 100,000

House Funds \$ 50,000Senate Funds \$ 50,000TOTAL \$ 100,000-----  
General Information

- A. Unencumbered General Fund Balance \$25,256
- B. How often is the applicant audited? Annually
- C. What period was covered by the last audit? Calendar Year 1987
- D. What audit procedures will apply to Rural Improvement funds? Same procedures as that to audit all other town funds
- E. Name and Title of individual responsible for administration of Grant:  
Stanley Shealy Title Mayor

-----  
Approved by:(Legislative Approval-- Requires signature of both Senate and House member)

John Has Bunniss

Joe Wilson

Organization Town of ChapinAuthorized Signature Stanley E. Shealy Title MayorPhone (803) 737-1064 (work) (803) 345-2444 (Town Hall) Date May 31, 1988ALL FUNDS ARE SUBJECT TO RANDOM AUDIT

05184



# EXHIBIT

NOV 9 1988 NO. 10

STATE BUDGET AND CONTROL ~~STATE~~ BUDGET & CONTROL BOARD REGULAR SESSION  
MEETING OF November 9, 1988 ITEM NUMBER

6

AGENCY: Motor Vehicle Management

SUBJECT: State Fleet Safety Program Changes

The Motor Vehicle Management Division recommends approval of changes to the State Fleet Safety Program as indicated in the attachment. Changes are underlined.

The Board approved the State Fleet Safety Program in March of 1987 and it has been implemented by many State agencies. The agencies have proposed a variety of changes to the Program which now have been evaluated by the State Accident Action Committee.

The Committee supports adoption of the changes shown in the attachment. The proposed changes have been reviewed by the Human Resource Management Division and by the Attorney General's Office. Their comments are attached.

Two of the recommended changes considered to be major are the following:

1. The special hazards encountered by law enforcement officers are recognized. A "line of duty" accident category is created so that law enforcement officers will not be penalized for vehicle accidents experienced in the legitimate "line of duty."
2. The driving suspension requirements are made more flexible to allow agencies more latitude in imposing periods of suspension for repetitive "at fault" State vehicle accidents.

BOARD ACTION REQUESTED:

Approve amendments to the State Fleet Safety Program as recommended by the Division of Motor Vehicle Management.

ATTACHMENTS:

Agenda item worksheet; recommended changes to State Fleet Safety Program; Attorney General's Office comments; Human Resource Management Division comments

05185



# EXHIBIT

OCT 28 1988

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (Revised 8/84)

NOV 9 1988

NO. 10

For meeting scheduled for:

November 9, 1988

STATE BUDGET & CONTROL BOARD

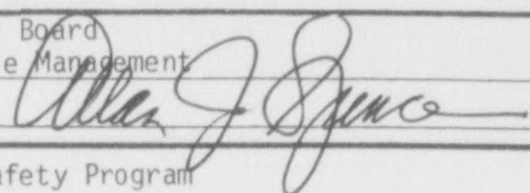
☒ Blue Agenda

☐ Regular Session Agenda

☐ Executive Session Agenda

1. Submitted By: State Budget and Control Board

(a) Agency: Division of Motor Vehicle Management

(b) Authorized Official Signature: 

2. Subject: Changes to State Fleet Safety Program

3. Summary Background Information:

See Attached Sheet.

4. What is Board asked to do?

Approve the State Fleet Safety Program changes recommended at Enclosure 1.

5. What is recommendation of the Board Division involved?

Same as 4 above.

6. Recommendation of other office (as required)?

(a) Office Name See Encls. 2 and 3

Authorized

(b) Signature

7. Supporting Documents:

List Those Attached

Encl. 1- Recommended Changes  
Encl. 2- Attorney General Comments  
Encl. 3- Human Resource Management  
Division's Comments

List Those Not Attached But Available  
from Submitter

05186



# EXHIBIT

NOV 9 1988 NO. 10

## SUMMARY BACKGROUND INFORMATION

STATE BUDGET & CONTROL BOARD

In March, 1987 the Board approved issuance of the State Fleet Safety Program. Since then, the Program has been implemented by many State agencies, and a variety of recommended changes have been proposed by many of these agencies. The State Accident Action Committee (SAAC) has evaluated the many changes proposed, and supports adoption of those changes shown at Enclosure 1.

Most of the recommended changes are of minor consequence. Two, however, are of major import:

1. The special hazards encountered by law enforcement officers are recognized (Chapter 1, Para. VI), and the category "Line of Duty" accident is created so that law enforcement officers will not be penalized for those vehicle accidents they experience in the legitimate "line of duty".
2. The driving suspension requirements at Appendix B are made more flexible in order to allow agencies more latitude in imposing periods of suspension for repetitive "at fault" State vehicle accidents.

05187



# EXHIBIT

NOV 9 1988 NO. 10

DRAFT

STATE BUDGET & CONTROL BOARD

## SOUTH CAROLINA FLEET SAFETY PROGRAM Change 1, November \_\_\_\_, 1988

The South Carolina Fleet Safety Program, published by the State Budget and Control Board on March 16, 1987, is changed as follows (change is indicated by underlining):

<u>Section</u>	<u>Change</u>
Intro, Para IV	Change to read: "The policy and procedures established under Chapter 19, Article 6, Regulations <u>19-610</u> , are directed by the Budget and Control Board and are mandatory for all agencies operating State-owned vehicles not specifically exempted by the Act."
Chapter 1, Para II D.	Change to read: "Employees who are spouses of active military personnel stationed in South Carolina, <u>and employees permanently residing in adjacent states, but employed in the State of South Carolina</u> , may operate a State-owned vehicle using a current, valid driver's license from their state-of-residence."
Chapter 1, Para III C.	Change to read: "Agencies will establish procedures to annually screen the MVRs of all employees, <u>contractors, consultants and volunteer workers</u> who have occasion to drive State vehicles. Requests for MVR screening will be submitted in the <u>format shown at Appendix A to the Division of Motor Vehicle Management, Attention: Fleet Safety Officer.</u> <u>Agencies will be charged a nominal fee (currently \$.50 per record), payable to the Division, for record screening.</u> <u>The driving records of persons possessing out-of-State driver's licenses will be screened by agency submission of a separate roster (Appendix A) with a fourth column (licensing State) added to the roster format.</u> The corrective actions shown at Appendix B will be taken concerning those employees discovered to have a history of traffic violations or vehicle accidents. <u>State vehicle accidents</u>

05188

Encl. 1



which occurred prior to the publication of this Program (March 16, 1987) shall not be considered in the administration of driver corrective actions." Agencies entering agreements for service provided by private firms, where employees of such firms will operate State-owned vehicles, shall include compliance with this program as a condition of such agreement. This provision shall not affect agreements with private contractors entered prior to the effective date of the revised Fleet Safety Program.

Chapter 1, Para IV A1.

Change to read: "New employees whose primary responsibility is to drive a State vehicle will attend the full eight-session DDC within sixty days of employment and will attend the four-session refresher course every third year thereafter. New employees who have attended an approved driver training course within three years of date of employment may not be required to attend another course until the third anniversary of their attendance."

Chapter 1, Para IV B1.

Change to read: "Employees whom an agency accident review board finds at fault in a preventable, reportable (See Glossary) State vehicle accident must complete the full eight-session DDC within ninety days of such finding. Failure to do so will result in termination of the employee's State vehicle driving privileges until the driver education requirement is met."

Chapter 1, Para IV B2.

Change to read: "Employees found to have accumulated 9-10 traffic violation points or two State vehicle accidents, or three total vehicle accidents, (See Appendix B), on their motor vehicle record must complete the eight-session DDC within ninety days of the discovery of their driving history. Failure to do so will result in termination of the employee's State vehicle driving privileges until the driver education requirement is met."

Chapter 1, Para IV C.

Add sub paragraph C. "Law enforcement officers found to fit the categories



# EXHIBIT

NOV 9 1988 NO. 10

STATE BUDGET & CONTROL BOARD

Chapter 1, Para VI

described in paragraphs IV A and B above may undergo a refresher pursuit driving course or DDC, depending upon the circumstances of the particular case.

(Added) Law Enforcement Officers. This program applies to all State agencies and employees operating State-owned vehicles. However, law enforcement officers (see glossary) are engaged in an inherently dangerous profession, and often must intentionally take actions which may result in vehicle accidents. Therefore, the following special provisions apply to law enforcement officers:

- A. All law enforcement vehicle operators shall abide by Section 56-5-760, of the S. C. Code of Laws when engaged in emergency or pursuit situations.
- B. All State vehicle accidents experienced by law enforcement officers will be reviewed by the appropriate agency Accident Review Board.
- C. The Board shall determine if the accident was experienced in the "line of duty" (see glossary) or not. Additionally, the Board shall determine if the State vehicle driver was "at fault" or "not at fault" (see glossary).
- D. Accidents found to be in the "line of duty" with the State driver not "at fault" shall not be considered in the administration of this Program. All "line of duty" accidents in which the State vehicle operator is found "at fault" and all "non-line of duty" accidents shall be considered and appropriate corrective action taken as described at Appendix B.

Chapter 2, Para 1 A.

Change to read: "A. Wearing of Safety Belts. All employees of South Carolina and passengers shall wear a safety belt at all times when operating or being transported as a passenger in a State-owned vehicle equipped with safety belts. It shall be each occupant's

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responsibility to insure compliance with the State's safety belt policy. Employees discovered not wearing safety belts will be disciplined in accordance with existing agency policies."

Chapter 2, Para 1.

Add sub paragraph D. "The use of radar detectors in State vehicles is strictly prohibited."

Glossary, Pg. G-1.

Change definition of Accident, Reportable to read: "Any accident in which a State-owned vehicle is involved where such accident results in death, personal injury, or combined property damage in excess of that amount specified by South Carolina law (currently \$400.00)."

Add the following definitions: Law Enforcement Officer - A duly commissioned certified Law Enforcement Officer, with statewide arrest powers who is normally armed. Final determination will be made by the Board after consulting with the Motor Vehicle Management Council.

Line of Duty - A concept applicable only to law enforcement officers. An officer is considered to be performing "in the line of duty" when that officer is engaged in activities pursuant to the laws, regulations, policies, procedures, or instructions issued by proper authority.

Glossary, Pg. G-2.

Motor Vehicle - Any vehicle, self-propelled or drawn by mechanical power, designed and licensed to be principally operated on the highway in the transportation of property or passengers.

Appendix A

Replace with attached Appendix A.

Appendix B

Replace with attached Appendix B.



# EXHIBIT

Appendix A

NOV 9 1988

NO. 10

## DRIVER RECORD SCREENING REQUEST STATE BUDGET & CONTROL BOARD

1. Agencies wishing to screen fewer than 100 driver records should submit a roster in the following format:

State Budget and Control Board  
Division of Motor Vehicle Management  
Attention: Fleet Safety Officer  
1022 Senate Street  
Columbia, South Carolina 29201

This agency wishes to have the Motor Vehicle Record of the following employees screened:

<u>Driver's</u> <u>License No.</u>	<u>Name</u>	<u>Date of</u> <u>Birth</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_  
Requestor's Signature

\_\_\_\_\_  
Agency

\_\_\_\_\_  
Position

\_\_\_\_\_  
Telephone Number

2. Agencies wishing to screen 100 or more driver records should submit driver data on computer magnetic tape. Specifications for tape input may be obtained from the Fleet Safety Officer at the address shown in paragraph 1 above.



# EXHIBIT

NOV 9 1988 NO. 1 0

## Appendix B DRIVER CORRECTIVE ACTIONS (Revised October, 1988)

STATE BUDGET & CONTROL BOARD

MVR VIOLATION PTS.	STATE VEHICLE or ACCIDENTS (LAST 5 YRS)	ALL VEHICLE or ACCIDENTS (LAST 3 YRS)	then CORRECTIVE ACTIONS
6-8	1-Regardless of fault <sup>1</sup>	--	Verbal counseling concern- ing responsibilities while driving State vehicles.
9-10	1-at fault <sup>2</sup> 2-regardless of fault	3-regardless of fault	Written counseling concern- ing responsibilities while driving State vehicles and Mandatory attendance of Defensive Driving Course.
11-12	3-regardless of fault	4-regardless of fault	Review of State vehicle driving privileges <sup>3</sup> by agency management.
	2-at fault <sup>2</sup>		<u>3 months to 1 year sus- pension from driving State vehicles.</u>
Driver Under Suspension			Driver suspended from oper- ating State vehicles until suspension is lifted by DHPT and the agency Accident Review Board.
	3-at fault <sup>2</sup>		<u>1 year to Permanent suspension from driving State vehicles.</u>

### Notes:

1. "Fault" is as determined by investigating law enforcement officers, and is indicated by the presence of a charge on the uniform Traffic Report. In the absence of a charge on the report, "fault" should be determined by the agency Accident Review Board.
2. Under the Insurance Proviso of the annual State Appropriations Act, a State employee may be held liable for up to \$200.00 for negligence while driving a State vehicle. (See Appendix E)
3. The presence of 11-12 violation points, 3 State vehicle accidents, or 4 "all vehicle" accidents on an employee's MVR, regardless of fault, is cause for that employee's State vehicle driving privileges to be reviewed by agency management or by an agency Accident Review Board. The agency may take any action consistent with State or agency personnel regulations.

05193



Appendix E

ACCIDENT REVIEW BOARDS

Delete Paragraph 5 B - DMVM Board.

Change Paragraph 7 D to read: " Appeal - Decisions made by agency Accident Review Boards are appealable to the following bodies, in the order shown:

- (a) Agency Accident Review Board
- (b) Agency Head or governing Board or Commission
- (c) State Motor Vehicle Management Council
- (d) State Budget and Control Board".

Change Paragraph 7 E to read: "Assessment of Damage - The employee-operator may be assessed for an amount not to exceed two hundred dollars for each occurrence if he is found to be at fault in the accident after a review of records conducted by a duly appointed Accident Review Board. The operator may be assessed up to the full cost of repairs if he was convicted of driving under the influence at the time of the accident and the Accident Review Board determines that the operator's impaired condition substantially was the cause of the accident."



# The State of South Carolina



## Office of the Attorney General

T. TRAVIS MEDLOCK  
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING  
POST OFFICE BOX 11549  
COLUMBIA, S.C. 29211  
TELEPHONE 803 734 3680

September 1, 1988

Allan J. Spence  
Director of the Division of  
Motor Vehicle Management  
1022 Senate Street  
Columbia, South Carolina 29201

Re: Draft South Carolina Fleet Safety Program  
Change 1, July \_\_\_\_, 1988

Dear Mr. Spence:

Your request that this Office review the drafted changes to the South Carolina Fleet Safety Program recommended by the State Accident Action Committee has been referred to me for response. I will address only those changes in the Draft that I consider to raise legal issues and do not purport to address the wisdom of any policy decision to make any of the proposed changes.

The proposed change to Chapter 1, Paragraph III C which adds the words "contractors, consultants, volunteer workers and students" raises various legal issues. First, does this change impact on any existing contractual relationships that may exist with such classes of individuals? Stated another way, would this change apply retroactively? With regard to the prospective application of this change, the law existing at the time and place of making a contract is part of the contract; this rule applies in the area of governmental contracts. See City of North Charleston v. North Charleston Dist., 289 S.C. 438, 346 S.E.2d 712 (1986). Accord, Ayres v. Crowley, 205 S.C. 51, 30 S.E.2d 785 (1944) (When parties enter into a contract, all laws of the state that may relate to the subject of the contract are part of that contract.). Second, the advice expressed in my letter dated January 14, 1987, to you concerning "Drafted comprehensive revision to Chapter 14 (Safety) of the State Motor Vehicle Management Manual" at pages 4 and 5 may apply to, at least, some

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*Encl 2*



# EXHIBIT

NOV 9 1988 NO. 10

Allan J. Spence  
Page Two  
September 1, 1988

STATE BUDGET & CONTROL BOARD

of these classes of individuals. As to the proposed added provision to Chapter 1, Paragraph III C concerning the nominal fee, this provision is unclear as to who pays the nominal fee, to whom the nominal fee is paid, and when the nominal fee is due.

The proposed changes to Chapter 1, Paragraph IV B1; Chapter 1, Paragraph IV B2; Chapter 1, Paragraph IV C; Chapter 1, Paragraph VI; Chapter 2, Paragraph 1A; and Appendix B are subject to the same general analysis and advice contained in my letter dated January 14, 1987, to you concerning "Drafted comprehensive revision to Chapter 14 (safety) of the State Motor Vehicle Management Manual." The Division of Motor Vehicle Management may want to consider and analyze thoroughly any potential liability and success of such constitutional challenges before adoption and implementation of the proposed changes to the South Carolina Fleet Safety Program.

The legal research connected with my review of these proposed changes was limited and is not represented to be exhaustive or conclusive. Furthermore, the comments contained herein represent my personal advice to you and may or may not constitute the opinion of the Office of the Attorney General.

If I can answer any questions, please advise me.

Sincerely,

*Samuel L. Wilkins*

Samuel L. Wilkins  
Assistant Attorney General

SLW/fg

05196



STATE OF SOUTH CAROLINA  
**BUDGET AND CONTROL BOARD**  
DIVISION OF HUMAN RESOURCE MANAGEMENT

1201 MAIN STREET, SUITE 1000  
COLUMBIA, SOUTH CAROLINA 29201  
803-737-0940



CARROLL A. CAMPBELL, JR., CHAIRMAN  
GOVERNOR

GRADY L. PATTERSON, JR.  
STATE TREASURER

EARLE E. MORRIS, JR.  
COMPTROLLER GENERAL

PHYLLIS M. MAYES  
Director

JAMES M. WADDELL, JR.  
CHAIRMAN  
SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN  
CHAIRMAN  
HOUSE WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.  
EXECUTIVE DIRECTOR

August 17, 1988

EXHIBIT

NOV 9 1988 NO. 10

STATE BUDGET & CONTROL BOARD

Mr. Allan J. Spence  
Director  
South Carolina Division of  
Motor Vehicle Management  
1022 Senate Street  
Columbia, South Carolina 29201

Dear Allan:

We have reviewed the revisions to the South Carolina Fleet Safety Program and find no conflicts with existing State personnel regulations. We believe the revisions should improve the program applicable to all agencies operating State-owned vehicles.

We offer one suggestion to Chapter 2, Paragraph 1 A. The proposed revision states, "Employees discovered not wearing safety belts will be issued a written reprimand." We would recommend that the language states, "Employees discovered not wearing safety belts will be subject to disciplinary actions by their agency." The reason for the suggested change is to allow the agency the discretion of determining disciplinary actions based on the circumstances of the individual violation. Similarly, the Division of Human Resource Management does not prescribe penalties for various disciplinary actions to State agencies but allows them to develop their own guidelines for handling misconduct. We believe the suggested change would be consistent with this accepted practice.

We appreciate the opportunity to comment on the revisions to the South Carolina Fleet Safety Program. We apologize for the delay in the response.

Sincerely,

Phyllis M. Mayes  
Director

RECEIVED

AUG 18 1988

DIVISION OF MOTOR  
VEHICLE MANAGEMENT

PMM/sd

05197

Encl 3



# EXHIBIT

NOV 9 1988 NO. 11

STATE BUDGET AND CONTROL BOARD REGULAR SESSION  
MEETING OF November 9, 1988 ITEM NUMBER

7

AGENCY: State Fire Marshal

SUBJECT: Day Care Facilities Regulations

Following the Notice of Drafting Period published in the September 23, 1988, State Register, the State Fire Commission has proceeded with the development of regulations to be promulgated on Group Child Day Care Facilities, Family Day Care Facilities, and Foster Homes licensed by the Department of Social Services (to become part of Article 3, Subarticle 1, Fire Prevention and Life Safety--Buildings, if approved).

Written comments were invited and a drafting period public hearing was held on November 2.

A copy of the regulations proposed for approval by the Board has been marked to show new portions. If approved by the Board, the regulations would be submitted for publication in the State Register and a hearing on them would be held January 4, 1989. After that, the regulations would come back to the Board for approval of their submission to the General Assembly.

Staff of the Fire Marshal's Office are to be present at the meeting to advise the Board on the involvement of persons or groups particularly interested in this subject in the development of the proposed regulations to this point.

## BOARD ACTION REQUESTED:

Approve submission to the State Register of regulations on Group Child Care, Family Day Care and Foster Care, as proposed by the State Fire Commission.

## ATTACHMENTS:

Lee November 2, 1988, letter to McInnis; referenced regulations.

05198



# EXHIBIT

State of South Carolina

NOV 9 1988

NO. 11

## STATE FIRE COMMISSION

STATE BUDGET & CONTROL BOARD



1201 Main Street, Suite 810  
Columbia, S.C. 29201  
Telephone: (803) 737-0660

Lewis B. Lee, Chairman  
Fourth Congressional District  
Newberry

November 2, 1988

H. Harold Tarleton, Jr., Vice Chairman  
Member-at-large  
Greenville

John R. Buckner  
First Congressional District  
Hardeeville

Wilmot E. Guthke  
First Congressional District  
Charleston

Stanley Holcombe  
Second Congressional District  
Lexington

Steve Newton  
Second Congressional District  
Irmo

Odis Gilreath  
Third Congressional District  
Anderson

James Long  
Third Congressional District  
Greenwood

Doug Higgins  
Fourth Congressional District  
Inman

James Moore  
Fourth Congressional District  
Mauldin

Gary Elliott  
Fifth Congressional District  
Camden

Richard R. Grant  
Fifth Congressional District  
Sumter

S. K. Brockington, Jr.  
Sixth Congressional District  
Lake City

Tony Hendrick  
Sixth Congressional District  
Conway

Brunson L. Cromer  
Member-at-large  
Aiken

Cari R. Dickert  
Member-at-large  
Piedmont

Robert M. Lee  
Member-at-large  
Johns Island

Priscilla Mayes  
Member-at-large  
Columbia

Michael G. Padgett  
Member-at-large  
Spartanburg

Mr. William A. McInnis  
Deputy Executive Director  
Budget and Control Board  
Wade Hampton Office Building  
Columbia, South Carolina 29201

Dear Mr. McInnis:

The State Fire Commission has just completed the drafting stage phase of regulation development and now intends to enter the Intent to Promulgate phase of the regulation development regarding fire and life safety. The Commission has revised Subarticle I, Section 19-300.11E. to make provisions for Group Child Care, Family Day Care and Foster Care Regulations. This revision is necessary to provide regulations for these facilities for fire and life safety inspections. A fire and life safety inspection is required of each facility prior to a license being issued by the Department of Social Services.

I have enclosed fifteen (15) copies of these regulations for your use. The Commission is seeking approval of these regulations by the Budget and Control Board at their November 9, 1988, meeting. The Fire Commission has set January 4, 1989, as the date for a public hearing on these regulations. The public hearing will take place at Suite 810, AT&T Building, 1201 Main Street, Columbia, South Carolina. Upon approval by the Board, please send these regulations to Ms. Lynn Bartlett to be included in the December issue of the State Register.

If you have any questions, please contact Mr. David Cullum at 737-8300.

Sincerely,

*Lewis B. Lee*

Lewis B. Lee, Chairman  
State Fire Commission

LBL:lp  
Enclosures

05199



# EXHIBIT

NOV 9 1988

NO. 1 1

DIVISION OF STATE FIRE MARSHAL

SUBARTICLE I

STATE BUDGET & CONTROL BOARD

## FIRE PREVENTION AND LIFE SAFETY-BUILDING

This subarticle has been amended to provide regulations for group day care facilities, family day care facilities, and foster homes. Existing regulations do not address these facilities. This revised regulation sets forth minimum fire and life safety standards for the occupancy of these facilities by children and for licensing by the Department of Social Services. These regulations address minor construction standards, exits, smoke detection devices, heating equipment, and infant care in these facilities.

05200



19-300.11 E. Child and Adult Day Care Facilities is amended to read as follows:

(1) All Child and Adult Care Facilities with thirteen or more clients receiving care, maintenance, and supervision for less than ~~twenty-four~~ <sup>or more than four hours</sup> hours per day shall be considered Educational Occupancy. ~~Child Day Care~~ <sup>NEW</sup> Facilities with four or more infants shall comply with the requirements of 19-300. 11 B., Facilities with Infant Care.

(2) All ~~Adult~~ <sup>Child and</sup> Day Care Facilities with ~~more than twelve children~~ <sup>twelve or less clients</sup> <sup>NEW</sup> receiving care, maintenance, and supervision for less than twenty-four hours per day shall be considered Residential Occupancy. ~~or more than four hours~~

(3) A fire drill shall be conducted at least every three months. Records of drills shall be maintained to report the date, time, and a description and evaluation of each drill.

(4) A fire plan describing what actions are to be taken by the staff in the event of a fire or other emergency must be developed. This plan shall note the location of all crib infants. The plan shall be posted and copies made available to all employees and the local fire authority.

<sup>NEW</sup> (5) Places of worship that operate a nursery for the care of children and/or infants during worship services are exempt from child and/or infant care regulations provided that the parent(s) or guardian(s) of these children are physically present in the place of worship during the time period these children and/or infants are in this nursery. <sup>NEW</sup>

(6) All Child Group Day Care Facilities with at least seven clients but not more than twelve clients receiving care, maintenance, and supervision for less than twenty-four hours shall be considered Residential Occupancy and comply with the following requirements:

(a) Mixed Occupancies

(1) Residential Facilities housing Group Day Care Facilities shall be separated from other type occupancies by a one-hour fire barrier.

(2) Group Day Care Facilities located in apartment occupancies shall be located on the floor of exit discharge.

(b) Exits

(1) Each Group Day Care Facility occupied by clients shall have at least two independent means of escape, one of which shall be an outswinging door.

(2) Group Day Care Facilities shall be limited to the floor of exit discharge for clients in the first grade or younger.

(c) Special Requirements

05201



# EXHIBIT

ALL NEW

NOV 9 1988

NO. 1 1

STATE BUDGET & CONTROL BOARD

(1) All closet door latches shall be such that clients can open the door from the inside of the closet.

(2) All bathroom door locks shall be designed to permit opening of the locked door from the outside in the event of an emergency. The opening device shall be readily accessible to the staff.

(3) The doorway between the level of exit discharge and any floor below shall be equipped with a self-closing solid core door.

(4) Group Day Care is prohibited in manufactured housing (mobile homes).

(5) A fire plan describing what actions are to be taken by the staff in the event of a fire must be developed, posted, and copies made available to staff members and the local fire department. This plan shall note the location of all crib infants.

(6) A fire drill shall be conducted every three months. Records of drills shall be maintained to report the date, time, and a description and evaluation of each drill.

## (d) Interior Finish

(1) The interior finish in occupied spaces and exits in Group Day Care Facilities shall be a minimum of class C.

## (e) Smoke Detectors/Fire Extinguishers

(1) A listed smoke detector shall be installed in every room in the home including enclosed garages, but to exclude bathrooms, in accordance with National Fire Protection Association, Chapter 74.

(2) At least one portable fire extinguisher with a minimum classification of 2A-10BC shall be installed in cooking areas.

## (f) Electrical Services

(1) Electrical wiring shall be certified by a licensed electrician.

(2) Special protective covers for electrical receptacles shall be installed on all receptacles located in areas occupied by clients.

## (g) Heating Equipment

(1) Unvented and/or portable space heaters are prohibited for use in Group Day Care Facilities.

(2) Heaters utilized in spaces occupied by clients shall be separated from this occupied area by partitions or screens constructed of closely spaced heavy gage wire or expanded metal mounted on noncombustible material.

05202



ALL NEW

(3) Fireplaces shall be equipped with fire screens, partitions or other means to protect clients from burns.

(h) Infant Care

(1) Group Day Care Facilities with four or more infants shall comply with the requirements of 19-300. 11 B., Facilities with Infant Care

(7) All Child Family Day Care Facilities that require licenses with six or less clients receiving care, maintenance, and supervision for less than twenty-four hours shall be considered Residential Occupancy, and comply with the following requirements:

(a) Mixed Occupancies

(1) Residential Facilities housing Child Family Day Care Facilities shall be separated from other type occupancies by a one-hour fire barrier.

(2) Child Family Day Care Facilities located in apartment occupancies shall be located on the floor of exit discharge.

(b) Exits

(1) Each Child Family Day Care Facility occupied by clients shall have at least two independent means of escape, one of which shall be an outswinging door.

(2) Child Family Day Care Facilities shall be limited to the floor of exit discharge for clients in the first grade or younger.

(c) Special Requirements

(1) All closet door latches shall be such that clients can open the door from the inside of the closet.

(2) All bathroom door locks shall be designed to permit opening of the locked door from the outside in the event of an emergency. The opening device shall be readily accessible to the staff.

(3) The doorway between the level of exit discharge and any floor below shall be equipped with a self-closing solid core door.

(4) A fire plan describing what actions are to be taken by the staff in the event of a fire must be developed, posted, and copies made available to staff members and the local fire department. This plan shall note the location of all crib infants.

(5) A fire drill shall be conducted every three months. Records of drills shall be maintained to report the date, time, and a description and evaluation of each drill.

(d) Interior Finish

05203



ALL NEW

(1) The interior finish in occupied spaces and exits in Child Family Day Care Facilities shall be a minimum of class C.

(e) Smoke Detectors/Fire Extinguishers

(1) A listed smoke detector shall be installed in every room in the home including enclosed garages, but to exclude bathrooms, in accordance with National Fire Protection Association, Chapter 74.

(2) At least one portable fire extinguisher with a minimum classification of 2A-10BC shall be installed in cooking areas.

(f) Electrical Services

(1) Electrical wiring shall be certified by a licensed electrician.

(2) Special protective covers for electrical receptacles shall be installed on all receptacles located in areas occupied by clients.

(g) Heating Equipment

(1) Unvented and/or portable space heaters are prohibited for use in Group Day Care Facilities.

(2) Heaters utilized in spaces occupied by clients shall be separated from this occupied area by partitions or screens constructed of closely spaced heavy gage wire or expanded metal mounted on noncombustible material.

(3) Fireplaces shall be equipped with fire screens, partitions, or other means to protect clients from burns.

(h) Infant Care

(1) Family Day Care Facilities with four or more infants shall comply with the requirements of 19-300. 11 B., Facilities with Infant Care.

(8) Foster Homes providing care, maintenance, and supervision for no more than six children, to include the natural or adopted children of the foster parent, shall be considered Residential Occupancy and comply with the following requirements:

(1) Each foster home shall have the electrical wiring certified as safe by a licensed electrician.

(2) A listed smoke detector shall be installed in every room in the home including enclosed garages, but to exclude bathrooms, in accordance with National Fire Protection Association, Chapter 74.

(3) As a minimum one fire extinguisher with a minimum classification of 2A-10BC shall be located in the cooking area.

EXHIBIT

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STATE BUDGET & CONTROL BOARD

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ALL NEW

EXHIBIT

NOV 9 1988 NO. 11

STATE BUDGET & CONTROL BOARD

(4) Each facility housing foster children shall have two independent means of escape.

(5) Unvented and/or portable space heaters shall not be used in foster homes.

(6) A fire plan describing what actions are to be taken by the staff in the event of a fire must be developed, posted, and copies made available to the local fire department. This plan shall note the location of all crib infants.

(7) A fire drill shall be conducted every three months. Records of drills shall be maintained to report the date, time and description and evaluation of each fire drill. A fire drill shall be conducted upon the arrival of a new foster child.

(8) Foster homes with four or more infants shall comply with the requirements of 19-300. 11 B., Facilities with Infant Care.

(9) This section shall waive additional institution requirements ruled for Group Day Care, Family Day Care, Foster Care and Infant Care.

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# EXHIBIT

NOV 9 1988

NO. 12

STATE BUDGET AND CONTROL BOARD  
MEETING OF November 9, 1988

REGULAR SESSION  
ITEM NUMBER

8

AGENCY: Executive Director

SUBJECT: Moving Expenses

In accord with Code Section 8-11-135, approval is requested for the payment of the following reimbursements for the costs incurred in moving personal and household effects from to South Carolina:

- (a) Department of Corrections: Not to exceed \$5,000 to Mr. Richard Witkowski, Warden, Perry Correctional Institution, moving from Alabama.

The cost for relocating household and personal items is \$3,390.88. Because of delays in closing dates for selling and buying houses, Mr. Witkowski must store his furniture for approximately 30 days at a cost of \$1,671.98.

- (b) Orangeburg-Calhoun Technical College:

- (1) \$4,718.14 to Dr. Carol Hamer, Associate Degree Nursing Department Head, moving from Philadelphia, Pennsylvania.
- (2) \$4,124.32 to Mr. James E. McDonnell, Computer Program Instructor, moving from Carson City, Nevada.

BOARD ACTION REQUESTED:

In accord with Code Section 8-11-135, authorize the following reimbursements for the costs incurred in moving personal and household effects from to South Carolina: (a) Department of Corrections: Not to exceed \$5,000 to Mr. Richard Witkowski, Warden, Perry Correctional Institution; (b) Orangeburg-Calhoun Technical College: \$4,718.14 to Dr. Carol Hamer, Associate Degree Nursing Department Head; and \$4,124.32 to Mr. James E. McDonnell, Computer Program Instructor.

ATTACHMENTS:

Evatt November 1 and October 19 letters to Coles; Morris October 31 memos to McInnis; Groomes October 17 letter to Peterson

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# EXHIBIT

NOV 9 1988

NO. 12

STATE BUDGET & CONTROL BOARD

## § 8-11-135. Payment of moving expenses of new employees.

A state agency may pay the cost of moving the personal and household effects for newly-employed personnel if all of the following conditions are met:

- (a) The new employee's place of residence is outside of the State of South Carolina at the time of employment by the agency.
- (b) The agency can demonstrate that paying these costs is necessary to fill the position.
- (c) The maximum payment in any instance to any new employee may not exceed five thousand dollars.
- (d) The payment is certified by the agency head (or the board or commission chairman if the new employee is the agency head) as the total paid by the agency toward the total moving cost incurred by the new employee.
- (e) The amount certified by the agency is approved by the Budget and Control Board.

HISTORY: 1985 Act No. 201, Part II, § 10.

05207





south carolina  
department of corrections

EXHIBIT

NOV 9 1988

NO. 12

STATE BUDGET & CONTROL BOARD

P.O. BOX 21787/4444 BROAD RIVER ROAD/COLUMBIA, SOUTH CAROLINA 29221-1787  
TELEPHONE (803) 737-8555  
PARKER EVATT, Commissioner

November 1, 1988

Dr. Jesse Coles  
Executive Director  
Budget and Control Board  
612 Wade Hampton Building  
Post Office Box 12444  
Columbia, South Carolina 29211

Dear Dr. Coles:

This letter is in follow up to my October 19, 1988, correspondence concerning the Department of Corrections request to reimburse Mr. Richard Witkowski for moving expense as a result of his having to relocate from Alabama to South Carolina. Mr. Witkowski, as you may recall from my earlier letter, was selected as the Warden of the Perry Correctional Institution recently.

We have listed below the total expenses which Mr. Witkowski will incur as a result of his relocation to South Carolina. Since the actual amount incurred exceeds the maximum reimbursement allowed, we are requesting up to \$5,000.00 be reimbursed. You will note the amount indicated is the lowest of the three estimates received by Mr. Witkowski.

Amount

\$ 3,266.88	North American
124.00	U-Haul
<u>\$ 3,390.88</u>	Cost for relocating household and personal affects
<u>\$ 1,671.98</u>	Temporary storage by North American for approximately one month
\$ 5,062.86	Total expenses incurred

We have also included \$1,671.98 in temporary storage expenses in the above total since the difference in the closing date of the sale of his home in Alabama and the closing date for the home purchased in Greenville, South Carolina will necessitate the storage of his furniture by North American for approximately 30 days.

05208

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BOARD OF  
CORRECTIONS

CHARLES C. MOORE  
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Spartanburg, S.C.

BETTY M. CONDON  
Vice Chairman  
Mt. Pleasant, S.C.

EUGENE N. ZEIGLER  
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Member  
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C. LOCK MCKINNON  
Member  
Lancaster, S.C.

NORMAN KIRKLAND  
Member  
Bamberg, S.C.

GOV. CARROLL A. CAMPBELL, JR., Member, Ex-Officio, Columbia, S.C.



Dr. Jesse Coles  
November 1, 1988  
Page Two

Additionally, please accept this letter as my certification that in selecting Mr. Witkowski, the Agency felt we were selecting the best qualified candidate for the position. I further certify that while there was no commitment that the Agency would assume the reimbursement of his moving expenses, I feel that it is necessary if we are to be able to retain him in the position.

If I can be of further assistance or should you require additional information, please contact me.

Sincerely,

  
Parker Evatt

PE:elz

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south carolina  
department of corrections

EXHIBIT

NOV 9 1988

NO. 12

STATE BUDGET & CONTROL BOARD

P.O. BOX 21787/4444 BROAD RIVER ROAD/COLUMBIA, SOUTH CAROLINA 29221-1787  
TELEPHONE (803) 737-8555  
PARKER EVATT, Commissioner

October 19, 1988

RECEIVED  
OCT 24 1988  
BUDGET AND CONTROL BOARD  
OFFICE OF EXECUTIVE DIRECTOR

Dr. Jesse Coles  
Executive Director, Budget and Control Board  
612 Wade Hampton Office Building  
Post Office Box 12444  
Columbia, South Carolina 29211

Dear Dr. Coles:

Please accept this letter as a request to reimburse Mr. Richard Witkowski for moving expenses to be incurred as a result of his having to relocate from Alabama to South Carolina following his selection as Warden of the Perry Correctional Institution.

The Warden position of any correctional facility is certainly an essential position and while the Agency received applications from several individuals, Mr. Witkowski was by far the most qualified. His twenty-five years of service with the Federal Bureau of Prisons in numerous positions from Classification Officer to Associate Warden at the Talladega facility make him uniquely qualified.

Mr. Witkowski has received three estimates to move his household and personal affects as identified below:

North American	\$3,266.86
Mayflower	\$3,412.80
Allied Van Lines	\$4,081.51

In addition to the above estimates, Mr. Witkowski has already incurred \$124.00 in expenses for moving household goods from Alabama to South Carolina when he initially reported to work.

Your favorably consideration of the Agency's request to be allowed to absorb Mr. Witkowski's moving expenses will be greatly appreciated.

Sincerely,

*Parker Evatt*  
Parker Evatt

PE:gsc

05210

BOARD OF  
CORRECTIONS

CHARLES C. MOORE  
Chairman  
Spartanburg, S.C.

BETTY M. CONDON  
Vice Chairman  
Mt. Pleasant, S.C.

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Member  
Lancaster, S.C.

NORMAN KIRKLAND  
Member  
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GOV. CARROLL A. CAMPBELL, JR., Member, Ex-Officio, Columbia, S.C.



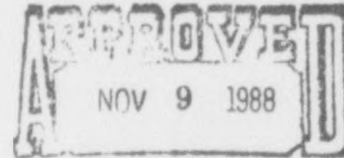
# EXHIBIT

NOV - 2 1988



## INTER-OFFICE MEMORANDUM <sup>NOV 9 1988</sup> 2

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION



STATE BUDGET AND  
CONTROL BOARD

*W. McInnis*

DATE: October 31, 1988

TO: William A. McInnis, Secretary  
Budget and Control Board

FROM: James R. Morris, Jr.  
Executive Director

SUBJECT: New Employee Moving Expense Payment Approval Request

In accord with Code Section 8-11-135, this is a request for Budget and Control Board approval of the payment by Orangeburg-Calhoun Technical College of \$4,124.32 as a reimbursement to Mr. James E. McDonnell of Carson City, Nevada for the costs incurred in moving personal and household effects from Carson City to Columbia, South Carolina.

Mr. McDonnell is to become an instructor in the computer program with this agency. Because of (see attached), it is necessary for this agency to pay this reimbursement to fill this position.

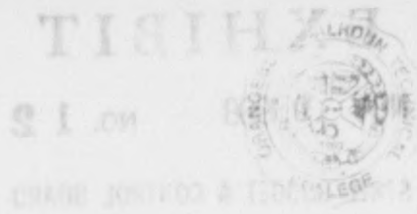
I certify that the indicated amount to be paid is the total paid and to be paid by this agency toward the total moving cost incurred by this new employee.

*James R. Morris, Jr.*  
James R. Morris, Jr.  
Executive Director

/tvb  
MOVEXP.NEW

05211





OCT 19 1988

## ORANGEBURG-CALHOUN

## TECHNICAL COLLEGE

Accredited by The Southern Association of Colleges and Schools  
3250 ST. MATTHEWS ROAD, NE  
ORANGEBURG, S. C. 29115-8299 / 803-536-0311

October 17, 1988

Mr. Donald R. Peterson  
Associate Director of Finance  
State Board for Technical  
and Comprehensive Education  
111 Executive Center Drive  
Columbia, South Carolina 29210

Dear Don:

Orangeburg-Calhoun Technical College is requesting approval by the Budget and Control Board for the payment of moving expenses for two newly employed individuals. These new faculty members are Dr. Carol Hamer and Mr. James E. McDonnell. Dr. Hamer will join our faculty as Associate Degree Nursing Department Head. Mr. McDonnell will instruct in the computer program. Both of these individuals were hired after an extensive search in which no South Carolina residents were found to be qualified and available. Dr. Hamer resides in Philadelphia, Pennsylvania and Mr. McDonnell lives in Carson City, Nevada. We have obtained estimates from movers in these two areas and the cost of moving will be \$4,718.14 for Dr. Hamer and \$4,124.32 for Mr. McDonnell.

The college undertook extensive recruitment activities throughout the State and the region before selecting these two individuals. It is necessary that we obtain qualified faculty and we request Budget and Control Board approval for these expenses.

Sincerely,

M. Rudy Groomes  
President

MRG:seb

cc: Larry D. Leslie

05212



# EXHIBIT

NOV 9 1988

NO. 13

STATE BUDGET AND CONTROL BOARD  
MEETING OF November 9, 1988

STATE BUDGET & CONTROL BOARD

REGULAR SESSION

ITEM NUMBER

1

AGENCY: Budget and Control Board

SUBJECT: 1989-90 Budget Recommendation

On October 25, the Board of Economic Advisors presented a revenue estimate of \$3,280,000,000 for fiscal year 1989-90.

The Governor and the Budget Division, after consulting with individual Budget and Control Board members, have each developed recommendations for use of the \$3,280,000,000 with a previously-approved base of \$3,008,000,000 (fiscal year 1988-89 appropriations less 3% base reduction plus annualization of agency head/unclassified salary increases).

A copy of each version is attached.

BOARD ACTION REQUESTED:

Consider fiscal year 1989-90 budget recommendations of the Governor and the Budget Division.

ATTACHMENTS:

Agenda item worksheet; referenced attachments.

05213



# EXHIBIT

NOV 9 1988

NO. 13

## BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84) STATE BUDGET & CONTROL BOARD

89-15

Meeting Scheduled for: November 9, 1988

Regular Agenda

1. Submitted By:

(a) Agency: State Budget Division

(b) Authorized Official Signature: 

2. Subject:

Budget and Control Board FY 1989-90 Budget Recommendations

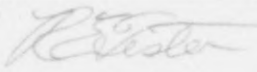
3. Summary Background Information:

The State Budget Division is submitting its FY 1989-90 budget recommendations for the Budget and Control Board's consideration. At the October 25 meeting of the Budget and Control Board, the Board of Economic Advisors presented a revenue estimate of \$3,280 million for FY 1989-90. After consultation with each of the individual Budget and Control members, the Budget Division has developed a set of recommendations for expenditure of the \$3,280 million, with a previously-approved base of \$3,008 million (FY 1988-89 Appropriation Act less 3% base reduction plus annualization of agency head/unclassified salary increases).

4. What is Board asked to do?

Approve the FY 1989-90 budget recommendations.

5. What is recommendation of Board Division involved?

Recommend approval 

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: \_\_\_\_\_

(b) Division/Agency Name: \_\_\_\_\_

7. Supporting Documents:

(a) List Those Attached:

1. Recommended FY 1989-90 Increases by Agency
2. Recommended FY 1989-90 New FTE's by Agency

(b) List Those Not Attached But Available From Submitter:

05214



# EXHIBIT

NOV 9 1988 NO. 13

FY 1989-90 BUDGET RECOMMENDATION STATE BUDGET & CONTROL BOARD

NOVEMBER 9, 1988

BEA Revenue Estimate for FY 1989-90	\$3,280,040,295
Add Revenue Enhancements	2,047,104
Less General Reserve Fund Contribution	<u>- 1,034,051</u>
Adjusted Revenue for FY 1989-90	\$3,281,053,348
Appropriation Base for FY 1989-90	3,008,736,081
Add: New Expenditure Recommendations	<u>272,044,875</u>
Recommended Appropriation for FY 1989-90	<u>\$3,280,780,956</u>
Balance	<u>\$ 272,392</u>

State Budget Division  
11/3/88 budrec

05215



# EXHIBIT

NOV 9 1988

NO. 13

## GENERAL RESERVE FUND OBLIGATION

STATE BUDGET & CONTROL BOARD

FY 1987-88 General Fund Reserve	\$2,931,629,089
	<u>x 3%</u>
General Reserve Fund Obligation	\$ 87,948,873
GRF Balance After FY 1988-89 Transfer	- <u>80,782,623</u>
Additional Obligation for GRF	\$7,166,250
Undesignated General Fund Balance FY 1987-88 Recommended for GRF	- <u>6,132,199</u>
Additional Restriction on Revenue	<u>\$1,034,051</u>
for GRF Obligation	

State Budget Division  
11/3/88 budrec

05216



# EXHIBIT

NOV 9 1988

NO. 13

STATE BUDGET & CONTROL BOARD

## REVENUE FY 1989-90

BEA Revenue Estimate (10/25/88)	\$3,280,040,295
Less FY 1989-90 Expenditure Base	- <u>3,008,736,081</u>
Regular Revenue Available	\$ 271,304,214
Revenue Enhancements:	
Tax Commission	2,000,000
Additional Probation/Parole Fees	<u>47,104</u>
Total Revenue Enhancements	\$ 2,047,104
Less General Reserve Fund Contribution	- 1,034,051
Total Revenue Available Over FY 1989-90 Base	<u>\$ 272,317,267</u>

---

BEA Revenue Estimate	\$3,280,040,295
Revenue Enhancements	2,047,104
Less General Reserve Fund Contribution	<u>- 1,034,051</u>
Total General Fund Revenue Available FY 1989-90	<u>\$3,281,053,348</u>

State Budget Division  
11/3/88 budrec

05217



# EXHIBIT

NOV 9 1988

NO. 13

## EFFECT OF BASE REDUCTION ON AVAILABLE REVENUE

STATE BUDGET & CONTROL BOARD

Total General Fund Revenue Available FY 1989-90	\$3,281,053,348
Less FY 1989-90 Expenditure Base	- <u>3,008,736,081</u>
Total Revenue Available above FY 1989-90 Base	\$ 272,317,267
Less Amount Generated by Base Reduction	- <u>85,256,657</u>
Total New Revenue FY 1989-90	<u>\$ 187,060,610</u>

State Budget Division  
11/3/88 budrec

05218



# EXHIBIT

## FUNDS CURRENTLY IDENTIFIED FOR SUPPLEMENTAL APPROPRIATION

NOV 9 1988 NO. 13

STATE BUDGET & CONTROL BOARD

BEA Revenue Estimate FY 1988-89 (10-25-88)	\$3,102,734,178
Less FY 1988-89 Appropriation Act	- <u>3,093,800,825</u>
	\$ 8,933,353

Add:

Identified Part III Lapse - Inventory Tax	2,507,451
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Identified Part III Lapse - State Employee Bonus	<u>788,785</u>
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Revenue Currently Identified for Supplemental Appropriation	<u>\$ 12,229,589</u>
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State Budget Division  
11/3/88 budrec

05219



# EXHIBIT

NOV 9 1988 NO. 13

## STATEWIDE ISSUES FY 1989-90 RECOMMENDATIONS

## STATE BUDGET & CONTROL BOARD

* Capital Reserve Fund		\$ 4,777,500
Bring CRF to 2% of FY 1987-88 revenue		
* Aid to Subdivisions		16,043,993
Formula - Maintain 85.4% level	12,896,862	
Homestead Exemption	2,884,631	
Grants to Planning Districts	262,500	
* Debt Service		11,774,415
Assumes an \$85M issue in Spring 1989		
* Dues and Contributions		- 38,800
All FY 1988-89 items are nonrecurring		
* Vacancy Factor Adjustment		- 138,602
Moves all agencies to 3% vacancy factor with no exemptions		
* State Employees		45,697,974
Health Insurance Rate Increase	22,089,388	
Social Security Rate Increase	1,218,850	
National Guard Workers Compensation	653,812	
Pay Plan @ 2% payout	21,735,924	
Merit plan ranging from 0-4%, effective July 1989		

State Budget Division  
11/3/88 budrec

05220



# EXHIBIT

NOV 9 1988

NO. 13

FY 1989-90 BUDGET RECOMMENDATIONS

STATE BUDGET & CONTROL BOARD

## AGENCY RECOMMENDATIONS

<u>Legislative Department-Senate</u>		
Restoration - Agencywide	\$ 165,942	
Employer Contributions	23,139	
Mail Room	50,000	
Agency Total		\$ 239,081
<u>Legislative Department-House of Representatives</u>		
Chamber Maintenance	\$ 25,000	
Postage	12,400	
Supplies - Transfer from Special Services	90,000	
Agency Total		\$ 127,400
<u>Legislative Department-Special Services</u>		
Supplies - Transfer to House	\$ - 90,000	
Agency Total		\$ - 90,000
<u>Legislative Council</u>		
Restoration - Code Supplements	\$ 57,339	
New Position - Receptionist	21,950	
Agency Total		\$ 79,289
<u>Legislative Audit Council</u>		
New Positions - Auditors	\$ 61,234	
Agency Total		\$ 61,234
<u>State Reorganization Commission</u>		
New Position - Secretary	\$ 17,978	
Operations	48,266	
Sunrise/Sunset Review	9,513	
Compliance Review	25,500	
Agency Total		\$ 101,257
<u>Joint Legislative Committees</u>		
Per recommendation of Joint O & M Committee	\$ 503,824	
Agency Total		\$ 503,824
<u>Judicial Department</u>		
Rent - Calhoun Building Annualization	\$ 43,132	
Agency Total		\$ 43,132
<u>Governor's Office-SLED</u>		
Restoration - Vehicles, Capitol Security	\$ 522,526	
Forensic Laboratory	1,000,000	
Drug Team	563,374	
AFIS Operations	164,100	
Agency Total		\$ 2,250,000



<u>Governor's Office-OEPP</u>			
Restoration - Contractual Services	\$	93,917	
Dues		18,928	
Agency Total			\$ 112,845
<u>Secretary of State</u>			
Restoration - Data Processing	\$	32,862	
Model Corporation Act		33,797	
Uniform Commercial Code		63,447	
Personal Service Shortfall		30,500	
Rent		7,000	
Other Operations		33,143	
Agency Total			\$ 200,749
<u>Comptroller General</u>			
Restoration - Agencywide	\$	121,073	
Agency Total			\$ 121,073
<u>State Treasurer</u>			
Restoration - Agencywide	\$	100,891	
New Positions Information Mgmt.		54,703	
Agency Total			\$ 155,594
<u>Attorney General</u>			
Restoration - Agencywide	\$	163,000	
Statewide Grand Jury - Annualization		210,000	
Agency Total			\$ 373,000
<u>Adjutant General</u>			
Restoration - Agencywide	\$	100,000	
National Guard Pensions		45,600	
State Guard		42,518	
Agency Total			\$ 188,118
<u>Election Commission</u>			
Restoration - Aid to Counties	\$	51,050	
Miscellaneous Operations		33,950	
Agency Total			\$ 85,000
<u>B&amp;C Board - Executive Director</u>			
Restoration - Agencywide	\$	22,868	
Executive Training		58,500	
Agency Total			\$ 81,368
<u>B&amp;C Board - Board of Economic Advisors</u>			
Restoration - Economic Consulting	\$	4,536	
Travel		8,406	
Advisory Council		2,600	
Agency Total			\$ 15,542



# EXHIBIT

NOV 9 1988

NO. 13

## STATE BUDGET & CONTROL BOARD

<u>B&amp;C Board - Internal Operations</u>		
Restoration - Agencywide	\$ 40,683	
AT&T Operating Increase	166,335	
SC Protection & Advocacy System	36,529	
Agency Total		\$ 243,547
<u>B&amp;C Board - Financial Data Systems</u>		
Restoration - Agencywide	\$ 49,747	
Agency Total		\$ 49,747
<u>B&amp;C Board - Budget Division</u>		
Restoration - Agencywide	\$ 23,666	
New Positions - Analysts	65,672	
Other Operations	13,596	
Agency Total		\$ 102,934
<u>B&amp;C Board - Research &amp; Statistical Services</u>		
Restoration - State Mapping Program	\$ 63,577	
Population Mapping	74,500	
Personal Service Shortfall	34,348	
County Boundary Program	85,000	
Agency Total		\$ 257,425
<u>B&amp;C Board - General Services</u>		
Restoration - Agencywide	\$ 114,567	
Materials Management	161,564	
State Engineer	62,392	
Governors Mansion Complex	77,869	
Agency Total		\$ 416,392
<u>B&amp;C Board - State Fire Marshal</u>		
Restoration - Agencywide	\$ 55,841	
Fire Death Prevention	50,000	
Fire Service Training	20,000	
Agency Total		\$ 125,841
<u>B&amp;C Board - Motor Vehicle Management</u>		
Restoration - Agencywide	\$ 5,333	
New Position - Planner	38,344	
Agency Total		\$ 43,677
<u>B&amp;C Board - Human Resources Management</u>		
Restoration - Agencywide	\$ 50,057	
Certified Public Manager Training	50,072	
Agency Head Salary Commission	40,802	
Agency Total		\$ 140,931
<u>B&amp;C Board - Local Government</u>		
Restoration - EPA Match	\$ 158,791	
EPA Match - State Revolving Fund	300,000	
Rent	10,500	
Agency Total		\$ 469,291



B&C Board - State Auditor

Restoration - Contract Audits	\$ 75,269	
Restoration - Medicaid Audits	40,000	
Personal Service Shortfall	59,847	
Contract Audits	69,240	
Agency Total		\$ 244,356

Commission on Higher Education

Restoration - Formula	\$14,250,664	
Formula @ 90.5%	15,600,000	
The Cutting Edge	5,000,000	
Rent	20,000	
Agency Total		\$ 34,870,664

Higher Education Tuition Grants

Restoration - Tuition Grants	\$ 492,000	
Tuition Grants	850,000	
Agency Total		\$ 1,342,000

State Board for Tech. & Comp. Education

Workforce Initiative	\$ 500,000	
Agency Total		\$ 500,000

Department of Education

Restoration - EFA & EFA Fringe Benefits	\$26,794,282	
EFA & EFA Fringe - 5.4% Inflation	52,583,086	
Restoration - School Building Aid	530,787	
School Building Aid Formula	87,983	
Restoration - School Bus Fuel	1,123,506	
Restoration - Bus Driver Pay	671,376	
Bus Driver Pay Plan	2,481,000	
Bus Maintenance Shops	433,446	
BSAP Revision	375,121	
Restoration - Adult Education	88,079	
Adult Education	1,000,000	
School for Math & Science	230,000	
Asbestos Removal	52,383	
Transfer Bus Purchase to CRF	- 6,507,750	
Transfer Textbook Purchase to CRF	- 1,500,000	
Agency Total		\$ 78,443,299

Educational Television Commission

ITFS Operations	\$ 312,989	
Electric Power Deficit	136,744	
New Video Circuits	46,110	
Agency Total		\$ 495,843

Wil Lou Gray Opportunity School

Restoration - Agencywide	\$ 77,091	
Agency Total		\$ 77,091



<u>Vocational Rehabilitation</u>			
Restoration - Case Services	\$ 215,773		
Agency Total		\$	215,773
<u>School for the Deaf and Blind</u>			
Restoration - Pioneer Ridge Program	\$ 291,934		
Agency Total		\$	291,934
<u>Department of Archives &amp; History</u>			
Restoration - Personal Service	\$ 112,960		
Agency Total		\$	112,960
<u>Confederate Relic Room</u>			
Restoration - Agencywide	\$ 3,909		
Agency Total		\$	3,909
<u>State Library</u>			
Restoration - Aid to Counties	\$ 158,883		
Aid to Counties	160,000		
Book Account	100,000		
Agency Total		\$	418,883
<u>Arts Commission</u>			
Restoration - Grants to Private Sector	\$ 93,009		
Rent	9,000		
Agency Total		\$	102,009
<u>State Museum</u>			
Restoration - Agencywide	\$ 149,995		
Annualization of Part-year Positions	100,000		
Parking	33,960		
Agency Total		\$	283,955
<u>Health &amp; Human Services Finance Commission</u>			
Restoration - Medicaid Base	\$ 3,427,584		
Catastrophic Health Insurance	9,740,295		
Medicaid Match Rate Change	397,607		
OBRA - Nursing Homes	815,138		
OBRA - Pre-admission Screening	30,390		
OBRA - Additional Appeals	14,762		
SSBG Cola Adjustment @ 2%	823,865		
Annualization - New Nursing Home Beds	619,160		
NGA Initiative - Expansion to Two Years	935,564		
Administrative Accounting System	18,110		
HSIP Site Projects	236,280		
Agency Total		\$	17,058,755



# EXHIBIT

NOV 9 1988

NO. 13

## STATE BUDGET & CONTROL BOARD

### Dept. of Health & Environmental Control

Restoration - Recreational Waters	\$ 117,192	
Nursing Upgrades	480,480	
EQC Upgrades	202,692	
EQC District Services	73,446	
Solid & Hazardous Waste Management	635,334	
Preventive Health Services	1,000,000	
Agency Total		\$ 2,509,144

### Department of Mental Health

Restoration - Tucker Center	\$ 3,733,622	
Restoration - Services to Prisoners	900,000	
Justice Department Settlement:		
State Hospital	1,983,771	
Community Mental Health Centers	3,828,496	
Anderson VA Hospital	250,000	
Community Services for Children	2,000,000	
Base Erosion	1,100,000	
Agency Total		\$ 13,795,889

### Department of Mental Retardation

Restoration - Community Programs	\$ 2,183,114	
Local Cost-of-living @ 2%	394,520	
Agency Total		\$ 2,577,634

### Commission on Alcohol & Drug Abuse

Restoration - Involuntary Commitment	\$ 267,770	
ADSAP Expansion	300,000	
Local Cost-of-living @ 2%	321,972	
Teen Institute	75,000	
Agency Total		\$ 964,742

### Department of Social Services

Restoration - AFDC	\$ 500,000	
Foster Care Board Payments	812,553	
Special Needs Adoptions	500,000	
Food Stamp Employment/Training Subsidy	120,000	
Carolina Children's Home	100,000	
Agency Total		\$ 2,032,553

### John De La Howe School

Restoration - Free Enterprise Project	\$ 92,206	
Electricity and Food	35,000	
Agency Total		\$ 127,206

### Foster Care Review Board System

Restoration - Per Diem	\$ 15,518	
Rent and Insurance	11,373	
Agency Total		\$ 26,891

### Commission for the Blind

Restoration - Infant Preschool Training	\$ 46,054	
Agency Total		\$ 46,054



<u>Commission on Aging</u>		
Restoration - Agencywide	\$ 59,363	
State Office	38,493	
Publications	10,005	
Agency Total		\$ 107,861
<u>Human Affairs Commission</u>		
Restoration - Investigations	\$ 43,815	
Agency Total		\$ 43,815
<u>Commission on Women</u>		
Restoration - Agencywide	\$ 2,088	
Computer Maintenance	750	
Insurance and Postage	3,538	
Agency Total		\$ 6,376
<u>Department of Corrections</u>		
Restoration - Agencywide	\$ 4,630,311	
Annualization of Allendale & Marlboro	9,482,259	
Annualization of C.O. Pay Adjustment	1,000,592	
New Facilities	2,770,306	
Work Centers	1,177,276	
Agency Total		\$ 19,060,744
<u>Dept. of Probation, Parole &amp; Pardon Services</u>		
Personnel for Additional Caseload	\$ 575,854	
Agency Total		\$ 575,854
<u>Department of Youth Services</u>		
Restoration - Double Coverage	\$ 902,306	
Marine Institutes	1,700,000	
Annualization of C.O. Pay Adjustment	100,821	
Alt. to Institutions - 12 & 13 Yr. Olds	740,324	
Community Evaluations	234,538	
Operational Deficit	300,000	
Agency Total		\$ 3,977,989
<u>Water Resources Commission</u>		
Restoration - Policy/Groundwater Research	\$ 75,309	
Florence Groundwater Study	50,000	
Travel to Support Trident Area	35,000	
Agency Total		\$ 160,309
<u>Land Resources Conservation Commission</u>		
Restoration - Aid to Conservation Dist.	\$ 84,482	
Dam Safety	18,000	
Landscape Architects	5,000	
Agency Total		\$ 107,482
<u>Forestry Commission</u>		
Forest Landowner Assistance Operations	\$ 132,673	
Newberry Office Operations	15,500	
Agency Total		\$ 148,173



# EXHIBIT

NOV 9 1988

NO. 13

## Department of Agriculture

Restoration - Peach Festivals  
Aquaculture Marketing  
Equine Marketing  
Marketing Support  
Lab Operations  
Rent

Agency Total

## STATE BUDGET & CONTROL BOARD

\$	48,300	
	32,242	
	27,950	
	17,444	
	25,000	
	34,972	
	<hr/>	
\$		185,908

## Clemson-PSA

Restoration - Agricultural Research  
Restoration - Cooperative Extension  
Restoration - Livestock/Poultry Health  
Extension - Health & Wellness  
Extension - Financial Planning  
Extension - Parenting Skills  
Extension - Double Crop Education  
Extension - Vegetable Diseases  
Plant Protection  
Vegetable Research

Agency Total

\$	428,150	
	528,991	
	65,927	
	45,000	
	42,000	
	75,000	
	55,000	
	55,000	
	125,510	
	120,000	
	<hr/>	
\$		1,540,578

## Dept. of Wildlife & Marine Resources

Restoration - Equipment  
Project WILD  
Mariculture Center  
Agency Total

\$	537,425	
	43,220	
	57,510	
	<hr/>	
\$		638,155

## Coastal Council

Restoration - Aerial Surveillance  
Restoration - Hearings of Contested Cases  
Beach Management Act  
Agency Total

\$	24,000	
	12,052	
	152,000	
	<hr/>	
\$		188,052

## Sea Grants Consortium

Restoration - Agencywide  
Operations  
Reclassifications  
Agency Total

\$	8,000	
	7,900	
	10,000	
	<hr/>	
\$		25,900

## Dept. of Parks, Recreation & Tourism

Annualization of Part-year Positions  
New Parks - Education Programs  
Park Maintenance  
International Marketing  
National Advertising  
Agency Total

\$	104,205	
	91,115	
	391,000	
	200,000	
	250,000	
	<hr/>	
\$		1,036,320

05228



<u>State Development Board</u>		
Targeted Domestic Business Development	\$ 56,987	
Foreign Offices	602,000	
Economic Development Institute	34,618	
Rural & Community Development	34,618	
Special Programs - Operations	60,000	
Enterprise Development	13,860	
Business Information Center	25,000	
Travel & Prospect Expenses	12,000	
Strategic Marketing	46,000	
Communications & Public Relations	335,000	
Agency Total		\$ 1,220,083
<u>Jobs-Economic Development Authority</u>		
Miscellaneous Operations	\$ 40,950	
Industrial Finance Specialist	43,000	
Agency Total		\$ 83,950
<u>Workers' Compensation State Fund</u>		
Restoration - Victim Witness Program	\$ 16,088	
Agency Total		\$ 16,088
<u>Insurance Department</u>		
Restoration - Agencywide	\$ 115,580	
Agency Total		\$ 115,580
<u>State Board of Financial Institutions</u>		
Restoration - Administration	\$ 579	
Restoration - Bank Examiners	31,060	
Bank Examiners - New Admin. Assistant	20,952	
Restoration - Consumer Finance	11,995	
Consumer Finance - New Examiner	35,516	
Agency Total		\$ 100,102
<u>Department of Consumer Affairs</u>		
Restoration - Agencywide	\$ 58,952	
Insurance	8,929	
New Positions - Adm. Support	51,317	
New Positions - Consumer Protection Code	45,620	
Agency Total		\$ 164,818
<u>Tax Commission</u>		
Restoration - Agencywide	\$ 994,222	
Annualization of Part-year Positions	280,847	
Office Technology	363,650	
Lease Payoff from CRF	- 535,000	
Agency Total		\$ 1,103,719
<u>Alcoholic Beverage Control Commission</u>		
Source of Funds Change	\$ - 200,000	
Agency Total		\$ - 200,000



# EXHIBIT

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## STATE BUDGET & CONTROL BOARD

### Ethics Commission

Rent  
Other Operations  
Agency Total

\$	6,102		
	3,788		
		\$	9,890

### Employment Security Commission

Restoration - OICC Telephone Charges  
Occupational Information System  
Agency Total

\$	6,496		
	21,904		
		\$	28,400

### Licensing Boards - All Agency Totals

Accountancy Board	\$	16,833
Architectural Examiners		6,000
Auctioneers Commission		3,652
Barber Examiners		5,249
Athletic Commission		3,348
Cemetery Board		733
Chiropractic Examiners		2,869
Contractors Licensing Board		63,279
Cosmetology Board		19,871
Dentistry Board	-	33,477
Engineers & Land Surveyors		58,179
Environmental System Operators		28,245
Foresters		688
Funeral Service		5,847
Geologists		25,435
Nursing Board		48,174
Nursing Home Administrators		3,820
Occupational Therapy		337
Opticianry Board		446
Pharmacy Board		48,734
Physical Therapy Examiners		9,573
Podiatry Examiners		90
Professional Counselors	-	14,560
Residential Home Builders		47,024
Veterinary Examiners		9,725

### Aeronautics Commission

Rent  
New Positions - Pilots  
Agency Total

\$	7,300		
	75,000		
		\$	82,300



JOINT LEGISLATIVE COMMITTEE RECOMMENDATIONS

(Increments From FY 1989-90 Base)

Textile/Apparel	\$ - 9,831
State Employees	- 90
Handicapped	2,472
Aging	3,446
Consumer Affairs	- 1,005
Water Resources	- 703
Mental Health/Mental Retardation	31,000
Tourism/Trade	- 6,761
Tax	2,700
Children	485,560
Internal Security	680
Railroad Abandonment	- 4,617
Election Law	<u>973</u>
Total	<u>\$503,824</u>

Funding for all other committees was recommended at the FY 1989-90 base.

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## FY 1989-90 EDUCATION IMPROVEMENT ACT RECOMMENDATIONS

STATE BUDGET & CONTROL BOARD

EIA Revenue Estimate FY 1989-90	\$281,550,000
Less EIA Expenditure Base	- <u>268,199,603</u>
Additional EIA Funds Available	<u>\$ 13,350,397</u>

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# EXHIBIT

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## EIA Recommendations

## STATE BUDGET & CONTROL BOARD

<u>Teacher Salary Supplement to Maintain SE Average</u>	\$7,045,855
<u>Employer Contributions for Teacher Salaries</u>	1,103,600
<u>Employer Contributions for SDE Staff</u>	167,443
<u>Pathways (Paperwork Reduction)</u>	660,000
<u>5.4% Inflation Adjustments</u>	
Gifted and Talented	945,000
Handicapped Student Services	162,000
Child Development	84,918
Four Year Old Early Childhood	480,744
Basic Skills Remedial (4.7% increase)	2,753,732
<u>Aid to Other State Agencies</u>	
Center for Teacher Recruitment - Winthrop	5,809
USC School Assistance Project	4,277
State Agency Teacher Salaries	216,876
EIA Select Committee	2,576
Joint Business Subcommittee - Winthrop	2,751
<u>New Programs</u>	
Continuing Contract Teacher Evaluation	1,214,816
Black History	90,000
<u>Base Reductions</u>	
Handicapped Student Transportation	- 130,000
Pathways Equipment	- 1,210,000
Tuition Reimbursement	- 150,000
Critically-Impaired Districts	- 100,000
 TOTAL EIA RECOMMENDATIONS	 13,350,397

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# EXHIBIT

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## FY 1989-90 FTE RECOMMENDATIONS

## STATE BUDGET & CONTROL BOARD

	<u>TOTAL</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>OTHER</u>
<u>Legislative Council</u>				
Receptionist	1.00	1.00		
<u>Legislative Audit Council</u>				
Auditors	2.00	2.00		
<u>State Reorganization Commission</u>				
Secretary	1.00	1.00		
<u>Governor's Office-SLED</u>				
Forensic Laboratory	13.00	13.00		
Drug Team	12.00	12.00		
<u>Secretary of State</u>				
Model Corporation Act	2.00	2.00		
Uniform Commercial Code	3.00	3.00		
<u>State Treasurer</u>				
Information Management	3.00	3.00		
<u>Adjutant General</u>				
State Guard	2.00	2.00		
<u>B&amp;C Board - Budget Division</u>				
Analysts	2.00	2.00		
<u>B&amp;C Board - Research &amp; Statistical Services</u>				
Population Mapping	2.00	2.00		
County Boundary Program	1.00	1.00		
<u>B&amp;C Board - Information Resource Management</u>				
Data Processing Services	9.00			9.00
<u>B&amp;C Board - General Services</u>				
Materials Management	4.00	3.00		1.00
State Engineer	1.00	1.00		
Governor's Mansion Complex	2.00	1.00		1.00
<u>B&amp;C Board - Motor Vehicle Management</u>				
Planner	1.00	1.00		
<u>B&amp;C Board - Human Resources Management</u>				
Certified Public Manager Training	1.00	1.00		
<u>B&amp;C Board - Retirement Division</u>				
Administration	5.00			5.00
Health Insurance	4.00			4.00
Self Insurance	1.00			1.00



FY 1989-90 FTE RECOMMENDATIONS

	<u>TOTAL</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>OTHER</u>
<u>The Citadel</u> Formula	8.00	6.00		2.00
<u>Clemson University</u> Formula	145.00	36.00		109.00
<u>College of Charleston</u> Formula	13.25	10.60		2.65
<u>Francis Marion College</u> Formula	29.10	26.10		3.00
<u>Lander College</u> Formula	13.75	9.00		4.75
<u>USC-Columbia</u> Formula	167.00	14.00	78.00	75.00
<u>USC-Medical</u> Formula	15.00		8.00	7.00
<u>USC-Aiken</u> Formula	36.00	16.00		20.00
<u>USC-Coastal</u> Formula	39.00	8.00	6.75	24.25
<u>USC-Beaufort</u> Formula	3.00			3.00
<u>USC-Lancaster</u> Formula	4.00			4.00
<u>USC-Salkehatchie</u> Formula	3.00			3.00
<u>USC-Sumter</u> Formula	5.00			5.00
<u>USC-Union</u> Formula	1.00			1.00
<u>Winthrop College</u> Formula	15.00	6.40		8.60
<u>State Board for Tech. &amp; Comp. Education</u> Formula	60.10	60.10		



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## FY 1989-90 FTE RECOMMENDATIONS

## STATE BUDGET & CONTROL BOARD

	<u>TOTAL</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>OTHER</u>
<u>Department of Education</u>				
Testing-BSAP	2.00	2.00		
Asbestos Removal	2.00	2.00		
Teacher Evaluation	4.00			4.00
<u>Educational Television Commission</u>				
ITFS Operations	7.00	7.00		
<u>Health &amp; Human Services Finance Comm.</u>				
OBRA--Pre-Admission Screening	3.00	0.75	2.25	
OBRA--Additional Appeals	1.00	0.43	0.57	
Adm. Accounting System	1.00	0.50	0.50	
NGA Initiative Expansion	2.00	1.00	1.00	
<u>Dept. of Health &amp; Environmental Control</u>				
EQC District Services	2.00	2.00		
Solid & Hazardous Waste Mgmt.	14.00	14.00		
Drug Control	0.00	-2.50		2.50
Vital Records	0.00	-14.00		14.00
Hazardous Waste Task Force	-4.00	-4.00		
<u>Department of Mental Health</u>				
Justice Dept Settlement:				
State Hospital	41.00	41.00		
Community MH Centers	32.50	32.50		
Anderson VA Hospital	6.00	6.00		
Community Services for Children	26.00	26.00		
<u>State Housing Authority</u>				
Administration	2.00			2.00
<u>Department of Corrections</u>				
New Facilities	341.00	337.00		4.00
Work Centers	102.00	102.00		
<u>Dept. of Probation, Parole &amp; Pardon Services</u>				
Personnel for Additional Caseload	21.00	21.00		
<u>Department of Youth Services</u>				
Alt. to Institutions, 12 & 13 Yrs.	6.00	6.00		
Community Evaluations	8.00	8.00		
<u>Criminal Justice Academy</u>				
Criminology Instructors	3.00			3.00
Secretary	2.00			2.00
Attorney	1.00			1.00
<u>Land Resources Conservation Commission</u>				
Landscape Architects	0.60	0.60		



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## FY 1989-90 FTE RECOMMENDATIONS

## STATE BUDGET & CONTROL BOARD

	<u>TOTAL</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>OTHER</u>
<u>Department of Agriculture</u>				
Aquaculture Marketing	1.00	1.00		
Equine Marketing	1.00	1.00		
Marketing Support	1.00	1.00		
<u>Clemson-PSA</u>				
Double Crop Education	1.40	1.40		
Vegetable Diseases	0.80	0.80		
Plant Protection	3.00	3.00		
Vegetable Research	1.20	1.20		
<u>Dept. of Wildlife &amp; Marine Resources</u>				
Project WILD	2.00	2.00		
Mariculture Center	1.00	1.00		
Game Management	1.00			1.00
<u>Coastal Council</u>				
Beach Management Act	5.00	5.00		
<u>Dept. of Parks, Recreation &amp; Tourism</u>				
New Parks--Education	2.00	2.00		
International Marketing	1.00	1.00		
<u>State Development Board</u>				
Economic Marketing	2.00	2.00		
Foreign Office Support	1.00	1.00		
Economic Development Institute	1.00	1.00		
Rural & Community Development	1.00	1.00		
<u>Jobs-Economic Development Authority</u>				
Industrial Finance Specialist	1.00	1.00		
<u>State Board of Financial Institutions</u>				
Bank Examiners	1.00	1.00		
Consumer Finance	1.00	1.00		
<u>Department of Consumer Affairs</u>				
Consumer Protection Code	2.00	2.00		
Administrative Support	2.00	2.00		
<u>Board of Engineers &amp; Land Surveyors</u>				
Special Investigator	1.00	1.00		
Administration	1.00	1.00		
<u>Board of Pharmacy</u>				
Data Entry Operator	1.00	1.00		



FY 1989-90 FTE RECOMMENDATIONS

	<u>TOTAL</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>OTHER</u>
<u>Residential Home Builders Commission</u>				
Administration	1.00	1.00		
<u>Aeronautics Commission</u>				
Pilots	2.00	2.00		
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<b>Grand Total</b>	<u>1,294.70</u>	<u>870.88</u>	<u>97.07</u>	<u>326.75</u>

1989-90 State FTE Limit	43,326.37
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1988-89 Certified FTE Base	<u>40,736.44</u>
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1989-90 Allowable FTE Growth	<u>2,589.93</u>
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## RECOMMENDATIONS FOR APPROPRIATIONS FROM THE FY 1988-89 CAPITAL RESERVE FUND

STATE BUDGET & CONTROL BOARD

### Allowable uses of the Capital Reserve Fund

(Section 11-11-320 as amended)

- A. To finance in cash previously authorized capital improvement bond projects.
  - B. To retire interest or principal on bonds previously issued.
  - C. For capital improvements or other nonrecurring purposes.
- 

#### Capital Reserve Fund

FY 1988-89 Appropriation Act	\$53,855,082
Recommendations for Appropriation of CRF	<u>\$53,796,877</u>
Balance	<u>\$ 58,205</u>

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FY 1989-90

STATE BUDGET & CONTROL BOARD

## CAPITAL RESERVE FUND RECOMMENDATIONS

### STATEWIDE

Payoff of Notes on State Office Buildings	\$13,500,000
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### AGENCY RECOMMENDATIONS

<u>Legislative Department-House of Representatives</u>	
Chamber Equipment	195,000

<u>B&amp;C Board - Financial Data Systems</u>	
Retirement Data Base	50,000

<u>B&amp;C Board - Research &amp; Statistical Services</u>	
Population Mapping Equipment	51,200

<u>B&amp;C Board - Information Resource Management</u>	
Payoff of Lease on Mainframe	1,624,589
Switching Unit - Telephone System	375,000

<u>B&amp;C Board - Local Government</u>	
EDA Matching Funds	4,000,000

<u>B&amp;C Board - State Auditor</u>	
Equipment	15,000

<u>Commission on Higher Education</u>	
Desegregation Program	1,250,000

<u>State Board for Tech. &amp; Comp. Education</u>	
Equipment Inventory	3,000,000

<u>Department of Education</u>	
Purchase of 500 School Buses	15,000,000
Equipment for Bus Maintenance Shops	1,040,000
Textbooks	3,820,000
Disk Storage	32,025
Microcomputers	12,656

<u>School for the Deaf &amp; Blind</u>	
Vehicles	47,000

<u>Department of Archives &amp; History</u>	
Computer Consultants/Environmental Study	52,000

<u>State Museum</u>	
Upfitting of Exhibit Space	88,000

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Department of Health & Environmental Control  
EQC District Services

STATE BUDGET & CONTROL BOARD  
250,000

Department of Mental Health

Replacement of Vehicles	741,000
Fire Alarm System	1,500,000
Management Information System	1,779,510

Commission for the Blind

Radios	25,000
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Department of Corrections

Equipment for New Facilities	650,000
Equipment for Work Centers	125,000

Dept. of Probation, Parole & Pardon Services

Mobile Radios	8,000
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Department of Agriculture

Weights & Measures	68,500
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Clemson-PSA

Newman Hall Renovation	400,000
Telephone System Replacement	125,000
Vehicle Replacement	130,000
Poole Lab Renovation	668,000
Hazardous Storage Relocation	50,000

Department of Wildlife & Marine Resources

Project WILD Equipment	22,100
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Workers' Compensation Commission

Computer System Replacement	500,000
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Department of Consumer Affairs

Equipment	19,160
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Tax Commission

Office Technology	1,062,884
Payoff of Lease on Office Furnishings	1,513,509

Ethics Commission

Equipment	6,044
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TOTAL CAPITAL RESERVE FUND RECOMMENDATIONS

\$53,796,877

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STATE BUDGET & CONTROL BOARD

## State of South Carolina Office of the Governor

### Governor's Proposed Budget Fiscal Year 1989-1990



Governor Carroll A. Campbell, Jr.

November 4, 1988

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STATE BUDGET & CONTROL BOARD

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## Highlights of the Governor's Proposed Budget Fiscal Year 1989-90

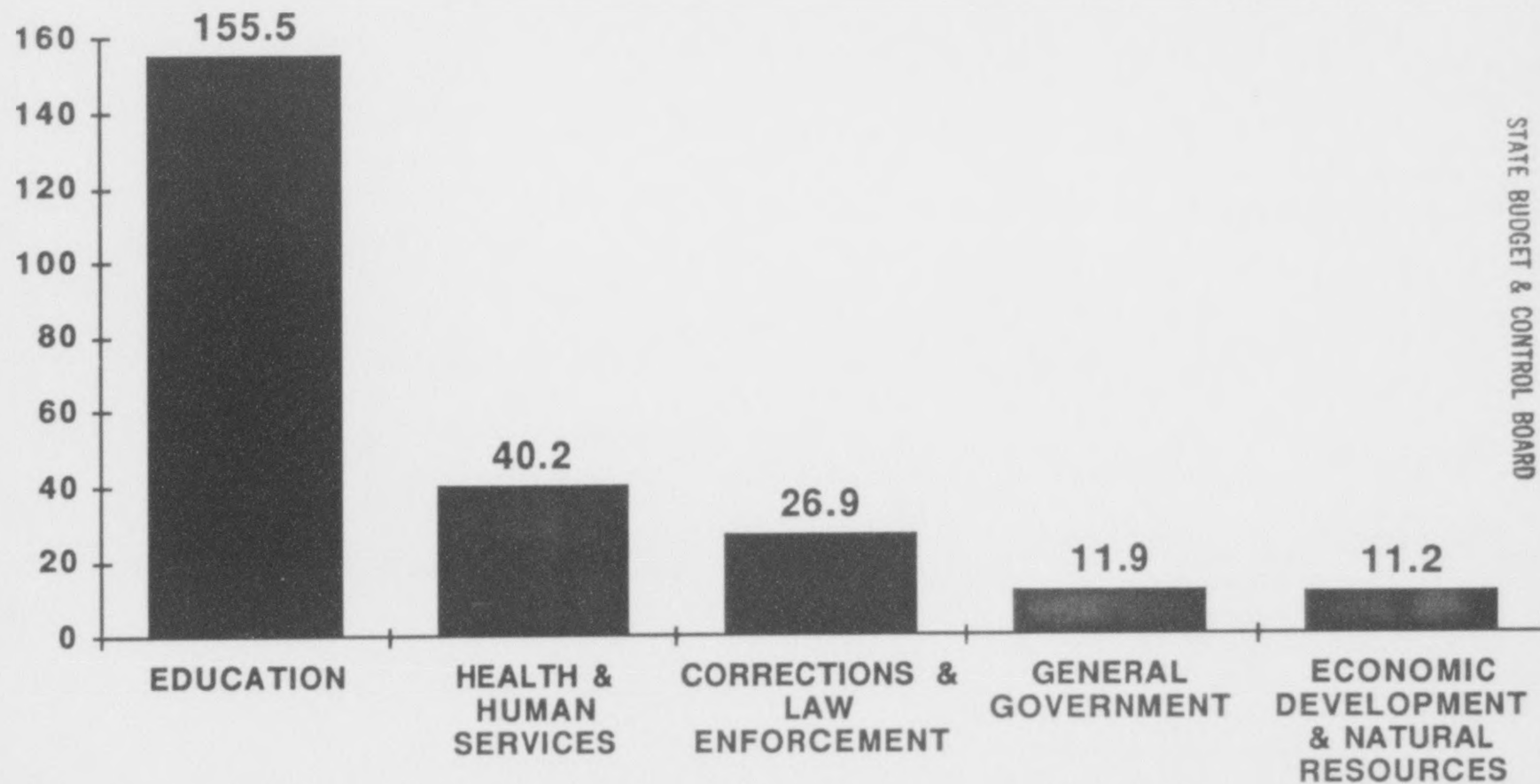
- Redirects \$10.6 million from the automobile insurance premium tax to the reinsurance facility to lower automobile insurance rates.
- Recommends \$76 million in tax cuts phased in over four years, including the first reduction in personal income tax rates in South Carolina history.
- Increases total spending for all education related agencies by more than \$155 million.
- Provides an additional \$94 million to public elementary and secondary education, even more than the substantial increase recommended last year.
- Fully funds the Education Finance Act at 100 percent for the second straight year.
- Pays public school teachers at the southeastern average salary estimated to be \$27,138 for Fiscal Year 1989-90.
- Recommends a \$1.8 million increase for new textbooks.
- Provides \$5.8 million additional to purchase new school buses.
- Increases the salaries of school bus drivers by 4 percent, the same as recommended for state employees.
- Allocates almost \$3 million to support the Governor's Workforce Initiative and expand efforts to combat adult illiteracy.
- Allocates a total of \$56 million in increased spending for public higher and technical education.
- Provides \$6 million for the Cutting Edge, the major initiative to improve the quality of research and teaching in higher education.
- Recommends \$1.25 million to continue our state's efforts in desegregating higher education.
- Increases the Higher Education Tuition Grants Program by \$2.6 million.
- Provides a state employees' pay raise at 4 percent.



- Allocates \$1.2 million to the State Development Board to promote economic development.
- Recommends \$4.5 million to the Budget and Control Board's Local Government Division to support rural economic development.
- Provides \$1.9 million to Clemson Public Service Activities to support agricultural development.
- Recommends \$500,000 to Parks, Recreation, and Tourism for national and international advertising to promote tourism.
- Recommends a \$9.8 million increase to meet the requirements of the Medicare Catastrophic Act passed by the federal government.
- Expands the National Governors' Association Health Care Initiative for poor and pregnant mothers to cover children up through 2 years of age, at a cost of \$950,000.
- Provides \$1.3 million to the Department of Health and Environmental Control to expand environmental and health protection programs.
- Supports the state's adoption and foster care programs at the Department of Social Services with an additional \$1.5 million.
- Recommends a \$2 million increase for special programs for children such as pilot projects for at-risk youth, the Guardian Ad Litem program, and community services to children at the Department of Mental Health.
- Provides \$2.3 million to the State Law Enforcement Division to fight crime and reduce drugs.
- Allocates more than \$20 million to the Department of Corrections to open new prisons, establish minimum security work centers, and expand the Shock Probation Program.
- Provides almost \$4 million to the Department of Youth Services to continue alternative programs for troubled youth, and establish new alternative treatment programs for 12 and 13 year olds.
- Includes \$3.7 million for the Department of Mental Retardation to continue expansion of the community residential and work programs.
- Provides \$13.6 million to the Department of Mental Health to upgrade facilities and expand services for children.



RECOMMENDED INCREASES  
BY FUNCTIONAL AREAS  
IN MILLIONS OF DOLLARS



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STATE BUDGET & CONTROL BOARD

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## THE GOVERNOR'S PROPOSED BUDGET

### FISCAL YEAR 1989-90

The overriding objective in my proposed budget for 1989-90 is the same as last year: expanding opportunities for all South Carolinians. Consequently I have placed the highest spending priority on education, the key to meeting so many of our State's challenges in creating jobs, reducing crime, and promoting better health. This budget proposes increasing spending for education by more than \$155 million, an even greater increase than the substantial jump I proposed last year. This budget retains the emphasis on children in other areas by expanding services to troubled youth and combatting childhood diseases.

But family, not government, remains the most critical part of a child's life. Government has an important responsibility to families to support quality education and stimulate the creation of good jobs. But government also has a responsibility to let South Carolina families keep as much of their earned income as possible, since families are the front line of defense for our children.

**I am therefore calling for \$76 million in tax cuts over four years to provide a measure of relief to our taxpayers. This tax reduction should begin with changing the way we use the tax on automobile insurance premiums so that we can lower automobile insurance rates for good drivers. It should continue by reducing our personal income tax rates. This would be the first reduction in income tax rates in South Carolina history.**

This change in our tax laws, coupled with cuts in individual tax rates and capital gains taxes, will put more money in the pockets of South Carolina taxpayers. If these changes are adopted, a two wage earner family where each person owns a car and makes \$15,000 per year would realize a yearly savings of \$122. That may not seem like a lot of money to most of us who make these decisions, but it is important to realize that the per capita income of our people is only \$12,004 per year. Such a savings represents two weeks' worth of groceries.

I realize that some will find fault with a proposal that takes money out of the state treasury, claiming that the needs of our state are too great. We do have great needs. But we have also been experiencing the benefits of a growing economy. During the past two years our State's general fund revenues grew by 7.4 percent and 8.9 percent. **I submit that there comes a time when government must control its appetite for more and more money by sharing prosperity with the people. This is the time to share.**



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## Tax Cuts

STATE BUDGET & CONTROL BOARD

I am proposing three different tax changes to lighten our tax burden. Automobile drivers, retirees, middle income families, and our poorest taxpayers are just some of the South Carolinians who will benefit from these changes.

### 1. Automobile Insurance Premium Tax

Currently automobile insurance companies pay a tax on the premiums they collect from South Carolina drivers. That tax, which amounted to \$13.5 million last year, is split between state and county governments to fund ongoing operations. Last year, the state received \$10.6 million and the counties received \$2.9 million of the tax. This amount is far in excess of that appropriated to the South Carolina Insurance Commission each year to regulate our insurance system.

**I believe a tax paid on automobile insurance premiums should be devoted to reducing the amount of the premiums paid by South Carolina drivers rather than funding the operations of government.** Consequently I am proposing that the state portion of the automobile insurance premium tax be allocated to reduce the enormous losses suffered by the automobile Reinsurance Facility. Should surplus revenues be available to replace the county money, I would like to see the county portion allocated to the Reinsurance Facility as well.

I consider the Reinsurance Facility to be a form of insurance welfare, because good drivers subsidize the cost of insuring bad drivers. South Carolina's automobile insurance premiums are high in part because the losses from the Reinsurance Facility have grown so fast. Based on current estimates, the Facility will lose \$115 million this year. Good drivers now pay \$73 per year per car to cover losses sustained by the Facility.

Based on this year's estimates, devoting the state's portion of the money raised by the automobile insurance tax to the Reinsurance Facility would reduce the losses of the Facility by 9.2 percent, thereby reducing the charge to good drivers by \$6.75 per car. And if we included the counties' share of the tax, rates for good drivers could drop by \$8.55 per car. By placing the State's portion of the tax in the Reinsurance Facility, coupled with improvements contained in my Highway Safety Bill and other automobile insurance changes that I will propose, I believe that the maximum amount that good drivers pay into the pool can be reduced and capped at \$65 per year.

This change in our tax law should relieve some of the enormous burden South Carolinians bear as a result of our high automobile insurance rates. I believe this change should be instituted in the first year of the four-year tax reduction program, and should start with the 1989-90 budget. I have allocated sufficient money in the General Fund in this proposed budget to finance the change.



## 2. Income Tax Rates

South Carolina's income tax structure raises rates too fast on low and moderate income taxpayers. The top rate of 7 percent is reached at \$10,000, an income barely above the poverty level for a family of four. Moreover, after the federal government passed the Tax Reform Act of 1986, our State raised the rate on the first \$2000 of income from 2 percent to 3 percent, thereby raising taxes on the poorest of the poor.

I am proposing three steps over four years that will cut income taxes for all South Carolinians, thereby making our tax structure more fair, more equitable, and more stimulative for South Carolina's economy:

- a) In the first year, the rate on the first \$2000 of income should be reduced from 3 percent back to 2.5 percent, a change that will save taxpayers \$11 million. That would partially offset the increase passed after the Tax Reform Act, and would insure that even the poorest taxpayers get a tax break.
- b) In the second year, the income subject to the top rate of 7 percent should be moved to \$15,000, and the rate on income from \$10,000 to \$15,000 should be reduced from 7 percent to 6.5 percent. That change would save taxpayers approximately \$12.8 million, and would benefit all taxpayers with an income of at least \$10,000.
- c) In the third and fourth years, the new brackets should be indexed to inflation to guard against hidden tax increases. In other words, indexing would stretch the brackets to prevent us from slipping back into a situation where those with low incomes are subject to the highest tax rate. At an inflation rate of 5 percent, indexing would save taxpayers \$10 million annually.

I believe the first step, the reduction from 3 percent to 2.5 percent on the first \$2000 of income, should occur on January 1, 1990. Its revenue impact would then be felt in April of 1991, in the fiscal year after the one I am proposing here.

At this time, however, there is substantial likelihood that the State will collect more revenue in the current fiscal year than projected by the Board of Economic Advisors. The Board has properly taken a conservative approach in anticipation of a possible recession. But as this budget is proposed in November of 1988, our economy continues to grow at a faster rate than projected by the Board, and there is widespread anticipation of a surplus this year.

Moreover, Congress appears likely to pass legislation that will allow states to collect sales taxes on mail order goods ordered from another state. Passage of



that legislation could mean an additional \$30 million for South Carolina, with four-fifths going to the General Fund and one-fifth going to the Educational Improvement Act. That revenue would further increase the chances of a surplus.

Last spring, when a similar surplus was anticipated, the General Assembly added a part to the Appropriations Act that prospectively spent that money if it actually materialized, which it did at the end of the fiscal year. **If a similar surplus materializes at the end of the current fiscal year, I would like for the top priority to be cutting taxes rather than increasing spending.**

In the event of a surplus, I believe we should first redirect the county portion of the automobile insurance premium tax to the Reinsurance Facility, and replace the money lost to the counties with surplus revenue. I also would like to accelerate the income tax reduction proposal by reducing the tax rate on the first \$2000 of income from 3 percent to 2.5 percent retroactive to January 1, 1989. The surplus revenue could then be carried forward into FY89-90 to cover the revenue loss when it is felt in April of 1990. **If we can adopt spending increases contingent upon anticipated surplus revenues, then surely we can adopt tax cuts on the same basis.**

### 3. Capital Gains Tax

When the federal government adopted the Tax Reform Act of 1986, it eliminated the different tax rates on regular income and investment or capital gains income. The result was an increase in the federal long term capital gains tax from 20 percent of the gain to 28 percent of the gain, or an increase of 40 percent.

Shortly thereafter, our State also eliminated the different tax rates on the two types of income. But in South Carolina, the result was an increase in the capital gains tax from 2 percent to 7 percent, or an increase of 250 percent.

That change hits particularly hard those South Carolinians who want to sell a farm and retire on the proceeds, those who want to buy a smaller house or condominium after children are grown, or those who need to sell stock for retirement income. (Taxpayers over age 55 can take a one-time exclusion of \$125,000.) Moreover, the large increase hurts our attractiveness as a retirement home, especially in competition with Florida which has no state capital gains tax.

**I believe we should reduce our capital gains tax by one percentage point per year over four years, down to a level of 3 percent.** A 3 percent level would reflect an increase similar to the 40 percent increase that the federal government adopted, rather than our 250 percent increase. That change would save taxpayers \$5.5 million in the first year. Initially the general fund will experience a decrease in revenue, but the increase in economic



activity generated by a capital gains tax reduction will reduce the revenue impact over several years, and eventually generate more money for the state coffers than the initial loss.

The timing on the reduction should be the same as on the income tax reduction. The first one percentage point reduction should occur no later than January 1, 1990, but if sufficient surplus revenue materializes the change should occur retroactive to January 1, 1989.

If surplus revenue materializes beyond that necessary to accelerate these tax cuts, I would like to see the money devoted to additional rural development grants, increased formula funding for higher and technical education, and capital improvements at the Department of Youth Services.

These three tax changes will reduce the tax burden on South Carolina taxpayers by at least \$76 million over four years. However, the increased economic activity and the signals we send to those looking for a place to locate or expand a business or find a retirement home should more than make up for the initial revenue loss. I urge the General Assembly to adopt a commitment to this four year program, starting with the relief on our automobile insurance rates.

#### **Vacancy Rate Change**

Most state agencies have at any one time a certain percentage of their personnel positions vacant. Last year the House Ways and Means Committee required agencies to increase the percentage of vacant positions (the "vacancy rate") from 2.5 percent to 3.5 percent. This was an effort to free revenue to spend on new programs. In other words, the amount of money appropriated to an agency for its personnel costs was reduced from 97.5 percent of the amount necessary to fund all of an agency's positions to 96.5 percent.

Agencies in particular financial difficulty were given exemptions from this increase in the vacancy rate. Before the budgetary process was completed, however, so many agencies received exemptions that approximately three-fourths of the positions in state government were exempted. Consequently the vacancy rate was increased to 3.75 percent on non-exempt agencies to raise the amount of money desired.

That increase to 3.75 percent has posed a substantial burden for non-exempt agencies, which tend to be smaller agencies with less budgetary flexibility. Therefore I am proposing a change in the vacancy rate to 3.0 percent for all agencies across the board. This will allow the burden to be shared equally.

This budget contains 616 new employees, far more than I am comfortable recommending. The overwhelming majority, however, result from federal mandates to relieve prison overcrowding and improve care at the Department of Mental Health. Those two agencies alone account for 531 new employees, or



86 percent of the total. After we meet these federal mandates, I urge the General Assembly to slow the growth in the number of new state employees. Furthermore, I recommend that the number of full time equivalent employee lines in any agency be restricted to the number of lines actually occupied at the end of any fiscal year. This will allow us to make modest reductions in the number of employees in some state agencies without affecting services.

### Revenue Sources

This budget is based on the following sources of revenue which total \$347.5 million:

1. Growth from existing taxes provides the main source of revenue. The Board of Economic Advisors' estimate of \$3280 million for the General Fund in FY89-90 anticipates an increase of 5.7 percent over expected revenues of \$3103 in FY88-89. Based on our growth rates over the past few years and our current economic conditions, this appears to be a conservative estimate that should avoid the possibility of mid-year budget cuts. The estimate provides increased revenue of \$186,199,175 over the FY88-89 Appropriations Act.
2. Because of nonrecurring revenue spent on recurring expenditures, the FY88-89 Appropriations Act called on all agencies to reduce their base budget by 3 percent to start the FY 89-90 budget process. Many agencies received appropriations that were understood to be one time allocations. This 3 percent reduction in the Appropriations Act base provides an additional \$85,256,657 in revenue. In a number of instances in this budget I have recommended that money saved in that reduction be spent on new initiatives. If agency leaders strongly believe that maintaining existing programs at current levels is a higher priority than my new recommendations, I will consider supporting transfer requests.
3. Continuing improvements in collections at the Tax Commission will produce an additional \$2,000,000 in revenue for FY89-90.
4. Probation and Parole Fees will produce additional revenue of \$47,104.
5. The Tax Commission estimates that the economic activity generated by a tax cut will be approximately 5 percent of the amount of the cut. Consequently I have included in this budget \$531,747 in general fund revenue, or 5 percent of the amount of the automobile insurance premium transfer. Should sufficient



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## STATE BUDGET & CONTROL BOARD

surplus funds become available this year to accelerate the income and capital gains tax reduction, this amount would increase.

6. The Capital Reserve Fund contains \$53,855,082 that will be available unless we have mid-year budget cuts in this fiscal year. Based on our current and projected rates of growth, the full amount will be available. The money is to be used "to finance in cash previously authorized capital improvement bond projects, to retire interest or principal on bonds previously issued, (and) for capital improvements or other nonrecurring purposes." I have suggested in this budget appropriate uses for that money that are similar to the expenditures that the General Assembly appropriated from that Fund for the current fiscal year, such as money for school buses and library books.
7. Higher than anticipated revenues from FY87-88 produced an unallocated surplus of \$6,132,199. That surplus should be appropriated to the General Reserve Fund, thereby reducing the required General Fund appropriation in FY89-90 by an identical amount.
8. The Board of Economic Advisors' estimate for FY88-89 of \$3103 million is \$8,900,000 higher than the FY88-89 Appropriations Act. I have included this amount as a source of surplus revenue for my recommendations for FY89-90. This is identical to the General Assembly's treatment of \$12.3 million in surplus revenues from the last fiscal year.
9. Part III of the FY88-89 Appropriations Act contained \$3,975,488 for the Inventory Tax phase-out. The Comptroller General's Office now has determined that \$3,819,488 of that money will not be needed, so it provides an additional source of known lapsed funds for FY89-90. In addition, the Comptroller General's Office has determined that the Employee Bonus to be paid in December of 1988 is overfunded by \$788,785. I have included those two sources of known lapsed funds as surplus revenue, and I have suggested appropriate expenditures.



## SUMMARY OF MAJOR EXPENDITURES

The following recommended expenditures are **increases** over and above current spending levels.

### Elementary and Secondary Education

This budget places the highest priority on spending for education. Highlights include:

- **Increasing the total spending for all education related agencies by over \$155 million.** This is a significant jump over the substantial increase I proposed last year, and does not include \$5.7 million in additional federal funds approved by my Office for local school districts.
- Increasing spending for kindergarten through 12th grade public education in the State Department of Education by \$94 million. When Education Improvement Act funds are included, the Department should receive an increase of at least \$105 million, bringing the total budget to \$1.5 billion.
- Funding the Education Finance Act at 100 percent of the formula with the 5.4 percent inflation factor computed by the Division of Research and Statistical Services. If the General Assembly agrees with this recommendation, this would be the second straight year that the EFA would be fully funded. The EFA provides the foundation for our educational system, and I consider its full funding to be the single most important priority in the budget.
- Paying public school teachers at an average salary of \$27,138, the latest projection for the southeastern average for FY 89-90. This reflects a 7.5 percent raise above the southeastern average level that I proposed last year. Reaching this level requires 100 percent funding of the EFA, plus a substantial contribution of Education Improvement Act funds.
- Providing \$2.3 million for a 4 percent cost-of-living increase for school bus drivers, the same as I am proposing for state employees, plus paying fringe benefits for approximately 1000 additional drivers who will qualify for benefits. This will enhance the ability of our school districts to recruit qualified adult bus drivers.
- Adding \$1.8 million to the \$1.5 million already available in the base budget to purchase new textbooks.



- Adding \$5.8 million to the \$6.5 million already available in the base budget to purchase new school buses. This amount should allow the replacement of 377 buses bought before 1977 that have over 100,000 miles, at an average purchase price of \$30,000.
- Increasing our commitment to battle adult illiteracy by \$3 million, almost triple the increase that I proposed last year. This will supplement the more than \$1.1 million spent by my office fighting illiteracy. It has become increasingly apparent that making progress in the fight against adult illiteracy is one of the keys to our future economic growth. I am recommending an increase of \$2 million for the Department of Education to expand the capability of the Adult Education division to respond to needs identified by my Initiative for Workforce Excellence. That will require additional instructors, textbooks, and supplies. I am also recommending an additional \$960,000 for the State Board for Technical and Comprehensive Education to support the evaluation and curriculum development activities of the Workforce Specialists. I cannot stress too strongly my desire to avoid duplication of effort and to have a coordinated response to one of our most vexing problems.
- Providing \$300,000 for pilot projects funded through the Human Services Integration Project at the Health and Human Service Finance Commission to address the problems of at-risk youth. So many of our problems with adult illiteracy stem from our past failure to keep children from dropping out of school. This appropriation will fund a small number of pilot projects in our school districts to create innovative programs dealing with at-risk youth.
- Recommending over \$550,000 for the creation, review, and evaluation of standardized tests to measure our children's educational progress.
- Providing \$230,000 to replace nonrecurring money in the budget of the Governor's School for Science and Math. The total budget for the School remains the same as last year. I recommend that the General Assembly create a separate budget section for the Governor's School at the end of the Education Section of the State Budget.



## Higher Education

I have said repeatedly that educational excellence should not stop at the 12th grade. Our State's progress depends on a healthy and vibrant system of higher and technical education. I am recommending in this budget:

- **A total of \$58.8 million in increases for higher and technical education.** This figure does not include \$28 million in federal funds approved by my Office for our colleges, universities, and technical schools.
- \$47 million more for formula funding in higher and technical education. The Commission on Higher Education has identified \$21.5 million in non-recurring expenses in the formula for library books, academic support areas, and the Step 12 projects. Consequently I am recommending that \$17.1 million in formula funding be taken from the Capital Reserve Fund, similar to the appropriation the General Assembly made last year through the formula for library books and computer equipment. This is a significant jump above the substantial increase I proposed last year. Because of increases in the base cost of the formula driven by higher faculty salaries and student enrollments, this increase will maintain the formula funding percentage at 91.0 percent, the same level as I proposed last year. Should additional surplus become available this year above that necessary to fund the tax reduction, I encourage efforts to increase the percentage of funding above 91 percent.
- \$6 million for the Cutting Edge, the major initiative to improve the quality of research and teaching in higher education.
- \$1,250,000 for the State's higher education desegregation plan. The Federal government's scrutiny of our Plan has ended, but I believe we should continue our efforts on a voluntary basis. I believe our colleges and universities should match every state desegregation dollar received on a 1 to 1 basis in FY89-90, increasing to 1 state dollar to 2 institution dollars in FY90-91, followed in FY91-92 by full institution funding of our desegregation efforts.
- \$1 million in addition to the \$6 million in the formula for new industrial training equipment at our technical colleges.
- \$2.6 million to expand the Higher Education Tuition Grants program to support our private colleges.



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I support continuation of the Small Business Development Centers on four of our campuses. I believe, however, that those Centers should be funded by the institutions from the public service portion of their formula funding.

### Economic Development

A number of recommended expenditures will promote economic development throughout South Carolina:

- \$1.2 million to the State Development Board to create a long term marketing strategy for the State, expand the activities of the Frankfurt and Tokyo Offices, provide additional support for rural economic development initiatives, increase support of existing businesses, and enhance our advertising efforts in national and international markets.
- \$60,000 at the Department of Agriculture to expand marketing of our State's aquaculture and equine industries.
- \$1.9 million to the Clemson Public Service Activities to support rural economic development, enhance research into processing and packaging technology for South Carolina's agricultural products, and expand biotechnology research that offers one of the best hopes for improving the profitability of agriculture.
- \$500,000 to the Department of Parks, Recreation, and Tourism for national and international advertising to promote tourism.

### Environment and Natural Resources

Protecting our environment and the rich natural resources of South Carolina is one of our best investments. Among the appropriations recommended for the environment and natural resources are:

- \$650,000 at the Department of Health and Environmental Control (DHEC) to manage and create alternatives for the disposal of organic and inorganic waste.
- \$525,000 to expand services and provide personnel upgrades for the Environmental Quality Control Division at DHEC.
- \$250,000 at DHEC for implementing the Hazardous Materials Emergency Response and Community Right-to-Know section, Title III, of the Federal Superfund Amendments and Reauthorization Act. The funds should be spent pursuant to the direction of the South Carolina Emergency Response Commission to track the



location and use of hazardous chemicals throughout South Carolina.

- \$210,000 to open a new Trident Regional Office at the Water Resources Commission to monitor water quality in the Trident area.
- \$50,000 to begin a four year study of groundwater quality in the Florence area.
- \$330,000 to maintain and expand services at the State Forestry Commission to forest landowners.
- \$50,000 to relocate hazardous storage at the Clemson Public Service Activities.
- \$65,000 to Wildlife and Marine Resources to expand Project WILD, a conservation education program designed to promote responsible behavior in dealing with wildlife and the environment.
- \$55,000 to Wildlife and Marine Resources to establish a stock enhancement program for red drum, spotted sea trout, and black sea bass at the Mariculture Center.
- \$100,000 for the Coastal Council to implement the Beach Management Statute.
- \$200,000 to the Coastal Council to conduct a Baseline Study as mandated by the Beach Management Statute.
- \$50,000 to the Sea Grant Consortium to conduct a study of the appropriate uses and comparative qualities of South Carolina's fresh-water wetlands.
- \$350,000 to the Department of Parks, Recreation, and Tourism to support, and maintain our new state parks.
- \$500,000 at Parks, Recreation, and Tourism to the Recreation Land Trust Fund to purchase property for public access to our beaches.



## HEALTH AND HUMAN SERVICES

This budget devotes substantial resources to expansion of health and human services, especially at the Health and Human Service Finance Commission (HHSFC) and the Department of Mental Health. Significant expenditures include:

- **A total increase of \$40.2 million for all health and human service agencies.**
- \$9.8 million at HHSFC required by the federal government's Medicare Catastrophic Act. This Act mandates expansion of Medicaid eligibility to all Medicare and Medicaid recipients under the federal poverty level, an increase of 29,764 people in South Carolina. Because this is a new program with unknown costs, and because the guiding regulations have yet to be written, I have recommended funding this program out of the pool of known surplus revenue.
- \$3.8 million to HHSFC to maintain the Medicaid program at current levels.
- \$955,000 at HHSFC for the National Governors' Association initiative for poor, pregnant mothers that would expand coverage of children from age one through age two. I consider this program to be one of our best health care investments, and I hope we will have funds available for further expansion in future years.
- \$844,000 at HHSFC to meet new standards for nursing homes that take effect October 1, 1990. The standards are contained in the Federal Omnibus Reconciliation Act of 1987.
- \$600,000 at HHSFC to fund new nursing home beds approved by the Department of Health and Environmental Control in FY87-88.
- \$823,865 to provide HHFSC contract providers a 2 percent cost-of-living increase.
- \$240,000 to continue funding for the Human Services Integration Project that offers substantial promise for improving efficiency and coordination in the delivery of our health care services.
- \$480,000 to upgrade nursing salaries at the Department of Health and Environmental Control.
- \$400,000 to the Department of Health and Environmental Control to begin a major new initiative in preventive health that should avoid far greater health costs in the future. In addition I am



recommending \$120,000 for equipment at the Greenwood Genetic Center to advance research on the prevention of mental retardation.

- \$4.6 million to the Department of Mental Health that will maintain current services for patients at the Tucker Center and inmates at the Department of Corrections.
- \$5.4 million to the Department of Mental Health to meet the requirements of the Justice Department Settlement for improved patient care.
- \$250,000 at the Department of Mental Health to prepare for the opening of the Veterans Administration Hospital in Anderson.
- \$1.25 million at the Department of Mental Health to expand community services for troubled children.
- \$1.1 million for reclassification of nurses at the Department of Mental Health.
- \$1 million at the Department of Mental Health to begin a program to upgrade the fire alarm system.
- \$716,492 for a 2 percent cost-of-living raise for contract providers at the Department of Mental Retardation and the Commission on Alcohol and Drug Abuse.
- \$2.2 million to the Department of Mental Retardation to maintain development of community-based programs for their clients.
- \$1 million extra to expand the work support program at the Department of Mental Retardation to help the Department's clients become self sufficient.
- \$200,000 to expand the successful Alcohol and Drug Safety Action Programs at the Commission on Alcohol and Drug Abuse. In addition, I have directed that \$835,000 in federal funds be administered through the Commission to prevent drug abuse.
- \$75,000 for the Commission on Alcohol and Drug Abuse to combat teenage alcohol problems through an additional Teen Institute for 160 high school students and 15 Teen Leadership weekends for 450 middle school students.
- \$800,000 to the Department of Social Services to increase the pay received by foster parents.



- \$495,000 to the Department of Social Services to help defray the legal costs and maintenance payments for parents who are willing to adopt children with special needs who have historically been very difficult to place in adoptive homes.
- \$250,000 to pay for medical examinations for children placed in foster homes.
- \$120,000 to expand the employment and training subsidy for food stamp recipients at the Department of Social Services.

### Corrections and Law Enforcement

As has been the case in recent years, I am recommending that a significant portion of available revenue be devoted to Corrections and Law Enforcement. I hope that, with new intervention programs targeted toward troubled youth, promising alternative programs at the Department of Corrections, and the federal court's permission for double celling in our new prisons, the State will be able to avoid these enormous increases in future years. I am recommending:

- **Total spending increases of \$26.9 million for all corrections and law enforcement agencies.** In addition, \$4.5 million in federal funds have been recommended through my office to various agencies for law enforcement and corrections.
- \$300,000 for improved drug enforcement at the Narcotics Division of the State Law Enforcement Division (SLED).
- \$1,200,000 for operations at the new Forensic Science Laboratory at SLED. When the new Lab opens, it should provide high quality forensic analysis to law enforcement offices throughout the State.
- \$160,000 for operating costs for the new Automated Fingerprint System at SLED.
- \$1.7 million to annualize the new marine alternative programs for troubled youth at the Department of Youth Services (DYS). These programs offer the promise of reducing recidivism, which if realized should relieve pressure on our adult institutions in future years.
- \$900,000 to improve staff coverage at DHS.
- \$750,000 at DHS to establish alternative correctional programs for nonviolent 12 and 13 year olds to keep them out of juvenile correctional facilities.



- \$230,000 to DYS to conduct community-based evaluations for children who would otherwise be sent to the overcrowded Reception and Evaluation Center in Columbia.
- Allocating \$485,000 to the Joint Legislative Committee on Children to expand the Guardian Ad Litem project to insure protection of the rights of children in the court system.
- \$10.55 million to the Department of Corrections for operations The Allendale and Marlboro prisons, correctional officer pay adjustments, and staff at the Broad River School Bus Renovation Project.
- \$3.25 million for the operation of three new work release centers, additions to three other institutions, and a new women's institution. This funding level assumes that the work centers will open on January 1, 1990.
- \$1.2 million to open five new minimum security work centers. Our success in the double celling decision has relieved pressure on overcrowding in medium and maximum security prisons; these new centers will relieve pressure in the severely overcrowded minimum security prisons. The Department of Corrections has designed these centers for nonviolent offenders sentenced to one year or less. The inmates would then be available for work details with local governments. This funding level assumes that two centers will open January 1, 1990, and the other three will open April 1, 1990.
- \$460,000 to expand the Shock Probation Program at the Wateree River Institution by 100 beds. This recommendation assumes that the expansion will open on January 1, 1990. That date is approximately six months after the State Reorganization Commission is expected to issue an evaluation of the Program. The six month delay should allow correction of any deficiencies which may be noted in the report before the Program is expanded.
- \$575,000 at the Probation, Parole, and Pardon Services to meet the additional caseload.



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## Local Government

### STATE BUDGET & CONTROL BOARD

Providing support for our local governments, particularly for developing our infrastructure, is one of the keys to our future economic growth. I am recommending in this budget:

- \$12.9 million for Aid to Subdivisions to maintain formula funding at the current percentage.
- \$1.3 million for the Inventory Tax reduction.
- \$2.8 million in increased funding to meet growth in the Homestead Exemption.
- \$4 million for rural development grants that can be matched by federal dollars. At an average match ratio of 5 to 1, this appropriation will create \$24 million in new funds to promote rural economic development. Should funds above those currently anticipated become available during this fiscal year, I would recommend appropriating up to \$6 million in additional funds for rural development.
- \$400,000 in matching funds for the Environmental Protection Agency revolving loan fund. With a 5 to 1 match from the federal government, this appropriation will produce over \$2.4 million in increased spending for new sewer development and wastewater treatment plants.

## General Government

I have recommended a number of increases in the general government category, usually in small expenditures to improve services offered by the agencies of central state government. Among the more significant recommendations are:

- \$1.6 million from the Capital Reserve Fund to pay off loans on the mainframe computer at the Budget and Control Board's Division of Information Resource Management, thereby avoiding the debt service portion of future charges for other agencies using the computer.
- \$2.6 million to improve efficiency at the Tax Commission.

In addition to the expenditures I am recommending, I urge the General Assembly to change the way State government finances rental charges on State buildings and the use of State airplanes:



1. Under the current arrangement, state agencies are charged rent based upon the number of square feet occupied times the **average** cost per square foot for all of state government. Consequently agencies occupying less costly space subsidize those occupying more costly space. For state office buildings constructed in the future, I would like for agencies to be charged the actual cost of amortizing the building rather than an average cost.
2. As currently structured, the State provides the Aeronautics Commission with an appropriation to supply air transportation for all of state government. In the future, I would like for every office using state airplanes to be charged directly for that use, with the actual cost paid to the Aeronautics Commission out of the agency's travel budget. That change would provide far better accountability for the use of state aircraft, and would allow a substantial reduction in direct state appropriations to the Commission.

#### STATE EMPLOYEES

I am proposing a 4 percent raise for state employees in this budget. As with my proposal last year, I would like to see that money split evenly between a cost-of-living increase and a merit raise. Under that formulation, the most meritorious employees could receive an increase of up to 6 percent.

The exploding cost of health care has caused insurers of our state health plan to ask for a \$22.4 million increase in state funds for FY89-90. If the state were to pay the full amount, it would reduce the pay raise for state employees to 2 percent, a level that I believe is too low.

To keep the pay raise at 4 percent, I am recommending that the deductible on the health plan be increased from \$100 to \$300 per year, effective at the start of the 1989-90 fiscal year. (The change would have no effect on the dental plan, which is a separate benefit.) This change would benefit all state employees by providing a larger pay raise, but would only affect those covered by the health plan who have more than \$100 in insurable health costs during the course of the year. Moreover, the additional 2 percent in the pay raise would go into the base, thereby providing higher future salaries and greater retirement benefits.

If the General Assembly adopts this proposal, I will recommend that the Budget and Control Board structure a plan whereby the employee could purchase coverage for the increased deductible. I believe that a 4 percent pay raise, along with the increased deductible and an option to purchase additional coverage to defray the increased cost, will be more attractive to state employees than a 2 percent raise and continuation of the current deductible.



BUDGET INCREASE  
RECOMMENDATIONS

FISCAL YEAR 1989-90

05264



		BUDGET INCREASE					
		RECOMMENDATIONS					
		FY1989-90					
		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN		POSSIBLE
		FTE	FUND	FUND	SURPLUS	TOTAL	SURPLUS
TAX CHANGES							
	Transfer Auto Insurance Tax To Reinsurance Facility		\$10,634,930				\$2,886,914
	Reduce Income Tax Rate From 3% to 2.5% on First \$2000						\$11,000,000
	Reduce Capital Gains Tax Rate From 7% to 6%						\$5,500,000
	<b>TOTAL TAX CHANGES</b>		<b>\$10,634,930</b>			<b>\$10,634,930</b>	

05265

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STATE BUDGET & CONTROL BOARD



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	
			FUND	FUND	SURPLUS	TOTAL
STATEWIDE APPROPRIATIONS						
	General Reserve Fund		\$1,034,051		\$6,132,199	
	Non-recurring \$ from FY87-88 Surplus					
	<b>Total</b>		<b>\$1,034,051</b>		<b>\$6,132,199</b>	<b>\$7,166,250</b>
Sec. 16-0	Capital Reserve Fund		\$4,777,500			
	<b>Total</b>		<b>\$4,777,500</b>			<b>\$4,777,500</b>
Sec. 122	Debt Service		\$11,774,415			
V04	<b>Total</b>		<b>\$11,774,415</b>			<b>\$11,774,415</b>
	Vacancy Factor Adjustment to 3%		(\$138,602)			
	<b>Total</b>		<b>(\$138,602)</b>			<b>(\$138,602)</b>

05266



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 125	Aid to Subdivisions					
X22	Restoration		\$4,751,187			
	Growth to Maintain 85.4% Funding		\$8,145,675			
	Inventory Tax					
	Restoration				\$98,121	
	Anticipated Growth				\$1,213,916	
	(From known FY88-89 Surplus)					
	Homestead Exemption					
	Restoration		\$824,331			
	Anticipated Growth				\$2,060,300	
	(From known FY88-89 Surplus)					
	<b>Total</b>		<b>\$13,721,193</b>		<b>\$3,372,337</b>	<b>\$17,093,530</b>

05267



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 16-N	State Employees					
	Health Insurance Rate Increases		\$3,956,321			
	Increase Deductible to \$300/year					
	Social Security Rate Increase		\$1,218,850			
	Constitutional Officer Adjustment		\$14,132			
	National Guard Workers Comp		\$653,812			
	Dues and Contributions		(\$38,800)			
	Pay Plan @4%		\$43,443,584			
	Total-State Employees		\$49,247,899			\$49,247,899
	TOTAL STATEWIDE APPROPRIATIONS		\$80,416,456		\$9,504,536	\$89,920,992

05258



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	
			FUND	FUND	SURPLUS	TOTAL
<b>GENERAL GOVERNMENT</b>						
Sec. 3A	Senate					
A01	Restoration		\$160,000			
	Employer Contributions		\$23,139			
	Mail Room		\$50,000			
	<b>Total</b>	<b>0.00</b>	<b>\$233,139</b>			<b>\$233,139</b>
Sec. 3B	House of Representatives					
	Chamber Equipment			\$220,000		
	Postage		\$12,400			
	Transfer from Special Services		\$90,000			
	<b>Total</b>	<b>0.00</b>	<b>\$102,400</b>	<b>\$220,000</b>		<b>\$322,400</b>
Sec. 3C	Special Services					
	Transfer to House		(\$90,000)			
	<b>Total</b>	<b>0.00</b>	<b>(\$90,000)</b>			<b>(\$90,000)</b>
Sec. 3D	Legislative Council					
A15	Restoration for Code Supplements		\$60,000			
	<b>Total</b>	<b>0.00</b>	<b>\$60,000</b>			<b>\$60,000</b>



052270

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 3F	Legislative Audit Council					
A20	Restoration-Administration		\$31,000			
	New Auditor		\$30,000			
	<b>Total</b>	<b>0.00</b>	<b>\$61,000</b>			<b>\$61,000</b>
Sec. 3H	State Reorganization Commission					
A27	Restor.-Administrative Contr. Serv.		\$25,000			
	Administration		\$6,000			
	<b>Total</b>	<b>0.00</b>	<b>\$31,000</b>			<b>\$31,000</b>
	Joint Legislative Committees					
	Guardian Ad Litem Project		\$485,000			
	Other Joint Committee Projects		\$18,000			
	<b>Total</b>	<b>0.00</b>	<b>\$503,000</b>			<b>\$503,000</b>
Sec. 4	Judicial					
B04	Restoration-Service Programs		\$110,000			
	Calhoun Rent-Annualize Part Year		\$43,132			
	Increase for Circuit Court Law Clerks		\$130,000			
	<b>Total</b>	<b>0.00</b>	<b>\$283,132</b>			<b>\$283,132</b>



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 5C	Gov Off-Exec Policy & Programs					
D17	Partial Restoration		\$90,000			
	Dues		\$18,000			
	<b>Total</b>	<b>0.00</b>	<b>\$108,000</b>			<b>\$108,000</b>
Sec. 7	Secretary of State's Office					
E08	Restoration -State Records		\$35,000			
	Administration	2.00	\$50,000			
	<b>Total</b>	<b>2.00</b>	<b>\$85,000</b>			<b>\$85,000</b>
Sec. 8	Comptroller General's Office					
E12	Restoration		\$121,000			
	<b>Total</b>	<b>0.00</b>	<b>\$121,000</b>			<b>\$121,000</b>
Sec. 9	State Treasurer's Office					
E16	Restoration-Admin. Legal Serv.		\$100,000			
	Additional Positions	3.00	\$55,000			
	<b>Total</b>	<b>3.00</b>	<b>\$155,000</b>			<b>\$155,000</b>

05271



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 10	Attorney General's Office					
E20	Partial Restoration-Legal Services		\$160,000			
	Statewide Grand Jury-Annualize		\$210,000			
	<b>Total</b>	<b>0.00</b>	<b>\$370,000</b>			<b>\$370,000</b>
Sec. 13	Adjutant General's Office					
E24	Restoration-Armories		\$100,000			
	State Guard	2.00	\$42,000			
	Pensions		\$45,000			
	<b>Total</b>	<b>2.00</b>	<b>\$187,000</b>			<b>\$187,000</b>
Sec. 15	State Election Commission					
E28	Restoration-Aid to Counties		\$50,000			
	Travel to Train Election Officials		\$3,000			
	<b>Total</b>	<b>0.00</b>	<b>\$53,000</b>			<b>\$53,000</b>
Sec. 16A	B & C - Office of Exec Director					
F02	Partial Restoration-Civil Contingency		\$23,000			
	Executive Training		\$55,000			
	<b>Total</b>	<b>0.00</b>	<b>\$78,000</b>			<b>\$78,000</b>



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 16M	B & C - Bd of Economic Advisors					
F28	Restoration-Contractual Services		\$4,500			
	Advisory Council Meetings		\$2,600			
	Operations		\$8,400			
	Printing and Publishing		\$3,800			
	Total	0.00	\$19,300			\$19,300
Sec. 16B	B & C - Internal Operations					
F04	Partial Restor.-Internal Operations		\$41,000			
	AT&T Operating Increase		\$165,000			
	Total	0.00	\$206,000			\$206,000
	B & C - Protection and Advocacy					
	Restoration-Public Information		\$11,000			
	Salary Adjustments		\$19,000			
	Rent		\$6,100			
	Total	0.00	\$36,100			\$36,100

05273



05274

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 16C	B & C - Financial Data Systems					
F05	Restoration-Contractual Services		\$50,000			
	Retirement Data Base			\$50,000		
	<b>Total</b>	<b>0.00</b>	<b>\$50,000</b>	<b>\$50,000</b>		<b>\$100,000</b>
Sec. 16D	B & C - Budget Division					
F06	Restor-Print. SC Budg. & Approp. Act		\$24,000			
	New Analysts	2.00	\$80,000			
	<b>Total</b>	<b>2.00</b>	<b>\$104,000</b>			<b>\$104,000</b>
Sec. 16E	B & C Research & Statistical Services					
F08	Restoration-Mapping Program		\$63,000			
	Population Mapping	2.00	\$75,000	\$50,000		
	Personal Service		\$34,000			
	County Boundary Program			\$85,000		
	<b>Total</b>	<b>2.00</b>	<b>\$172,000</b>	<b>\$135,000</b>		<b>\$307,000</b>
Sec. 16F	B & C - Infor Resources Management					
	Mainframe Payoff			\$1,624,589		
	AT&T Settlement--Switching Unit			\$375,000		
	<b>Total</b>	<b>0.00</b>		<b>\$1,999,589</b>		<b>\$1,999,589</b>

STATE BUDGET &amp; CONTROL BOARD

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05275

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 16G	B & C - General Services Division					
F12	Restoration-Salary & Operations		\$110,000			
	Materials Management	2.00	\$105,000			
	State Engineer	1.00	\$62,000			
	Mansion Complex	1.00	\$75,000			
	Rent Increase on State Buildings		\$2,170,000			
	<b>Total</b>	<b>4.00</b>	<b>\$2,522,000</b>			<b>\$2,522,000</b>
Sec. 16H	B & C - State Fire Marshal					
F14	Restor.-Arson Control & Personnel		\$55,000			
	Fire Death Prevention		\$50,000			
	Fire Service Training		\$20,000			
	<b>Total</b>	<b>0.00</b>	<b>\$125,000</b>			<b>\$125,000</b>
Sec. 16-I	B & C - Motor Vehicles					
F16	Restoration-Administration		\$5,300			
	<b>Total</b>	<b>0.00</b>	<b>\$5,300</b>			<b>\$5,300</b>



05276

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 16J	B & C - Human Res Mgt Division					
F24	Partial Restoration-Operating Costs		\$50,000			
	Agency Head Salary Study		\$40,000	\$65,000		
	<b>Total</b>	<b>0.00</b>	<b>\$90,000</b>	<b>\$65,000</b>		<b>\$155,000</b>
Sec. 16K	B & C - Local Government Division					
F26	Restoration-Admin. (EPA match)		\$50,000			
	Rural Devt Grants (Fed'l Match)			\$4,000,000		
	EPA Match-State Revolving Fund			\$400,000		
	Rent		\$10,000			
	<b>Total</b>	<b>0.00</b>	<b>\$60,000</b>	<b>\$4,400,000</b>		<b>\$4,460,000</b>
Sec. 16L	B & C - State Auditor					
F27	Restoration-Audits Programs		\$115,000			
	Personal Service		\$60,000			
	Contract Audits		\$65,000			
	Equipment			\$15,000		
	<b>Total</b>	<b>0.00</b>	<b>\$240,000</b>	<b>\$15,000</b>		<b>\$255,000</b>



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 78	Workers' Compensation Commission					
	Computer System Replacement			\$250,000		
	<b>Total</b>	<b>0.00</b>		<b>\$250,000</b>		<b>\$250,000</b>
Sec. 75	State Fund					
R12	Restoration-Victim Witness Program		\$16,000			
	<b>Total</b>	<b>0.00</b>	<b>\$16,000</b>			<b>\$16,000</b>
Sec. 81	Department of Insurance					
R20	Restoration-Salaries		\$115,580			
	Public Communication		\$16,000			
	Microcomputers			\$45,000		
	Asst. Data Processing Manager	1.00	\$50,000			
	<b>Total</b>	<b>1.00</b>	<b>\$181,580</b>	<b>\$45,000</b>		<b>\$226,580</b>
Sec. 82A	Financial Inst Bd - Administration					
R23	Restoration-Administration		\$579			
	<b>Total</b>	<b>0.00</b>	<b>\$579</b>			<b>\$579</b>



05278

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 82B	Financial Inst Bd - Bank Examiners					
R24	Restoration-Travel		\$31,000			
	Admin. Assistant	1.00	\$21,000			
	<b>Total</b>	<b>1.00</b>	<b>\$52,000</b>			<b>\$52,000</b>
Sec. 82C	Financial Inst Bd - Consumer Finance					
R25	Restoration-Travel & Salary		\$12,000			
	Examiner	1.00	\$35,000			
	<b>Total</b>	<b>1.00</b>	<b>\$47,000</b>			<b>\$47,000</b>
Sec. 83	Department of Consumer Affairs					
R28	Restoration-Misc. Programs		\$55,000			
	Insurance		\$9,000			
	Additional Personnel	2.00	\$60,000			
	Equip.-Toll Free Tel. for Consum. Serv.			\$19,000		
	<b>Total</b>	<b>2.00</b>	<b>\$124,000</b>	<b>\$19,000</b>		<b>\$143,000</b>
Sec. 85	Department of Labor					
R36	Restoration-Labor Mgt Serv. Program		\$110,000			
	<b>Total</b>	<b>0.00</b>	<b>\$110,000</b>			<b>\$110,000</b>



05279

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 86	State Tax Commission					
R44	Restor.-Info. Res., Office & Field Serv.		\$995,000			
	Annualization-Part Year Funding		\$280,000			
	Office Technology		\$360,000	\$1,000,000		
	<b>Total</b>	<b>0.00</b>	<b>\$1,635,000</b>	<b>\$1,000,000</b>		<b>\$2,635,000</b>
Sec.88	State Ethics Commission					
	Operations		\$9,900			
	<b>Total</b>	<b>0.00</b>	<b>\$9,900</b>			<b>\$9,900</b>
Sec. 89	Employment Security Commission					
R60	Restoration-Telephone Charges		\$6,500			
	Miscellaneous Operations		\$22,000			
	<b>Total</b>	<b>0.00</b>	<b>\$28,500</b>			<b>\$28,500</b>
	<b>TOTAL GENERAL GOVERNMENT</b>	<b>20.00</b>	<b>\$8,174,930</b>	<b>\$8,198,589</b>		<b>\$16,373,519</b>



05280

		REC	RECOMMEND GENERAL	RECOMMEND CAPTL RES	RECOMMEND KNOWN	RECOMMEND
		FTE	FUND	FUND	SURPLUS	TOTAL
<b>BOARDS AND COMMISSIONS</b>						
Sec. 86	Accountancy, Board of					
R64	Restoration		\$10,000			
	Exam		\$6,000			
	Total	0.00	\$16,000			\$16,000
Sec. 87	Architectural Examiners, Board of					
	Rent		\$6,000			
	Total	0.00	\$6,000			\$6,000
Sec. 88	Auctioneers' Commission					
R69	Restoration		\$3,600			
	Total	0.00	\$3,600			\$3,600
Sec. 89	Barber Examiners, Board of					
R72	Restoration		\$5,200			
	Total	0.00	\$5,200			\$5,200



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STATE BUDGET & CONTROL BOARD

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 90	Athletic Commission					
R74	Restoration		\$700			
	Mgmt Services		\$2,500			
	<b>Total</b>	<b>0.00</b>	<b>\$3,200</b>			<b>\$3,200</b>
Sec. 91	Cemetery Board					
R76	Restoration		\$700			
	<b>Total</b>	<b>0.00</b>	<b>\$700</b>			<b>\$700</b>
Sec. 92	Chiropractic Examiners, Board of					
R80	Restoration		\$1,800			
	Health Insurance		\$1,000			
	<b>Total</b>	<b>0.00</b>	<b>\$2,800</b>			<b>\$2,800</b>

05281



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 93	Contractors Licensing Board					
R82	Restoration		\$10,000			
	Exam		\$22,000			
	Printing		\$12,000			
	Lease & Insurance		\$8,000			
	Reclass		\$3,500			
	Automated Bookkeeping		\$7,000			
	Total	0.00	\$62,500			\$62,500
Sec. 94	Cosmetology, Board of					
R84	Restoration		\$13,000			
	Laser Printer		\$6,000			
	Total	0.00	\$19,000			\$19,000
Sec. 95	Dentistry, Board of					
	Additional Reduction		(\$33,477)			
	Total	0.00	(\$33,477)			(\$33,477)

05282



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 96	Engineer & Land Surveyors, Board of					
R92	Restoration		\$10,000			
	Special Investigator		\$23,000			
	Admin. Assistant		\$18,000			
	Equipment		\$5,900			
	Telephone Sets		\$1,100			
	<b>Total</b>	<b>2.00</b>	<b>\$58,000</b>			<b>\$58,000</b>
Sec. 97	Envir. Syst. Operators, Bd of Cert. of					
R94	Restoration		\$5,200			
	Equipment		\$15,000			
	Part-time Investigator		\$8,000			
	<b>Total</b>	<b>0.00</b>	<b>\$28,200</b>			<b>\$28,200</b>
Sec. 98	Foresters, Board of Registration for					
R96	Restoration		\$688			
	<b>Total</b>	<b>0.00</b>	<b>\$688</b>			<b>\$688</b>

05283



05284

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 99	Funeral Service, Board of					
R99	Restoration		\$2,000			
	Temporary Positions		\$3,200			
	Travel		\$500			
	<b>Total</b>	<b>0.00</b>	<b>\$5,700</b>			<b>\$5,700</b>
Sec. 100	Geologists, Board of Registration for					
S02	Restoration		\$1,000			
	Exam		\$24,000			
	<b>Total</b>	<b>0.00</b>	<b>\$25,000</b>			<b>\$25,000</b>
Sec. 102	Nursing, Board of					
S08	Restoration		\$19,000			
	Operations		\$29,000			
	<b>Total</b>	<b>0.00</b>	<b>\$48,000</b>			<b>\$48,000</b>
Sec. 103	Nursing Hm Administrators, Bd of Ex for					
S12	Restoration		\$1,800			
	Exam		\$2,000			
	<b>Total</b>	<b>0.00</b>	<b>\$3,800</b>			<b>\$3,800</b>



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 104	Occupational Therapy, Board of					
S14	Restoration		\$87			
	Special Contract Employee		\$250			
	<b>Total</b>	<b>0.00</b>	<b>\$337</b>			<b>\$337</b>
Sec. 105	Opticianry, Board of Exam					
S17	Restoration		\$450			
	<b>Total</b>	<b>0.00</b>	<b>\$450</b>			<b>\$450</b>
Sec. 107	Pharmacy, Board of					
S20	Restoration		\$7,200			
	Reclass		\$9,200			
	Testing		\$18,000			
	Data Entry Operator		\$14,000			
	<b>Total</b>	<b>1.00</b>	<b>\$48,400</b>			<b>\$48,400</b>
Sec. 108	Physical Therapy Examiners, Board of					
S24	Restoration		\$1,300			
	Operations		\$8,200			
	<b>Total</b>	<b>0.00</b>	<b>\$9,500</b>			<b>\$9,500</b>



05286

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 109	Podiatry Examiners, Board of					
S28	Restoration		\$90			
	Total	0.00	\$90			\$90
Sec. 110	Prof. Counselors & Therapists, Bd of					
	Additional Reduction		(\$14,560)			
	Total	0.00	(\$14,560)			(\$14,560)
Sec. 113	Residential Home Builders Commission					
S40	Restoration		\$17,000			
	New Personnel		\$30,000			
	Total	1.00	\$47,000			\$47,000
Sec. 117	Veterinary Medical Examiners, Bd of					
S56	Restoration		\$725			
	Part-time Investigator		\$9,000			
	Total	0.00	\$9,725			\$9,725
	TOTAL BOARDS & COMMISSIONS	4.00	\$355,853			\$355,853



05287

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
ECON DEVELOPMENT, NAT RESOURCES & TRANS						
Sec. 60	Water Resources Commission					
P04	Restoration-Plcy/Gwater Research.		\$50,000			
	Florence Groundwater Study			\$50,000		
	Trident Regional Office	3.00	\$140,000	\$70,000		
	<b>Total</b>	<b>3.00</b>	<b>\$190,000</b>	<b>\$120,000</b>		<b>\$310,000</b>
Sec. 61	St. Land Resources Conservation Comm					
P08	Part-time Secretary	0.60	\$5,000			
	Dam Safety Vehicle			\$18,000		
	Aerial Mapping			\$20,000		
	Restoration - Aid to Conserv. Districts		\$85,000			
	<b>Total</b>	<b>0.60</b>	<b>\$90,000</b>	<b>\$38,000</b>		<b>\$128,000</b>
Sec. 62	State Forestry Commission					
P12	Forest Landowner Assistance		\$330,000			
	Newberry Operations		\$15,000			
	Partial Restoration - Air Tanker			\$90,000		
	<b>Total</b>	<b>0.00</b>	<b>\$345,000</b>	<b>\$90,000</b>		<b>\$435,000</b>



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 63	Department of Agriculture					
P16	Restoration-Marketing		\$48,000			
	Aquaculture Marketing	1.00	\$32,000			
	Equine Marketing	1.00	\$28,000			
	Marketing Support	1.00	\$17,000			
	Lab Operations		\$20,000			
	Rent-Dennis Bldg.		\$34,972			
	Weights & Measures			\$65,000		
	Total	3.00	\$179,972	\$65,000		\$244,972

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# EXHIBIT

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STATE BUDGET & CONTROL BOARD

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 65	Clemson Univ - Public Service Activity					
P20	Restoration-Ag. Research		\$320,000			
	Restoration-Coop. Ext.		\$420,000			
	Restoration -Livestock & Poultry		\$65,000			
	Cooperative Ext.	220	\$100,000			
	Regulatory & Public Service	3.00	\$100,000			
	Ag. Experiment Station	120	\$100,000			
	Newman Hall Equipment			\$400,000		
	Phone System Replacement			\$125,000		
	Vehicle Replacement			\$65,000		
	Poole Lab Equipment			\$150,000		
	Relocate Hazardous Storage			\$50,000		
	Total	6.40	\$1,105,000	\$790,000		\$1,895,000
Sec. 66	Migratory Waterfowl Commission					
P22	Restoration		\$947			
	Total	0.00	\$947			\$947

05289



05290

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 67	Wildlife and Marine Resources					
P24	Restoration-Equipment		\$430,000			
	Project WILD	2.00	\$43,000	\$22,000		
	Special Projects-Bonneau Ctr	1.00	\$52,000			
	Mariculture Center	1.00	\$55,000			
	<b>Total</b>	<b>4.00</b>	<b>\$580,000</b>	<b>\$22,000</b>		<b>\$602,000</b>
Sec. 68	Coastal Council					
P25	Restoration-Operations		\$35,000			
	Beach Mgmt. Act	3.00	\$100,000			
	Baseline Study			\$200,000		
	<b>Total</b>	<b>3.00</b>	<b>\$135,000</b>	<b>\$200,000</b>		<b>\$335,000</b>
Sec. 69	Sea Grant Consortium					
P26	Restoration-Admin		\$8,000			
	Operations Increase		\$7,900			
	Reclass		\$10,000			
	Wetland Coordination Study			\$50,000		
	<b>Total</b>	<b>0.00</b>	<b>\$25,900</b>	<b>\$50,000</b>		<b>\$75,900</b>



052291

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec.70	Dept of Parks, Recreation & Tourism					
P28	New St. Parks-Annualize Part Year		\$100,000			
	Park Maintenance	2.00	\$250,000			
	International Marketing		\$200,000			
	National Advertising		\$300,000			
	Recreation Land Trust Fund			\$500,000		
	<b>Total</b>	<b>2.00</b>	<b>\$850,000</b>	<b>\$500,000</b>		<b>\$1,350,000</b>
Sec. 71	State Development Board					
P32	National Devt.	2.00	\$50,000			
	International Devt.	1.00	\$500,000			
	Special Programs	2.00	\$120,000			
	Business Devt. & Asst.		\$75,000			
	Executive		\$23,000			
	Research & Information		\$44,000			
	Communications & PR		\$330,000	\$40,000		
	<b>Total</b>	<b>5.00</b>	<b>\$1,142,000</b>	<b>\$40,000</b>		<b>\$1,182,000</b>
Sec. 72	Jobs - Economic Development Authority					
P34	Miscellaneous Operations		\$40,000			
	<b>Total</b>	<b>0.00</b>	<b>\$40,000</b>			<b>\$40,000</b>



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 120	Aeronautics Commission					
U04	Rent		\$7,000			
	Overhaul of Plane			\$230,000		
	Additional Pilot	1.00	\$37,000			
	<b>Total</b>	<b>1.00</b>	<b>\$44,000</b>	<b>\$230,000</b>		<b>\$274,000</b>
	<b>TOTAL ECON DEV/NAT RES/TRANS</b>	<b>28.00</b>	<b>\$4,727,819</b>	<b>\$2,145,000</b>		<b>\$6,872,819</b>

05292



		REC	RECOMMEND GENERAL	RECOMMEND CAPTL RES	RECOMMEND KNOWN	RECOMMEND
		FTE	FUND	FUND	SURPLUS	TOTAL
	CORRECTIONS & LAW ENFORCEMENT					
Sec. 5B	Gov Off-State Law Enforcement Div					
D10	Restoration-Security and Vehicles		\$420,000			
	Forensic Laboratory	13.00	\$1,200,000			
	Personnel Deficit		\$250,000			
	Automated Fingerprint System		\$160,000			
	Drug Enforcement		\$300,000			
	Total	13.00	\$2,330,000			\$2,330,000
Sec. 55	Department of Corrections					
N04	Restoration-Entire Agency		\$4,600,000			
	Allendale/Marlboro-Annualization		\$9,550,000			
	Officer Pay Adj.-Annualization		\$1,000,000			
	Operations for New Facilities	337.00	\$2,600,000	\$650,000		
	Operations for Work Centers	102.00	\$1,100,000	\$125,000		
	Shock Probation Program		\$460,000			
	Total	439.00	\$19,310,000	\$775,000		\$20,085,000



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 56	Probation, Parole & Pardon Services					
N08	Personnel/Additional Caseload	21.00	\$575,000			
	Mobile Radios			\$25,000		
	<b>Total</b>	<b>21.00</b>	<b>\$575,000</b>	<b>\$25,000</b>		<b>\$600,000</b>
Sec. 57	Department of Youth Services					
N12	Restoration-Entire Agency		\$900,000			
	Marine Insts. - Annualize Non-Recurring		\$1,700,000			
	Officer Pay Adjustment - Annualize		\$100,000			
	Alternatives for 12 & 13 year-olds		\$750,000			
	Community Evaluations		\$230,000			
	Operational Deficit		\$300,000			
	<b>Total</b>	<b>0.00</b>	<b>\$3,980,000</b>			<b>\$3,980,000</b>
Sec. 87	Alcoholic Beverage Control Commission					
R48	Source of Funds Change		(\$200,000)			
	Rest. Travel & Equip for Enforcement		\$110,000			
	<b>Total</b>	<b>0.00</b>	<b>(\$90,000)</b>			<b>(\$90,000)</b>
	<b>TOTAL CORRECTIONS &amp; LAW ENFORCEMENT</b>	<b>473.00</b>	<b>\$26,105,000</b>	<b>\$800,000</b>		<b>\$26,905,000</b>



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		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 19-	Public Higher & Technical Education					
Sec 29	Formula Restoration		\$14,250,664			
H09-	Formula-Replace Non-Recurring		\$15,600,000			
H53	Formula at 91%			\$17,100,000		
	Each 1% = \$5,757,163					
	Desegregation Plan			\$1,250,000		
	Cutting Edge		\$4,000,000	\$2,000,000		
	TEC Equipment			\$1,000,000		
	TEC Workforce Initiative			\$960,000		
	Total	0.00	\$33,850,664	\$22,310,000		\$56,160,664

05296



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 28	State Department of Education					
H63	School Bldg Aid Formula		\$87,983			
	School Bldg Aid-Restoration		\$530,787			
	EFA & EFA Fringe-Restoration		\$26,794,282			
	EFA & EFA Fringe-5.4%		\$52,614,705			
	New School Buses		(\$6,507,750)	\$12,300,000		
	Bus Shops-Operating Deficit		\$433,000			
	Driver Salaries-Restoration		\$670,000			
	Driver Salaries- 4% Increase		\$2,300,000			
	Textbooks-Transfer to Non-R		(\$1,500,000)	\$3,300,000		
	Test Revisions		\$350,000		\$200,000	
	Disk Storage			\$32,000		
	Microcomputers			\$12,000		
	Adult Education-Restoration		\$85,000			
	Adult Education-Workforce Initiative		\$500,000			
	Adult Education-Increase		\$1,500,000			
	Asbestos Removal	1.00	\$50,000			
	Gov. Sch. for Math & Science		\$230,000			
	Total	1.00	\$78,138,007	\$15,644,000	\$200,000	\$93,982,007

05297



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 29	Educational Television					
H67	Equipment			\$300,000		
	Deficit-Electric Power		\$130,000			
	New Video Circuits		\$46,000			
	<b>Total</b>	<b>0.00</b>	<b>\$176,000</b>	<b>\$300,000</b>		<b>\$476,000</b>
Sec. 32	Wil Lou Gray Opportunity School					
H71	Restoration-Operations		\$75,000			
	Freezer/Refrigerator			\$50,000		
	Heating & A/C Repair			\$250,000		
	Activity Bus			\$29,000		
	<b>Total</b>	<b>0.00</b>	<b>\$75,000</b>	<b>\$329,000</b>		<b>\$404,000</b>
Sec. 31	Vocational Rehabilitation					
H73	Restoration-Case Services		\$430,000			
	<b>Total</b>	<b>0.00</b>	<b>\$430,000</b>			<b>\$430,000</b>
Sec. 34	School for the Deaf and Blind					
H75	Restoration-Pioneer Ridge		\$290,000			
	Vehicles			\$47,000		
	<b>Total</b>	<b>0.00</b>	<b>\$290,000</b>	<b>\$47,000</b>		<b>\$337,000</b>



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 35	Department of Archives and History					
H79	Personal Service-Restoration		\$112,000			
	Computer Consultants/Env. Study			\$50,000		
	<b>Total</b>	<b>0.00</b>	<b>\$112,000</b>	<b>\$50,000</b>		<b>\$162,000</b>
Sec. 36	Confederate Relic Room					
H83	Restoration-Administration		\$5,800			
	<b>Total</b>	<b>0.00</b>	<b>\$5,800</b>			<b>\$5,800</b>
Sec. 37	SC State Library					
H87	Aid To Counties-Restoration		\$160,000			
	Aid to Counties		\$160,000			
	Book Account			\$50,000		
	Terminal Leave				\$10,000	
	Van			\$19,000		
	<b>Total</b>	<b>0.00</b>	<b>\$320,000</b>	<b>\$69,000</b>	<b>\$10,000</b>	<b>\$399,000</b>

05299



05300

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 38	SC Arts Commission					
H91	Rent		\$9,000			
	Restore Grant in Aid (Challenge)		\$95,000			
	Total	0.00	\$104,000			\$104,000
Sec. 39	State Museum Commission					
H95	Operations-Restoration		\$150,000			
	Annualize Part Year Salaries		\$100,000			
	Parking		\$34,000			
	Upfitting of Exhibit Spaces			\$88,000		
	Total	0.00	\$284,000	\$88,000		\$372,000
	TOTAL EDUCATION	1.00	\$115,198,471	\$40,087,000	\$210,000	\$155,495,471

STATE BUDGET &amp; CONTROL BOARD

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EXHIBIT



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
	HEALTH AND HUMAN SERVICES					
Sec. 40	Health & Human Serv Fin Commis					
J02	Restoration-Medicaid Base		\$3,400,000			
	Catastrophic Health Insurance				\$9,800,000	
	OBRA-Nursing Homes		\$800,000			
	OBRA-Pre-Admission Screening	0.75	\$30,000			
	OBRA-Additional Staff	0.43	\$14,000			
	SSBG COLA Adjustment @ 2%		\$823,865			
	Medicaid Match Rate Change		\$400,000			
	New Nursing Beds-Annualization		\$600,000			
	Adm. Accounting System	0.50	\$18,000	\$150,000		
	NGA Initiative-Expand to Age 2	1.00	\$935,000			
	Human Services Integration Project		\$240,000			
	Pilot Projects for At-Risk Youth			\$300,000		
	Total	2.68	\$7,260,865	\$450,000	\$9,800,000	\$17,510,865

05301



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	TOTAL
			FUND	FUND	SURPLUS	
Sec. 41	Dept of Health & Environmental Ctl					
J04	Restoration-Recreational Waters	-4.50	\$110,000			
	Nursing Upgrades		\$480,000			
	EQC Upgrades		\$200,000			
	EQC District Services		\$70,000	\$250,000		
	Solid & Hazardous Waste Mgmt.		\$650,000			
	Health Protection		\$400,000			
	Hazardous Chemical Emerg Response			\$250,000		
	<b>Total</b>	<b>-4.50</b>	<b>\$1,910,000</b>	<b>\$500,000</b>		<b>\$2,410,000</b>
Sec. 42	Department of Mental Health					
J12	Restoration-Tucker Center		\$3,700,000			
	Restoration-Services to Prisoners		\$900,000			
	Justice Department Settlement					
	State Hospital	41.00	\$1,900,000			
	Community MH Centers	30.00	\$3,500,000			
	Anderson VA Hospital	6.00	\$250,000			
	Community Services for Children	15.00	\$1,250,000			
	Base Erosion: Nurses Reclass		\$1,100,000			
	Fire Alarm System			\$1,000,000		
	<b>Total</b>	<b>92.00</b>	<b>\$12,600,000</b>	<b>\$1,000,000</b>		<b>\$13,600,000</b>



05303

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 43	Department of Mental Retardation					
J16	Restoration-Community Programs		\$2,200,000			
	Local COLA @ 2%		\$394,520			
	Community Work Programs		\$1,000,000			
	Greenwood Genetic Center Equip.			\$120,000		
	<b>Total</b>	<b>0.00</b>	<b>\$3,594,520</b>	<b>\$120,000</b>		<b>\$3,714,520</b>
Sec. 44	Commission on Alcohol & Drug Abuse					
J20	Restoration-Involuntary Ctment		\$260,000			
	ADSAP Expansion		\$200,000			
	Local COLA @ 2%		\$321,972			
	Teen Institute		\$75,000			
	<b>Total</b>	<b>0.00</b>	<b>\$856,972</b>			<b>\$856,972</b>
Sec. 45	Department of Social Services					
	Foster Care Board Payments		\$800,000			
	Adoption Subsidy-Special Needs		\$420,000			
	Adoption Costs-Special Needs		\$75,000			
	Foster Care Medical Exams		\$250,000			
	Food Stamp E & T Subsidy		\$120,000			
	<b>Total</b>	<b>0.00</b>	<b>\$1,665,000</b>			<b>\$1,665,000</b>



		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 46	John De La Howe School					
L12	Restoration-Therapeutic Work/Rec.		\$90,000			
	Electricity & Food		\$75,000			
	<b>Total</b>	<b>0.00</b>	<b>\$165,000</b>			<b>\$165,000</b>
Sec. 47	Adv Bd - Foster Care Review					
L16	Restoration-Per Diem & Travel		\$15,000			
	Rent and Insurance		\$11,000			
	<b>Total</b>	<b>0.00</b>	<b>\$26,000</b>			<b>\$26,000</b>
Sec. 49	Commission for the Blind					
L24	Restoration-Rehabilitative Service		\$91,000			
	Educational Radio Equipment			\$25,000		
	<b>Total</b>	<b>0.00</b>	<b>\$91,000</b>	<b>\$25,000</b>		<b>\$116,000</b>
Sec. 50	Commission on Aging					
L28	Restoration-Aid to Planning Districts		\$55,000			
	Publications		\$10,000			
	<b>Total</b>	<b>0.00</b>	<b>\$65,000</b>			<b>\$65,000</b>

05304



05305

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
			GENERAL	CAPTL RES	KNOWN	
		FTE	FUND	FUND	SURPLUS	TOTAL
Sec. 52	Commission on Human Affairs					
L36	Restor.-Discrim. Compli. Investigat.		\$33,000			
	<b>Total</b>	<b>0.00</b>	<b>\$33,000</b>			<b>\$33,000</b>
Sec. 53	Department of Veterans Affairs					
L40	Restore-Veterans Services		\$35,000			
	<b>Total</b>	<b>0.00</b>	<b>\$35,000</b>			<b>\$35,000</b>
Sec. 54	Commission on the Status of Women					
L44	Restoration-Phone, Ins., NACW		\$2,000			
	Computer Maintenance		\$750			
	<b>Total</b>	<b>0.00</b>	<b>\$2,750</b>			<b>\$2,750</b>
	<b>TOTAL HEALTH &amp; HUMAN SERVICES</b>	<b>90.18</b>	<b>\$28,305,107</b>	<b>\$2,095,000</b>	<b>\$9,800,000</b>	<b>\$40,200,107</b>



## EXHIBIT

NOV 9 1988 NO. 13

STATE BUDGET &amp; CONTROL BOARD

		REC	RECOMMEND	RECOMMEND	RECOMMEND	RECOMMEND
		FTE	GENERAL	CAPTL RES	KNOWN	
			FUND	FUND	SURPLUS	TOTAL
	GRAND TOTAL RECOMMENDATIONS	616.18	\$273,918,566	\$53,325,589	\$19,514,536	\$346,758,691
	AVAILABLE REVENUE					
	Growth		\$186,199,175			
	3% Reduction		\$85,256,657			
	Tax Commission Enhancement		\$2,000,000			
	5% Reflow from Tax Reduction		\$531,747			
	Probation and Parole Fees		\$47,104			
	Surplus from FY87-88				\$6,132,199	
	BEA Anticipated Surplus from FY88-89				\$8,900,000	
	Known Lapse from FY88-89					
	Inventory Tax				\$3,819,494	
	Employee Bonus				\$788,785	
	Total		\$274,034,683	\$53,855,082	\$19,640,478	\$347,530,243
	SURPLUS (DEFICIT)		\$116,117	\$529,493	\$125,942	\$771,552