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## **Major Higher Education Issues for the 2005 Legislative Session**

Please find below a brief review of Senate and House finance and education committee and subcommittee assignments and some of the major issues facing higher education during the 2005 legislative session. As the session proceeds, updates on these and other issues that arise will be provided. In addition, a number of bills were prefiled in December (223 total House Bills and 182 total Senate Bills). Summaries of bills relating to higher education are attached.

**Senate and House Committee Assignments** – It is expected that the Senate will address rule changes on the opening day of the 2005 session (i.e., January 11) and Committee assignments. Senator John Courson is expected to become the Chair of the Senate Education Committee and the Subcommittee Chair for the Senate Finance Higher Education Subcommittee. In the House, Representative Harrell continues to chair the Ways and Means Committee. He has appointed Representative Chip Limehouse as the Chair of the Budget Subcommittee for Higher Education, Tech and Cultural, and Representatives Lanny Littlejohn and Denny Woodall Neilson will serve on this budget subcommittee as well. Representative Townsend continues to chair the House Education and Public Works Committee. Representative B.R. Skelton has been appointed Chair of the Education and Public Works Higher Education Subcommittee, and Representatives Bessie Moody-Lawrence, Becky Martin, and Lewis Pinson join him on this subcommittee.

**Budget** – The House Ways and Means Committee met in December and received a report on revenue forecasts for FY05-06 from Board of Economic Advisors. The Director of the Lottery Commission also made a report on the status of the lottery. It is anticipated that revenues will be up approximately 3% over last year providing for approximately \$149 million in new dollars and \$99.4 million in the Capital Reserve Fund (available after March 1). However, according to Ways and Means estimates given some of the State's obligations and other issues including annualizations, it is not anticipated that there will be any growth in available new general fund dollars for FY05-06 appropriations. In addition, as indicated below, it is anticipated that available lottery revenue will fall short of last year's expenditures.

The Governor released his executive budget on Wednesday, January 5. Overall it appears from an initial review that state general funds for all higher education items have decreased by 2% with total funding from all sources is increased by 7%. Of note for CHE budget recommendations, Governor Sanford has recommended no increases with the exception of providing additional funding for academic program review. For lottery-funded programs, there are increases for the scholarship programs with the exception of the Teacher Scholarship Grants program that is decreased by \$1 million and the Lottery Tuition Assistance Program that remains flat. It appears however that overall funding for the Palmetto Fellows Scholarship Program and Need Based Grants will remain relatively level due to decreased Education Endowment funds that are used to supplement funding for these two programs. In regard to other higher education lottery funded programs, the Governor recommends no funding for the Electronic Library and for Greenville Technical College University Center and decreased funding for the Research Endowed Chairs program, SC State, National Guard Tuition Grant Program, Excellence Enhancement Program, and Technology Grants. A more detailed schedule will be provided and we will of course provide you with updated information as the budget process proceeds.

*Lottery Revenue* – It is anticipated that lottery revenues will fall below the amount appropriated from last year's lottery revenue. For FY05, approximately \$345 million was appropriated and it is anticipated that lottery revenue will be \$271 million with an addition \$12 million in unclaimed prizes.

*Funding for Capital Projects* – Availability of funding for capital needs for higher education is important because of the pressing needs and limited resources available on campuses. As indicated, monies are expected to be available through the Capital Reserve Fund that can be appropriated as nonrecurring funds after March 1. It is noted in the Governor's Budget that none of these funds are recommended for higher education. As to other funding for capital projects, it does not appear likely that there will be a bond bill this year.

*Life Sciences Act Challenge* – Oral arguments were heard for this case on December 2. As you recall, a private citizen has challenged the constitutionality of Act 187 of 2004, The Life Sciences Act. The question is whether the Act violates the "one subject" requirement of Article III, section 17 of the SC Constitution and whether, if the Act does violate the one subject requirement, the unconstitutional parts are severable from the remainder of the Act. Several items in the Act are of interest for higher education. Among other items, the Life Sciences Act provides for 1) an additional ½% in debt capacity for purposes of economic development projects related to life sciences; 2) venture capital for economic development projects; 3) an additional increase in debt capacity by ½ of 1 percent to 6% to provide for research university infrastructure projects with a portion (12% or \$30 million) of such funds to be used by all other public institutions for deferred maintenance projects; 4) regulatory relief items for higher education; 5) a four-year culinary arts program at Trident Technical College; 6) a provision allowing USC Sumter to become a four-year degree-granting institution; 7) a provision to prevent any campus of USC from being closed without authorization by the General Assembly; 8) LIFE eligibility changes; and 9) a feasibility study for a law school at SC State. We will update you as to the status of the case as information becomes available.

### **Summary of Pre-Filed Bills Relating to Higher Education**

Please find below on the next few pages, summaries of bills that have been pre-filed in the Senate or House that relate to higher education. The summaries are the abstracts that are prepared by Legislative Counsel and are included at the beginning of each bill. It is noted following each summary the Committee that the bill has been referred to. If you would like to have a copy of the full bill or would like to discuss any particular point, please contact Conrad, Rita, or Julie.

#### **HOUSE OF REPRESENTATIVES, PREFILED BILLS**

**H. 3015** -- Rep. Coates: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 10-1-168 SO AS TO AUTHORIZE AN OBJECT CONTAINING THE WORDS OF THE TEN COMMANDMENTS TO BE DISPLAYED ON REAL PROPERTY OWNED BY THE STATE ALONG WITH OTHER DOCUMENTS OF

HISTORICAL SIGNIFICANCE THAT HAVE FORMED AND INFLUENCED THE UNITED STATES LEGAL OR GOVERNMENTAL SYSTEM.

Referred to Committee on Judiciary

H. 3022 -- Reps. Rice and Taylor: A BILL TO AMEND TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMINISTRATION OF GOVERNMENT, BY ADDING CHAPTER 24 SO AS TO ESTABLISH THE SOUTH CAROLINA SUNSET COMMISSION AND A SUNSET REVIEW DIVISION OF THE LEGISLATIVE AUDIT COUNCIL, TO ESTABLISH CRITERIA AND PROCEDURES PROVIDING FOR THE MANNER IN WHICH THE PROGRAMS OF CERTAIN AGENCIES AND DEPARTMENTS OF STATE GOVERNMENT MUST BE EVALUATED TO DETERMINE IF THEY SHOULD BE CONTINUED IN EXISTENCE, MODIFIED, OR TERMINATED, AND TO ESTABLISH THE PROCEDURES BY WHICH THESE PROGRAMS MUST BE CONTINUED, MODIFIED, OR TERMINATED.

Referred to Committee on Ways and Means

H. 3023 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5, CHAPTER 23, TITLE 59 SO AS TO ENACT THE PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURE ACT; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR THE PREREQUISITES FOR THE OPERATION OF A QUALIFYING PROJECT; TO PROVIDE THE INFORMATION THAT MUST ACCOMPANY A REQUEST FOR APPROVAL OF A QUALIFYING PROJECT BY THE RESPONSIBLE PUBLIC ENTITY; TO PROVIDE FOR THE APPROVAL PROCESS AND WHEN A RESPONSIBLE PUBLIC ENTITY MAY GRANT APPROVAL OF THE ACQUISITION; TO PROVIDE THAT A PUBLIC ENTITY MAY ENTER INTO SERVICE CONTRACTS; TO PROVIDE THAT A PRIVATE ENTITY REQUESTING APPROVAL FROM A RESPONSIBLE PUBLIC ENTITY SHALL NOTIFY EACH AFFECTED LOCAL JURISDICTION, WHICH MAY SUBMIT COMMENTS FOR THE RESPONSIBLE PUBLIC ENTITY'S CONSIDERATION; TO PROVIDE FOR WHEN A PUBLIC ENTITY MAY DEDICATE A PROPERTY INTEREST FOR PUBLIC USE IN A QUALIFYING PROJECT; TO PROVIDE THE POWERS AND DUTIES OF THE OPERATOR OF THE QUALIFYING PROJECT; TO PROVIDE FOR THE SPECIFICATIONS OF THE COMPREHENSIVE AGREEMENT BETWEEN THE OPERATOR AND THE RESPONSIBLE PUBLIC ENTITY; TO PROVIDE THAT THE RESPONSIBLE PUBLIC ENTITY MAY OBTAIN FEDERAL, STATE, OR LOCAL ASSISTANCE FOR A QUALIFYING PROJECT THAT SERVES THE PUBLIC PURPOSE; TO PROVIDE FOR REMEDIES IN THE EVENT OF A MATERIAL DEFAULT BY THE OPERATOR; TO PROVIDE WHEN THE RESPONSIBLE PUBLIC ENTITY MAY EXERCISE THE POWER OF CONDEMNATION; TO PROVIDE FOR WHEN THE QUALIFYING PROJECT CROSSES A UTILITY; TO PROVIDE THAT POLICE OFFICERS HAVE POWERS AND JURISDICTION WITHIN THE LIMITS OF THE QUALIFYING PROJECT; TO PROVIDE THAT THIS ARTICLE IS NOT A WAIVER OF SOVEREIGN IMMUNITY; TO PROVIDE THAT THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE AND GUIDELINES DEVELOPED PURSUANT TO IT AND OTHER BUILDING CODES DO NOT APPLY WHEN THE STATE IS THE

RESPONSIBLE PUBLIC ENTITY; AND TO PROVIDE THE PROCEDURES ACCORDING TO WHICH A RESPONSIBLE PUBLIC ENTITY MAY ENTER INTO A COMPREHENSIVE AGREEMENT.

Referred to Committee on Education and Public Works

H. 3035 -- Rep. Kirsh: A BILL TO AMEND SECTION 8-11-620, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ANNUAL LEAVE AND THE LUMP-SUM PAYMENT FOR UNUSED LEAVE FOR STATE EMPLOYEES UPON TERMINATION OF EMPLOYMENT, SO AS TO PROVIDE THAT A TEACHER AND EMPLOYEE RETENTION INCENTIVE EMPLOYEE PROGRAM (TERI)) PARTICIPANT IS NOT ELIGIBLE TO RECEIVE A LUMP-SUM PAYMENT FOR UNUSED ANNUAL LEAVE EARNED WHILE PARTICIPATING IN THE TERI PROGRAM AND TO GIVE THIS PROVISION PROSPECTIVE EFFECT.

Referred to Committee on Ways and Means

H. 3036 -- Rep. Kirsh: A BILL TO CLOSE THE TEACHER AND EMPLOYEE RETENTION INCENTIVE (TERI) PROGRAM TO NEW PARTICIPANTS EFFECTIVE JULY 1, 2005, AND TO REPEAL EFFECTIVE JULY 1, 2010, ARTICLE 17, CHAPTER 1, TITLE 9, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE TERI PROGRAM.

Referred to Committee on Ways and Means

H. 3043 -- Rep. Kirsh: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-1-125 SO AS TO AUTHORIZE PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS TO DENY LICENSURE OR TO SUSPEND THE LICENSE OF AN INDIVIDUAL FOR NONPAYMENT OR DEFAULT OR BREACH OF A REPAYMENT OR SERVICE OBLIGATION UNDER ANY FEDERAL OR STATE EDUCATIONAL LOAN, LOAN REPAYMENT, OR SERVICE-CONDITIONAL SCHOLARSHIP PROGRAM.

Referred to Committee on Labor, Commerce and Industry

H. 3044 -- Rep. Davenport: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-375 SO AS TO PROVIDE THAT CERTAIN VISUAL OR HEARING IMPAIRED STUDENTS MAY RECEIVE STATE SCHOLARSHIP FUNDS TO ATTEND CERTAIN OUT-OF-STATE INSTITUTIONS.

Referred to Committee on Ways and Means

H. 3155 -- Reps. Townsend, Wilkins and Walker: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 59 TO TITLE 59 SO AS TO ENACT THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT WHICH PROVIDES FOR THE DEVELOPMENT OF A CURRICULUM ORGANIZED AROUND A

CAREER CLUSTER SYSTEM THAT MUST PROVIDE STUDENTS WITH BOTH STRONG ACADEMICS AND REAL-WORLD PROBLEM-SOLVING SKILLS; TO AMEND SECTION 59-17-135, RELATING TO CHARACTER EDUCATION, SO AS TO FURTHER PROVIDE FOR THE TRAITS WHICH MUST BE INCORPORATED INTO SCHOOL BOARD POLICIES ADDRESSING CHARACTER EDUCATION; TO AMEND SECTION 59-18-900, AS AMENDED, RELATING TO SCHOOL REPORT CARDS, SO AS TO EXPAND THE CONTENT OF THE REPORT CARD TO INCLUDE, DROPOUT REDUCTION DATA; AND TO REPEAL ACT 450 OF 1994 AND SECTION 59-52-95 RELATING TO THE SOUTH CAROLINA SCHOOL-TO-WORK TRANSITION ACT OF 1994.

Referred to Committee on Education and Public Works

H. 3188 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-101-287 SO AS TO PROVIDE THAT A MEMBER OF THE GOVERNING BOARD OF AN INSTITUTION OF HIGHER LEARNING MAY NOT SERVE ON THE BOARD FOR MORE THAN TWELVE CONSECUTIVE YEARS.

Referred to Committee on Education and Public Works

H. 3193 -- Rep. W. D. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-53-110 SO AS TO PROVIDE THAT A TECHNICAL EDUCATION INSTITUTION UNDER THE CONTROL OF THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION MAY CHANGE ITS NAME PURSUANT TO CERTAIN CIRCUMSTANCES.

Referred to Committee on Education and Public Works

H. 3210 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-111-25 SO AS TO PROVIDE THAT A PERSON WHO SERVES ACTIVE DUTY IN THE MILITARY IS ELIGIBLE TO RECEIVE A STATE SCHOLARSHIP UNTIL THE AGE OF THIRTY PURSUANT TO CERTAIN CONDITIONS AND TO DEFINE STATE SCHOLARSHIP.

Referred to Committee on Education and Public Works

H. 3216 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-17-55 SO AS TO PROHIBIT THE USE OF PUBLIC FUNDS TO EMPLOY OR CONTRACT WITH A PERSON WHOSE ACTIVITIES INCLUDE THOSE RELATED TO LOBBYING AND TO PROVIDE EXCEPTIONS.

Referred to Committee on Judiciary

H. 3217 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-17-56 SO AS TO PROHIBIT THE USE OF

**PUBLIC FUNDS TO EMPLOY OR CONTRACT WITH A LOBBYIST AND TO PROVIDE EXCEPTIONS.**

Referred to Committee on Judiciary

**SENATE, PRE-FILED BILLS**

**S. 4** -- Senator Leatherman: A BILL TO AMEND TITLE 59 OF THE 1976 CODE BY ADDING CHAPTER 59, TO ENACT THE "SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT"; TO AMEND SECTION 59-17-135 RELATING TO CHARACTER EDUCATION, TO INCORPORATE THE CHARACTER TRAITS OF THE FAMILY RESPECT ACT; TO AMEND SECTION 59-18-900, RELATING TO SCHOOL REPORT CARDS, TO EXPAND THE CONTENT OF THE REPORT CARD TO INCLUDE, AMONG OTHER THINGS, REPORTS ON COMPLIANCE WITH THIS ACT AND THE CHARACTER EDUCATION ACT AND DROPOUT REDUCTION DATA; AND TO REPEAL ACT 450 OF 1994 AND SECTION 59-52-95 RELATING TO THE SOUTH CAROLINA SCHOOL-TO-WORK TRANSITION ACT OF 1994.

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Prefiled and referred to the Committee on Education.

**S. 51** -- Senator Ryberg: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 59-4-110 AND 59-4-120 SO AS TO PROVIDE THAT THE SOUTH CAROLINA TUITION PREPAYMENT PROGRAM MAY NOT ACCEPT NEW PARTICIPANTS, THAT THE PROGRAM SHALL REMAIN IN OPERATION FOR EXISTING PARTICIPANTS, THAT THE STATE SHALL MEET THE OBLIGATIONS TO BENEFICIARIES IF THE TUITION PREPAYMENT PROGRAM FUND CANNOT, AND THAT THE GENERAL ASSEMBLY SHALL APPROPRIATE MONIES TO THE FUND TO PAY TUITION AND FEES TO THE INSTITUTION IF THERE IS NOT ENOUGH MONEY IN THE FUND.

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Prefiled and referred to the Committee on Education.

**S. 59** -- Senators Ryberg, Thomas, Gregory, Fair, Mescher, Richardson and Ritchie: A BILL TO CLOSE THE TEACHER AND EMPLOYEE RETENTION INCENTIVE (TERI) PROGRAM TO NEW PARTICIPANTS EFFECTIVE JULY 1, 2005, TO REPEAL EFFECTIVE JULY 1, 2010, ARTICLE 17, CHAPTER 1, TITLE 9, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE TERI PROGRAM, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MAY NOT BE AMENDED OR REPEALED EXCEPT IN SEPARATE LEGISLATION RECEIVING AN AFFIRMATIVE TWO-THIRDS RECORDED VOTE IN EACH HOUSE OF THE GENERAL ASSEMBLY.

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Prefiled and referred to the Committee on Finance.

S. 60 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-85 SO AS TO REQUIRE THE GOVERNOR'S ANNUAL STATE BUDGET RECOMMENDATION AND THE REPORTS OF THE HOUSE COMMITTEE ON WAYS AND MEANS AND THE SENATE FINANCE COMMITTEE ON THE ANNUAL GENERAL APPROPRIATIONS ACT TO BE IN A PROGRAMMATIC FORMAT BY PROVIDING A NARRATIVE DESCRIPTION OF EACH SEPARATE PROGRAM ADMINISTERED BY A STATE AGENCY AND PROVIDING THE ELEMENTS THAT MUST BE INCLUDED IN THE NARRATIVE; TO REQUIRE THE BUDGET RECOMMENDATION FOR AN AGENCY TO INCLUDE AN OVERALL BUDGET RECOMMENDATION BY BUDGET CATEGORY AND A SIMILAR RECOMMENDATION FOR EACH SEPARATE PROGRAM ADMINISTERED BY THE AGENCY AND THE SPECIFIC SOURCE OF FUNDS APPROPRIATED FOR THE AGENCY.

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Prefiled and referred to the Committee on Finance.

S. 61 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 110 TO TITLE 59 SO AS TO ESTABLISH THE SOUTH CAROLINA COLLEGE AND UNIVERSITY BOARD OF REGENTS AND PROVIDE FOR ITS MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE FOR THE SERVICE OF TRUSTEES OR MEMBERS OF THE GOVERNING BODY OF "CONSTITUENT INSTITUTIONS", DEFINED AS ALL TWO-YEAR AND FOUR-YEAR COLLEGES AND UNIVERSITIES IN THIS STATE INCLUDING TECHNICAL COLLEGES, TO PROVIDE THAT ON JULY 1, 2005, THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE STATE COMMISSION ON HIGHER EDUCATION AND THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION NOT INCONSISTENT WITH CHAPTER 110 OF TITLE 59 ARE DEVOLVED UPON THE SOUTH CAROLINA COLLEGE AND UNIVERSITY BOARD OF REGENTS AND TO REPEAL SECTION 59-103-10 RELATING TO THE STATE COMMISSION ON HIGHER EDUCATION AND SECTION 59-53-10 RELATING TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION ON JULY 1, 2005.

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Prefiled and referred to the Committee on Education.

S. 68 -- Senator Short: A BILL TO AMEND SECTION 59-149-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR A LIFE SCHOLARSHIP, SO AS TO PROVIDE THE REQUIREMENTS FOR A HOME SCHOOLED STUDENT TO RECEIVE A LIFE SCHOLARSHIP.

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Prefiled and referred to the Committee on Education.

S. 109 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 10-1-168 SO AS TO AUTHORIZE AN OBJECT

CONTAINING THE WORDS OF THE TEN COMMANDMENTS TO BE DISPLAYED IN THE STATE HOUSE AND ON THE STATE HOUSE GROUNDS ALONG WITH OTHER DOCUMENTS OF HISTORICAL SIGNIFICANCE THAT HAVE FORMED AND INFLUENCED THE UNITED STATES LEGAL OR GOVERNMENTAL SYSTEM.  
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Prefiled and referred to the Committee on Finance.

S. 116 -- Senator Ritchie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 10-7-15 SO AS TO PROVIDE THAT THE BUDGET AND CONTROL BOARD MAY INSURE BUILDINGS LOCATED ON PROPERTY ON OR OFF CAMPUS OF A PUBLIC INSTITUTION OF HIGHER LEARNING OF THIS STATE WHICH ARE NOT OWNED BY THE INSTITUTION BUT IN WHICH THE INSTITUTION HAS AN "INSURABLE INTEREST" AS DETERMINED BY THE BOARD; AND TO PROVIDE THAT A WRITTEN CONTRACT NOT CONSIDERED A LEASE UNDER WHICH THE INSTITUTION ACTS AS A PROPERTY MANAGER FOR THE BUILDING OWNER FOR A SPECIFIED TERM AT THE END OF WHICH LEGAL TITLE TO THE BUILDING WILL PASS TO THE INSTITUTION CONSTITUTES AN "INSURABLE INTEREST" ON THE PART OF THE INSTITUTION FOR PURPOSES OF THE REQUIREMENTS OF THIS SECTION.  
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Prefiled and referred to the Committee on Finance.

S. 117 -- Senator Ritchie: A BILL TO AMEND SECTION 59-150-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMINISTRATION OF THE EDUCATION LOTTERY ACCOUNT, SO AS TO PROVIDE FOR A SCHOLARSHIP RESERVE ACCOUNT, FUNDED BY EXCESS LOTTERY PROCEEDS AND INVESTMENT EARNINGS, FOR THE EXCLUSIVE PURPOSE OF MAINTAINING FUNDING OF CERTAIN SCHOLARSHIPS, GRANTS, AND ASSISTANCES IF CERTIFIED NET LOTTERY PROCEEDS AND INVESTMENT EARNINGS ARE INSUFFICIENT TO FUND THEM, TO DEFINE "EXCESS", AND TO LIMIT THE AMOUNT OF THE RESERVE TO THREE PERCENT OF THE EDUCATION LOTTERY ACCOUNT REVENUE FOR THE LATEST COMPLETED FISCAL YEAR.  
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Prefiled and referred to the Committee on Finance.

S. 120 -- Senator Ritchie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-17-375 SO AS TO EXEMPT FROM THE STATE EMPLOYEE PROCEDURE ACT STATE EMPLOYEES WHO REPORT DIRECTLY TO AN AGENCY HEAD OR CONSTITUTIONAL OFFICER, AND STATE EMPLOYEES WHO REPORT DIRECTLY TO THIS FIRST CATEGORY OF EMPLOYEES, TO EXEMPT ALL STATE EMPLOYEES WHO RECEIVE ANNUALIZED COMPENSATION OF AT LEAST FIFTY THOUSAND DOLLARS, TO PROVIDE THAT THESE EXEMPTIONS DO NOT APPLY TO TEACHING AND RESEARCH FACULTY AT A FOUR-YEAR POST-



SECONDARY EDUCATIONAL INSTITUTION, AND TO GIVE THESE NEW EXEMPTIONS PROSPECTIVE EFFECT.

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Prefiled and referred to the Committee on Finance.

S. 122 -- Senator Short: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 59 TO TITLE 59 SO AS TO ENACT THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT; TO AMEND SECTION 59-18-300, RELATING TO EDUCATIONAL STANDARDS AND CORE ACADEMIC AREAS, SO AS TO EXPAND THE EDUCATIONAL STANDARDS AND CORE ACADEMIC AREAS TO INCLUDE CERTAIN BASIC TASKS REQUIRED TO FUNCTION INDEPENDENTLY AS AN ADULT; TO AMEND SECTIONS 59-18-310, 59-18-320, 59-30-10, 59-48-35, AND 59-139-60, ALL RELATING TO THE HIGH SCHOOL EXIT EXAM, SO AS TO DELETE THE PORTIONS RELATING TO THE EXIT EXAM; TO REPEAL SECTIONS 59-30-11 AND 59-30-15 BOTH RELATING TO THE HIGH SCHOOL EXIT EXAM; AND TO REPEAL ACT 450 OF 1994 AND SECTION 59-52-95 RELATING TO THE SOUTH CAROLINA SCHOOL-TO-WORK TRANSITION ACT OF 1994.

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Prefiled and referred to the Committee on Education.

S. 147 -- Senator Campsen: A BILL TO ENACT THE "SOUTH CAROLINA GENERAL OBLIGATION BOND FISCAL RESPONSIBILITY ACT" BY AMENDING SECTION 2-7-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION ON AUTHORIZATION OF STATE CAPITAL IMPROVEMENT BONDS, SO AS TO ALLOW THE AUTHORIZATION OF SUCH BONDS ONLY IN A BILL OR JOINT RESOLUTION ENACTED IN AN ODD-NUMBERED YEAR, TO EXTEND ALL LIMITATIONS OF THIS SECTION TO GENERAL OBLIGATION BONDS OF THE STATE, HOWEVER DESCRIBED, SUBJECT TO THE CONSTITUTIONAL LIMIT ON DEBT SERVICE MEASURED AS A PERCENTAGE OF GENERAL FUND REVENUES, TO REQUIRE THE ENACTMENT OF A SEPARATE JOINT RESOLUTION PRECEDING THE AUTHORIZATION OF BONDS THAT SPECIFICALLY ALLOWS THE CONSIDERATION OF A BOND BILL, TO PROVIDE THAT A BILL OR JOINT RESOLUTION ALLOWING SUCH BONDS MAY NOT BE GIVEN THIRD READING IN THE HOUSE OF REPRESENTATIVES OR SENATE OR REPORTED FROM A COMMITTEE OF CONFERENCE OR FREE CONFERENCE UNLESS IT IS ACCOMPANIED BY THE CERTIFICATE OF THE STATE TREASURER THAT DEBT SERVICE ON ALL GENERAL OBLIGATION BONDS OUTSTANDING WHEN ADDED TO ESTIMATED DEBT SERVICE ON AUTHORIZED BUT UNISSUED BONDS AND THE BONDS AUTHORIZED IN THE BILL OR JOINT RESOLUTION DOES NOT EXCEED THE THEN CURRENT CONSTITUTIONAL DEBT SERVICE LIMIT, AND TO DEFINE GENERAL OBLIGATION BOND.

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Prefiled and referred to the Committee on Finance.

S. 164 -- Senator Elliott: A BILL TO AMEND SECTION 9-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO INCLUDE IN THE DEFINITION OF "EDUCATIONAL SERVICE" FOR PURPOSES OF ESTABLISHING SERVICE CREDIT PAID SERVICE AS A CLASSROOM TEACHER IN A PRIVATE COLLEGE OR UNIVERSITY.

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Prefiled and referred to the Committee on Finance.

S. 168 -- Senator Elliott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-190 SO AS TO REQUIRE, BEGINNING FOR FISCAL YEAR 2005-2006, FIFTY PERCENT OF ANNUAL GENERAL FUND REVENUE GROWTH TO BE USED TO REDUCE THE STATE INCOME TAX, TO LIMIT ANNUAL GROWTH IN GENERAL FUND APPROPRIATIONS TO THREE PERCENT, AND TO PROVIDE FOR THE USE OF SURPLUS REVENUE CREATED BY THIS LIMITATION ON APPROPRIATIONS FOR SCHOOL CONSTRUCTION AND OTHER NONRECURRING PROJECTS AS THE GENERAL ASSEMBLY MAY DETERMINE.

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Prefiled and referred to the Committee on Finance.