

From: Patel, Swati
To: Pitts, Ted <TedPitts@gov.sc.gov>
Veldran, Katherine <KatherineVeldran@gov.sc.gov>
CC: Soura, Christian <ChristianSoura@gov.sc.gov>
Date: 1/9/2012 9:02:25 AM
Subject: FW: Dept of Administration

We should discuss the plan for this week today.

From: Tom Davis [mailto:tdavis@harveyandbattey.com]
Sent: Sunday, January 08, 2012 10:53 PM
To: Patel, Swati; asmlaw30@bellsouth.net; tom1960davis@yahoo.com
Cc: Soura, Christian
Subject: Re: Dept of Administration

Fine with me. Please provide call-in info.

----- Original Message -----

From: Patel, Swati <SwatiPatel@gov.sc.gov>
To: 'asmlaw30@bellsouth.net' <asmlaw30@bellsouth.net>; 'tom1960davis@yahoo.com' <tom1960davis@yahoo.com>; Tom Davis
Cc: Soura, Christian <ChristianSoura@gov.sc.gov>
Sent: Sun Jan 08 22:48:06 2012
Subject: Re: Dept of Administration

We can.

From: Shane Massey [mailto:asmlaw30@bellsouth.net]
Sent: Sunday, January 08, 2012 10:46 PM
To: Patel, Swati; tom1960davis@yahoo.com <tom1960davis@yahoo.com>; tdavis@harveyandbattey.com <tdavis@harveyandbattey.com>
Cc: Soura, Christian
Subject: RE: Dept of Administration

I have a deposition at 9:30 and a hearing at 12:00. Can we do a call around 11:00?

Shane

From: Patel, Swati [mailto:SwatiPatel@gov.sc.gov]
Sent: Sunday, January 08, 2012 10:01 PM
To: 'tom1960davis@yahoo.com'; 'tdavis@harveyandbattey.com'; 'asmlaw30@bellsouth.net'
Cc: Soura, Christian
Subject: Dept of Administration

From: Swati Patel [mailto:sspatel16@hotmail.com]
Sent: Sunday, January 08, 2012 09:56 PM
To: Patel, Swati
Subject: RE: Dept of Administration

From: SwatiPatel@gov.sc.gov
To: sspatel16@hotmail.com
Date: Fri, 6 Jan 2012 15:58:34 -0500
Subject: RE: Dept of Administration

Tom and Shane,

We wanted to share a general outline of how we envision the bonded indebtedness/PIPs process to work once the Budget and Control Board is abolished. We have consulted bond attorneys and they approve of and are very pleased with this concept because it will significantly increase efficiency in the process.

Overview of current process:

1. Currently, the SC Constitution (Art. X, Sec. 13) sets limitations on bonded indebtedness incurred by the State in categories, e.g. higher education, transportation, housing, etc.
2. When a state agency or other entity needs to incur debt for a project or wants to refinance, the project must be reviewed by the Joint Bond Review Committee and then get approval by a majority of the Budget and Control Board (BCB) members at a meeting (which usually occur every 2 or 3 months). The project is reviewed and "processed" by staff at the BCB and the staff of the 5 members and if the project meets approval at the staff stage, then it will be placed on a BCB agenda. The majority of projects are approved without debate.
3. If the project is approved, it must go through bond counsel's paperwork process and then the State Treasurer will "go to market" (initiate incurring of debt).

Proposed new process with Dept of Admin:

1. Constitutional limitations remain. No change.
2. Every year the General Assembly will set specific monetary caps on bonded indebtedness in each category (we are working with bond attorneys to define each category). Determining the State's authority and ability to incur debt should be a legislative function, as is the Legislature's function to tax and spend.
3. The Joint Bond Review Committee will continue to review projects as it currently does. The Department of Administration will process and approve projects based on criteria it develops. Some bonds (specifically "conduit bonds") will no longer need to go through a state review process. Conduit bonds are paid for and backed by the private sector (i.e. hospital bonds, industry bonds) and have no taxpayer funds involved and therefore should not have to go through a lengthy state approval process. This process is currently an impediment to business and is unique to SC.
4. If the project is approved by the Dept of Administration, then before the State Treasurer initiates incurring of debt, the project must be signed and approved by the State Treasurer and countersigned by one or both the Governor and/or the Comptroller General.

We are working with bond attorneys to flesh out this proposal. Please let us know if you have any questions or concerns. We would still like to schedule a conference call tomorrow morning if possible.

Thanks,

Swati

From: tom1960davis@yahoo.com [<mailto:tom1960davis@yahoo.com>]
Sent: Friday, January 06, 2012 11:53 AM
To: Patel, Swati; 'asmlaw30@bellsouth.net'
Cc: Soura, Christian
Subject: Re: Dept of Administration

Fine with me. That helps us get momentum.

Sent from my Verizon Wireless BlackBerry

From: "Patel, Swati" <SwatiPatel@gov.sc.gov>

Date: Fri, 6 Jan 2012 11:40:13 -0500

To: Tom Davis<tom1960davis@yahoo.com>; 'asmlaw30@bellsouth.net'<asmlaw30@bellsouth.net>

Cc: Soura, Christian<ChristianSoura@gov.sc.gov>

Subject: RE: Dept of Administration

We have received calls from other Senators asking about our plans for the Dept of Admin bill next week. We would like to let them know we are working with you both on a perfecting amendment and will share it with them as soon as possible next week, unless you object. Please let us know as soon as you can. Thanks.

From: Tom Davis [<mailto:tom1960davis@yahoo.com>]
Sent: Friday, January 06, 2012 10:43 AM
To: Patel, Swati; 'asmlaw30@bellsouth.net'
Cc: Soura, Christian
Subject: Re: Dept of Administration

Sorry to be late in responding. I am slammed today with stuff from my "other life." Can we do a conference call on Monday? That would also give Shane some more time to review the amendment. Tom

From: "Patel, Swati" <SwatiPatel@gov.sc.gov>
To: "'asmlaw30@bellsouth.net'" <asmlaw30@bellsouth.net>; "tom1960davis@yahoo.com" <tom1960davis@yahoo.com>
Cc: "Soura, Christian" <ChristianSoura@gov.sc.gov>
Sent: Thursday, January 5, 2012 6:08 PM
Subject: Re: Dept of Administration

Since our time is limited, can we do a conference call tomorrow to talk about the open item in the amendment and the strategy for next week?

We are open anytime tomorrow.

From: asmlaw30@bellsouth.net [<mailto:asmlaw30@bellsouth.net>]
Sent: Thursday, January 05, 2012 05:07 PM
To: Patel, Swati; Tom Davis <tom1960davis@yahoo.com>
Cc: Soura, Christian
Subject: Re: Dept of Administration

Tuesday works great for me. I think Wednesday at the earliest before we take it up.

Sent from my Verizon Wireless Phone

----- Reply message -----

From: "Patel, Swati" <SwatiPatel@gov.sc.gov>

Date: Thu, Jan 5, 2012 4:50 pm

Subject: Dept of Administration

To: "Tom Davis" <tom1960davis@yahoo.com>, "asmlaw30@bellsouth.net" <asmlaw30@bellsouth.net>

Cc: "Soura, Christian" <ChristianSoura@gov.sc.gov>

That's fine. When do you think the bill will be taken up given that it's first up on special order?

From: Tom Davis [<mailto:tom1960davis@yahoo.com>]

Sent: Thursday, January 05, 2012 4:47 PM

To: Patel, Swati; 'asmlaw30@bellsouth.net'

Cc: Soura, Christian

Subject: Re: Dept of Administration

I have read it through and have some comments, but won't be able to email them until sometime tomorrow. It may be a good idea for Shane and me to meet with you and Christian on Tuesday to make sure we are all on the same page.

From: "Patel, Swati" <SwatiPatel@gov.sc.gov>

To: Tom Davis <tom1960davis@yahoo.com>; "asmlaw30@bellsouth.net" <asmlaw30@bellsouth.net>

Cc: "Soura, Christian" <ChristianSoura@gov.sc.gov>

Sent: Thursday, January 5, 2012 3:59 PM

Subject: RE: Dept of Administration

Tom,

We wanted to follow up with you and Sen. Massey to see if you have reviewed the draft amendment. Please let us know if you have questions and/or if you will go ahead and have the amendment prepared leaving the PIPs issue open for discussion as soon as you have time.

Thanks,

Swati

From: Tom Davis [<mailto:tom1960davis@yahoo.com>]

Sent: Tuesday, January 03, 2012 2:08 PM

To: Patel, Swati; 'asmlaw30@bellsouth.net'

Cc: Soura, Christian

Subject: Re: Dept of Administration

Thanks, Swati. I will take it home with me this evening to review, and then provide my comments no later than close of business this Thursday. Shane, is that enough time for you?

From: "Patel, Swati" <SwatiPatel@gov.sc.gov>

To: Tom Davis <tom1960davis@yahoo.com>; "asmlaw30@bellsouth.net" <asmlaw30@bellsouth.net>

Cc: "Soura, Christian" <ChristianSoura@gov.sc.gov>

Sent: Tuesday, January 3, 2012 1:58 PM

Subject: RE: Dept of Administration

Tom,

Christian and I have prepared and attached the draft perfecting amendment to H. 3066. This amendment incorporates all of the changes we discussed several weeks ago. However, the current Board responsibilities related to permanent improvement projects and incurring bonded debt is left open for now. We have some ideas on how to address this issue that we can discuss with you.

Let us know when you and Sen. Massey and/or others want to discuss this draft after you have had a chance to review it. It will be far easier for us to go through each section with you verbally so we can talk through any questions you may have. We are free to do a call tomorrow morning.

If you are satisfied with this draft and would like to get it prepared by Senate staff/Legis Council now, then we can discuss the open items/questions when you are in town or on a call and flesh out those details quickly. I know you need to begin educating other Senators quickly on this amendment and we'd be happy to help you with that process.

Let us know what works for you.

Swati

From: Tom Davis [<mailto:tom1960davis@yahoo.com>]
Sent: Tuesday, January 03, 2012 11:23 AM
To: Patel, Swati; 'asmlaw30@bellsouth.net'
Cc: Soura, Christian
Subject: Re: Dept of Administration

Not a problem. Thanks. Tom

From: "Patel, Swati" <SwatiPatel@gov.sc.gov>
To: "tom1960davis@yahoo.com" <tom1960davis@yahoo.com>; "asmlaw30@bellsouth.net" <asmlaw30@bellsouth.net>
Cc: "Soura, Christian" <ChristianSoura@gov.sc.gov>
Sent: Tuesday, January 3, 2012 10:27 AM
Subject: Re: Dept of Administration
Hey Tom,
So sorry for the delay. We will send you the draft today.

Swati

From: Tom Davis [<mailto:tom1960davis@yahoo.com>]
Sent: Tuesday, January 03, 2012 10:25 AM
To: asmlaw30@bellsouth.net <asmlaw30@bellsouth.net>
Cc: Soura, Christian; Pate