

**SUMMARY OF
PROVISO CHANGES
FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE
COMMITTEE**

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SECTION 1 - H63-DEPARTMENT OF EDUCATION

- 1.3** **AMEND** (EFA Formula/Base Student Cost Inflation Factor) States the General Assembly's intent to fully implement the EFA including an inflation factor to match the inflation wages of public school employees in the southeast; states that for FY 11-12, the base student cost has been determined to be \$1,788; that the per pupil count is projected to be 690,111 and projects the average per pupil funding. Provides for the distribution of funds to the SC Public Charter School District.
WMC: AMEND proviso to update the projections for FY 12-13 as follows: base student cost, \$2,012; total pupil count, 693,431, average per pupil funding, \$4,981 state, \$1,278 federal, and \$5,511 local for an average total funding level of \$11,770 excluding local bond issues. Delete all estimated school district projections.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1.4** **AMEND** (EFA - Formula) Provides directives for the distribution of Education Finance Act appropriations and the development of formulas; and requires the Department to make adjustments to EFA disbursements to ensure the aggregate of such disbursements does not exceed appropriated funds.
WMC: AMEND proviso to change "insure that" to "ensure." *Technical.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1.5** **AMEND** (Employer Contributions/Allocations) Provides guidelines for the allocation of employer contribution funds to school districts.
WMC: AMEND proviso to change "which" to "that." *Technical.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1.8** **AMEND** (Educational Responsibility/Foster Care) Directs how children in foster care, group homes, orphanages, or a state operated health care facilities are to be educated and how funding is to be provided for the education of the child.
WMC: AMEND proviso to change "mentally retarded" reference to persons "with intellectual disabilities." *Conform reference to Act 47 of 2011.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1.15** **AMEND** (Travel/Outside of Continental U.S.) Prohibits school district allocations from General Funds and EIA funds from being used for travel outside the continental U.S., but exempts the International Baccalaureate Program.
WMC: AMEND proviso to include lottery funds in the prohibition. *School districts also receive lottery funds and the department indicates those funds should be included in the*

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prohibition. Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 1.16** **AMEND** (Year End Closeout) Authorizes the department to pay for federal and earmarked expenditures incurred in the prior fiscal year with current year funds.

HOU: AMEND proviso to change "XIII" to "XIV." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SFC: ADOPT proviso as amended.

- 1.18** **DELETE / MOVE** (Summer Exit Exam Cost) Authorizes certain funds to be used to offset the costs of conducting the summer administration of the Exit Exam.

HOU: DELETE proviso. *Moved to EIA proviso 1A.60.* Sponsor: Rep. Bingham.

SFC: ADOPT deletion of proviso.

- 1.19** **REINSERT / AMEND** (Defined Program Personnel Requirements) Establishes public school district guidelines for filling administrative positions which require State Board of Education certification.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: REINSERT proviso and AMEND to allow administrative positions to be filled by a person receiving a W-2 from the hiring school district or for a charter school to hire a person employed by an entity under contract with the school district. Direct that if a charter school fills the position with a person who does not receive a W-2 from the hiring school district that individual's total compensation shall not exceed the salary of the highest paid person in a similar position at a school district that is the same or lesser size as the charter school. Direct that if total compensation exceeds that amount the school's EFA and/or EIA allocations shall be reduced by the amount the compensation was exceeded. Delete the penalty assessed if a corporation, partnership, or other entity is hired to fill administrative positions. Delete the exemptions for temporary instructional positions. *Companion to EIA proviso 1A.14.*

- 1.21** **AMEND** (Teacher Data Collection) Requires the department and CHE to share data about the teaching profession in South Carolina using non-program funds.

WMC: AMEND proviso to change reference to "the department" to "it." *Technical.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 1.25** **AMEND** (School Bus Driver CDL) Requires school districts request a criminal record history check before hiring school bus drivers or school bus aides.

HOU: AMEND proviso to change "IX" to "X." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SFC: ADOPT proviso as amended.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
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- 1.26 DELETE / MOVE** (SAT Preparation) Requires the department to write a plan reviewing, on an individual basis, weaknesses of students on actual PSAT administrations, and provide guidance and assistance to schools.
WMC: AMEND proviso to change "SAT Preparation" to "Assessment Preparation" and require the plan review a student's strengths as well as weaknesses on a variety of national assessments and exams. Require the department use reports that analyze student "strengths" and weaknesses to provide local school districts with guidance. *Broaden the definition of national assessments.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: DELETE proviso. *Moved to EIA proviso 1A.62.* Sponsor: Rep. Bingham.
SFC: ADOPT deletion of proviso.
- 1.27 RESTORE ORIGINAL PROVISO** (School Bus Purchase) Requires certain specifications be met when purchasing school buses.
WMC: AMEND proviso to delete the authorization to use Georgia or North Carolina's school bus specification and instead authorize "any state's education agency or local education agency's" school bus specifications to be used. *This could reduce the time required to complete a school bus procurement cycle.* Fiscal Impact: No impact on the General Fund, however the department indicates there could be potential savings associated with procurement contracts. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: RESTORE original proviso.
- 1.28 AMEND** (Buses, Parts, and/or Fuel) Directs the expenditure of funds appropriated for Bus Shops and Buses.
HOU: AMEND proviso to change "IX" to "X." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1.30 DELETE / MOVE** (Refurbishing Science Kits) Provides for the use of funds for refurbishing science kits.
HOU: DELETE proviso. *Moved to EIA proviso 1A.61.* Sponsor: Rep. Bingham.
SFC: ADOPT deletion of proviso.
- 1.36 DELETE** (Alternative Certification/Displaced Employees) Directs the department to give priority in the PACE program to recruiting qualified state employees impacted by a reduction in force and directs the Student Loan Corporation to give qualified employees priority in the Career-Changer Loan program.
WMC: DELETE proviso. *Preference is given to one group of applicants solely based on a former employer. The PACE program should be permitted to recruit the most capable applicants regardless of previous employment history.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.

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- 1.38 AMEND FURTHER** (School Districts and Special Schools Flexibility) Provides guidelines and requirements for school districts and special schools to have the ability to transfer and expend funds among general fund revenues, EIA funds, Lottery funds, and Children's Education Endowment Fund for school facilities and fixed equipment assistance.
WMC: AMEND proviso to specify that "funds allocated specifically for state level maintenance of effort requirement for federal programs" may not be transferred and prohibit programs that serve students with exceptional needs from being suspended. Change from "70%" to "75%" the percentage of the school district's per pupil expenditures that must be used within specific InSite categories in order for school districts to have the ability to use the flexibility provisions. Encourage school districts to restructure administrative staffing in order to reduce expenditures. Delete the requirement that writing assessments in grades 3, 4, 6, and 7 be suspended and delete the option to suspend textbook purchases. Direct that savings generated from suspending assessments must be allocated based on "weighted pupil units" rather than on the EFA formula. Direct that the school district transaction register must not include information on individual employees that earn less than \$50,000 annually. Delete the directive that the Comptroller General distribute a methodology and resources for compliance with the transaction register requirement.
HOU: ADOPT proviso as amended. *Companion to EIA proviso 1A.21*
SFC: AMEND FURTHER to delete the directive that the school district transaction register must not include information on individual employees that earn less than \$50,000 annually.
- 1.39 AMEND** (Medical Examination and Security Reimbursement/Expenditures) Authorizes the department to pay or reimburse for the cost of a required medical exam or national security background check for employees who operate a state vehicle that transports hazardous materials.
HOU: AMEND proviso to change "IX" to "X." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1.42 AMEND** (Governor's Schools' Fees) Authorizes the Governor's Schools for the Arts and Humanities and Science and Mathematics to charge, collect, expend, and carry forward approved student fees.
WMC: AMEND proviso to require both schools to conspicuously publish a fee schedule on their websites. *Increases transparency of fees.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1.43 RESTORE ORIGINAL PROVISO** (School District Furlough) Authorizes and provides guidelines for school districts to institute an employee furlough program
WMC: AMEND proviso to specify that school districts may initiate the furlough if there is a midyear reduction in state funding to school districts. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: RESTORE original proviso.

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- 1.44 DELETE** (Base Student Cost Funding) Redirects funding to the Base Student Cost from particular items and areas of the department's base budget that have been reduced or eliminated and from deleted provisos that directed funding for specific items.
WMC: DELETE proviso. *This proviso could cause conflict with others. Provisos that suspended programs specify how the savings generated from suspensions are to be distributed to school districts.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1.55 DELETE** (High Schools That Work Carry Forward) Authorizes the department, school districts and special schools to carry forward High Schools That Work funds.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1.56 DELETE / MOVE** (Career Cluster Industry Partnerships) Requires the department to use \$800,000 to provide direct grants to private sector statewide trade associations or education foundations that provides nationally certified programs in career and technology education in certain career clusters.
WMC: DELETE proviso. *Moved to EIA, see proviso 1A.51.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1.58 DELETE** (GSAH Human Resources Annual Report) Requires the Governor's School for the Arts and Humanities provide annual reports on the school's human resources statistics for filled and vacant positions; on recruiting activities; and a comprehensive enrollment report.
WMC: DELETE proviso. *This proviso only applies to one of the two Governor's Schools and does not apply to any other public schools.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT proviso as amended.
- 1.60 RESTORE ORIGINAL PROVSIO** (Charter School Funding Schedule) Establishes a funding schedule for the distribution of funds to public charter schools.
WMC: AMEND proviso to change the timeframe by which funds must be released to districts after enrollment is verified from "fifteen" to "ten" days and the time frame by which districts must provide the funds to eligible charter schools from "thirty" to "ten" days after they receive the funds from the department. *Increases the timeliness of payments to public charter schools.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: RESTORE original proviso. *Reinserts original 15 and 30 day timeframe to conform to H.3241.*

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THE SENATE FINANCE COMMITTEE**

- 1.61 AMEND** (Residential Treatment Facilities Student Enrollment and Funding) Directs that children and adolescents residing in licensed residential treatment facilities (RTFs) are entitled to receive education services from the school district in which the RTF is located and outlines the certain responsibilities.
WMC: AMEND proviso to authorize students in RTFs to be enrolled in a virtual education program if the facility school district, the RTF, and the parent or guardian jointly determine it is clinically appropriate and in the best interest of the student. Establish a timeframe for resident school districts to provide reimbursement to facility school districts for students enrolled in RTFs. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1.62 DELETE** (Transparency) Requires the department publish a link on its homepage to a listing of all programs funded with Federal Stimulus Funds and to update the listing monthly.
WMC: DELETE proviso. *State Fiscal Stabilization Funds must be obligated by September 30, 2011. This program will end during Fiscal Year 2011-12, therefore, it is not necessary to keep this proviso.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1.63 DELETE** (Prohibit Use of ARRA for Administration) Prohibits the department and school districts from using ARRA funds for administrative salary increases, bonuses, retirement incentives or severance packages.
WMC: DELETE proviso. *The American Recovery and Reinvestment Act of 2009 will end during Fiscal Year 2011-2012. Therefore, it is not necessary to keep this proviso.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1.66 DELETE** (Program Reports) Requires all programmatic reports required by the General Assembly to be submitted electronically.
WMC: DELETE proviso. *Codified in Section 2-1-230.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1.68 AMEND FURTHER** (Administrative Costs Report Posting) Requires school districts to report and post their administrative costs on their website.
WMC: AMEND proviso to specify that the administrative costs to be reported are those as defined by InSight in the prior fiscal year. Require districts to provide an electronic copy of the report to the Department of Education in conjunction with the financial audit reports they are required to submit to the department. Authorize the department to withhold a school district's EFA funds if the district is determined to be non-compliant. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
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THE SENATE FINANCE COMMITTEE**

- SFC:** AMEND FURTHER to direct that if a district does not fully meet these requirements, the department must notify the district in writing that they have 60 days to comply with the reporting requirement otherwise the department may reduce the district's base student cost by 1% until the requirement is met, after which the funds will be returned to the district.
- 1.69** **DELETE** (Effectiveness of Strategies for Teaching Reading) Allocates \$34,911 to the EFA. from Section XIII.A.
WMC: DELETE proviso. *If the General Assembly desires to increase funding for the EFA, it should do so by amending budget lines and not via a budget proviso.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1.73** **DELETE** (Transportation) Directs the department, Senate Finance and House Ways and Means Committees and the Governor's Office to work together to explore privatizing all or part of the state school bus system.
WMC: DELETE proviso. *No proviso is required for this collaboration to take place between the named government entities.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1.74** **AMEND** (South Carolina Public Charter School District Funding) Provides for the allocation of S.C. Public Charter School District funds.
HOU: AMEND proviso to change "X" to "XI." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1.75** **AMEND** (Governor's Schools Capacity) Directs the Governor's Schools for the Arts and Humanities and for Science and Mathematics to use their FY 11-12 funds to bring the schools up to full capacity, to the extent possible and to report by December 1st on how the funds have been used and how many additional students have been served.
WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1.77** **AMEND** (One Year Suspension of Programs) Suspends the SAT/ACT Improvement program for Fiscal Year 2011-12 and directs that the funds be allocated to districts based on weighted pupil units.
WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.

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- 1.79 DELETE** (Weighted Pupil Units Calculation) Requires the EOC to perform an analysis of the education funding formula as it pertains to weighted pupil units and report its findings by November 1, 2011.
WMC: DELETE proviso. *The EOC will have completed its work and presented a report.*
Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1.80 REINSERT** (Education Foundation Supplement) Directs that Education Foundation Supplement funds are to be distributed to public schools which would recognize a current year loss in State financial requirement of the foundation program using certain criteria.
WMC: DELETE proviso. **Fiscal Impact:** No impact on the General Fund.
HOU: ADOPT deletion of proviso.
SFC: REINSERT original proviso.
- 1.81 AMEND** (Impute Index Value) Provides for the Index of Taxpaying Ability used in the calculation of EFA disbursements to school districts.
WMC: AMEND proviso to change Fiscal Year “2011-12” to “FY 2012-13.” **Fiscal Impact:** No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1.85 ADD** (Bus Lease Purchase) **WMC:** ADD new proviso to allow the department to purchase or lease school buses in order to continue school bus fleet replacement.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
- 1.86 ADD** (Next Generation Science Standards) **HOU:** ADD new proviso to prohibit the department, the EOC, or the State Board of Education from using funds to participate in, implement, adopt, or promote the Next Generation Science Standards initiative. *See EIA Companion proviso 1A.63.* Sponsor: Rep. Bedingfield.
SFC: ADOPT new proviso.
- 1.87 DELETE NEW PROVISIO** (District Salary Increases) **HOU:** ADD new proviso to direct all school districts, to the extent possible, to provide salary increases of up to 2% to school level staff and administration that are not paid on the statewide teacher salary schedule, and provide the local school board the discretion to provide increases for district level administration. Allow the school district to apply to the State Board of Education for a waiver from providing salary increases if the district believes it cannot provide the increases without incurring a deficit. Require the state board report to the Chairmen of the Senate Finance and House Ways and Means Committees on the districts which requested a waiver and on the waivers that were granted. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.
SFC: DELETE new proviso
- 1.88 AMEND NEW PROVISIO** (Teacher Salary Increases) **HOU:** ADD new proviso to allow a local school district board of trustees to determine that all district teachers may be paid based

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AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

on the step there were paid in the prior fiscal year, without their experience credit suffering a negative impact. Require the board of trustees' decision to be voted on in a public meeting. Teacher salaries may either be increased by 2% or the step may be provided, unless a waiver is granted. Direct the department to increase the 2008-09 teacher salary schedule by 2%. Allow the school district to apply to the State Board of Education for a waiver from providing salary increases if the district believes it cannot provide the increases without incurring a deficit. Require the state board report to the Chairmen of the Senate Finance and House Ways and Means Committees on the districts which requested a waiver and on the waivers that were granted. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SFC: AMEND new proviso to delete previous version and instead direct that teacher salaries must be increased by at least 2% and that each school district will receive funds for this purpose based on their proportionate share of the EFA. Require this provision be applied uniformly for all teachers within the school district.

- 1.89 DELETE NEW PROVISIO** (School Meals) **HOU:** ADD new proviso to prohibit state funds from being used to purchase food that has been treated with ammonia hydroxide for use in school meals. Sponsor: Rep. Limehouse.
SFC: DELETE new proviso.

- 1.90 ADD** (Felton Lab Allocation) **SFC:** ADD new proviso to require that the Felton Laboratory at SC State receive 70% of the EFA funds it would have received under the EFA and under aid to school districts fringe benefits as if it were a special school district. Direct the department to calculate the funds Felton Lab is entitled to receive each year.

- 1.91 ADD** (EFA-IDEA Contingency Reserve) **SFC:** ADD new proviso to direct up to \$36,202,909 of EFA-IDEA Contingency Reserve funds be used to supplement a loss of federal funding from the Individuals with Disabilities Education Act (IDEA) expected on October 1, 2012. Prohibit these funds from being spent until the US Department of Education initiates a reduction in funds and only allow the department to spend an amount equal to the amount withheld. Provide for notification to the Governor and the Chairmen of the Senate Finance and Ways and Means Committees if the federal IDEA funds are reduced. If any of these funds are not needed to offset a loss in federal IDEA funds, they shall be distributed to school districts and special schools based on the EFA formula which would result in a maximum BSC increase of approximately \$58 or a total maximum BSC of \$2, 070.

SECTION 1A - H63-DEPARTMENT OF EDUCATION-EIA

- 1A.2 AMEND FURTHER** (Services for Students with Disabilities) Directs the expenditure of funds appropriated for Services for Students with Disabilities.
WMC: AMEND proviso to change reference to "mentally disabled" pupils to pupils "with intellectual disabilities." *Conform to Act 47 of 2011.* Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.
HOU: AMEND FURTHER to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
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THE SENATE FINANCE COMMITTEE**

- 1A.3** **AMEND** (Half Day Program for Four-Year-Olds) Provides for the distribution funds for half day programs for four-year olds.
HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1A.6** **DELETE** (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary and requires that the FY 2008-09 statewide minimum teacher salary schedule shall continue to be used.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund or the EIA.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1A.7** **AMEND** (Teacher Salaries/State Agencies) Provides for the distribution of allocations for "Teacher Other Pay" for instructional personnel that are in a state agency which does not contain a school district.
HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1A.8** **AMEND** (Work-Based Learning) Provides for the allocation of Work-Based Learning Program funds.
HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1A.9** **AMEND** (Evaluation/EIA Programs) Provides for the use of EIA Implementation, Other Operating Expenses.
HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1A.10** **AMEND** (CHE/Teacher Recruitment) Provides for the distribution of Teacher Recruitment Program funds.
HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1A.11** **AMEND** (Disbursements/Other Entities) Provides for the disbursal of Other State Agencies and Entities funds.
HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
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- 1A.12 AMEND (Arts in Education)** Provides for the use of Arts Curricula funds.
HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1A.13 AMEND FURTHER (National Board Certification Incentive)** Provides guidelines for the National Board Certification Incentive for public school classroom teachers.
WMC: AMEND proviso to suspend the program for new applicants for FY 12-13 and require the department submit a report on the long term costs of the program to the Senate Finance and House Ways and Means Committees by November 1, 2012. Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.
HOU: AMEND FURTHER to change "XI" to "XII" and "XIII.A." to "XII.C.2." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: AMEND FURTHER to delete the requirement that the program be suspended for new applicants for FY 12-13 and that a report be submitted on the long term costs of the program.
- 1A.14 AMEND (Defined Program Personnel Requirements)** Establishes public school district guidelines for filling administrative positions which require State Board of Education certification.
SFC: AMEND proviso to allow administrative positions to be filled by a person receiving a W-2 from the hiring school district or for a charter school to hire a person employed by an entity under contract with the school district. Direct that if a charter school fills the position with a person who does not receive a W-2 from the hiring school district that individual's total compensation shall not exceed the salary of the highest paid person in a similar position at a school district that is the same or lesser size as the charter school. Direct that if total compensation exceeds that amount the school's EFA and/or EIA allocations shall be reduced by the amount the compensation was exceeded. Delete the penalty assessed if a corporation, partnership, or other entity is hired to fill administrative positions. Delete the exemptions for temporary instructional positions. *Companion to general education proviso 1.19.*
- 1A.16 AMEND (Teacher Supplies)** Provides guidelines for distributing teacher supply reimbursement of up to \$275 each school year to offset the expenses they have incurred for teaching supplies and materials.
WMC: AMEND proviso to delete the authorization for local school boards to vote to retain the Teacher Supply allocation and use it for teacher salaries instead of disbursing the funds to teachers. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1A.17 RESTORE ORIGINAL PROVISO (Teacher of the Year Awards)** Provides for Teacher of the Year Awards in the amount of \$1,000 for each district Teacher of the Year; \$25,000 for the State Teacher of the Year; and \$10,000 each for four Honor Roll Teachers of the Year.
WMC: AMEND proviso to exempt these awards from South Carolina income taxes. Fiscal Impact: BEA states that based on 87 school districts that would qualify, this proviso would reduce General Fund revenue by \$8,526 for FY 2012-13. Requested by Department of Education.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
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HOU: ADOPT proviso as amended.

SFC: RESTORE original proviso.

1A.19 AMEND (Technical Assistance) Provides for the allocation of technical assistance funds.

WMC: AMEND proviso to prohibit the school district from transferring technical assistance funds to any other program without prior State Superintendent of Education approval. Delete the authorization for \$750,000 of technical assistance funds to be used for after school or summer enrichment programs that focus on dropout prevention for at risk students. Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

1A.21 AMEND FURTHER (School Districts and Special Schools Flexibility) Provides guidelines and requirements for school districts and special schools to have the ability to transfer and expend funds among general fund revenues, EIA funds, Lottery funds, and Children's Education Endowment Fund for school facilities and fixed equipment assistance.

WMC: AMEND proviso to specify that "funds allocated specifically for state level maintenance of effort requirement for federal programs" may not be transferred and prohibit programs that serve students with exceptional needs from being suspended. Change from "70%" to "75%" the percentage of the school district's per pupil expenditures that must be used within specific InSite categories in order for school districts to have the ability to use the flexibility provisions. Encourage school districts to restructure administrative staffing in order to reduce expenditures. Delete the requirement that writing assessments in grades 3, 4, 6, and 7 be suspended and delete the option to suspend textbook purchases. Direct that savings generated from suspending assessments must be allocated based on "weighted pupil units" rather than on the EFA formula. Direct that the school district transaction register must not include information on individual employees that earn less than \$50,000 annually. Delete the directive that the Comptroller General distribute a methodology and resources for compliance with the transaction register requirement.

HOU: ADOPT proviso as amended. *Companion to general education proviso 1.38.*

SFC: AMEND FURTHER to delete the directive that the school district transaction register must not include information on individual employees that earn less than \$50,000 annually.

1A.23 AMEND (Dropout Prevention and High Schools That Work Programs) Requires the department to report annually on the progress and effectiveness of the High Schools that Work Programs.

WMC: AMEND proviso to also report on the effectiveness of dropout prevention programs. *Expands the scope of this proviso to include not only High Schools That Work, but all dropout prevention programs funded by the Education and Economic Development Act.* Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

1A.25 DELETE (Early Childhood Review) Requires the department to use up to \$300,000 of EIA Four-Year Old Early Childhood funds to monitor and oversee the program and to establish a plan to track 4K students through the 5th grade to examine parts of the program that contributed

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

to academic success and to review professional development needs based on successful programs on a district by district basis.

HOU: DELETE proviso. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SFC: ADOPT deletion of proviso.

- 1A.27** **AMEND** (Core Curriculum Materials) Provides for the expenditure of funds for instructional materials for core curriculum.

HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SFC: ADOPT proviso as amended.

- 1A.28** **AMEND** (~~Teacher~~ Certified Staff Technology Proficiency) Directs the department to approve district technology plans that address and incorporate teacher technology competency.

WMC: AMEND proviso to change reference to "teacher(s)" to "Certified Staff." Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 1A.31** **AMEND** (Reading) Provides directives for the use of reading literacy funds.

HOU: AMEND proviso to delete the requirement that 50% of the funds be allocated to the department to provide districts with research based strategies and professional development. Allow the department to continue to use funds for literacy contracts and all remaining funds will be allocated to school districts based on weighted pupil units. Delete the requirement that the department evaluate and review the first year implementation activities and establish measures to monitor student achievement. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SFC: ADOPT proviso as amended.

- 1A.32** **AMEND** (Artistically and Academically High-Achieving Students) Provides for the allocation to districts of EIA funds appropriated for high achieving students.

HOU: AMEND proviso to delete the authorization for the department to retain up to \$500,000 of these funds for teacher endorsement activities. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SFC: ADOPT proviso as amended.

- 1A.34** **AMEND** (Professional Development) Provides for the allocation of professional development funds to school districts.

HOU: AMEND proviso to reduce the amount of funds the department may retain for administration and for providing professional development services from 25% to 10%. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.

SFC: ADOPT proviso as amended.

- 1A.37** **AMEND** (Clemson Agriculture Education Teachers) Requires Clemson Agriculture Education Teachers funds be transferred to Clemson PSA.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: AMEND proviso to change "XI.F3" to "XII.F.2." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SFC: ADOPT proviso as amended.

- 1A.38 DELETE** (Education Oversight Committee Transfer) Transfers \$200,000 from the EOC to Teacher Supplies for FY 11-12.

WMC: DELETE proviso. *Line item for Teacher Supplies should be increased by \$200,000. This is an unnecessary pass-through appropriation.* Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 1A.39 AMEND FURTHER** (Incentive for National Board Certification After 6/30/10) Provides for the National Board Certification Incentive for teachers certified by the National Board or who completed the application process on or after July 1, 2010.

WMC: AMEND proviso to delete requirement that "beginning July 1, 2010" up to 900 applicants will be processed annually and instead direct that number shall be processed "Should the program not be suspended." Delete authorization for a \$7,500 salary supplement to be paid, beginning with 2009 applicants for those public school classroom teachers who were certified or completed the application process prior to July 1, 2010. Suspend the program for new applicants for FY 12-13 and require the department submit a report on the long term costs of the program to the Senate Finance and House Ways and Means Committees by November 1, 2012. Fiscal Impact: No impact on the General Fund or the EIA. Requested by Department of Education.

HOU: AMEND proviso to change "XIII.A." to "XII.C.2." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SFC: AMEND FURTHER to delete the requirement that the program be suspended for new applicants for FY 12-13 and that a report be submitted on the long term costs of the program.

- 1A.40 RESTORE ORIGINAL PROVISO** (Child Development Education Pilot Program) Creates the South Carolina Child Development Education Pilot Program.

HOU: AMEND proviso to delete most references to First Steps to School Readiness. *See Section 1B for new First Steps agency and proviso 1B.1 for duplicate proviso in that section outlining First Steps responsibilities.* Sponsor: Rep. Bingham.

SFC: RESTORE original proviso.

- 1A.41 DELETE** (SC Reading Achievement Systemic Initiative) Creates a policy panel to guide the S.C. Reading Achievement Systemic Initiative and requires a report be submitted by January 15, 2012..

WMC: DELETE proviso. *Once the report has been submitted the policy panel will no longer need to exist.* Fiscal Impact: No impact on the General Fund or EIA. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 1A.42 DELETE** (Assisting, Developing, and Evaluating Professional Teaching--ADEPT) Provides for the expenditure and distribution of ADEPT funds
WMC: AMEND proviso to delete the requirement that 10% of the funds be used to pay colleges and universities for ADEPT Services. *Restriction unnecessarily ties the hands of the Department and its implementation of ADEPT.* Fiscal Impact: No impact on the General Fund or EIA. Requested by Department of Education.
HOU: DELETE proviso. *See proviso 1A.59.* Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.
SFC: ADOPT deletion of proviso.
- 1A.43 AMEND** (Aid to Districts) Directs Aid Districts funds be dispersed based on the number of weighted pupil units.
HOU: AMEND proviso to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.
SFC: ADOPT proviso as amended.
- 1A.44 AMEND** (Carry Forward) Requires EIA funds carried forward from the prior fiscal year and from FY 11-12 that are not otherwise appropriated or authorized, be carried forward and spent for school bus fuel costs.
WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 1A.45 DELETE** (Disbursements/Writing Improvement Network) Directs the Writing Improvement Network, the School Improvement Council and the S.C. Geographic Alliance to report the costs and benefits of their programs to the department.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1A.46 DELETE** (Instructional Materials) Authorized the department to use up to \$3,000,000 of Instructional Materials funds to replace consumable instructional materials prior to using any authorized flexibility.
WMC: DELETE proviso. *The department recommends using the full appropriation for Instruction Materials after the program was suspended for FY 10-11 and FY 11-12.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 1A.48 AMEND FURTHER** (IDEA Maintenance of Effort) Directs that \$45,481,854 of Aid to Districts funds be used to meet the estimated maintenance of effort for IDEA. Requires the department submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor by December, 2011
WMC: AMEND proviso to change Fiscal Year from "2011-12" to "2012-13." Change "\$45,481,854" to "up to \$30,494,337." Direct that funds provided for IDEA's maintenance of

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

effort may not be transferred for any other purpose and are not subject to flexibility. Fiscal Impact: No impact on the General Fund.

HOU: AMEND FURTHER to change "XI" to "XII." *Technical.* Fiscal Impact: No impact on the General Fund. Sponsor: Rep. Bingham.

SFC: ADOPT proviso as amended.

1A.49 **AMEND** (Building Fund Flexibility) Authorize school districts to flex School Building Aid Program funds in FY 2011-12.

WMC: AMEND proviso to change Fiscal Year :2011-12" to "2012-13." Fiscal Impact: No impact on the General Fund or EIA. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

1A.50 **DELETE** (Award Allocations) Directs Palmetto Gold and Silver program funds to school districts for FY 2011-12 and directs that the allocation be based on weighted pupil units.

WMC: DELETE proviso Fiscal Impact: No impact on the General Fund or EIA. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

1A.51 **ADD MOVED PROVISO** (Career Cluster Industry Partnerships) **WMC:** ADD new proviso to direct the department to use \$800,000 to provide direct grants to the private sector statewide trade association or educational foundation that provides nationally certified programs in career and technology education representing the automotive, construction, engineering, healthcare, mechanical contracting/ construction, and hospitality tourism career clusters. Provide grant guidelines and requirements for the recipient organizations. Require organizations to submit a report to the department by August 1st of the following year that details specific grant performance. Direct that these funds may not be used to supplant or replace existing funds currently being used for these purposes. Authorize organizations to carry forward grants for up to three years for a large project; but otherwise direct that excess funds must be returned to the state. *Moved from General Education section, proviso 1.56.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

1A.52 **ADD** (Partnerships/Other Agencies & Entities) **WMC:** ADD new proviso to require agencies and entities that receive EIA funds from the department's Partnerships sub-program to continue to report annually to the EOC. Require funds that must pass through a state entity to be passed through the EOC. Direct that the EOC will make funding recommendations to the Governor and the General Assembly through the annual budget process. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

1A.53 **DELETE NEW PROVISO** (Workforce Preparation and Development) **WMC:** ADD new proviso to require the department to allocate \$200,000 of EEDA Workforce Preparation and

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

Development funds for the South Carolina Skills USA to increase awareness of career and technology opportunities for high school students and to coach students in workforce preparation and development. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: DELETE new proviso.

- 1A.54** **ADD** (ETV Teacher Training/Support) **WMC:** ADD new proviso to require ETV to use the EIA funds appropriated to them through the Partnerships sub-program to provide training and technical support to teachers and school districts on the educational resources that are available to them. Fiscal Impact: No impact on the EIA or General Fund.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

- 1A.55** **ADD** (Career and Technology Education Consumables) **WMC:** ADD new proviso to allow the department to use Career and Technology Education funds to purchase textbooks, instructional materials, and other consumables used in classroom instruction. Fiscal Impact: No impact on the EIA or General Fund.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

- 1A.56** **AMEND NEW PROVISIO** (Teacher Salaries/SE Average) **WMC:** ADD new proviso to state that the projected Southeastern average teacher salary for FY 2012-13 is \$49,319. Require that the FY 2008-09 statewide minimum salary schedule continue to be used in FY 2012-13. State that the General Assembly continues to desire to raise the South Carolina average teacher salary through incremental increases over the next few years so that teacher salaries become equivalent to the national average. Require school districts to use the additional funds they will receive to provide at least a 2% pay increase to instructional staff, regardless of years of experience, by either placing staff on the salary schedule according to their years of experiences and credentials or by an increase above the current year's salary. Require funds appropriated for Teacher salaries to be used to provide salary increases to eligible teachers.

HOU: ADOPT new proviso.

SFC: AMEND new proviso to direct that the funds to be used to provide at least a 2% pay increase for teachers are the additional funds in FY 2012-13, including Teacher Salary Support-State Share. Direct that school districts shall receive the Teacher Salary Support-State Share funds based on their proportionate share of EFA funds. Delete the option for increasing pay by either placing staff on the salary schedule according to their current years experience and credentials or by an increase above the current year's salary.

- 1A.57** **DELETE NEW PROVISIO** (PowerSchool Dropout Recovery Data) **WMC:** ADD new proviso to require the department use PowerSchool and data collection funds to start collecting data from schools and school districts on the number of student who had dropped out and then reenrolled in a public school or in adult education to pursue their high school diploma. Direct the EOC, working with the department, to determine how to calculate a dropout recovery rate and require the rate be reported on the annual school and district report cards. Require the department report the dropout recovery rate to the Senate Education and House Education and Public Works Committees. Fiscal Impact: No impact on the EIA or General Fund.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT new proviso.

SFC: DELETE new proviso.

- 1A.58 ADD (Dropout Recovery Pilot Program) WMC:** ADD new proviso to require the department to allocate \$500,000 of Students at Risk of School Failure funds for the Dropout Recovery Pilot Program. Direct that the funds are to be used to identify and recruit academically qualified students, ages 17-21, who had dropped out of public school or who were in a private school or were homeschooled, but did not graduate. Require that guidelines and benchmarks be established in the initial year of the pilot program. Direct that in addition to state EFA funds, school districts that participate may earn up to \$2,000 per student participating in the program. Require up to 10% of the funds be used to monitor and evaluate the effectiveness of the program and direct the Technical College System and the department to provide a program status report to the Senate Finance, Senate Education, House Ways and Means, and House Education and Public Works Committees by February 1st. Authorize unexpended funds to be carried forward and used to expand the number of students served. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

- 1A.59 AMEND NEW PROVISO (Assisting, Developing and Evaluating Professional Teaching - ADEPT) HOU:** ADD new proviso to allow the department, school districts, DJJ, and special schools to continue implementing the ADEPT program. Allow higher education's governing boards to provide for a tuition waiver for one 3 hour course for public school teachers who serve as supervisors for full-time students completing education degree requirements. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.
- SFC:** AMEND new proviso to authorize unexpended funds to be carried forward.

- 1A.60 ADD MOVED PROVISO (Summer Exit Exam Cost) HOU:** ADD new proviso to authorize EIA Student Testing Program funds to be used to offset the costs of conducting the summer administration of the Exit Exam and authorize local school districts to absorb local costs. *Moved from General Education proviso 1.18.* Sponsor: Rep. Bingham.
- SFC:** ADOPT moved proviso.

- 1A.61 ADD MOVED PROVISO (Refurbishing Science Kits) HOU:** ADD new proviso to authorize funds to be used to refurbish science kits.. *Moved from General Education proviso 1.30.* Sponsor: Rep. Bingham.
- SFC:** ADOPT moved proviso.

- 1A.62 ADD MOVED PROVISO (Assessment Preparation) HOU:** ADD new proviso to require the department to establish a plan to review a student's strengths and weaknesses on national assessments, including but not limited to SAT, ACT, WorkKeys, GED, Advanced Placement exams, and International Baccalaureate exams. Require the department to use reports that analyzes their strengths and weaknesses to provide local school districts with guidance. *Moved from General Education proviso 1.26 and amended.* Sponsor: Rep. Bingham.
- SFC:** ADOPT moved proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 1A.63** **ADD** (Next Generation Science Standards) **HOU:** ADD new proviso to prohibit the department, the EOC, or the State Board of Education from using funds to participate in, implement, adopt, or promote the Next Generation Science Standards initiative. *See General Education Companion proviso 1.86.* Sponsor: Rep. Bedingfield.
SFC: ADOPT new proviso.
- 1A.64** **ADD** (EOC Innovation Initiative) **SFC:** ADD new proviso to direct the EOC to explore innovative ways to change how public education is assessed and delivered in order to reduce dropouts and to increase student academic achievement. Direct the EOC to collaborate with a broad-based group of stakeholders to design an education incubator and test the model in schools during the subsequent fiscal year. Require the EOC report annually to the General Assembly on implementation and results, including the impact on student achievement and costs savings or resource reallocations.

SECTION 1B - H62-FIRST STEPS TO SCHOOL READINESS

- 1B.1** **DELETE NEW PROVISIO** (Child Development Education Pilot Program) **HOU:** ADD new proviso to create the South Carolina Child Development Education Pilot Program and provides for the responsibilities associated with First Steps to School Readiness. *Companion to Department of Education EIA proviso 1A.40.* Sponsor: Rep. Bingham.
SFC: DELETE new proviso.

SECTION 2 - H66-LOTTERY EXPENDITURE ACCOUNT

- 2.3** **DELETE** (FY 11-12 Lottery Funding) Directs expenditure of lottery funds for Fiscal Year 2011-12.
WMC: DELETE proviso. *Technical. This proviso provides funding for Fiscal Year 2011-12 only.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 2.5** **AMEND NEW PROVISIO** (FY 2012-13 Lottery Funding) **WMC:** ADD new proviso to direct expenditure of lottery funds as certified by the BEA for FY 12-13. as follows: \$52,933,000 to CHE and State Board for Tec and Comp Ed for Tuition Assistance; \$107,054,616 to CHE for LIFE Scholarships; \$7,823,474 to CHE for HOPE Scholarships; \$30,277,240 to CHE for Palmetto Fellows Scholarships; \$11,631,566 to CHE for Need-Based Grants; \$7,766,604 to Tuition Grants Commission for Tuition Grants; \$1,700,000 to CHE for the National Guard Tuition Repayment Program; \$2,500,000 to SC State University; \$4,154,702 for Technology for Public 4-Year Universities, 2-Year Institutions, and State Technical Colleges; \$26,291,798 to Dept. of Education for K-5 Reading, Math, Science & Social Studies programs; \$2,000,000 to Dept. of Education for Grades 6-8 Reading, Math, Science, & Social Studies programs; and \$200,000 to School for the Deaf and the Blind for Technology Replacement. Authorize SC State to use \$250,000 of their funds for the BRIDGE program. Suspend, for the current fiscal year, the provisions of Section 2-75-30 regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment. State that the goal is to fund the Tuition Assistance program at a level to support at least \$996 per student per term for full-time

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

students. Direct that net lottery proceeds and investment earnings in excess of certified net lottery proceeds and investment earnings are appropriated and must be used to ensure that LIFE, Palmetto Fellows, and HOPE scholarships are fully funded for FY 12-13. Provide for lottery appropriations to be reduced on a pro rata basis, excluding LIFE, HOPE, and Palmetto Fellows Scholarships, if lottery revenue is less than the amounts appropriated. Authorize CHE to use up to \$260,000 of LIFE, HOPE, and Palmetto Fellow Scholarship funds and Higher Ed Tuition Grants to use up to \$70,000 of Tuition Grants funds to support the award process. Direct that \$12,400,000 of certified unclaimed prize money is appropriated as follows: \$6,200,000 to Department of Education for new school buses; \$3,200,000 to Department of Education for K-5 Reading, Math, Science & Social Studies Program; and \$3,000,000 to CHE for Higher Education Excellence Enhancement Program. Direct that of any unclaimed prize funds in excess of the amount certified by the BEA the first \$1,500,000 be directed to CHE for the Partnership Among South Carolina Academic Libraries (PASCAL) Program; the next \$5,470,093 be directed for Technology for Public 4-Year Universities, 2-Year Institutions, and State Technical Colleges; the next \$2,000,000 be directed to the State Library for Aid to County Libraries; the next \$1,000,000 be directed to CHE for the Higher Education Excellence Enhancement Program; the next \$4,000,000 be directed to the State Bd for Tec and Comp Ed for the Allied Health Initiative; and the next \$1,000,000 be directed to CHE for the Critical Needs Nursing Program. Direct that additional revenue in excess of the amount certified by the BEA for unclaimed prizes be distributed to CHE for LIFE, HOPE, and Palmetto Fellows Scholarship. Authorize the B&C Board to distribute lottery funds on a monthly basis during the final quarter of the fiscal year.

HOU: AMEND new proviso to change the amount of certified unclaimed prize funds directed to the Department of Education from "\$6,200,000" to "\$5,950,000" and direct \$250,000 to the School for the Deaf and the Blind to purchase new school buses. Sponsor: Rep. Bingham. AMEND FURTHER to direct that the first \$50,000 of unclaimed prizes funds in excess of the BEA estimate is appropriated to DAODAS for gambling related services. Sponsors: Reps. Ott and Bedingfield.

AMEND FURTHER to direct that of the unclaimed prizes funds in excess of the BEA estimate, after the Critical Needs Nursing Program is funded, up to \$5,000,000 is distributed for Full Time Equivalent Student Funding as follows: the next 38%, up to \$1,914,561, is directed to USC - Beaufort; the next 23%, up to \$1,135,093, is directed to USC - Upstate; the next 18%, up to \$886,826, is directed to Coastal Carolina; the next 11%, up to \$553,567, is directed to Lander University; and the next 10%, up to \$509,953, is directed to USC - Aiken. Sponsor: Rep. Herbkerman.

SFC: AMEND FURTHER to change the following appropriations from certified net lottery proceeds and investment earnings: item (1) Tuition Assistance "\$52,933,000" to "\$49,100,000;" change item (3) HOPE Scholarships "\$7,823,474" to "\$7,579,856;" change item (4) Palmetto Fellows Scholarships "\$30,277,240" to "\$30,777,240;" change item (9) Technology "\$4,154,702" to "\$7,683,437;" add items (13) CHE-Higher Education Excellence Enhancement Program \$50,000; (14) CHE-Public 4-Year Universities and 2-Year Institutions Deferred Maintenance \$13,285,315; and (15) St. Board for Tec & Comp Ed-Technical Colleges Deferred Maintenance \$4,714,685. From certified unclaimed prizes add DAODAS \$50,000 for gambling addiction services and change CHE-Higher Education Excellence Enhancement Program from "\$3,000,000" to "\$2,950,000." From unclaimed prizes in excess of the BEA estimate, delete DAODAS \$50,000 for gambling related services; change the amount directed for Technology

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

from “\$5,470,093” to “\$2,000,000;” and delete the percentage requirements directed to various universities for Full-time Equivalent Student Funding. Appropriate for FY 2012-13, on a pro-rata basis, net lottery proceeds and investment earnings that are realized above the amount certified by the BEA for FY 2011-12 as follows: \$1,480,000 to CHE for deferred maintenance for public 4-year universities and 2-year institutions; \$520,000 to Tec and Comp Ed for deferred maintenance for technical colleges; \$4,000,000 to CHE for Need-Based Grants; \$1,500,000 to Tuition Grants Commission for Tuition Grants; \$2,500,000 for Technology at public 4-year universities, 2-year institutions, and state technical colleges; \$6,267,000 to Department of Education for new school buses; and \$733,000 to the State Library for Aid to County Libraries. Direct that all lottery funds received by CHE for deferred maintenance be distributed on a pro-rata basis to each state supported university and institution and direct that the distribution methodology be based on each institution’s proportion of general fund dollars they received in the FY 2011-12 appropriation act as compared to the total general fund appropriation in that act for all public 4-year universities and 2-year institutions.

SECTION 3 - H71-WIL LOU GRAY OPPORTUNITY SCHOOL

- 3.9 AMEND** (Capacity) Directs that FY 11-12 funds be used to bring the school up to full capacity, to the extent possible and to report by December 1st on how the funds have been used and how many additional students have been served.
WMC: AMEND proviso to change Fiscal Year “2011-12” to “2012-13.” *Technical.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.

SECTION 4 - H75-SCHOOL FOR THE DEAF AND THE BLIND

- 4.13 DELETE** (School Bus Purchase) Directs that subject to availability of funding, the school shall receive up to \$250,000 for two new schools buses equipped per their specifications.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso. *\$250,000 provided in the Lottery Proviso.*
- 4.14 AMEND** (Capacity) Directs that FY 11-12 funds be used to bring the school up to full capacity, to the extent possible and to report by December 1st on how the funds have been used and how many additional students have been served.
WMC: AMEND proviso to change Fiscal Year “2011-12” to “2012-13.” *Technical.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 4.15 ADD** (Educational Program Initiatives) **SFC:** ADD new proviso to authorize the School to use funds received from SDE for vocational equipment on vocational program initiatives. The School’s vocational program is the Applied Academics Center. The proviso will provide access to federal Perkins grant funds distributed by SDE for vocational programs. *Funds are*

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

distributed by SDE to LEAs so the School has not been previously eligible. Wil Lou Gray has the same provision.

- 4.16 ADD** (School Leave Policy) **SFC:** ADD new proviso to authorize the School to set administrative policy governing annual and sick leave in conjunction with the School's academic calendar. *The Governor's Schools have the same provision.*

SECTION 5 - L12-JOHN DE LA HOWE SCHOOL

- 5.4 AMEND FURTHER** (Capacity) Directs that FY 11-12 funds be used to bring the school up to full capacity, to the extent possible and to report by December 1st on how the funds have been used and how many additional students have been served.
WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13" and direct that the funds also be used to complete deferred maintenance on the residential cottages. Prohibit the school from using funds to hire new employees until the cottage's deferred maintenance has been completed and the number of students has increased. Require the school's board to approve any increase in the number of staff and for the Chairmen of the House Ways and Means and Senate Finance Committees to be notified 30 days before new staff is hired. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: AMEND FURTHER to reinsert the requirement that the school be brought up to full capacity "to the extent possible;" specify that the new employees shall not be hired until required by "a projected" increase in students; and remove the requirement that the John de la Howe Board must approve increases in the number of staff.

SECTION 6 - H03-COMMISSION ON HIGHER EDUCATION

- 6.4 DELETE** (Allowable Tuition and Fees) Prohibits state funds from being used to provide undergraduate out-of-state subsidies to students who attend state supported colleges and universities.
WMC: DELETE proviso. *Codified in Section 59-101-55.* Fiscal Impact: No impact on the General Fund. Requested by Commission on Higher Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 6.11 DELETE** (SREB Veterinary Students) Directs CHE to include 5 additional veterinary medicine students in the dues it pays to the Southern Regional Educational Board.
WMC: DELETE proviso. *The 5 additional slots have been incorporated into the contract and the slots implemented.* Fiscal Impact: No impact on the General Fund. Requested by Commission on Higher Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 6.12 DELETE** (EPSCoR Transfer Authority) Authorizes and provides guidelines for the transfer of the EPSCoR program from the S.C. Research Authority to CHE.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

WMC: DELETE proviso. *EPSCoR has chosen not to relocate and remains at SCRA. CHE and EPSCoR agree that the proviso should be deleted.* Fiscal Impact: No impact on the General Fund. Requested by Commission on Higher Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 6.16 DELETE** (Critical Needs Nursing Initiative) Requires Critical Needs Nursing Initiative appropriations to be used to implement the Critical Needs Nursing Initiative Fund which shall permanently transfer funds allocated for nursing faculty to the institutions where the faculty are employed.

WMC: DELETE proviso. *Program guidelines were codified in Section 59-110-10 et seq; however there is currently no funding provided for this initiative.* Fiscal Impact: No impact on the General Fund. Requested by Commission on Higher Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 6.17 AMEND** (Tuition Age) Suspends, for FY 10-11, the age limit for free tuition for children of certain war veterans if the age limit was successfully appealed to the Division of Veterans Affairs due to a serious extenuating health condition.

WMC: AMEND proviso to change "Fiscal Year 2010-11" to "the current fiscal year." *Technical.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 6.20 DELETE NEW PROVISO** (SmartState) **WMC:** ADD new proviso to prohibit CHE from spending any funds to market the SmartState Program. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: DELETE new proviso.

- 6.21 ADD** (SmartState Draw Down) **SFC:** ADD new proviso to authorize CHE to draw down previously appropriated lottery funds for a SmartState "South Carolina Center of Economic Excellence" that have been held in trust awaiting matching funds, after they receive the dollar-for-dollar non-state match and upon State Budget Division approval. Direct that the required documentation along with proof that the required match is on hand be submitted to the State Budget Division for approval. Direct the State Budget Division to notify the Other Funds Oversight Committee of such approval. Direct that the requirements of proviso 70.24 (Other Funds Oversight Committee) do not apply under these circumstances.

SECTION 15 - H45 - UNIVERSITY OF SOUTH CAROLINA

- 15.2 DELETE** (Indirect Cost Recovery Waiver for Summer Food Service Program) Grants USC a partial indirect cost recovery waiver for the Summer Food Service Program. Directs that the waiver may not exceed the program's direct administrative cost.

WMC: DELETE proviso. *The Summer Food Program at USC has been discontinued.* Fiscal Impact: No impact on the General Fund. Requested by University of South Carolina.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SECTION 17 - H54-MEDICAL UNIVERSITY OF SOUTH CAROLINA

- 17.1 DELETE** (Palmetto Initiative for Excellence) Directs that funds for the Palmetto Initiative for Excellence shall be used as match funds to promote diversity with the administrative health services workforce.

WMC: DELETE proviso. *Funding was eliminated in October of 2009.* Fiscal Impact: No impact on the General Fund. Requested by Medical University of South Carolina.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SECTION 18 - H59-STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

- 18.4 DELETE** (Caterpillar Dealer Academy) Allows the Florence Darlington Technical College area commission to waive the requirements of Chapter 112 of Title 59 [DETERMINATION OF RATES OF TUITION AND FEES] for student that participate in the Caterpillar Dealer Academy.

WMC: DELETE proviso. *Codified in Section 59-112-140.* Fiscal Impact: No impact on the General Fund. Requested by State Board for Technical and Comprehensive Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SECTION 20 - H73-DEPARTMENT OF VOCATIONAL REHABILITATION

- 20.1 AMEND** (Production Contracts Revenue) Provides for the retention and use of production contracts revenues earned by handicapped trainees.

WMC: AMEND proviso to reference to "handicapped trainees of the Evaluation and Training Facilities (Workshops)" to "people with disabilities receiving job readiness training at the agency's Work Training Centers." *Technical to update terminology.* Fiscal Impact: No impact on the General Fund. Requested by Department of Vocational Rehabilitation.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 20.3 DELETE** (Basic Support Program Reconciliation) Requires the department complete a reconciliation of the cost to operate the Basic Support program relative to the combination of available state and federal funds.

WMC: DELETE proviso. *The proviso is no longer relevant due to the Federal Cash Management Act.* Fiscal Impact: No impact on the General Fund. Requested by Department of Vocational Rehabilitation.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

SECTION 21 - J02-DEPARTMENT OF HEALTH AND HUMAN SERVICES

- 21.14 DELETE** (Medicaid Cost Savings Suggestion Award Program) Authorizes the department to establish a cost savings award program for employees of Medicaid providers who offer money saving ideas that are adopted. Directs that department employees are not eligible. Limits the amount of funds used for this program to \$20,000 annually.
WMC: DELETE proviso. *No cost savings ideas have been adopted as a result of this proviso.*
Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Human Services.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 21.20 DELETE** (Pediatric Literacy Program) Requires the department to assist any non-profit pediatric literacy program, upon request, to expand its operations.
WMC: DELETE proviso. *The agency complied with this provisions several years ago, and has not been approached by any such non-profits since.* **Fiscal Impact:** No impact on the General Fund. Requested by Department of Health and Human Services.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 21.22 DELETE** (Modular Ramps) Authorizes the department to lease modular ramps if they would be cost effective.
WMC: DELETE proviso. *Permissive proviso not necessary; agency can pursue any cost-effective strategies such as ramp leases without the proviso.* **Fiscal Impact:** No impact on the General Fund. Requested by Department of Health and Human Services.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 21.23 AMEND** (Medicaid Cost and Quality Effectiveness) Requires the department to compare coordinated care models and fee-for-service for quality and cost-effectiveness; prescribes the process for such comparison; and requires the report and plan report cards be made public.
WMC: AMEND proviso to delete the requirement that the reports be posted on the department's website "no later than ninety days after the end of each fiscal year" and instead direct that they be posted "by December 31 for the prior state fiscal year." *Allow time to collect data to present a report on the entire prior fiscal year. As written, there is not enough time to collect necessary medical claims data to present a report on the previous fiscal year.* **Fiscal Impact:** No impact on the General Fund. Requested by Department of Health and Human Services.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 21.26 AMEND** (Medicaid Provider Fraud) Requires the department to expand and increase its Medicaid provider fraud efforts and to report on the results of its efforts to the General Assembly by April 1, 2012.
WMC: AMEND proviso to change "2012" to "2013." *Technical.* **Fiscal Impact:** No impact on the General Fund.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 21.29 AMEND (GAPS)** Requires the department to suspend GAPS requirements for the FY 11-12.
WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." *GAPS is the GAP Assistance Pharmacy Program for Seniors, and is no longer a funded line item in DHHS budget.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 21.31 DELETE (In-Home Health Care Systems for Medicaid Recipients)** Allows the department to pilot test a program using an in-home health care system, with the goal of reducing emergency room visits; and provides specifics that to be used for the program.
WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." *Technical.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: DELETE proviso. Requested by Department of Health and Human Services.
- 21.32 AMEND (Medicaid Reporting)** Directs the department to report quarterly all cost-saving measures the they have implemented.
WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." *Technical.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.

SECTION 22 - J04-DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

- 22.6 DELETE (Speech & Hearing)** Require the department to their appropriated funds as necessary to continue Speech and Hearing programs.
WMC: DELETE proviso. *Funds for these programs are a special line item rendering the proviso unnecessary.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso. *Funds identified in 1A Newborn Hearing Screenings \$421,750.*
- 22.9 AMEND (Emergency Medical Services)** Provides for the allocation of Emergency Medical Services funds.
WMC: AMEND proviso to delete specific reference to appropriation of "\$1,234,288." *During the budget process these funds will be placed on a special line item rendering a specified amount necessary.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended. *Funds identified as a special item in Part 1A.*

**SUMMARY OF PROVISIO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 22.10 AMEND** (Rape Violence Prevention Contract) Requires \$403,956 of Rape Violence Prevention funds be used to support the state's rape crisis centers. Prohibit the department from reducing rape crisis center contracts below the current funding level.
SFC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13."
- 22.12 AMEND** (Sickle Cell Programs) Provides for the distribution of \$761,233 of Sickle Cell program services funds. Prohibit the department from reducing Sickle Cell program funds below the current funding level.
SFC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13."
- 22.25 DELETE** (Health Disparities Study-State Health Plan for Elimination of Health Disparities) Directs the department to provide leadership in implementing the State Health Improvement Plan for eliminating health disparities.
WMC: DELETE proviso. *A report and plan have been developed.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 22.26 REINSERT** (Head Lice) Authorizes the department to spend \$200,000 of revenue to fund the head lice program statewide.
WMC: DELETE proviso. *The agency is mandated to respond to any significant public health outbreak based on need and the direct threat to the public.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.
HOU: ADOPT deletion of proviso.
SFC: REINSERT original proviso.
- 22.37 DELETE** (Hemophilia Recombinant Factors) Requires the department, when a physician prescribes recombinant factors for Hemophilia patients, to provide the patient with a choice of recombinant factors regardless of their past Hemophilia treatment.
WMC: DELETE proviso. *Actions specified by the proviso have been implemented and the agency would support the treatment specified by the physician.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 22.45 ADD** (Abstinence Education Contract) **WMC:** ADD new proviso to require the department, upon receiving Title V, Section 501 [ABSTINENCE EDUCATION CONTRACT] federal appropriations, to continue to contract with the agencies that were under contract as of December 2012 at the same annualized level of funds for FY 2012-13. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
- 22.46 ADD** (Vital Records) **WMC:** ADD new proviso to require the department to continue to provide vital records services in each of the 46 counties that were providing those services on

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

January 1, 2012, and allow the department to determine each locations operational schedule based on staffing resources. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

- 22.47 DELETE NEW PROVISO** (Best Chance Network & Colorectal Cancer Awareness/Prevention) **WMC:** ADD new proviso to direct the department to use \$2,000,000 of smoking cessation funds as follows: \$1,000,000 for Best Chance Network and \$1,000,000 for Colorectal Cancer Awareness Prevention. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: DELETE new proviso. *Rule 24 - violates Section 11-11-230(A). Funding provided on the line.*

- 22.48 ADD** (Flexibility Capital Needs) **SFC:** ADD new proviso to provide DHEC flexibility to use \$1,300,000 of earmarked funds that are not otherwise directed by proviso or statute for a specific purpose to establish a grant program for health department capital needs. Require funds used for this purpose be reported to the Senate Finance and Ways and Means Committee.

- 22.49 ADD** (Immunizations) **SFC:** ADD new proviso to authorize the department to use immunization funds to hire temporaries during immunization periods of high demand at local health departments.

SECTION 23 - J12-DEPARTMENT OF MENTAL HEALTH

- 23.4 DELETE** (Transfer of Patients to DDSN) Authorizes the department to transfer state funds to DDSN to cover the state match related to patients transferred from the department to DDSN. Authorize the department to use up to \$500,000 of the Patient Fee Account to help defray the cost of the transferees.

WMC: DELETE proviso. *The proviso is no longer in use.* Fiscal Impact: No impact on the General Fund. Requested by Department of Mental Health.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 23.12 DELETE** (Veterans' Nursing Home Death Investigations) Directs that SLED is not required to conduct an investigation into the death of an individual in a veterans' nursing home that is under DMH's authority if a coroner rules the death is from natural causes.

SFC: DELETE proviso. *Codified in H.3750, Act 128 on March 13, 2012.*

- 23.15 AMEND NEW PROVISO** (Sexually Violent Predator Program) **WMC:** ADD new proviso to direct the Departments of Mental Health and Corrections to prepare a report that evaluates the feasibility of transferring the Sexually Violent Predator Program to the Department of Corrections. Require the report include population and cost projections for the next 5 years and make recommendations on opportunities to further expand the role of the private sector in operating this program. Require the report be submitted by December 31, 2012 to the chairmen of the Senate Finance and House Ways and Means Committees. Fiscal Impact: No impact on the General Fund.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT new proviso.

SFC: AMEND new proviso to require a status update on the report be submitted by January 8, 2013 with the final report submitted by May 1, 2013. *Allow DMH and Corrections additional time to complete a thorough review of the program.* Requested by Department of Mental Health and Department of Corrections.

SECTION 24 - J16-DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

24.5 DELETE (Medicare Reimbursements) Authorize the department to continue to budget Medicare reimbursements to cover program operating expenses.

WMC: DELETE proviso. *The department no longer bills Medicare, therefore the proviso is no longer relevant.* Fiscal Impact: No impact on the General Fund. Requested by Department of Disabilities and Special Needs.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

24.11 DELETE (DDSN: Summer Camps) Prohibits the department from closing summer camps due to budget reductions.

WMC: DELETE proviso. *The department does not operate or fund summer camps.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

24.15 DELETE (FMAP Extension Carry Forward) Authorizes the department to carry forward increased FMAP funds and provides guidelines for the expenditure of such funds.

WMC: DELETE proviso. *The funds no longer exist.* Fiscal Impact: No impact on the General Fund. Requested by Department of Disabilities and Special Needs.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

24.16 ADD (Greenwood Genetic Center) **SFC:** ADD new proviso to authorize DDSN to transfer up to \$500,000 of unencumbered funds from the PDD Autism Waiver to the Greenwood Genetic Center for autism research.

SECTION 25 - J20-DEPARTMENT OF ALCOHOL & OTHER DRUG ABUSE SERVICES

25.4 ADD (Medicaid Match Transfer) **WMC:** ADD new proviso to require the department to transfer \$1,915,902 at the beginning of the fiscal year to the Department of Health and Human Services to meet federal Medicaid Match requirements for delivering alcohol and other drug abuse services to the Medicaid population. *The transfer will allow DHHS to maximize federal Medicaid match funds.* Fiscal Impact: No impact on the General Fund. Requested by Department of Alcohol and Other Drug Abuse Services.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 25.5** **ADD** (Health Information Technology) **HOU:** ADD new proviso to direct DAODAS to work with DHHS and each county's designated alcohol and drug abuse authorities to seek funding to help purchase the appropriate Certification Commission for Health Information Technology (CCHIT) behavioral health Electronic Health Records (EHR) system for the authorities. Direct that the new system must streamline the 301 system and have CCHIT certified programming that will be able to operate successfully with other state agencies such as DHHS and with federally qualified health centers. Require DAODAS and DHHS to work together to determine if there is additional funding available through Medicare, the Medicaid EHR Incentive Program or other grant programs to help offset the costs associated with implementing the new system. Sponsors: Reps. Hiott and G.M. Smith.
SFC: ADOPT new proviso.

SECTION 26 - L04-DEPARTMENT OF SOCIAL SERVICES

- 26.13** **DELETE** (Prevent Welfare Reform Duplication of Services) States the General Assembly's intent that DSS does not duplicate services provided by the Department of Employment and Workforce and other state agencies. Directs agencies to cooperate with DSS in implementing the Family Independence Act of 1995.
WMC: DELETE proviso. *Proviso was implemented in the mid 1990s. The departments have an effective working relationship in this policy area, rendering the proviso obsolete.* Fiscal Impact: No impact on the General Fund. Requested by Department of Social Services.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 26.21** **RESTORE ORIGINAL PROVISO** (Teen Pregnancy Prevention) Requires the department to award two contracts to 501(c)(3) entities to provide teen pregnancy prevention programs and services and provides guidelines for the awarding of the contracts.
WMC: AMEND proviso to delete the requirement the entities that have a proven and public history of effectively implementing abstinence program in the state must be given preference. Specify that the Office of Adolescent Health is the agency the federal government has chosen to provide a comprehensive, national list of effective program models and the entities awarded a contract document that they have a proven history of implementing one of those models and delete previous contract awarding requirements. Require that a 5 member committee oversee the contract awarding process and that their first meeting be on or before August 1st each year. Direct that the President Pro-Tempore and the Speaker of the House each appoint 2 members; that the Governor appoints one member; and that the members of the committee serve without compensation. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: RESTORE original proviso.
- 26.23** **AMEND** (Day Care Facilities Supervision Ratios) Maintains staff-child ratios in day care facilities at the June 24, 2008 levels.
WMC: AMEND proviso to change Fiscal Year "2011-13" to "2012-13." Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 26.24 DELETE NEW PROVISO** (Women in Unity) **HOU:** ADD new proviso to direct the department to provide \$100,000 to the Women in Unity organization. Sponsor: Rep. Clyburn.
SFC: DELETE new proviso.
- 26.25 DELETE NEW PROVISO** (Tri-City Outreach) **HOU:** ADD new proviso to direct the department to provide \$40,000 to Tri-City Outreach. Sponsor: Rep. Jefferson.
SFC: DELETE new proviso.
- 26.26 DELETE NEW PROVISO** (Callen-Lacey Center for Children) **HOU:** ADD new proviso to direct the department to provide \$35,000 to the Callen-Lacey /Center for Children. Require the center to report to the Senate Finance and House Ways and Means Committees by December 1st each year on how these funds were spent in the prior fiscal year. Sponsor: Rep. Daning.
SFC: DELETE new proviso.
- 26.27 ADD** (Analysis of Referrals) **SFC:** ADD new proviso to direct the DSS director to collaborate with the John de la Howe School superintendent to analyze the process for referring students to the school in order to maximize the services provided by the school. Direct that the results of the analysis, along with a 3-year history of all referral/placements the department has made by facility type and level of care be submitted to the Governor, and the Chairmen of the Senate Finance and House Ways and Means Committees by December 1, 2012.

SECTION 27 - L24-COMMISSION FOR THE BLIND

- 27.2 DELETE** (Braille Production and Telecommunications Revenue) Authorizes Adult Adjustment and Training Center revenues to be retained by the commission and used for the production costs of the facility.
WMC: DELETE proviso. *No longer needed since Code of Federal Regulations, Title 34, Part 361.63 defines this revenue as Program Income.* Fiscal Impact: No impact on the General Fund. Requested by Commission for the Blind.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.

SECTION 28 - H79-DEPARTMENT OF ARCHIVES & HISTORY

- 28.2 DELETE** (Nat'l. Historic Preservation Program) Provides for the disposition of funds earned from the U.S. Department of Interior by the department for administering the National Historic Preservation Program.
WMC: DELETE proviso. *Since the department no longer uses state funds to administer this program it no longer earns a federal reimbursement.* Fiscal Impact: No impact on the General Fund. Requested by Department of Archives and History.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 28.3 ADD** (Disposal of Materials) **WMC:** ADD new proviso to authorize the department to sell certain record and non-record materials from its collections which are not eligible for public auction, upon

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

commission approval and in the most advantageous manner. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SECTION 32 - L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

- 32.4 AMEND** (Allocation of Indirect Cost Recoveries) Directs the authority to deposit indirect cost recoveries for their portion of the FY 11-12 Statewide Central Services Cost Allocation Plan into the general fund and to retain recoveries in excess of that amount.

WMC: AMEND proviso to delete "Fiscal year 2011-12." Fiscal Impact: No impact on the General Fund. Requested by Housing Finance and Development Authority.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SECTION 34 - P16-DEPARTMENT OF AGRICULTURE

- 34.6 AMEND** (Farmers Market Revenue) Requires revenues from the sale of the State Farmers Market to be deposited into a special account under the B&C Board; for the account to retain accrued interest; and directs that the funds can only to relocate State Farmers Market after JBRC and B&C Board approval.

WMC: AMEND proviso to delete the authorization for the accrued interest to remain in the account. Authorize the funds and accrued interest to be used to also reestablish the State Farmers Market with JBRC and B&C Board approval. Fiscal Impact: No impact on the General Fund. Requested by Department of Agriculture.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 34.9 DELETE NEW PROVISO** (Pesticide Disposal) **HOU:** ADD new proviso to require the department to use up to \$100,000 to continue the pesticide disposal program. Sponsor: Rep. Atwater.

SFC: DELETE new proviso.

SECTION 35 - P20-CLEMSON UNIVERSITY - PSA

- 35.6 DELETE** (Sandhills Revenue) Directs that revenue from the sale of property at the Sandhills Research and Education Center be used to build the new Sandhills facilities and to provide endowments as approved by the Clemson Board of Trustees and the B&C Board. Prohibits these funds from being used to offset FY 04-05 base budget reductions.

WMC: DELETE proviso. *Construction has been completed and the endowments have been established.* Fiscal Impact: No impact on the General Fund. Requested by Clemson University-PSA.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

SECTION 37 - P24 - DEPARTMENT OF NATURAL RESOURCES

- 37.8 DELETE** (Intellectual Property) Directs the department to develop a comprehensive written policy for treatment of intellectual property pertaining to the department's shrimp disease and culture area.
WMC: DELETE proviso. *DNR Policy #401.01 Intellectual Property Policy was last revised in September of 2003. The policy addresses the topics contained in this provision.* Fiscal Impact: No impact on the General Fund. Requested by Department of Natural Resources.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 37.9 DELETE** (Reedy River) Directs the department to transfer \$1,000,000 from the State Mitigation Trust Fund to the County of Laurens for the Reedy River Restoration per the Colonial Pipeline Settlement.
WMC: DELETE proviso. *These funds are part of a court ordered settlement and cannot be distributed as directed.* Fiscal Impact: No impact on the General Fund. Following the restoration plan will have the expected distribution of Mitigation Trust Funds for Laurens County reach the Reedy River Restoration. Requested by Department of Natural Resources.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.

SECTION 39 - P28 - DEPARTMENT OF PARKS, RECREATION AND TOURISM

- 39.1 AMEND** (Tourism and Promotion) Provides for the distribution of Regional Promotions funds to the 11 Regional Tourism groups.
SFC: AMEND proviso to direct that \$50,000 of the Grandstrand Tourism Region's funds be distributed to the "North Myrtle Beach Chamber of Commerce" rather than the "Myrtle Beach Chamber of Commerce." Fiscal Impact: No impact on the General Fund.
- 39.2 RESTORE ORIGINAL PROVISO** (Destination Specific Tourism Marketing) Provides guidelines for the awarding of Destination Specific Tourism Program grants.
WMC: AMEND proviso to delete the stipulation that organizations receiving these grants must use them to "stimulate destination travel by persons" outside the state to destinations within the state and instead direct that the grants be used to "target international and/or domestic travelers" outside the state to destinations within the state. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 39.4 AMEND FURTHER** (Regional Tourism) Requires the department to disburse \$275,000 of their appropriated or authorized funds among the eleven Regional Tourism groups and prohibits the department from reducing the amount funded to those groups.
WMC: AMEND proviso to delete the requirement that \$275,000 of department funds be disbursed to the eleven Regional Tourism Groups. Fiscal Impact: No impact on the General Fund. The funds will remain in the agency for other agency functions.
HOU: ADOPT proviso as amended.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

SFC: AMEND FURTHER to specify that the department is prohibited from reducing the amount funded “and distributed” to the 11 Regional Tourism groups “as directed by Proviso 39.1 in this act.”

- 39.9** **AMEND** (Destination Specific Tourism and Marketing Transfer) Provides for Motion Picture Incentive Wage Rebate set-aside funds carried forward from the prior fiscal year to be transferred to PRT for the Destination Specific Tourism Program and authorizes those funds to then be carried forward.

WMC: AMEND proviso to change Fiscal Year “2011-12” to “2012-13.” Provides for Motion Picture Incentive Supplier Rebate set-aside funds carried forward from the prior fiscal year to be transferred to PRT for Marketing. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 39.12** **AMEND** (PARD) Authorizes PRT to spend restricted funds for the PARD Fund in accordance with the mandates of the Parks and Recreation Fund, Regulations, and generally accepted accounting standards

WMC: AMEND proviso to allow the department to reimburse prior year PARD grantee expenditures with current year funds for a period of three years as allowed by Section 51-23-30 [GRANT PROGRAM FOR PLANNING, DEVELOPING, AND RENOVATING PARK AND RECREATION FACILITIES].

Ensures grantees are reimbursed in accordance with the established guidelines. Fiscal Impact: No impact on the General Fund. Requested by Department of Parks, Recreation, and Tourism.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 39.13** **DELETE NEW PROVISO** (Admission Fees and Charges) **HOU:** ADD new proviso to authorize the department to impose reasonable fees and charges for admission into and or use of park and recreational facilities and require the revenue generated be used for park and recreational uses. Sponsor: Rep. Merrill.

SFC: DELETE new proviso.

SECTION 40 - P32 - DEPARTMENT OF COMMERCE

- 40.3** **AMEND** (Coordinating Council Funds) Authorizes and provides guidelines for the expenditure of Motor Fuels user fees set aside for economic development pursuant to Section 12-28-2910.

WMC: AMEND proviso to delete the first two paragraphs which defines eligible expenditures; requires that an annual expenditure report be submitted to the General Assembly; and prohibits the General Assembly from appropriating funds or directing the Coordinating Council to extend or grant loans for any purpose other than those stipulated in this provision. *This language was expanded and added to Section 12-28-2910(E) by the Economic Development Competitiveness Act of 2010.* Fiscal Impact: No impact on the General Fund. Requested by Department of Commerce.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 40.10** **AMEND** (Closing Fund) Directs that \$5,000,000 appropriated for the Closing Fund be used for competitive recruitment purposes as approved by the Coordinating Council for Economic Development and authorizes unexpended funds to be carried forward and used for the same purpose.
WMC: AMEND proviso to change "\$5,000,000" to "funds." *To conform to whatever amount of funding the General Assembly provides.* Fiscal Impact: No impact on the General Fund. Requested by Department of Commerce.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 40.17** **AMEND** (Regional Economic Development Organizations) Directs the department to use the \$5,000,000 appropriated for Regional Economic Development Organizations to provide funds to the designated organizations and counties and provides a mechanism by which the funds should be distributed. Requires a 1:1 private fund match and requires the receiving organization to certify that the private funds match are new dollars specifically designated for this purpose. Directs organizations receiving the funds to provide an annual expenditure report and outcome measures to the Chairmen of the Senate Finance and House Ways and Means Committees and the Secretary of Commerce by November 1st.
SFC: AMEND proviso to change "Fiscal Year 2011-12" to "the current fiscal year."
- 40.18** **AMEND NEW PROVISO** (Research Funds) **WMC:** ADD new proviso to direct the department, upon Secretary of Commerce and Coordinating Council for Economic Development approval, to use funds appropriated for "Research" to fund partnerships between the department, higher education institutions, and S.C. based industry that have significant investment in the state. Require the partnerships create well paying jobs and enhance economic opportunities in the Distribution and Logistics Sciences area, or any other science, technology, research, development, or industry. Authorize unexpended funds be carried forward and used for the same purpose of to fund economic development projects. Fiscal Impact: \$8,000,000 non-recurring funds appropriated.
HOU: ADOPT new proviso.
SFC: AMEND new proviso to include "recurring appropriations" in the available funding stream; delete "higher education institutions" from the partnership and replace with "senior research universities;" and include "the efficient management of technology transfer needs of any member of the partnership without limitation." Direct the Secretary of Commerce and the Coordinating Council to work in conjunction with industry and senior research universities to identify potential subject matter for partnerships and to seek and consider Smart State Review Board advice in requesting partnerships and in approving funds. Require the Smart State Review Board expedite their advice on these matters.

SECTION 44 - B04-JUDICIAL DEPARTMENT

- 44.7** **DELETE** (Advance Sheet Revenues Deposit) Authorizes the department to retain and expend advance sheet revenues collected above the amount remitted to the general fund in FY 01-02.
WMC: DELETE proviso. *the agency stopped printing advance sheets in December 2008. Advanced sheets can be accessed online.* Fiscal Impact: Fees have not been charged since FY 08-09. Requested by Judicial Department.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SECTION 45 - E20 - ATTORNEY GENERAL'S OFFICE

45.5 AMEND FURTHER (Water Litigation) Authorizes the expenditure of Water Litigation funds and requires expenditure records to be available for review.

WMC: AMEND proviso to delete authorization to reimburse prior fiscal year Water Litigation expenditures; delete the requirement that a record of Water Litigation expenses be made available; and delete transfer of remaining Water Litigation funds to specified agencies. *Funds have been distributed.* Fiscal Impact: No impact on the General Fund. The Attorney General's Office state that no funds remained in the account as of 7/11. Of the \$2,195,516, 50% or \$1,097,758 was transferred to DNR; 25% or \$548,879 was transferred to the Commission on Indigent Defense; and 25% or \$548,879 was retained by the agency and placed in an account for legal expenses associated with Federal litigation and litigation with other states. Requested by Attorney General's Office.

HOU: ADOPT proviso as amended.

SFC: AMEND FURTHER to authorize Water Litigation funds to be carried forward.

45.6 DELETE (Auction Rate Securities Settlement/Water Rights) Authorizes the Attorney General's Office to retain and carry forward FY 09-10 and FY 10-11 Auction Rate Securities Settlement funds and to expend these funds for the Water Litigation lawsuit. Requires these Auction Rate Securities Settlement funds that remain after the SC vs. NC water lawsuit is settled to be deposited into the General Fund.

WMC: DELETE proviso. *The lawsuit has been settled.* Fiscal Impact: No impact on the General Fund. The Attorney General's Office indicates that no funds remain in the account. Requested by the Attorney General's Office.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

45.7 DELETE (Litigation Recovery Account) Requires funds received from any recovery or award from litigation managed by the Attorney General that would have been credited to the General Fund to be deposited into the Litigation Recovery Account for expenditure as prescribed by law.

SFC: DELETE proviso.

45.9 ADD (Savannah River Maritime Commission Funds) **WMC:** ADD new proviso to authorize the Attorney General to use funds appropriated for Savannah River Maritime Commission litigation expenses to reimburse the Attorney General for litigation expenses incurred on behalf of the commission. Direct that after the litigation expenses have been concluded, any remaining funds shall be deposited into the General Fund.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

SECTION 46 - E21 - PROSECUTION COORDINATION COMMISSION

- 46.3** **AMEND** (Judicial Circuits State Support) Requires Judicial Circuits (16) State Support funds to be apportioned among the circuits on a per capita basis based on the 2000- census.
WMC: AMEND proviso to change reference to the 2000 census to the “current” official census. *Since we are now using the 2010 census, this change will make amending the proviso in the future unnecessary.* Fiscal Impact: No impact on the General Fund. Requested by Prosecution Coordination Commission.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 46.5** **AMEND** (Solicitor’s Office - County Funding Level) States the intent of the General Assembly that the funds appropriated for solicitors’ offices are in addition to any amount the county currently provides for their services and may not be used to supplant that funding.
SFC: AMEND proviso to require Solicitors to notify the Chairmen of the Senate Finance and House Ways and Means Committees of any reduction in the amount of local support a county provides to solicitors’ offices that is below the amount that was provided in the prior fiscal year.
- 46.6** **AMEND** (Solicitors Victim/Witness Assistance Programs) Directs that available Solicitors Victim Witness Assistance funds be apportioned among the circuits on a per capita basis based on the 2000 census.
WMC: AMEND proviso to change reference to the 2000 census to the “current” official census. *Since we are now using the 2010 census, this change will make amending the proviso in the future unnecessary.* Fiscal Impact: No impact on the General Fund. Requested by Prosecution Coordination Commission.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 46.7** **DELETE** (Violent Crime, CDV, DUI Prosecution) Requires the commission to retain federal grant information and data on criminal domestic violence and driving under the influence prosecutions and provide the General Assembly with an annual report on charges prosecuted by assistant solicitors funded by the federal grant.
WMC: DELETE proviso. *The CDV prosecution grant will end June 30, 2012 and the DUI prosecution grant is now administered directly by DPS. See new proviso 46.9.* Fiscal Impact: No impact on the General Fund. Requested by Prosecution Coordination Commission.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 46.8** **DELETE** (Central Office Staff) Limits the central office to 4 specific state funded FTEs for the current fiscal year but excludes grant funded FTEs. Directs the Office of State Budget to assist the agency with implementing this provision; to identify savings achieved; and to transfer any savings to Judicial Circuits State Support.
WMC: DELETE proviso. *The commission has moved into state-owned office space and would like flexibility to fill vacant positions.* Fiscal Impact: No impact on the General Fund. Requested by Prosecution Coordination Commission.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 46.9** **ADD** (CDV Prosecutions) **WMC:** ADD new proviso to require Criminal Domestic Violence (CDV) Prosecution funds be apportioned among the circuits on a pro-rata basis. Require the commission to retain non-privileged CDV prosecution information and data and provide such information, including the number and types of dispositions and the county where the disposition took place, to the General Assembly in an annual report within 60 days after the end of the fiscal year. *This proviso was a part of deleted proviso 46.7.* Fiscal Impact: \$1,500,000 has been appropriated.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

- 46.10** **ADD MOVED PROVISO** (Victim Assistance Programs) **WMC:** ADD moved proviso to state the intent that funds appropriated for solicitor's victim assistance programs are in addition to amounts currently being provided by the county and shall not supplant funding already allocated for that service. Direct that if a county reduces such funding, state funds provided for victim assistance services to the solicitor's office in that county will be reduced by a corresponding amount. Require each solicitor's office to prepare an annual report that describes the use of these funds for the preceding fiscal year and submit it to the Governor, the Attorney General, and the Chairmen of the Senate Finance and House Ways and Means Committees on October 1. *Moved from Governor's Office of Executive Policy and Programs, proviso 72.7.* Fiscal Impact: Funds associated with this proviso need to be moved from OEPP.

HOU: ADOPT new proviso.

SFC: ADOPT moved proviso.

- 46.11** **ADD MOVED PROVISO** (Establish Victim/Witness Program) **WMC:** ADD moved proviso to establish a Victim Witness program in the solicitor's office of each circuit; direct that funds be divided equally among the circuits; and provide guidelines for the services to be provided. *Moved from Governor's Office of Executive Policy and Programs, proviso 72.8.* Fiscal Impact: Funds associated with this proviso need to be moved from OEPP.

HOU: ADOPT new proviso.

SFC: ADOPT moved proviso.

SECTION 47 - E23 - COMMISSION ON INDIGENT DEFENSE

- 47.1** **AMEND FURTHER** (Defense of Indigents Formula) Provides for the distribution of Defense of Indigents funds.

WMC: AMEND proviso to delete the requirements that once either the Death Penalty Trial Fund or Conflict Fund is fully funded, the revenue be directed to the other fund until it is also fully funded; and once both are fully funded to apportion the remaining revenue among counties' public defender offices; and delete the directive that Conflict Funds remaining at the end of the fiscal year be rolled over into the fund for payment of attorney's fees and expenses in capital cases if the Capital Fund has been exhausted. Require a written order certified by the court in order to provide reimbursement in excess of the established hourly rate and limit. Provide guidelines for approval for investigative, expert, or other services on behalf of a

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

defendant. Require indigent defense vouchers to be reviewed and paid according to procedures and policies established by the commission and direct that such procedures and policies be provided to the Senate Finance and House Ways and Means Committees. Fiscal Impact: No impact on the General Fund. Requested by Commission on Indigent Defense.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

47.3 AMEND FURTHER (Appellate Conflict Fund) Provides guidelines for use of Appellate Conflict Fund.

WMC: AMEND proviso to change "Office of Indigent Defense" references to "Commission on Indigent Defense." *Technical*. Fiscal Impact: No impact on the General Fund. Requested by Commission on Indigent Defense.

HOU: ADOPT proviso as amended.

SFC: AMEND FURTHER to change reference to "this fund" to "the Appellate Conflict Fund." *Technical*.

47.4 AMEND FURTHER (Civil Court Appointments) Directs the expenditure of Civil Court Appointments funds to reimburse court appointed private attorneys for Civil Court Appointments including Termination of Parental Rights, Abuse and Neglect, Probate Court Commitments, Sexually Violent Predator Act, and Post Conviction Relief. Prohibits Civil Court Appointments funds from being transferred or used for any other purpose. Establishes a reimbursement rate and provides guidelines for reimbursement to exceed the limits.

WMC: AMEND proviso to change "Civil Court Appointments" references to "SC Appellate Court Rule 608 Appointments" and include guidelines for the expenditure of funds for Criminal Conflict appointments as follows: attorney compensation rates shall not exceed \$40 per hour for out-of-court time and \$60 per hour for in-court time, or on the basis of a set (flat) fee determined by the commission. Limit attorney fees to \$3,500 in any single felony case or \$1,000 in any single misdemeanor case. *Conform to SC Appellate Court Rule 608 pertaining to appointment of lawyers for indigents*. Requested by Commission on Indigent Defense.

HOU: ADOPT proviso as amended.

SFC: AMEND FURTHER to delete guidelines for expenditure of funds for Criminal Conflict appointments. *See new proviso 47.11*.

47.5 AMEND (Volunteer Guardian Ad Litem Appointments and Attorney Representation) Directs that a portion of Civil Court Appointments funds be provided for attorneys who represent volunteer Guardians ad Litem in child abuse and neglect and termination of parental rights actions in Family Court.

WMC: AMEND proviso to change "Civil Court Appointments" to "SC Appellate Court Rule 608 Appointment." *Conform to SC Appellate Court Rule 608 pertaining to appointment of lawyers for indigents*. Fiscal Impact: No impact on the General Fund. Requested by Commission on Indigent Defense.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

47.6 AMEND (Carry Forward) Authorizes unencumbered Appellate Conflict and Civil Funds to be carried forward to offset budget reductions.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

WMC: AMEND proviso to change "Office of" to "Commission on" Indigent Defense and change "Civil" reference to "SC Appellate Court Rule 608 Appointment" Fund. *Conform to SC Appellate Court Rule 608 pertaining to appointment of lawyers for indigents.* Fiscal Impact: No impact on the General Fund. Requested by Commission on Indigent Defense.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 47.7 AMEND FURTHER** (Public Defender Fee) Provides guidelines for the assessment and use of a \$500 fee charged to every person placed on probation on or after July 1, 2003, who was represented by a public defender or appointed counsel.

WMC: AMEND proviso to change "Office of" to "Commission on" Indigent Defense. Delete the requirement that the revenue be divided between the Conflict Fund and the Defense of Indigents Per Capita Fund. Fiscal Impact: No impact on the General Fund. Requested by Commission on Indigent Defense.

HOU: ADOPT proviso as amended.

SFC: AMEND FURTHER to reinsert the requirement that the revenue be divided between the Conflict Fund and the Defense of Indigents Per Capita Fund.

- 47.11 ADD** (SC Appellate Court Rule 608 Criminal Court Appointments) **SFC:** ADD new proviso to allow SC Appellate Court Rule 608 Appointments funds to be used for non-capital criminal cases. Establish guidelines for the expenditure of funds for Criminal Conflict appointments as follows: attorney compensation rates shall not exceed \$40 per hour for out-of-court time and \$60 per hour for in-court time, or on the basis of a set (flat) fee determined by the commission. Limit attorney fees to \$3,500 in any single felony case or \$1,000 in any single misdemeanor case. *Conform to SC Appellate Court Rule 608 pertaining to appointment of lawyers for indigents.* Requested by Commission on Indigent Defense.

SECTION 48 - D10 - STATE LAW ENFORCEMENT DIVISION

- 48.17 DELETE** (Meth Lab Study Committee) Directs SLED to form committee to study the problems and costs of cleaning up illegal meth labs and report recommendations to the General Assembly by January 30, 2012.

WMC: DELETE proviso. *The study is complete and the report has been submitted.* Fiscal Impact: No impact on the General Fund. Requested by State Law Enforcement Division.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 48.19 AMEND NEW PROVISO** (Criminal Record Search Fees) **WMC:** ADD new proviso to authorize SLED to charge and collect a \$8 fee from local governmental entities to perform a criminal record search for local park and recreation volunteers.

HOU: ADOPT new proviso.

SFC: AMEND new proviso to prohibit any organization that is charged the reduced fee from charging the volunteer, mentor, member, or employee more than the \$8 or from charging them any additional fee not required by SLED. Require all these criminal record searches be conducted for a volunteer, mentor, member, or employee performing in an official capacity for the organization and prohibit the record searches from being resold.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

SECTION 49 - K05-DEPARTMENT OF PUBLIC SAFETY

- 49.8 ADD** (Illegal Immigration and Overtime Carry Forward) **SFC:** ADD new proviso to direct that Illegal Immigration Program appropriations and funds appropriated in the FY 2011-12 Appropriation Act for Highway Patrol Overtime from the Non-Recurring Increased Enforcement Collections proviso be carried forward and used for the same purposes.

SECTION 51 - N04 - DEPARTMENT OF CORRECTIONS

- 51.1 DELETE** (Clothes/Transportation Upon Discharge) Requires the department to furnish clothes to an inmate when they are discharged and provides guidelines for providing transportation to the inmate upon their release.
WMC: DELETE proviso. *Codified in Section 24-3-180.* Fiscal Impact: No impact on the General Fund. Requested by Department of Corrections.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 51.3 DELETE** (Contract for Services) Provides guidelines for the department to contract for construction services.
WMC: DELETE proviso. *Proviso is no longer necessary. It was needed when the department was building several new prisons.* Fiscal Impact: No impact on the General Fund. Requested by Department of Corrections
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 51.14 AMEND** (Major Renovations and Repairs) Authorizes the department to use existing 1997 Bond Act funds for new beds, particularly at the MacDougall and Kirkland institutions, for major renovations and repairs; and to construct new beds as the budget and inmate population dictates.
WMC: AMEND proviso to delete specific reference to constructing beds at MacDougall and Kirkland Correctional Institutions. *Do not need new beds at MacDougall or Kirkland.* Fiscal Impact: No impact on the General Fund. Requested by Department of Corrections.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 51.16 RESTORE ORIGINAL PROVISO** (Release of Inmates) Provides guidelines for when inmates who must serve six months or more, may be released.
WMC: AMEND proviso to allow the department, in releasing prisoners who have served at least 85% of their term of imprisonment in accordance with subsection (A) of Section 24-13-150 [EARLY RELEASE, DISCHARGE, AND COMMUNITY SUPERVISION; LIMITATIONS], to use the same timeframe guidelines as outlined in this provision. *Releasing inmates on a single day at the beginning of the month rather on the actual date sentence is served reduces operating expenses.* Fiscal Impact: Minor reduction of state funds expenses. Requested by Department of Corrections.
HOU: ADOPT proviso as amended.
SFC: RESTORE original proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

SECTION 53 - N12-DEPARTMENT OF JUVENILE JUSTICE

- 53.13 DELETE** (Emergency Authority to Transfer PIP Funds) Authorizes DJJ to use up to \$1.5 million of unobligated permanent improvement project funds for operating purposes in order to maintain constitutional conditions at its facilities.
SFC: DELETE proviso.

SECTION 54 - L36-HUMAN AFFAIRS COMMISSION

- 54.1 DELETE** (Sale of Publication) Authorizes the commission to retain, carry forward and expend "The Blueprint" revenue.
WMC: DELETE proviso. *The Blueprint is no longer produced for sale.* Fiscal Impact: No impact on the General Fund. Requested by Human Affairs Commission.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.

SECTION 55 - L46-COMMISSION FOR MINORITY AFFAIRS

- 55.5 ADD** (Retention of Photocopy Fees) **WMC:** ADD new proviso to authorize the commission to retain and carry forward revenue from photocopy fees and other fees related to FOI requests from the general public. *Requests for copies of Native American petitions, minutes, conferences, etc are routinely received and the commission anticipates the requests to become more frequent, resulting in increased printing costs to the agency.* Fiscal Impact: Revenue received from these fees is currently deposited into the General Fund. State Budget Division indicates the agency has derived less than \$100 a year from these fees. Requested by Commission on Minority Affairs.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.

SECTION 64 - R28-DEPARTMENT OF CONSUMER AFFAIRS

- 64.5 AMEND** (Retention of Fees) Authorizes the department, for FY 11-12, to retain all fees collected pursuant to specific sections of the code pertaining to the Motor Club Services Act; Pawnbrokers, and the Physical Fitness Act and to use these funds to implement mandated program requirements.
WMC: AMEND proviso to change "2011-12" to "2012-13." *Technical.* Fiscal Impact: No impact on the General Fund. The agency anticipates that approximately \$135,000 in revenue will be generated for the agency. Requested by Department of Consumer Affairs.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.

SECTION 65 - R36-DEPARTMENT OF LABOR, LICENSING AND REGULATION

- 65.8 AMEND** (Immigration Bill Funding) Requires the department to use \$1,414,814 of Subfund 3135 carry forward funds for the department's Illegal Immigration responsibilities. Directs the department to compile an accountability report outlining Immigration Bill expenditures and to

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

submit the report to specific Senate and House members, committees, and subcommittees on the first Tuesday of February 2011.

WMC: AMEND proviso to change "\$1,414,814" to "\$250,000." Fiscal Impact: No impact on the General Fund. Reducing the amount required for Illegal Immigration responsibilities makes revenue of \$1,164,814 available for other agency operations. Requested by Department of Labor, Licensing, and Regulation.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 65.12** **AMEND NEW PROVISO** (Office of State Fire Marshal - Clothing) **WMC:** ADD new proviso to authorize LLR to purchase and issue clothing to State Fire Marshal staff. *Allows agency to provide uniforms to Deputy State Fire Marshal and other staff for identification in the field and to enhance professionalism at Fire Service events.* Fiscal Impact: No impact on the General Fund. The agency indicated they would expend approximately \$30,000 of other funds for this purpose. Requested by Department of Labor, Licensing, and Regulation.
HOU: ADOPT new proviso.
SFC: AMEND new proviso to specify that clothing may be issued to non-administrative staff that are field personnel working in a regulatory aspect and/or certified to be a resident state fire marshal.

- 65.13** **ADD** (Perpetual Care Cemetery Board) **SFC:** ADD new proviso to direct that while there are no regulations approved by the General Assembly to govern the transfer of a perpetual care cemetery to an exempt entity, once the S.C. Perpetual Care Cemetery Board has been notified that a transfer has occurred under the authority of Title 40 Chapter 8, the board's jurisdiction over the cemetery shall cease.

SECTION 66 - R40-DEPARTMENT OF MOTOR VEHICLES

- 66.7** **AMEND FURTHER** (Underutilized Offices) Authorizes the department to reduce operating hours in DMV field office that are underutilized.
WMC: AMEND proviso to also allow the department to close or relocate underutilized field offices. Fiscal Impact: No impact on the General Fund. State Budget Division indicates that initial estimates reveal potential cost avoidance through reduction of operating hours or termination of leases, utilities and cleaning services when executed over a 5 to 10 year period. Requested by Department of Motor Vehicles.
HOU: ADOPT proviso as amended.
SFC: AMEND FURTHER to delete the authorization for DMV to close or relocate underutilized field offices. Require DMV, prior to implementing a plan to reduce hours, to notify the county legislative delegation. Require the director to review field offices with high traffic volume to determine whether their operating hours should be expanded.

SECTION 67 - R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

- 67.3** **DELETE** (SCOIS Federal Funds) Requires the department, if they receive federal funds for the South Carolina Occupational Information System, to return to the General Fund a

**SUMMARY OF PROVISIO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

corresponding amount of general funds, up to \$306,833, and to notify the Chairmen of the Senate Finance and House Ways and Means Committees that they have taken that action.

WMC: DELETE proviso. *Federal funds have not been received for this program since the inception of the proviso.* Fiscal Impact: No impact on the General Fund. Requested by Department of Employment and Workforce.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 67.6** **ADD** (Transparency of Funding Appropriation) **HOU:** ADD new proviso to require the department to place on their website by September 1st, a report of all aggregate amounts of taxes, fees, and payments they charged, collected, and paid in the prior fiscal year. Require the report include, but not be limited to SUTA taxes collected per Tier; unemployment benefit claims paid; the number of claims made in error; loan repayments made to the federal government; and the amount of funds in the account at the end of the fiscal year. Require the report also be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees by September 1st. Sponsor: Rep. Ott.
SFC: ADOPT new proviso.

- 67.7** **ADD** (SUTA Contingency Assessment Funds) **HOU:** ADD new proviso to require additional revenue collected through taxable wage base contingency assessments be spent (1) to enforce eligibility requirements by means of eligibility reviews, random verification of job contacts, and wage cross matches; (2) to ensure seated meetings are held with claimants; and (3) to require that SC Works Online System is used each week for one of the claimants job search contacts. Require the department notify claimants in advance that eligibility review and random verification of job contacts will be used for verification purposes. Sponsors: Reps. J.R. Smith, Sandifer, White, and Bingham.
SFC: ADOPT new proviso.

SECTION 68A - U12-DEPARTMENT OF TRANSPORTATION

- 68A.6** **DELETE** (Payroll Deduction for Uniform Rental) Authorizes the department to payroll deduct, if requested by the employee, the rental cost of work related uniforms.
WMC: DELETE proviso. *The department no longer requires employees to pay for uniforms.* Fiscal Impact: No impact on the General Fund. Requested by Department of Transportation.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.

SECTION 68D - U30 - DIVISION OF AERONAUTICS

- 68D.7** **DELETE** (Carry Forward Sale of Aircraft Proceeds) Authorizes proceeds from the sale of aircraft to be carried forward and provides the purposes for which the funds may be used.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 68D.10 DELETE** (Transfer of MUSC Aircraft) Transfers title and ownership of MUSC's Beechcraft King Air to the Aeronautics Commission and states the intent that the Aeronautics Commission pay MUSC for the aircraft as soon as funding is available.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund. *The aircraft has been transferred.* Requested by Aeronautics Commission.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.

SECTION 69 - Y14 - STATE PORTS AUTHORITY

- 69.1 AMEND** (Charleston Cooper River Bridge Project) Directs the State Ports Authority to pay the State Transportation Infrastructure Bank \$1,000,000 before June 30, 2012 to continue the Charleston Cooper River Bridge Project.
WMC: AMEND proviso to change July 1, "2011" to "2012" and June 30, "2012" to "2013." *Meets the obligations of the State Ports Authority and the State Infrastructure Bank's financial agreement.* Fiscal Impact: No impact on the General Fund. The funds used to pay the Transportation Infrastructure Bank are operating funds of the Ports Authority, none of which are state appropriated funds. Generates \$1,000,000 for the State Transportation Infrastructure Bank. Per the Ports Authority, the commitment of the agency is to provide \$1,000,000 per year for 25 years, until 2027.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 69.3 AMEND NEW PROVISO** (Harbor Deepening Reserve Fund) **WMC:** ADD new proviso to create the Harbor Deepening Reserve Fund within the State Ports Authority, with the fund retaining accrued interest. Require the fund be used for activities associated with deepening the state's harbors; expenditures to have prior General Assembly approval; and unexpended funds to be carried forward and used for the same purpose. Fiscal Impact: \$180,000,000 non-recurring funds appropriated.
HOU: ADOPT new proviso.
SFC: AMEND new proviso to require the State Ports Authority present a comprehensive plan for the use of the fund for harbor deepening to the Joint Bond Review Committee for review and comment prior to expending any monies from the fund
- 69.4 ADD** (Joint Project Office Funding Approval) **SFC:** ADD new proviso to prohibit the State Ports Authority from providing funds to the Joint Project Office unless at least a majority of the South Carolina Delegation members of the Joint Project Office vote in favor of the action.
- 69.5 ADD** (Dredge Disposal Material) **SFC:** ADD new proviso to prohibit the State Ports Authority from providing any funds for the Joint Project Office to use for projects related to the placement of or facilitating the placement of dredge disposal material unless (1) the Savannah River Maritime Commission finds that the expenditure is necessary to facilitate a high priority project for the State and that the dredge material is derived from a permitted projected approved by the commission and (2) a majority of the Joint Project Office's S.C. Delegation members approve the expenditure.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

SECTION 70 - A99 - LEGISLATIVE DEPARTMENT

- 70.7** **AMEND** (House Pages) Authorizes up to 144 Pages to be appointed for service to the House.
WMC: AMEND proviso to direct the House Pages are not eligible to receive unemployment benefits. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 70.8** **DELETE** (Leg. Council Employment/Salary Adjustments) Authorizes the Legislative Council to adjust salaries of their personnel.
WMC: DELETE proviso. *Proviso is unnecessary since the council has this authority as a state agency.* Fiscal Impact: No impact on the General Fund. Requested by Legislative Council.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 70.15** **AMEND** (Additional House Support Personnel) Provides guidelines for the use of Legislative Constituent Services funds by members of the House.
WMC: AMEND proviso to direct the Legislative aides are not eligible to receive unemployment benefits. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 70.18** **DELETE** (Leg. Council Combined Position) Authorizes the Director of the Legislative Council to combine two FTE positions into one.
WMC: DELETE proviso. *Proviso is unnecessary since the council has this authority as a state agency.* Fiscal Impact: No impact on the General Fund. Requested by Legislative Council.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 70.21** **AMEND** (Joint Strategic Technology Committee) Creates and provides directives for an eight member Joint Strategic Technology Committee.
WMC: AMEND proviso to add two members of the general public, with the Chairmen of the Senate Finance and House Ways and Means Committees each appointing one member. Require these members possess substantial experience in management and use of information technology in a large enterprise. Prohibit these members or their family from having or being associated with a business with an economic interest in IT procurement with the state. Direct the B&C Board and the Agency Directors Technology Advisory Committee to prepare a Statewide Strategic Information Technology Plan. Direct the joint committee to recommend appropriate statutory changes to successfully implement the statewide plan to the Senate President Pro Tempore and the Speaker of the House. Provide timeframes for the statewide plan to be reviewed and recommendations submitted; and for agencies to submit information technology budget plans for the next fiscal year including, what information is to be included in their plan. Direct the B&C Board to compile information technology budget information into a report for the joint committee's review and recommendations to the Senate Finance and House

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

Ways and Means Committees. Direct the B&C Board to recommend IT projects to the joint committee for periodic oversight. Require the following be reported to the joint committee by January 31st each year: SCEIS project progress by the SCEIS Executive Oversight Committee and Broadband lease progress by the B&C Board and ETV. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 70.25 AMEND** (Suspend LAC Evaluation) Suspends, for FY 2011-12, the requirement that the LAC conduct an audit of the Family Independence Act every two years and directs that any savings generated be used to conduct audits as requested by members of the General Assembly.
SFC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Requested by Legislative Audit Council.
- 70.26 AMEND** (DMV Audit Review) Suspends, for FY 2011-12, the requirement that the LAC must conduct an independent review of the DMV and direct that any savings generated be used to conduct audits as requested by members of the General Assembly.
SFC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Requested by Legislative Audit Council.
- 70.27 AMEND** (Electronic Correspondence) Prohibits the House of Representatives, during FY 11-12, from spending funds to print or mail bills, summaries, committee agendas, etc. to committee members. Directs that relevant information on committee meetings be sent to members electronically.
SFC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13."
- 70.28 DELETE NEW PROVISO** (Rule 42) **WMC:** ADD new proviso to direct that nothing prohibits any provision of this act from temporarily or permanently adding, amending, or repealing any portion of a permanent law. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT new proviso.
SFC: DELETE new proviso.
- 70.29 AMEND NEW PROVISO** (Teacher Salary Study Committee) **HOU:** ADD new proviso to create the Joint Teacher Salary Study Committee composed of 8 members to examine the current teacher salary schedule, its relationship to the EFA, the EIA, and to a district's ability to hire and retain quality teachers, and to examine potential changes to the salary schedule that may include a pay for performance model. Require a report and recommendations be submitted by December 1, 2012, to the Chairmen of the Senate Finance, House Ways and Means, Senate Education, and House Education and Public Works Committees. Direct that the House Ways and Means and Senate Finance Committees will provide staff and that members serve without compensation. Sponsors: Reps. Bingham, Ott, Allison, Anthony, and Cobb-Hunter.
SFC: AMEND new proviso to also direct the committee to examine step increases, frozen salary schedules, National Board Certification Incentive, or anything else related to teacher salaries. Specify that the committee is only made of legislators. Change reference to

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

“Speaker” Pro Tempore of the Senate to “President” of the Senate. Specify that National Board Certification Incentive is included in the study.

- 70.30** **ADD** (Senate Pages) **SFC:** ADD new proviso to direct that Senate Pages are not eligible to receive unemployment benefits.

SECTION 71 - C05-ADMINISTRATIVE LAW COURT

- 71.3** **ADD** (ALJ Travel) **SFC:** ADD new proviso to provide that an Administrative Law Judge is entitled to a subsistence allowance of \$35 per day plus the mileage allowance provided for other state employees while they are holding court or are on other official business outside their county of residence, but within 50 miles of their residence. Provide that if they are 50 or more miles outside their county of residence they will be paid the subsistence allowance as provided for members of the General Assembly plus the mileage allowance provided for other state employees. Limit the amount of allowance provided to each ALJ to \$8,000 per fiscal year. *Mirrors authority in 89.21(G) but caps the amount at \$8,000 a fiscal year.* Requested by Administrative Law Court.

SECTION 72 - D21 - GOVERNOR'S OFFICE

- 72.6** **DELETE** (Victim Advocate Policy Committee) Continues the Victim Advocate Policy Committee in order to monitor implementation of guidelines developed by the committee.
WMC: DELETE proviso. *The committee has apparently not met since 1995 when it set the guidelines for distribution of the funds to the solicitor's offices and there does not currently appear to be a reason for the committee.* Fiscal Impact: No impact on the General Fund. Requested by Governor's Office of Executive Policy and Programs.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 72.7** **DELETE / MOVE** (Victim Assistance Programs) Directs that funds appropriated for solicitor's victim assistance programs are in addition to funds currently provided by the county and are not to be used to supplant county funds. Directs that if a county reduces their funding, state funds provided to the solicitor's office in that county for victim assistance services will be reduced by a corresponding amount. Requires each solicitor's office prepare an annual report by October 1st describing how these funds were used in the preceding fiscal year.
WMC: DELETE proviso and move it to Prosecution Coordination Commission's section, proviso 46.10. Fiscal Impact: No impact on the General Fund. Requested by Governor's Office of Executive Policy and Programs.
HOU: ADOPT deletion of moved proviso.
SFC: ADOPT deletion of proviso. *(Move to Prosecution Coordination Commission's section proviso 46.10.)*
- 72.8** **DELETE / MOVE** (Establish Victim/Witness Program) Establishes a Victim Witness program in the solicitor's office of each circuit; directs that funds be divided equally among the circuits; and provides guidelines for the services to be provided

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

WMC: DELETE proviso and move it to Prosecution Coordination Commission's section, proviso 46.11. Fiscal Impact: No impact on the General Fund. Requested by Governor's Office of Executive Policy and Programs.

HOU: ADOPT deletion of moved proviso.

SFC: ADOPT deletion of proviso. (*Move to Prosecution Coordination Commission's section proviso 46.11.*)

- 72.10 AMEND** (OEPP - Physical Abuse Examinations) Authorizes up to \$60,000 of Victims' Rights funds to be used for physical abuse exams.

WMC: AMEND proviso to change "\$60,000" to "\$120,000." Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended. Requested by SOVA.

- 72.18 AMEND** (OEPP - Crime Victims Ombudsman) Directs the State Office of Victim's Assistance to transfer \$48,000 to the Crime Victims Ombudsman's Office for administrative and operations support.

WMC: AMEND proviso to change "\$48,000" to "\$71,000." Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended. Requested by SOVA.

- 72.20 AMEND NEW PROVISO** (~~Prohibit~~ Use of Funds Report) **HOU:** ADD new proviso to prohibit OEPP from using any source of funds to pay salaries or operating expenses of any ECOS employee and prohibit any source of funds from being transferred from OEPP to ECOS or Mansion and Grounds. Sponsor: Rep. H.B. Brown.

SFC: AMEND new proviso to delete the prohibition and instead direct the Governor's Office to provide a quarterly report to the Senate Finance and House Ways and Means Committees on transactions that have taken place between ECOS, OEPP and Mansion and Grounds to ensure transparency and accountability. Require the report include any transfer of funds, payment or reimbursements for services rendered, the amount, the reason, and the source of funds used.

- 72.21 DELETE NEW PROVISO** (Lobbying Prohibition) **HOU:** ADD new proviso to prohibit the Governor's Office from using general funds to pay employees who engage in lobbying activities on their behalf. Sponsor: Rep. H.B. Brown.

SFC: DELETE new proviso.

SECTION 74 - E08 - SECRETARY OF STATE

- 74.1 AMEND** (UCC Filing Fees) Authorizes up to \$120,000 of Uniform Commercial Code filing fees to be retained and used for UCC administration.

WMC: AMEND proviso to change "\$120,000" to "\$180,000." *Increased funds are necessary to ensure compliance with changes in the Uniform Commercial Code.* Fiscal Impact: BEA states Departmental Revenue within the state General Fund would be reduced by \$60,000 for FY 2012-13, while earmarked revenue for the agency would increase by a like amount. Requested by Secretary of State's Office.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SECTION 75 - E12 - COMPTROLLER GENERAL'S OFFICE

- 75.6 DELETE** (Federal 3% Withholding Mandate) Provides procedures for withholding 3% of payments to vendors and other payees for remission to the IRS if the Tax Reconciliation Act of 2005 is enacted and implemented by the Federal Government.

WMC: DELETE proviso. *The law was not implemented.* Fiscal Impact: No impact on the General Fund. Requested by Comptroller General's Office.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SECTION 76 - E16 - STATE TREASURER'S OFFICE

- 76.2 AMEND** (STARS Approval) Directs that Statewide Accounting and Reporting System decisions that involve the Treasurer's Banking Operations and other State Treasurer's Office function require the State Treasurer's approval.

WMC: AMEND proviso to add SCEIS functions that affect the State Treasurer's Office to also require State Treasurer's approval. *Changes to STARS and/or SCEIS could significantly impact the ability of the Treasurer to accomplish daily banking and other functions if they are not adequately coordinated with the State Treasurer's Office.* Fiscal Impact: No impact on the General Fund. Requested by State Treasurer's Office.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 76.11 DELETE** (Prepaid Debit Card Implementation) Provides for the development and implementation of an electronic payment plan for payroll purposes using prepaid debit cards.

WMC: DELETE proviso. *A RFP has been completed.* Fiscal Impact: No impact on the General Fund. Requested by the State Treasurer's Office.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 76.12 DELETE NEW PROVISIO** (Audit Finding Follow-Up) **WMC:** ADD new proviso to direct and empower the State Treasurer to: (1) follow up on audit findings issued by the State Auditor's Office, and/or by an independent audit; (2) conduct additional audits to ensure proper receipt and disbursement of state funds in accordance with legislative intent; and (3) contract for or conduct recovery audits to identify overpayments or payments made to vendors in error. Direct the LAC to notify the State Treasurer's Office of any cost savings recommendations. Authorize the State Treasurer to recover amounts due by seeking refunds, withholding future payments or distributions, or by whatever other actions deemed appropriate. Direct that such action may include legal action as the Attorney General may approve, including the Attorney General participating in the litigation, or hiring attorneys subject to the prior approval of the Attorney General. Require entities to cooperate with the State Treasurer in these activities. Direct the State Treasurer to deposit funds collected by this provision in a separate account for appropriation by the General Assembly, unless otherwise provided for by law. Authorize the

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

State Treasurer to retain and expend a portion of any funds received to pay for costs associated with managing and enforcing this provision. Direct the State Treasurer to annually report to the General Assembly on the management activities and cost recoveries. *The proviso is in accordance with the State Treasurer's Office mission to manage the State's financial assets in ways that maximize value and promote the best interests of the State's citizens.* Fiscal Impact: Funding returned to the General Fund will be contingent upon the amount of funds recovered. Requested by State Treasurer's Office.

HOU: ADOPT new proviso.

SFC: DELETE new proviso.

- 76.13 DELETE NEW PROVISO** (Tuition Prepayment Commitments) **HOU:** ADD new proviso to require commitments made to S.C. Tuition Prepayment Program enrollees be honored in their entirety. Sponsor: Rep. Funderburk.
SFC: DELETE new proviso.

SECTION 78 - E24-ADJUTANT GENERAL'S OFFICE

- 78.8 AMEND** (Retention of Lease Property Revenue) Authorizes the Adjutant General to lease the Combined Support Maintenance Shop property and to retain and use the revenue for specific purposes.

WMC: AMEND proviso to delete reference to a specific property and instead authorize the Adjutant General to lease all real property under the control of the South Carolina Military Department (SCMD) and allow all lease revenue to be retained for armory operations and maintenance. Fiscal Impact: No impact on the General Fund. Requested by the Adjutant General's Office.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 78.12 AMEND** (Citadel-S.C. National Guard Readiness Center) Directs the Adjutant General's Office, during FY 11-12, to repay to the General Fund \$300,000, plus interest, of the \$2,500,000 appropriated for the Citadel-S.C. National Guard Readiness Center in proviso 73.12 of the FY 07-08 Appropriation Act and state the intent that the same amount, plus interest be repaid annually until the \$1,250,000 balance has been repaid to the General Fund.

SFC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13."

- 78.16 DELETE NEW PROVISO** (Physical Assets Responsibility) **WMC:** ADD new proviso to make the Adjutant General's Office financially and administratively responsible for the building, and grounds; for maintaining deferred depreciation and maintenance reserves; assuming improvement obligations and other operating costs such as building maintenance, systems and equipment; custodial services, horticultural and grounds maintenance; insurance; and utilities for the property located at 1 National Guard Road in Columbia. Direct that Section 1-11-67 [RENTAL CHARGES FOR OCCUPANCY OF STATE-CONTROLLED OFFICE BUILDINGS; APPORTIONMENT AMONG AGENCY FUNDING SOURCES] does not apply to this property and direct that the B&C Board is not responsible for deferred or future maintenance or repair of building or grounds. Fiscal Impact: No impact on the General Fund.

**SUMMARY OF PROVISIO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT new proviso.

SFC: DELETE new proviso.

SECTION 79 - E28-ELECTION COMMISSION

79.6 AMEND FURTHER (Primary and General Election Carry Forward) Authorizes filing fees paid by candidates filing for statewide or special primary elections to be retained, expended, and carried forward to conduct primary elections. Authorizes Primary and General Election Accounts funds to be carried forward and expended for the same purpose. Authorizes these funds to also be used to conduct the 2012 Presidential Preference Primary.

WMC: AMEND proviso to delete specific reference to the "2012" Presidential Preference Primary. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: AMEND FURTHER to delete the authorization to also use the funds to conduct the Presidential Preference Primary.

79.11 DELETE (Presidential Preference Primary and Ballot Security) Authorizes funds originally appropriated for Ballot Security to be carried forward and used to conduct the 2012 Presidential Preference Primary and the 2012 State wide Primaries/Runoff.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

79.13 ADD (Primary Election Expenses Reimbursement) **SFC:** ADD new proviso to allow the Election Commission to reimburse county registration boards and election commissions for expenses associated with statewide, secondary (runoff), and special primaries only when the primaries are held on the dates specified by statute. *Prohibits the commission from incurring additional costs for primaries scheduled by counties to accommodate offices that were not included on the ballot in the regularly scheduled June primaries due to the county not completing their reapportionment and rescheduling the primary.* Requested by Election Commission.

79.14 ADD (Use of Election Funds) **SFC:** ADD new proviso to prohibit the Election Commission from using for any other purpose, the funds appropriated for conducting elections unless such purpose is specifically authorized in this act.

SECTION 80A - F03 - BUDGET AND CONTROL BOARD

80A.8 AMEND (Carry Forward - Local Government Assistance) Authorizes the board to carry forward funds appropriated for financial assistance and for matching State Revolving Fund grants from the EPA for water and sewer projects to local governments. Allows \$400,000 of the grant carry-forward to be used for operating costs.

WMC: AMEND proviso to delete the authorization to use \$400,000 of these funds for operating costs. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 80A.14 AMEND** (Adoption Assistance Program) Establishes the Employee Adoption Assistance Program and provides guidelines for operation of the program. Limits the total funding authorized for the program to \$700,000 annually.
WMC: AMEND proviso to delete the “\$700,000” limit and instead direct that the program not exceed the amount authorized by the General Assembly in the appropriations act. *Allow the program funding to conform to the dollar authorization in Part 1A.* Fiscal Impact: No impact on the General Fund. Requested by Budget and Control Board.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 80A.16 AMEND** (Antenna and Tower Placement) Requires antenna and tower operations leases within the campuses of higher education institutions to conform to present and future master plans for the property.
WMC: AMEND proviso to delete reference to “the present and any future” when requiring conformity to master plans. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 80A.17 DELETE** (Lawsuit Funding) Requires the Insurance Reserve Fund pay the State’s cost of defending the Abbeville school funding litigation and the prisoner mental health care litigation.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 80A.19 DELETE** (Deductible Waiver Prohibition) Prohibits a state-sponsored health care entity from waiving the deductible or co-insurance payment for employees using its services, if they are enrolled in the State Health Plan’s Health Savings Plan.
WMC: DELETE proviso. *The State-funded health care provider has discontinued waiving deductibles and co-insurance for State Health Plan Savings Plan enrollees.* Fiscal Impact: No impact on the General Fund. Requested by Budget and Control Board.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 80A.20 AMEND** (Base Closure Carry Forward) Authorizes \$300,000 of Base Closure Fund appropriations to be carried forward and used for the same purpose.
WMC: AMEND proviso to direct that up to a maximum of \$300,000 of the funds be used for the South Carolina Military Base Task Force to coordinate efforts among public and private sectors to maintain a significant US Department of Defense presence in this state. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 80A.25 AMEND FURTHER** (Employee Compensation) Provides a plan to distribute employee pay increases for FY 11-12 in the amount of 0%.
WMC: AMEND proviso to provide for a two percent pay increase for FY 12-13 as follows: for classified and non-judge judicial employees--increase compensation 2%; for unclassified

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

and non-judge judicial unclassified employees or unclassified executive compensation employees--authorize agencies to allot the funds for compensation increases without uniformity and direct that the funds provided are based on an average 2% increase; for agency heads not covered by the Agency Head Salary Commission, the Chief Justice, other judicial officers, county auditors and county treasurers--directs that they receive an annualized base pay increase of 2%; for local health care providers--increase compensation 2%; for Area Agencies on Aging funded by the Lt. Governor's Office on Aging--increase compensation 2%; for local councils on aging or local providers of services funded by the Lt. Gov's Office on Aging through Area Agencies on Aging--prohibit pay increases; and for school bus driver salary and fringe--increase funding to school districts 2%. Directs the B&C Board to allocate associated compensation increases for retirement employer contributions based on the rate of the retirement system in which the individual participates. Authorize the B&C Board Executive Director to use excess employer contributions appropriations, as determined by the Director of the Office of State Budget, for other statewide purposes. Allow such action to be considered a permanent transfer into the receiving agency's base budget at the discretion of the B&C Board Executive Director. Authorizes unexpended Section 80C, Employee Benefits funds to be carried forward.

HOU: ADOPT proviso as amended.

SFC: AMEND FURTHER to change the pay plan from "2%" to "3%" for all categories of employees covered in the proviso. Delete the authorization for the salary increase for unclassified positions to be allotted without uniformity. Change reference to proviso "89.17" to "89.16." Authorize the B&C Board, the Comptroller General, and state agencies whose payroll is not processed by the CG to implement the pay increases retroactively to the first pay date on or after July 1st if the Appropriations Act is ratified after June 7th.

80A.27 AMEND FURTHER (Sale of Surplus Real Property) Provides guidelines for the retention and use of revenue derived from the sale of surplus real properties.

WMC: AMEND proviso to authorize the Department of Mental Health to retain the net proceeds from the sale of 165.79± acres of property on the Bull Street Campus as approved by the B&C Board on June 14, 2011. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: AMEND FURTHER to require the Department of Mental Health to submit a report on the status of the sale of the identified property and an accounting of the expenditure of funds resulting from the sale.

80A.28 REINSERT (Community Safety Anti-Gang Grants and Matching Grants) Authorizes the Attorney General to make recommendations for Community Safety Anti-Gang Grants.

WMC: DELETE proviso. *This authorization has been codified in Section 16-8-340; however no funding has been appropriated for this purpose.* Fiscal Impact: No impact on the General Fund. Requested by Budget and Control Board.

HOU: ADOPT deletion of proviso.

SFC: REINSERT original proviso. *Not all portions of the proviso have been codified.*

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 80A.31 DELETE** (December 2011 Holidays) Establishes when certain legal holidays will be observed in December of 2011.
WMC: DELETE proviso. *Technical. The proviso was for 2011 only.* Fiscal Impact: No impact on the General Fund. Requested by Budget and Control Board.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 80A.32 AMEND FURTHER** (Rural Infrastructure) Requires all B & C Board, Office of Local Government monies be transferred to the S.C. Rural Infrastructure Fund, except for the State Infrastructure Revolving Loan Fund. Authorizes the Rural Infrastructure Authority to hire a director by majority vote of the board if one of the gubernatorial and three of the legislative appointees vote in favor of the hiring.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund. NOTE: The proviso was actually amended by the committee to authorize unexpended and undisbursed funds to be carried forward and used by the Authority for its purposes and the requirement that hiring of a director requires one gubernatorial and three legislative appointees approval was deleted. A scrivener's error deleted the entire proviso. An amendment will be offered on the floor to reflect the official action taken by the committee.
HOU: REINSERT/AMEND proviso to authorize unexpended funds to be carried forward and used by the Rural Infrastructure Authority. Delete the requirement that hiring of a director requires one of the gubernatorial appointees and three of the legislative appointees approval. Sponsors: Reps. Merrill, Cobb-Hunter, Barfield, and Clyburn.
SFC: AMEND FURTHER to reinsert the requirement that hiring of a director requires one of the gubernatorial appointees and three of the legislative appointees' approval. *Conform to H.4664 which was signed into law by the Governor on 4/23/12.*
- 80A.33 AMEND FURTHER** (Additional Tort Liability Insurance Coverage Authorized) Authorizes the Insurance Reserve Fund to provide tort liability insurance coverage for certain local aging entities that are non-governmental until June 30, 2012.
WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: AMEND FURTHER to specify that the B&C Board is authorized to offer "insurance" rather than "tort liability" insurance coverage through the "Insurance Reserve Fund" for certain aging entities. Direct that the IRF and the State shall not be liable for any coverage provided for this purpose that is insufficient.
- 80A.34 ADD** (Statewide Appropriations Budget Module) **WMC:** ADD new proviso to direct that funds for the Statewide Appropriations Budget Module shall be used to design and implement the statewide budgeting system to produce the state's annual operating budget through the Annual Appropriation Act and assign project oversight and direction to the State Budget Division. Fiscal Impact: \$2,500,000 non-recurring funds appropriated.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

SECTION 80B - F27 - BUDGET AND CONTROL BOARD, STATE AUDITOR'S OFFICE

- 80B.1 ADD (Audit Timeframes) WMC:** ADD new proviso to authorize the State Auditor to examine state agencies less often than annually, but not less than every three years and direct the State Auditor to develop and maintain an audit schedule to ensure compliance. Fiscal Impact: No impact on the General Fund. Requested by State Auditor's Office.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
- 80B.2 AMEND NEW PROVISO (Annual Audit of Federal Programs) WMC:** ADD new proviso to require each state agency subject to federal audit requirements to pay the State Auditor for their share of the expense of contracting with a CPA firm to conduct the federal portion of the audit as determined by a schedule developed by the State Auditor. Fiscal Impact: No impact on the General Fund. The audit will be paid from an agency's federal funds. Requested by State Auditor's Office.
HOU: ADOPT new proviso.
SFC: AMEND new proviso to authorize the State Auditor to retain, expend, and carry forward these funds.
- 80B.3 ADD (Medical Assistance Audit Carry Forward) SFC:** ADD new proviso to authorize the State Auditor's Office to retain, expend, and carry forward the funds they receive from the Department of Health and Human Services for the Medical Assistance Audit Program authorized by proviso 21.3 [MEDICAL ASSISTANCE AUDIT PROGRAM REMITTANCE].

SECTION 80C - F30 - EMPLOYEE BENEFITS

- 80C.3 ADD (TRICARE Supplement Policy) SFC:** ADD new proviso to direct the Employee Insurance program to offer group TRICARE Supplement policies in Plan Year 2013 to eligible subscribers through the flexible benefits program to allow those subscribers to pay premiums for such policies on a pre-tax basis. Authorize TRICARE Supplement subscribers to be charged up to \$2 per subscriber per month for associated administrative costs.

SECTION 81 - R44-DEPARTMENT OF REVENUE

- 81.3 AMEND (Rural Infrastructure Fund Transfer)** Authorizes DOR to deposit Rural Infrastructure Fund revenues in excess of \$12,000,000 to the Rural Infrastructure Bank Trust Fund under the B&C Board, Office of Local Government and to deposit revenue in excess of \$17,000,000 to the Rural Infrastructure Fund under the Department of Commerce, Coordinating Council. Require all funds in the Rural Infrastructure Bank Trust Fund under the B&C Board, Office of Local Government be transferred during FY 11-12 to the S.C. Rural Infrastructure Authority, Rural Infrastructure Fund to be administered by the B&C Board Office of Local Government. Provides the purposes for which these funds shall be used.
SFC: AMEND proviso to delete the directive that the funds in the S.C. Rural Infrastructure Authority be administered by the B&C Board, Office of Local Government. Requested by Budget and Control Board.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 81.7** **AMEND** (Admissions Tax Exemption) Exempts from admissions tax, effective January 1, 2008, the amount that a season ticket holder pays to an accredited college or university's non-profit athletic booster organization for the right to purchase athletic event tickets if that organization is exempt from federal income tax..
WMC: AMEND proviso to delete the reference to an effective date of January 1, 2008. Fiscal Impact: No impact on the General Fund. Requested by Department of Revenue.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 81.8** **DELETE** (DOR: Penalty Relief) Directs the department to waive interest and penalties on state estimated quarterly individual income tax payments for qualifying individuals and provides qualification guidelines.
WMC: DELETE proviso. *The federal legislation was temporary and is no longer applicable.* Fiscal Impact: BEA indicates that the federal provision was only in effect for the 2009 tax year and that deletion of the proviso will have no impact on the General Fund or on other agency revenue. Requested by Department of Revenue.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.

SECTION 82 - R52 - STATE ETHICS COMMISSION

- 82.1** **DELETE** (Confidentiality) Prohibits the staff of the State Ethics Commission from making public comments which reflect a personal opinion about any matter which is before the commission.
WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.

SECTION 83 - S60-PROCUREMENT REVIEW PANEL

- 83.1** **AMEND** (Filing Fee) Authorizes the Procurement Review Panel to charge a \$250 filing fee to a party requesting an administrative review under certain Sections of the Procurement Code, and to retain, carry forward, and use the funds for agency operations. Allows the fee to be waived in case of hardship on the part of the filer.
WMC: AMEND proviso to add 11-35-4330 [FRIVOLOUS PROTESTS] to the Sections of the code under which the panel is authorized to charge a filing fee. Establish procedures for a Request for Filing Fee Waiver form to be submitted when a person requests a waiver of the filing fee due to financial hardship. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.

SECTION 84 - V04-DEBT SERVICE

- 84.1** **AMEND** (Excess Debt Service Funds Carry Forward) Authorizes excess Debt Service funds to be carried forward from FY 10-11 and be spent for debt service purposes in FY 11-12.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

WMC: AMEND proviso to change fiscal year references from "2010-11" to "2011-12" and "2011-12" to "2012-13."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SECTION 86 - X22 - AID TO SUBDIVISIONS, STATE TREASURER

86.2 DELETE (Local Government Flexibility) Authorizes counties to transfer non-statutorily restricted funds among appropriated state revenues as needed to ensure delivery of services for FY 2011-12.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

86.3 AMEND (Quarterly Distributions) Provides for the quarterly distribution of Aid to Subdivisions Local Government Fund.

WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13" and Fiscal Year "2010-11" to "2011-12." *Technical.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

86.6 AMEND (LGF) Suspends Sections 6-27-30 [FUNDING OF LOCAL GOVERNMENT FUND FROM GENERAL FUND REVENUES] and 6-27-50 [RESTRICTIONS ON AMENDMENT OR REPEAL OF CHAPTER] for Fiscal Year 2011-12.

WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

86.7 REINSERT / AMEND (Flexibility) Authorizes a political subdivision that receives aid from the Local Government Fund to reduce support to any state mandated program or requirement up to the percentage their appropriation from the Local Government Fund has been reduced compared to the amount required to be funded by law.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso. *See proviso 86.9.*

SFC: REINSERT / AMEND original proviso to change Fiscal Year "2011-12" to "2012-13."

86.9 DELETE NEW PROVISIO (Political Subdivision Flexibility) **WMC:** ADD new proviso to authorize political subdivisions that receive Local Government Fund monies to reduce the amount of support they provide to any state mandated program or requirement up to the percentage their Local Government Fund appropriation has been reduced compared to the amount required to be funded by law, but exclude ALJs, Court of Appeals, Circuit and Family Courts, Magistrates, Masters in-Equity, Probate Courts, Public Defenders, Solicitors and the Supreme Court and their offices from the reductions. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: DELETE new proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

SECTION 89 - X90-GENERAL PROVISIONS

- 89.2 AMEND** (Appropriations From Funds) Directs that funds appropriated from the General Fund, EIA Fund, Highways and Public Transportation Fund and other applicable funds are to meet the ordinary expenses of the State for FY 2011-12.
WMC: AMEND proviso to change fiscal year reference from “2011-12” to “2012-13.”
Technical. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 89.3 AMEND** (Fiscal Year Definitions) Defines current and prior fiscal year time frames.
WMC: AMEND proviso to update fiscal year references from “2011” to “2012;” “2012” to “2013;” and “2010” to “2011.” *Technical.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 89.16 AMEND** (Allowance for Residences & Compensation Restrictions) Authorizes specific positions to occupy agency-owned residences without charge and provides compensation guidelines.
WMC: AMEND proviso delete references to the Department of Mental Health employees. *The department no longer provides housing for employees.* Requested by Department of Mental Health. AMEND FURTHER to add the employees of the “Governor’s School for Arts and Humanities” who are required to stay on campus in the exemptions pertaining to compensation restrictions. Delete “Clemson University’s Head Football Coach” from the employees who may be permitted to occupy residences owned by the respective departments without charge. Delete the requirement that commuter mileage on non-exempt state vehicles be considered as income and reported according to the IRS regulations. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: AMEND FURTHER to delete the authorization for USC’s Manager of Bell Camp Facility, Housing Maintenance Night Supervisors, Residence Life Directors, temporary and transition employees, and emergency medical personnel to occupy residences owned by USC without charge. Requested by University of South Carolina.
- 89.21 RESTORE ORIGINAL PROVISO** (Travel - Subsistence Expenses & Mileage) Provides travel and subsistence guidelines.
WMC: AMEND proviso, item (J), pertaining to the standard business mileage rate used in calculating mileage reimbursement for personal automobiles to delete the reference to “lesser of 50.5 cents per mile.” *Use the rate established by the IRS.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: RESTORE original proviso.
- 89.22 REINSERT** (Organizations Receiving State Appropriations Report) Requires organizations that receive contributions in this act to provide the following information to the agency from which they received the funds: (1) how the state funds will be spent, (2) a copy of the adopted

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

budget for the current year, and (3) a copy of the organization's most recent operating financial statement and prohibits the funds from being spent by the organization until this information is received. Prohibits funds from being disbursed to organizations that practice discrimination. Authorizes the State Auditor to review and audit each of these organizations.

WMC: DELETE proviso. No impact on the General fund.

HOU: ADOPT deletion of proviso.

SFC: REINSERT original proviso.

- 89.23** **DELETE** (Information Technology - Report of Requested Increases) Directs the B&C Board to identify and compile requests for information technology increases for state agencies, excluding higher education institutions, and upon request provide an evaluation of any requested increase.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso. *See proviso 70.21.*

- 89.26** **REINSERT** (Regulatory Audit) Requires each agency to conduct a jurisdictional audit to identify laws, regulations, and provisos which are outdated and to draft repeals for submission to the appropriate standing committee by January 31st.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: REINSERT original proviso.

- 89.38** **AMEND FURTHER** (Voluntary Separation Incentive Program) Authorizes and provides guidelines for agencies to implement a voluntary separation incentive program for employees. Requires agencies to report their prior year's results of the use of the program to the B&C Board and requires the B&C Board report the results to the Senate Finance and House Ways and Means Committees.

WMC: AMEND proviso to direct that the board shall submit the results "upon request" of the committees. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: AMEND FURTHER to change "Office of Human Resources" to "Human Resources Division" and "Division of Budget and Analyses" to "Human Resources Division."

- 89.58** **REINSERT** (Agency Administrative Support Collaboration) Directs state agencies to continue to actively pursue cost savings measures through collaboration and combining administrative support functions with other agencies where feasible.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: REINSERT original proviso.

- 89.59** **AMEND** (Assessment Audit / Crime Victim Funds) Provides guidelines for the State Office of Victim Assistance to audit crime victim funds.

WMC: AMEND proviso to add "Chapter 3" to the reference to "Title 16, Article 15." *Technical.* Fiscal Impact: No impact on the General Fund.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.66 AMEND** (Year-End Financial Statements - Penalties) Provides reporting deadlines for agencies and other entities that must submit annual audited financial statements for inclusion in the State's Comprehensive Annual Financial Report.

WMC: AMEND proviso to change due date for certain final audited financial statements from October 15th to October 10th. Fiscal Impact: No impact on the General Fund. Requested by Comptroller General's Office.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.74 RESTORE ORIGINAL PROVISO** (Healthcare Employee Recruitment and Retention) Provides guidelines for the Departments of Corrections, Disabilities and Special Needs, Health and Environmental Control, Health and Human Services, Juvenile Justice, Mental Health, and Vocational Rehabilitation to provide lump sum bonuses to recruit and retain healthcare workers in critical needs jobs; to offer paid educational leave to employees enrolled in healthcare degree programs related to the agency's mission; and to make agreements to repay newly employed Psychiatrists and Nurses' outstanding student loans.

WMC: AMEND proviso to delete the stipulation that employees may receive a bonus of up to \$5,000; required bonus amounts to be approved by the State Human Resources Director and clarify that the bonus may not exceed \$10,000 per year. Delete the "newly employed in these positions" pertaining to agreements with Psychiatrists and Nurses. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: RESTORE original proviso.

- 89.80 AMEND FURTHER** (Reduction in Force/Agency Head Furlough) Provides guidelines for an agency head to be furloughed when a reduction in force is implemented by the agency.

HOU: AMEND proviso to direct that an agency head is not required to take a mandatory furlough if the reduction in force is solely to reorganize to accomplish organizational efficiencies. Sponsor: Rep. Merrill.

SFC: AMEND FURTHER to change "Office of Human Resources" to "Human Resources Division." Delete directive that an agency head is not required to take a mandatory furlough if the reduction in force is solely to reorganize to accomplish organizational efficiencies.

- 89.81 DELETE** (Mandatory State Agency Furlough Program) Authorizes state agencies to implement a mandatory furlough program under certain circumstances.

WMC: DELETE proviso. *Codified in Section 8-11-192.* Requested by Budget and Control Board.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.82 DELETE** (Conservation Bank Funding LLR) Directs LLR to transfer \$207,050 of Subfund 3135 carry forward funds to the S.C. Conservation Bank for their personal services and other operating expenses.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

WMC: DELETE proviso. *Transfer was for FY 2011-12 and has been accomplished.* Fiscal Impact: No impact on the General Fund. Requested by S.C. Conservation Bank.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.83** **AMEND** (Printed Report Requirements) Directs that for Fiscal Year 2011-12 certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically.

WMC: AMEND proviso to change "2011-12" to "2012-13." *Technical.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.91** **DELETE** (Retirement Systems) Provides for participation in the Retirement System for certain charter school employees through June 30, 2011.

WMC: DELETE proviso. *The proviso was effective through June 30, 2011. Section 9-1-1020 controls the manner in which the employee contributions are picked up to comply with the Internal Revenue Code and ensure that the contributions are tax deferred.* Fiscal Impact: No impact on the General Fund. Requested by Budget and Control Board.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.93** **DELETE** (SCEIS-DOT) Requires the Department of Transportation to be integrated into the S.C. Enterprise Information System (SCEIS) by September 30, 2011.

WMC: DELETE proviso. *Implementation has been completed.* Fiscal Impact: No impact on the General Fund. Requested by Budget and Control Board.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.94** **AMEND** (Broadband Spectrum Lease) Requires the General Assembly to approve the exercise of any Middle Band Segment Channel recapture provision contained in the Educational Broadband Service Spectrum Lease Agreements if there would be a decrease in payments received by the state. Requires broadband spectrum lease revenue be transferred monthly to ETV for agency operations and authorize ETV to retain and carry forward unexpended funds.

WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Direct that upon agreement of the lessee, ETV shall assume management and administration of the lease and shall receive the lease payments directly.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.98** **AMEND** (Bank Account Transparency and Accountability) Requires state agencies, except higher education institutions, that have composite reservoir bank accounts to prepare a report that discloses every account transaction in the prior fiscal year. Provides for an agency to petition the B&C Board for an exemption if the release of such information would be detrimental to the agency.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

WMC: AMEND proviso to delete specific reference to individuals who receive the report and replace with the "Budget and Control Board" and specify the report will be submitted through the Division of State Budget. Require the "beginning" as well as the year-end balance be provided for each account. Direct the B&C Board to establish a common format for agencies to use when submitting their report. Require the State Auditor to include these accounts as part of the agency's audit. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.99 DELETE** (State Agency Restructuring Study Committee) Directs the State Agency Restructuring Study Committee to continue to review and recommend ways to streamline the operation of state government.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.105 AMEND** (Funds Transfer to ETV) Requires certain funds appropriated to the Department of Education in the Aid to School Districts program for K-12; to the B&C Board for Legislative & Public Affairs Coverage; and to the Law Enforcement Training Council for certain training and emergency systems to be transferred to ETV during July of 2011 for them to continue to provide services as they were provided in the prior fiscal year.

WMC: AMEND proviso to delete reference to the Department of Education transfer. Change "2011" to "2012." Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.106 DELETE** (First Steps Transfer) Provides for the transfer and administration of the BabyNet program to First Steps.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.109 DELETE** (Guardian ad Litem Study Committee) Establishes a Guardian ad Litem Study Committee to review the effectiveness and accountability of the guardian ad litem process and report on their findings by January 10, 2012.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund. *Study has been completed.* Requested by Governor's Office of Executive Policy and Programs.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.110 DELETE** (FY 2011-12 Flexibility) Provides agencies with certain spending flexibility in order to absorb general fund reductions mandated in this act as compared to Fiscal Year 2008-09 general fund appropriations and prohibits funds associated with certain agencies' programs from being reduced or transferred

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

**SUMMARY OF PROVISIO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.112 DELETE** (Remittance to Children's Trust Fund) Directs the Department of Education to transfer \$100,000 to the Children's Trust Fund for FY 2011-12.

WMC: DELETE proviso. *This program is found in the Governor's Office of Executive Policy and Programs and funding it should be returned to that office.* Fiscal Impact: No impact on the General Fund. Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.113 DELETE** (Foster Care Review Board Study Committee) Establishes a Foster Care Review Board Study Committee to review the effectiveness and accountability of the foster care review program and report on their findings by January 10, 2012.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund. *Study has been completed.* Requested by Governor's Office of Executive Policy and Programs.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.114 DELETE** (Gold and Silver Investments) Directs the State Treasurer to report to the General Assembly on the advisability of investing in gold and silver.

WMC: DELETE proviso. *Report has been completed.* Fiscal Impact: No impact on the General Fund. Requested by State Treasurer's Office.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.115 DELETE** (Tobacco Settlement Trust Fund Distribution) Directs the State Treasurer to transfer up to \$1,000,000 from the Tobacco Settlement Trust Fund to the Department of Agriculture for marketing and branding as required by Section 11-49-55 [STATE-GROWN CROPS; MARKETING, BRANDING, AND NATURAL DISASTER RELIEF ASSISTANCE] in \$250,000 increments, as funds are accrued.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.116 DELETE** (Child Care Licensing and Inspections) Requires the DHEC and DSS directors to collaborate and develop a plan to consolidate child care center regulatory and licensing functions and to submit the plan by December 1, 2011.

WMC: DELETE proviso. *Report has been submitted to the General Assembly.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 89.117 AMEND** (WIA Meeting Requirements) Establishes Workforce Investment Board meeting notice and quorum requirements.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

WMC: AMEND proviso to change "2011-12" to "2012-13." *Technical.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.118 AMEND** (WIA Service Advertising) Establishes Workforce Investment Act advertising guidelines.

WMC: AMEND proviso to change "2011-12" to "2012-13" and require workforce investment boards to adhere to all state procurement policies and procedures when they advertise their services. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.119 AMEND** (WIA Training Marketability Evaluation) Requires local workforce investment boards to report on how funds were allocated based for training.

WMC: AMEND proviso to change "2011-12" to "2012-13." Direct the local workforce investment boards to prepare an annual report that indicates how funds were used to provide marketable work skills training in the prior fiscal year and require specific information to be included in the report. Direct that the report be submitted annually by November 16th to the Chairmen of the Senate Finance and House Ways and Means Committees. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.122 AMEND** (USC Greenville Medical School) States the intent of the General Assembly to not appropriate general funds for the new medical school at USC Greenville during FY 2011-12 and limits the amount and type of funds that may be transferred from USC to the new medical school.

WMC: AMEND proviso to change Fiscal Year "2011-12" to "2012-13." *Technical.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 89.123 REINSERT** (State Symbols) Prohibits state funds from being used to promote, record, or memorialize new official state symbols, emblems, or designations not codified by July 1, 2011.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: REINSERT original proviso.

- 89.124 AMEND FURTHER** (Retirement Investment Commission) Requires the Retirement System Investment Commission to submit a salary bonuses plan to the Senate Finance Retirement Subcommittee by January 15 and requires the plan to be approved by the subcommittee before bonuses are implemented.

WMC: DELETE proviso. Requested by Retirement System Investment Commission. Fiscal Impact: No impact on the General Fund.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

HOU: REINSERT/AMEND proviso to include “authorized” funds and require the report also be submitted to the Ways and Means Retirement Subcommittee. Sponsors: Reps. Norman and Merrill.

SFC: AMEND FURTHER to specify that the plan is to be for bonuses for calendar year 2014.

- 89.125 AMEND NEW PROVISO** (First Steps - BabyNet) **WMC:** ADD new proviso to require the First Steps Board of Trustees to ensure compliance with Part C of the Individuals with Disabilities Act and to fully implement the LAC’s BabyNet Program recommendations 2 through 23. Require the First Steps agency to develop a schedule by September 15, 2012, to implement each of the recommendations and direct that the First Steps agency is responsible for such implementation. Require certain quarterly and monthly reports be submitted and direct First Steps to collaborate with DDSN, DHHS, DMH, and DSS to develop a common reporting format. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT new proviso.

SFC: AMEND new proviso to delete references to First Steps as an “agency.”

- 89.126 DELETE NEW PROVISO** (Second Amendment Weekend - Sales Tax Exemption for Certain Firearms) **WMC:** ADD new proviso to exempt handguns and shot guns from state and local sales tax for sales occurring from 12:01 am, the Friday after Thanksgiving through midnight the Saturday after Thanksgiving. Fiscal Impact: BEA indicates this provision will yield a \$423,600 reduction in sales tax revenue as follows: \$282,400 General Fund; \$70,600 EIA funds; and \$70,600 Homestead Exemption Fund.

HOU: ADOPT new proviso.

SFC: DELETE new proviso. *Rule 24.*

- 89.127 AMEND NEW PROVISO** (Law Enforcement Special Salary Increase) **WMC:** ADD new proviso to provide DPS, DNR, and DPPP Class I law enforcement officers with an additional salary increase that is over and above the base pay increase provided for state employees and direct that the increase be distributed on or after July 1, 2012. Fiscal Impact: \$2,289,323 general fund appropriation to provide an additional 3% pay increase to Class I law enforcement officers at these three agencies.

HOU: ADOPT new proviso.

SFC: AMEND new proviso to add SLED; specify that the increase applies to Class I Law Enforcement Officers whose salary was \$50,000 or less prior to the base pay increase authorized in proviso 80A.25.

- 89.128 ADD** (Single Audit Schedule of Federal Expenditures) **WMC:** ADD new proviso to require state agencies who do not receive a separate audit of federal expenditures to submit a schedule of federal program expenditures to the Office of the State Auditor, in a format prescribed by the State Auditor, by August 15th each year in order to ensure timely completion of the Statewide Single Audit. Fiscal Impact: No impact on the General Fund. Requested by State Auditor’s Office.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 89.129 AMEND NEW PROVISO** (Prohibit Local Government Fund Public Funded Lobbyists) **WMC:** ADD new proviso to prohibit all local governmental entities from using taxpayer funds to pay employees for lobbying activities undertaken on their behalf. Fiscal Impact: No impact on the General Fund.
HOU: ADOPT new proviso.
SFC: AMEND new proviso to prohibit local governmental entities from using funds received from the Local Government Fund to pay employees to lobby on their behalf.
- 89.130 AMEND NEW PROVISO** (Open Market for Bus Contract Vendors) **HOU:** ADD new proviso to require districts to seek the best price for parts when conducting bus repairs, regardless of the original equipment manufacturer. Allow school bus parts vendors who have state contracts to visit the Department of Education bus shops. Sponsors: Reps. Harrison and J.E. Smith.
SFC: AMEND new proviso to specify that the Department of Education bus shops must also seek the best price available.
- 89.131 DELETE NEW PROVISO** (Savannah River Litigation) **HOU:** ADD new proviso to authorize the Attorney General to use up to \$3,000,000 of available Litigation Recovery Account funds for the Savannah River litigation. Authorize these funds to be retained, expended, and carried forward and when the Savannah River litigation is satisfied, to deposit any remaining funds back into the Litigation Recovery Account. Sponsors: Reps. Pitts, Limehouse, Merrill, White, Harrell, and Vick.
SFC: DELETE proviso.
- 89.132 ADD** (Institute of Medicine) **SFC:** ADD new proviso to authorize MUSC and USC to provide staffing and administrative support to the Institute of Medicine.
- 89.133 ADD** (Averted Re-incarceration Identification) **SFC:** ADD new proviso to direct that before transferring any funds from the Department of Corrections to the Department of Probation, Parole and Pardon Services (DPPPS) from cost savings or cost avoidance that resulted from Act 273 of 2010 [OMNIBUS CRIME REDUCTION AND SENTENCING REFORM ACT], DPPPS must identify each offender who avoided re-incarceration because of alternative sanctions authorized in Act 273. Require DPPPS to keep records of those offenders for a 12-month period and to prorate the cost avoidance for any offenders who were subsequently re-incarcerated.
- 89.134 ADD** (Joint Transportation Corridor Study Committee) **SFC:** ADD new proviso to create a Joint Transportation Corridor Study Committee composed of members of the General Assembly and the private sector to study the state's primary transportation corridors. Direct that the study include, but not be limited to, need for capacity expansion, removal of bottlenecks, traffic flow, safety improvements, interstate-only prioritization list, and adequacy of current and anticipated federal funding. Direct DOT to provide staffing and resources as required and for the appointing agencies and entities to cover committee expenses. Require a report be submitted to the Governor, Senate, House, Joint Transportation Review Committee, and DOT by December 31, 2012 that contains findings and recommended plans of action. Encourage the Governor address these findings and plans in the 2013 State of the State Address and/or in the Executive Budget.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 89.135** **ADD** (Suspend State Accommodations Tax Requirements for Counties) **SFC:** ADD new proviso to suspend Section 4-10-470 for FY 2012-13. *Directs that Education Capital Improvements Sales and Use Tax may only be imposed in counties that have collected at least \$7 million in state accommodations taxes in the most recent fiscal year for which full collection figures are available.*
- 89.136** **ADD** (Five-Year Investment Plans) **SFC:** ADD new proviso to direct the State Treasurer to prepare a 5-year investment plan on how he plans to invest the funds he is statutorily required to invest and require the plan to contain certain components. Direct that the plan be submitted to the Senate Finance and Ways and Means Committees by November 1, 2012.
- 89.137** **ADD** (School Transportation Decentralization Study Committee) **SFC:** ADD new proviso to create an 11 member committee to study decentralizing school bus transportation services. Allow members to receive mileage, subsistence and per diem paid from each committee member's appointing authority. Direct Senate, House and Governor's Office staff provide assistance to the committee as needed. Direct a report be submitted to the General Assembly and the Governor by January 1, 2013, after which time the committee is abolished.

SECTION 90 - X91-STATEWIDE REVENUE

- 90.1** **AMEND** (Year End Expenditures) Directs year-end expenditure deadlines.
WMC: AMEND proviso to change fiscal year reference from "2012" to "2013" and "July 13, 2012" to "July 12, 2013." *Technical.* Fiscal Impact: No impact on the General Fund.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 90.3** **AMEND** (Tobacco Settlement) Directs the State Treasurer to transfer \$10,000,000 from the unrestricted taxable proceeds portion of the principal of the Healthcare Tobacco Settlement Trust Fund to the Department of Health and Human Services to be spent for Medicaid. Authorizes the State Treasurer to transfer to the Attorney General, from funds available to the Tobacco Settlement Management Authority, amounts necessary for further enforcement of the Tobacco Escrow Fund Act.
WMC: AMEND proviso to change "\$10,000,000" to "\$8,481,912." Fiscal Impact: No impact on the General Fund. Provides \$8,481,912 of non-recurring funds for Medicaid.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
- 90.9** **AMEND** (Health Care Maintenance of Effort Funding) Directs that the source of funds in this provision is \$157,299,845 from the 50 cent cigarette surcharge collected in FY 10-11 and FY 11-12 and deposited in the SC Medicaid Reserve Fund. Directs the Department of Health and Human Services to use these funds for the Medicaid Program's maintenance of effort. Require residual funds from the surcharge to remain in the fund and authorize the director of the HHS to use these funds to ensure access to care in rural and underserved areas of the state. Authorize unexpended funds appropriated by this provision to be carried forward and used for the same purpose.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

WMC: AMEND proviso to change Fiscal Year “2010-11” to “2011-12;” to change “2011-13” to “2012-13;” and to change “2012” to “2013.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

- 90.10 DELETE** (ARRA Funds) Authorizes \$501,948 of federal ARRA funds for appropriation in FY 11-12; transfers the funds to the School for the Deaf and the Blind; and directs the Office of State Budget to increase the agency’s federal fund authorization.

WMC: DELETE proviso. *Funds have been transferred.* Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 90.11 DELETE** (Non-recurring Revenue) Appropriates \$255,804, 144 of non-recurring revenue to various agencies for Fiscal Year 2011-12, generated from specific sources.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 90.12 DELETE** (Excess EIA Revenue) Directs excess FY 10-11 EIA revenues above FY 10-11 appropriations are authorized for appropriation in Part IA, Section 1 [DEPARTMENT OF EDUCATION] of this act.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

- 90.13 AMEND FURTHER** (Prohibits Public Funded Lobbyists) Requires certain agencies to transfer specific amounts of funds to the General Fund in order to eliminate taxpayer funded lobbying.

WMC: AMEND proviso to change Fiscal Year “2011-12” to “2012-13.” Fiscal Impact: Increases non-recurring General Fund revenue by \$604,312

HOU: AMEND FURTHER to delete the requirement that the Prosecution Coordination Commission transfer \$19,290 to the General Fund. Sponsor: Rep. Pitts.

SFC: AMEND FURTHER to delete the requirement that funds be transferred to the General Fund.

- 90.14 DELETE** (Non-recurring Revenue - Increased Enforcement Collections) Directs the Department of Revenue to continue increased enforcement collections efforts as established in FY 2009-10. Provides directives for the collection of revenues and provides for certain agencies to receive specific amounts of the revenue derived from collection efforts.

WMC: DELETE proviso. Fiscal Impact: No impact on the General Fund. Revenues derived from increased enforcement collections have been included in the BEA revenue projections.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

**SUMMARY OF PROVISO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
THE SENATE FINANCE COMMITTEE**

- 90.15 DELETE** (Excess FY 11-12 Revenue - SC Conservation Bank) Directs that the first \$2,000,000 of any unobligated FY 11-12 surplus revenues above the amount certified by the BEA be transferred to the S.C. Conservation Bank prior to the close of the books on FY 11-12. Authorizes these funds to be carried forward and expended for the same purpose
WMC: DELETE proviso. *Proviso was for FY 11-12.* Fiscal Impact: No impact on the General Fund. Requested by S.C. Conservation Bank.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
- 90.16 REINSERT/AMEND** (Admissions Tax) Directs that for FY 11-12, up to \$114,000 in admissions tax revenue collected from events held at a motorsports entertainment complex facility with at least 60,000 permanent seats must be rebated to the facility in the current fiscal year to keep a NASCAR race at the facility
WMC: DELETE proviso. NOTE: The proviso was actually amended by the committee to update the fiscal year reference. A scrivener's error deleted the entire proviso. An amendment will be offered on the floor to reflect the official action taken by the committee.
HOU: REINSERT/AMEND proviso to change Fiscal Year "2011-12" to "2012-13." Fiscal Impact: Provides for a rebate of up to \$114,000 of Admissions Tax. Sponsors: Reps. Merrill and Lucas.
SFC: ADOPT proviso as amended.
- 90.17 AMEND FURTHER** (Contingency Reserve Fund Transfers) Transfers excess FY 10-11 general fund revenues above the amounts appropriated in proviso 90.11 (Nonrecurring Revenue) to the Contingency Reserve Fund.
WMC: AMEND proviso to change Fiscal Year "2010-11" to "2012-13."
HOU: AMEND FURTHER to change proviso "90.11" to "90.20." Sponsor: Rep. Merrill.
SFC: ADOPT proviso as amended.
- 90.19 AMEND NEW PROVISIO** (National Mortgage Settlement) **WMC:** ADD new proviso to direct the Attorney General to transfer to the Department of Commerce's Deal Closing Fund the portion of the National Mortgage Settlement that would otherwise have been credited to the General Fund.
HOU: ADOPT new proviso.
SFC: AMEND new proviso to direct that if any National Mortgage Settlement funds are credited to the Litigation Recovery Account before or during the current fiscal year, the first \$10 million in the account must be transferred to the Department of Commerce for the Deal Closing Fund and any funds remaining in the Litigation Recovery Account on July 1, 2012 must be transferred to the General Fund.
- 90.20 AMEND NEW PROVISIO FURTHER** (Non-recurring Revenue) **WMC:** ADD new proviso to appropriate \$377,784,450 of non-recurring revenue for FY 2011-12 generated from FY 2010-11 Contingency Reserve Fund (\$122,333,689) and FY 2011-12 unobligated general fund revenue certified by the BEA (\$255,450,761). Appropriations are made to various agencies for specific purposes and fully funds the General Reserve Fund at 5%. Authorizes these funds to be carried forward and used for the same purposes. Direct that funds remaining in the escrow account established pursuant to Proviso 90.13 of Act 310 of 2008 be used to offset any

**SUMMARY OF PROVISIO CHANGES FOR FY 2012-13
AS RECOMMENDED BY
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operating shortfalls resulting from the Barnwell Low Level Waste Facility operations and provide for the calculation of the funds to be distributed. Direct that these funds also be used to maintain access fees to the facility for FY 12-13 at the FY 09-10 level and also be used to pay Southern States Energy Board annual dues.

HOU: AMEND new proviso to change the \$30,000,000 appropriation in item (33) from "U20-County Transportation Funds C Funds" to "R60-Department of Employment and Workforce SUTA Tax Relief." Sponsors: Rep. J.R. Smith and Henderson.

SFC: AMEND FURTHER to change the total funds appropriated from "\$377,784,450" to "\$514,784,450;" change FY 2011-12 unobligated general fund certified by the BEA from "\$255,450,761" to "\$392,450,761." Direct that the appropriations are in priority order and amend appropriations. Add the following provisions: Item 8.1 (Homeowners Foreclosure Assistance) to provide for the distribution of \$5,000,000 to provide assistance to individuals regarding foreclosure; Item 15.1 (Spartanburg Amusement Train Disaster Relief Fund) to provide for distribution of \$2,000,000 to compensate victims of the amusement train derailment in Cleveland Park in Spartanburg County; Item 30.1 (Destination Specific Match) to require a 2:1 private match for the Destination Specific \$4,000,000; Item 33.1 (Town of Holly Hill Infrastructure Match) to require a 1:1 non-state funds match for the Town of Holly Hill Infrastructure \$450,000; Item 39.1 (Andrews Public Safety Building Match) to require a 1:1 non-state funds match for the Andrews Public Safety Building \$100,000; Item 51.1 (Charles Lea Center Match) to require a 1:1 private match for the Charles Lea Center \$500,000; Item 55.1 (Marion County Habitat for Humanity Pilot Project Match) to require a 1:1 private match for the Marion County Habitat for Humanity Pilot Project \$250,000; and Item 61.1 (Interactive Digital Technology Pilot Project) to require a 1:1 private match for the Interactive Digital Technology Pilot Project \$2,000,000.