

MINUTES OF
BUDGET AND CONTROL BOARD
MEETING

December 18, 1987

10759

State of South Carolina
State Budget and Control Board

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



Box 12444
Columbia
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REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

December 18, 1987

MEMORANDUM

TO: Budget and Control Board Division Directors
FROM: William A. McInnis, Deputy Executive Director *WAM*
SUBJECT: Summary of Board Actions at December 18, 1987, Meeting

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

1. Approved the minutes of the December 8 (the portion dealing with bond requests) and December 9, 1987, Budget and Control Board meetings and, acting as the Education Assistance Authority, approved the minutes of the Authority's December 8, 1987, meeting;
2. Received as information a Budget Division report that the transfer of \$34,858 of personal service funds was approved during November to bring the total approved for transfer during the fiscal year to \$1,751,313;
3. Received as information the FTE position operating report for the month of November 1987 which shows no net change in FTE positions during the month leaving the base total at 66,273.14 FTE positions at the end of the month of which 61,020.86 FTE positions were filled and 5,252.28 were vacant;
4. Received as information a report that the following permanent improvement project actions have been reviewed favorably by the Joint Bond Review Committee and approved by staff:
 - (a) On Summary 10-88: Items 2 and 4 through 8 (involving Clemson, TEC, Mental Health, Coastal Council, and Employment Security Commission);
 - (b) On Summary 11-88: Items 1, 3, 4, 6, 7 and 9 (involving Adjutant General, Winthrop, TEC, Commission for the Blind, Criminal Justice Hall of Fame, and Wildlife & Marine Resources);

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5. Received as information a report that the following permanent improvement project actions included on Summary 10-88 have been approved by staff and that Joint Bond Review Committee review is not required: Items 9 through 25 (involving Adjutant General, B&C Bd-General Services, Clemson, and Mental Retardation);
6. Received as information Mr. Patterson's December 8, 1987, memorandum to Dr. Coles on taxable bonds and Mr. Eckstrom's December 4, 1987, opinion on the subject;
7. Adopted the 1988-89 appropriation bill proviso package after directing staff to notify the Ways and Means Committee that Section 29.6 should not be deleted;
8. Agreed to allow the Jobs-Economic Development Authority, because work on its 1987 Fall composite bond issue had been started prior to the Board's adoption of its fee schedule, to pay the McNair Law Firm in accord with the fee scheduled authorized previously by JEDA (a fee of 25 basis points for issuer counsel services and a fee of 50 basis points for bond counsel services) and notified JEDA that future bond issues must comply with the Board's fee schedule;
9. After discussing various matters relating to its capital improvement bond recommendations, with emphasis on the possibility of raising the \$85 million program level, agreed that Board members would notify Mr. McInnis or Dr. Coles of capital improvement bond recommendations;
10. Approved the transfer of ownership of a house and swimming pool from IPTAY to Clemson University and the establishment of the permanent improvement project it represents with a budget of \$597,153;
11. Authorized the Department of Highways and Public Transportation to purchase four acres in Lake City, Florence County, for a total price of \$40,000, on the condition the proposal is reviewed favorably by the Joint Bond Review Committee;
12. In accord with Code Section 5-3-140, petitioned the Town of Ridgeville to annex properties owned by the Department of Corrections (Lieber site);
13. Directed the Attorney General's Office to pay from its contractual services appropriation \$528.25 to Gignilliat, Savitz & Bettis for legal work performed on the Mack Truck matter during October and \$59.46 for legal work performed on the same matter during November;

14. Approved the following veto-related transfer requests which do not exceed 25% of the vetoed amount for the third quarter of the fiscal year:
 - (a) Reorganization Commission, \$1,250 from travel, Administration Program to travel, Jail/Prison Overcrowding Program;
 - (b) State Treasurer, \$6,850 from supplies to travel;
 - (c) State Auditor, \$1,875 from contractual services in one program to contractual services in another program;
 - (d) State Auditor, \$6,500 from contractual services to supplies;
 - (e) Wildlife and Marine Resources: \$14,600 from items purchased for resale (magazine) to supplies and travel;
15. Approved the following appropriation transfer requests which do not exceed 25% of the vetoed amount (second quarter of the fiscal year):
 - (a) Department of Corrections, \$362,915 from supplies, transportation, inmate earnings, and equipment to transportation, fixed charges, inmate earnings and equipment;
 - (b) Aeronautics Commission, \$3,750 from equipment to fixed charges;
 - (c) Mental Retardation, \$73,298 from temporary positions to overtime and shift differential.
16. Approved the Coastal Council request to transfer \$22,680 from fixed charges to temporary positions, library books, light-power-heat, and transportation (first, second and third quarters);
17. Authorized the Office of Executive Director to transfer \$1,000 to Lead Poisoning Special Item Miscellaneous Operations to restore the entire vetoed amount (quarters 1, 2, 3 and 4), effective January 1, 1988;
18. Allocated \$75,000,000 to the State Housing Authority to be carried forward for the purpose of issuing tax exempt bonds for rental housing as necessary during the next three years and, after acting as the State Education Assistance Authority to modify its petition to the Board to request \$116,000,000 of the State Ceiling to to be carried forward for student loans over the next three years, allocated \$116,000,000 of the State Ceiling to the State Education Assistance Authority;
19. Received as information the status report on the State Ceiling as of December 10, 1987, (year elapsed 94%) which showed:

	<u>CY 1987 Ceiling</u>	<u>Allocated</u>	<u>(%)</u>	<u>Not Allocated</u>	<u>(%)</u>
State Pool	\$101,340,000	\$16,600,000	(16%)	\$ 84,740,000	(84%)
Local Pool	<u>152,010,000</u>	<u>45,564,350</u>	(30%)	<u>106,445,650</u>	(70%)
Total	\$253,350,000	\$62,164,350	(25%)	\$191,185,650	(75%)

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20. Approved the travel of College of Charleston staff member Michael Phillips to Rome, Italy, during the November 30, 1987 - January 11, 1988, period at an estimated cost of \$4,000 of which \$1,525 will be paid from State-appropriated funds;
21. Granted blanket approval for the faculty and staff of the USC Earth Science and Resource Institute (ESRI) to travel to Somalia beginning the first part of 1988 and continuing for a two-year period to conduct geological research with the project to be fully funded by the Louisiana Land and Exploration Company;
22. Agreed to hold a regular meeting at 9:30 a.m. on Tuesday, January 12, 1988, in the Governor's conference room in the State House;
23. Authorized the Office of the Attorney General to proceed with the asbestos property damage litigation effort, using funding now available for the purpose, after agreeing to consider funding for the effort at the January 12, 1988, meeting; and
24. Authorized the issuance of a request for proposals for investment banking services and a separate request for proposals for a design and construction team in connection with the relocation of the Central Correctional Institution, after announcing that these requests for proposals will include language providing for the disqualification of any respondent who discusses these matters with any Board member or other person involved in making decisions on these matters.

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MINUTES OF STATE BUDGET AND CONTROL BOARD MEETING

DECEMBER 18, 1987

10 A. M.

The Budget and Control Board met at 10 a.m. on Friday, December 18, 1987, in the Governor's conference room in the State House, with the following members in attendance:

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

Also attending were:

Jesse A. Coles, Jr., Ph.D.	Executive Director
William A. McInnis	Secretary
Charles H. Smith	Special Projects Administrator
Donna K. Williams	Assistant to Board Secretary
Other Board staff	
Joseph A. Wilson, II	Chief Deputy Attorney General
Q. Whitfield Ayres, Ph.D.	Governor's Dir., Budget & Social Policy
Luther F. Carter, Ph.D.	Governor's Exec. Asst. Finance & Planning
Mark R. Elam	Governor's Legal Counsel
J. Michael Ey	Deputy State Treasurer
George M. Lusk	Senior Assistant Comptroller General
William Jordan	Finance Committee Director of Research
Scott R. Inkley, Jr.	Ways & Means Committee Dir. of Research
Susan K. Hooks	Ways & Means Committee Research Analyst

Adoption of Agenda

Dr. Coles advised that staff is not aware of any changes to the proposed agenda as prepared by staff.

Upon a motion by Mr. McLellan, seconded by Senator Waddell, the Board adopted the agenda as proposed.

Minutes of Previous Meeting (Regular #1)

Board members previously had been furnished a draft version of the minutes of the December 8 (the portion dealing with bond requests) and December 9, 1987, Budget and Control Board meetings and the minutes of the Education Assistance Authority December 8, 1987, meeting. Dr. Coles advised that, because of time constraints, the minutes of the regular business meeting held on December 8 had not yet been distributed.

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Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board approved the minutes of the Education Assistance Authority December 8, 1987, meeting.

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board approved the minutes of the December 8 (the portion dealing with bond requests) and December 9, 1987, Budget and Control Board meetings.

Blue Agenda

Dr. Coles advised that the four items included on the blue agenda are for information only and do not require Board action.

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board approved the blue agenda.

Budget Division: 1986-87 Authorized Transfers Report, November 1987 (B#1)

The Board received as information a Budget Division report that the transfer of \$34,858 of personal service funds was approved during November to bring the total approved for transfer during the fiscal year to \$1,751,313.

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

Budget Division: FTE Operating Report, November 1987 (Blue #2)

The Board received as information the FTE position operating report for the month of November 1987 which showed no net change in FTE positions during the month leaving the base total at 66,273.14 FTE positions at the end of the month of which 61,020.86 FTE positions were filled and 5,252.28 were vacant.

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

Executive Director: Permanent Improvement Projects (Blue #3)

The Board received as information a report that the following permanent improvement project actions have been reviewed favorably by the Joint Bond Review Committee and approved by staff:

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- (a) On Summary 10-88: Items 2 and 4 through 8 (involving Clemson, TEC, Mental Health, Coastal Council, and Employment Security Commission;)
- (b) On Summary 11-88: Items 1, 3, 4, 6, 7 and 9 (involving Adjutant General, Winthrop, TEC, Commission for the Blind, Criminal Justice Hall of Fame, and Wildlife & Marine Resources).

The Board received as information a report that the following permanent improvement project actions included on Summary 10-88 have been approved by staff and that Joint Bond Review Committee review is not required: Items 9 through 25 (involving Adjutant General, B&C Bd-General Services, Clemson, and Mental Retardation).

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

State Treasurer: Taxable Bonds (Blue #4)

The Board was reminded that, at the December 8, 1987, meeting, Mr. Patterson again had expressed the view that the State's Industrial Development Act (Chapter 29, Title 4 of the Code) does not authorize the issuance of taxable bonds. Mr. Patterson noted then that he had prepared a memorandum on the subject which he asked be made a part of the record. That memo was provided for Board members at this meeting.

Also provided was a copy of Assistant Attorney General David C. Eckstrom's opinion that the Board may approve the issuance of taxable revenue bonds under Title 4 of the Code.

The Board received as information Mr. Patterson's December 8, 1987, memorandum to Dr. Coles on taxable bonds and Mr. Eckstrom's December 4, 1987, opinion on the subject.

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

Budget Division: 1988-89 Appropriation Bill Provisos (Regular #2)

The Budget Division submitted a list of changes to the proviso package presented to the Board on November 25 and provided Board members with copies of the new pages on which the changes occurred.

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Dr. Coles reviewed this item and pointed out that the Board's version of the 1988-89 appropriations bill had been printed with these provisos included.

Mr. McLellan called the Board's attention to the treatment of the Capital Expenditure Fund at page 110 (Part II, Section 2) and commented that the proviso again puts the Board in a bad procedural position in relation to the House. He said the proviso and the funding for the Capital Expenditure Fund in the Board's version of the bill will result in its being declared out of order. He said they would not be in the bill in that form when it leaves the House. He said a separate bill to accomplish the same result may be introduced.

Governor Campbell said he understands the procedural issue noted by Mr. McLellan but he observed that the bill containing its recommendations is the only mechanism the Board has for sending its proposed language.

Mr. McLellan said he had hoped this would have come out of the Ways and Means Committee. He said he thought he would pursue the preparation of a bill to accomplish this result himself.

With regard to the proviso relating to school bus drivers on pages 38 and 39, Mr. McLellan asked if the intent is keep driver pay at \$3.47 per hour for teenagers and to go to \$4.50 per hour for drivers with three or more years of experience. Governor Campbell said the idea was that experience of the driver rather than age was to be the question.

Mr. McLellan noted the proviso on the \$3.8 million administrative cost reduction at Section 16.90 and asked if the Board would see this question again. The proviso calls for Board approval of the definition of general administration for this purpose and for Board consideration of exemption requests.

Dr. Coles explained that the \$200,000 figure was deleted from Section 5.13 on page 11 in view of the fact the funding amount will be on the line and so that the proviso would apply regardless of the amount appropriated.

Mr. McLellan asked why Section 29.6 which authorized salary adjustments of up to 20% for TEC teaching faculty salaries had been deleted and he expressed the view that it should be reinstated.

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Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board agreed to reinstate Section 29.6 and directed Dr. Coles to notify the Ways and Means Committee that this Section should not be deleted.

Following this discussion, upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board adopted the 1988-89 appropriation bill proviso package after directing staff to notify the Ways and Means Committee that Section 29.6 should not be deleted.

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

State Treasurer: Revenue Bond Counsel Fee Schedule Change Request (Reg#3)

Jobs-Economic Development Authority Chief Executive Officer Elliott E. Franks, III, and bond counsel April C. Lucas appeared before the Board on this matter.

The Board was advised in the agenda materials that Ms. April Lucas of the McNair Law Firm, who serves as counsel for the Jobs-Economic Development Authority (JEDA), has asked that the Board approve the fee arrangements in connection with JEDA bond issues which previously were authorized by JEDA. As noted in the agenda materials, this arrangement anticipates a fee of 25 basis points as issuer's counsel and 50 basis points as bond counsel with a minimum fee of \$5,000 per project.

The Board was reminded in the agenda materials that the fee schedule it approved for revenue bond issues provides a \$5,000 minimum fee for issues of \$5,000,000 or less plus \$1 per \$1,000 of issue for amounts over \$5,000,000. In taking its action on the fee schedule, the Board also agreed to consider exceptions.

The Board was advised that the request by Ms. Lucas related to the JEDA 1987 fall composite issue which involved six individual issues totalling \$14,250,000. The fee, under the schedule approved by the Board, would be \$30,000 (6 issues times the \$5,000 minimum since each of the issues involved was less than \$5 million).

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The Board also was advised that, under the fee arrangements authorized previously by JEDA, the fees for the 1987 fall composite would total \$106,875 (0.0075 times \$14,250,000). A slightly lower fee apparently was negotiated on one project which reduced the actual total somewhat.

Dr. Coles outlined the proposal for the Board to consider authorizing an exception to its previously-adopted fee schedule.

Mr. Franks stated that he is present to support the request for a waiver. He said the complexity of composite projects and the essential need for quality representation by counsel are the principal arguments in support of the request. He said the fees charged and passed on to the borrowers were negotiated and are in compliance with those approved by the JEDA Board of Directors. He later added that the fees are being held in escrow pending the Board's action.

Governor Campbell asked Mr. Franks to confirm that the fees payable under the schedule adopted by the Board would be \$30,000 and that those proposed in the variance requested amount to \$102,000. Mr. Franks confirmed the figures presented. Governor Campbell noted that the firm in this instance served as bond counsel and as issuer counsel. He said he understands well the increase proposed but he questioned that much variance from the Board's schedule. He expressed the view that 50 basis points would be more reasonable than the 75 proposed. Governor Campbell expressed concern about setting a precedent and a standard. He was advised by Mr. Franks that the JEDA fee schedule was set before the Board established its schedule. Governor Campbell again expressed the view that 75 basis points is pretty high, noting that if 50 basis points were paid the fee would be \$70,000 which would represent a substantial variance from the \$30,000 under the Board's schedule.

Mr. Morris called attention to the letter from Ms. Lucas in which she stated that the McNair firm had provided \$359,000 in total uncollected services on JEDA's behalf which the firm is not attempting to recover.

Mr. Patterson said in view of the fact that a great deal of the work on the fall composite had been done before the Board adopted its fee schedule he would suggest that the Board allow JEDA to pay fees outside the Board's

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guidelines. He said the fee should be \$70,000 but it should not be considered an exception to the Board's rules since the Board is allowing JEDA to apply fees set before the Board established its schedule.

Mr. McLellan said the Board had drawn the line but that work on this composite was in process previously which means that it is only fair not to impose the Board's restrictions.

Mr. Franks respectfully requested that the Board review and analyze the fee situation including the rates approved by the Attorney General's Office.

Mr. Patterson said the Board is not addressing that issue now and Mr. Morris and Senator Waddell said it will have to be looked at in the future.

Governor Campbell said he didn't sense a problem with this one since some of the work was done before the Board's policy became effective and with the fee at \$70,000 instead of \$30,000. He said another part of it is that a great deal of work has been done in the past which is coming up now. He said there has been a standardization of procedure, that documents now have been perfected, and that less work is now involved with the result that a tighter fee schedule can apply.

Mr. Patterson then moved that the Board allow the Jobs Economic Development Authority to charge a fee of \$70,000 for the 1987 fall composite on the understanding that work on that composite was ongoing before June 23 and with the understanding that the Board's bond counsel fee guidelines are unchanged.

Mr. McLellan seconded the motion to permit discussion of it.

Mr. McLellan then asked why \$36,000 of the fee due was to be omitted. Mr. Patterson said that he was advised yesterday that the fee should have been \$70,000 instead of \$106,875 (or \$102,000).

Mr. Franks said that the \$70,000 is the bond counsel portion and that an additional 25 basis points for issuer counsel services are involved.

Mr. McLellan said if the contract was made before the Board adopted its schedule then the Board shouldn't change the rules and that it is only fair to honor the complete arrangement.

Mr. Patterson was advised that the difference between the fee of \$102,000 and \$70,000 was the 25 basis points for service as issuer counsel.

Governor Campbell questioned the situation in which a firm acts as attorney for both parties which may require duplicative work. He asked why that arrangement would be entered into initially.

Mr. Franks said this arrangement was recommended by JEDA's program advisor to avoid a situation in which conflicting opinions could arise late in a deal. He said it is intended to avoid the nightmare of a room full of lawyers trying to reach agreement. He also confirmed that the borrower pays the fees involved.

Ms. Lucas said the agency's program manager recommended the bifurcated fee arrangement. She noted that JEDA occasionally will have a county issue which tags onto a JEDA issue in which case the county attorney renders his opinion on that part for which he also accepts the liability. She said that the 25 basis points issuer counsel fee is not collected in those instances.

Mr. Wilson asked if counsel had separate liability to the issuer and to the agency. Ms. Lucas responded by saying that separate opinions are involved and that liabilities are different for different opinions.

Mr. McLellan said, because work on this composite was begun before the Board's policy was adopted, he leans toward allowing JEDA to pay the amount billed with the understanding that JEDA in the future would follow the Board's rules.

Governor Campbell said that would be going to the 75 basis points level while the Board's fee schedule would permit \$30,000 and if 50 basis points were allowed it would be \$70,000. He said he understood that 50 basis points is enough.

Following this discussion, upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board agreed to allow the Jobs-Economic Development Authority, because work on its 1987 Fall composite bond issue had been started prior to the Board's adoption of its fee schedule, to pay the McNair Law Firm in accord with the fee schedule authorized previously by JEDA (a fee of 25 basis points for issuer counsel services and a fee of 50 basis points for bond counsel

services) and notified JEDA that future bond issues must comply with the Board's fee schedule.

Board members recognized that the Board will have to address the two-part issue in the future.

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

Executive Director: Capital Improvement Bond Recommendation Parameters (R4)

The Board was advised that staff seeks Board guidance in the following areas relating to recommendations on the bond bill:

1. the amount of bonds the Board now thinks it wants to recommend from the \$695 million requested for 1988-89 and 1989-90;
2. any program or functional area priorities the Board wants to emphasize;
3. any Board preferences among project types, i.e., renovation of existing versus construction of additional space; and
4. other aspects of the issue the Board desires to emphasize.

Dr. Coles noted the several factors listed in the agenda materials and invited the members to comment on them and to add others.

Senator Waddell observed that authorizations of bonds are not reflective of what we actually do, commenting that the key is how much of the authorized proceeds are released annually.

Mr. Patterson agreed with Senator Waddell and pointed out that the Board and the Bond Committee periodically address and review the level of the program alluded to by Senator Waddell. He pointed out that that program level was \$60 million in 1983-84; \$75 million in 1984-85 and 1985-86; and \$85 million in 1986-87 and 1987-88. He said these levels are all calculated and planned to stay within the 5% debt service limitation. He observed that the debt service limitation in the constitution is designed to allow for growth in the limitation as the revenue grows. He said that the 5% limitation now is \$134 million and that the outstanding debt service subject to that limit is about \$98.9 million which puts us at about 3.7%. With a projected issue of

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\$85 million in the Spring of 1988, Mr. Patterson estimated that the outstanding debt service would be \$109.2 million or 4.07%. He estimated the 5% debt service limit in the Spring of 1989 would be about \$143.8 million and, if the program level were increased to \$110 million from \$85 million (and an issue of that higher amount made then), he estimated outstanding debt service at that time would reach some \$122.5 million or 4.26%. With another \$110 million issue in the Spring of 1990, he estimated the resulting outstanding debt service would reach about 4.5% of the 5% limitation. Mr. Patterson emphasized that the key is the level of the program.

Senator Waddell said that the program level must depend on the money market at the time. He said we can't say we will issue \$85 million annually ad infinitum.

Governor Campbell noted that Mr. Patterson's figures would show us moving from 3.7% of the 5% cap to 4.5% over two years.

Mr. McLellan observed that an additional constraint is the debt service requirement which must be covered in the appropriations bill.

Senator Waddell said that bond issuances have been handled well and the priority system has worked satisfactorily for the most part. He said it may be time to go back and review the list of prior authorizations against current requests.

Mr. McLellan said the ETV property acquisition proposal is a case in point in that \$4 million will be required by December 1 for it.

Mr. Morris was advised that \$170 million of capital improvement bonds authorized previously have not yet been issued.

[Secretary's Note: Governor Campbell excused himself from the meeting during this discussion. Mr. Patterson assumed the chair. Governor Campbell returned to the meeting during the executive session portion.]

Senator Waddell commented on the failure of most local governments to follow the requirements of Act 208 of 1975 and expressed the idea of holding back on aid to subdivision funds unless Act 208 compliance is achieved.

After these discussions of various matters relating to its capital improvement bond recommendations, with emphasis on the possibility of raising the \$85 million program level, the Board agreed that members would notify Mr. McInnis or Dr. Coles of their capital improvement bond recommendations.

Mr. Morris commented that the Board needs to decide how the relocation of the Central Correctional Institution is to be financed.

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

General Services: Property Transfer from IPTAY to Clemson University (R5)

General Services Division Director Richard W. Kelly and Manning N. Lomax, Clemson University, appeared before the Board on this matter.

The Division advised the Board in the agenda materials that, in 1983, a house and swimming pool to be used by the Clemson football coach was constructed on land owned by IPTAY. In 1984, IPTAY transferred ownership of the house to Clemson University and in 1985, ownership of the pool was transferred to Clemson.

The Board also was advised that, although the greater portion of the cost of the house was paid by IPTAY, the State Auditor has pointed out that \$137,153.10 of Athletic Operating Revenue was used in the construction project which made it a permanent improvement project subject to the requirements of the Manual for Planning and Execution of State Permanent Improvements. However, through oversight, the University did not make a request for approval of a permanent improvement project then.

Following the State Auditor's report, the Clemson University Athletic Department and IPTAY officials proposed the following corrective actions:

1. IPTAY has reimbursed \$137,153.10 to the University for the Athletic funds spent on the project.
2. IPTAY will pay for all required annual maintenance and repair work on the house.
3. IPTAY has reimbursed the Athletic Department the \$20,000 paid for the pool.
4. All costs have been paid by IPTAY with its understanding that the house will be used as a residence for the head football coach.
5. Approval of a permanent improvement project with a budget of \$597,153 and approval of the transfer of ownership of the property from IPTAY to Clemson University are requested.

The Board was advised that the Commission on Higher Education did not approve the property transfer and, apparently, did not approve the project.

The project, with a budget of \$597,153 of other (IPTAY) funds, was approved by the Joint Bond Review Committee on September 21, 1987.

Mr. Kelly said that retroactive approval of the project and the property transfer are requested.

Mr. Lomax said the request is to right a wrong, to correct an error made earlier, and to get the matter on the track.

Following a discussion, upon a motion by Mr. Morris, seconded by Mr. Patterson and Senator Waddell, the Board approved the transfer of ownership of a house and swimming pool from IPTAY to Clemson University and the establishment of the permanent improvement project it represents with a budget of \$597,153.

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

Highways and Public Transportation: Property Purchase, Lake City (R#6)

General Services Division Director Richard W. Kelly appeared before the Board on this matter.

The Department of Highways and Public Transportation requested Board authorization to purchase four acres in Lake City, Florence County, for a total price of \$40,000.

The Department's staff appraiser has valued the property at \$40,000.

The Board was advised that the Department is attempting to complete this transaction by the end of this calendar year, but that the project has not been before the Bond Committee.

Mr. McLellan asked why there is a rush on this item. He said that the Department has given no indication of why this has to be considered by the Board prior to its consideration by the Bond Review Committee. He said this is another example of how agencies sidestep established procedures.

The Board carried over consideration of this request to allow staff time to contact the Department for answers to Mr. McLellan's questions.

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Following the executive session, the Board was advised that Commissioner Truluck had negotiated this sale and that the Department wishes to complete this transaction prior to the end of the calendar year because (a) the price will go up after the end of the year; (b) the Department has been trying for some time to obtain this particular property; and (c) the capital gains issue for the owners.

Upon a motion by Mr. McLellan, seconded by Mr. Morris, the Board authorized the Department of Highways and Public Transportation to purchase four acres in Lake City, Florence County, for a total price of \$40,000, on the condition the proposal is reviewed favorably by the Joint Bond Review Committee.

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

Dept. of Corrections: Petition for Annexation, Town of Ridgeville (R#7)

General Services Division Director Richard W. Kelly appeared before the Board on this matter.

The Board was advised that, in accord with Code Section 5-3-140, the Department of Corrections has asked the Board to petition the Town of Ridgeville to annex properties owned by the Department (Lieber site).

The Department's legal advisor indicated that the Board of Corrections, by unanimous vote, has endorsed the annexation proposal. He advised that the annexation will not cost the Department anything and is proposed in response to the Town's suggestion.

Upon a motion by Mr. Morris, seconded by Senator Waddell, the Board, in accord with Code Section 5-3-140, petitioned the Town of Ridgeville to annex properties owned by the Department of Corrections (Lieber site).

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

Attorney General's Office: Civil Contingent Fund Allocation (Reg #8)

The Office of Attorney General requested an allocation of \$528.25 from the Civil Contingent Fund to pay the Gignilliat, Savitz & Bettis firm for legal work performed on the Mack Truck matter during the month of October.

At the meeting, Dr. Coles advised that an additional bill for \$59.46 for services provided during November had been received.

Senator Waddell asked why the Attorney General's Office could not pay these costs from its contractual services appropriation and Mr. McLellan expressed the view that the Board ought not to be looking at this request.

Dr. Coles advised that it has been Board practice to direct agencies to pay such costs and, if it appears the agency will have a deficit at year end, to reconsider the Civil Contingent Fund request at that time.

Upon a motion by Senator Waddell, seconded by Mr. Morris, the Board directed the Attorney General's Office to pay from its contractual services appropriation \$528.25 to Gignilliat, Savitz & Bettis for legal work performed on the Mack Truck matter during October and \$59.46 for legal work performed on the same matter during November.

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

Budget Division: Veto-related Transfer Requests (3rd Quarter) (Reg #9)

The Budget Division recommended approval of the following veto-related transfer requests which do not exceed 25% of the vetoed amount for the third quarter of the fiscal year:

- (a) Reorganization Commission, \$1,250 from travel, Administration Program to travel, Jail/Prison Overcrowding Program;
- (b) State Treasurer, \$6,850 from supplies to travel;
- (c) State Auditor, \$1,875 from contractual services in one program to contractual services in another program;
- (d) State Auditor, \$6,500 from contractual services to supplies;
- (e) Wildlife and Marine Resources: \$14,600 from items purchased for resale (magazine) to supplies and travel.

Minutes of State Budget and Control Board Meeting
Regular Session — December 18, 1987 — Page 15

Upon a motion by Mr. McLellan, seconded by Senator Waddell, the Board approved the referenced transfer requests.

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

Budget Division: Veto-related Transfer Requests (2nd Quarter) (Reg #10)

The Budget Division recommended approval of the following appropriation transfer requests which do not exceed 25% of the vetoed amount (second quarter of the fiscal year):

- (a) Department of Corrections, \$362,915 from supplies, transportation, inmate earnings, and equipment to transportation, fixed charges, inmate earnings and equipment;
- (b) Aeronautics Commission, \$3,750 from equipment to fixed charges;
- (c) Mental Retardation, \$73,298 from temporary positions to overtime and shift differential.

Upon a motion by Mr. Morris, seconded by Mr. McLellan, the Board approved the referenced transfer requests.

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

Budget Div.: Veto-related Transfer Requests (1st, 2nd, 3rd Quarters) (R11)

The Budget Division recommended approval of a Coastal Council request to transfer \$22,680 from fixed charges to temporary positions, library books, light-power-heat, and transportation.

The Division advised that the total transfer requested does not exceed 25% of the vetoed amount for each of the first three quarters of the fiscal year.

Upon a motion by Mr. McLellan, seconded by Senator Waddell, the Board approved the referenced transfer request.

Information relating to this matter has been retained in these files and is identified as Exhibit 14.

Executive Director: Veto-related Transfer Request (Exception) (Reg #12)

The Board was advised that the Department of Health and Environmental Control enforces the "Lead Poisoning Prevention and Control Act" (Code Sections 44-53-1310 through -1380). The Act authorizes DHEC to enter property and to see that necessary corrections (like the removal of lead-based paint) are made.

DHEC advised the Board that it has encountered an out-of-state owner who has not made the required corrections. Commissioner Jarrett noted that the Act says the Budget and Control Board will bear the costs of the corrections required and then attach a lien to the property. DHEC said that about \$1,000 worth of work needs to be done on a house in Marion County in which a family with a small child resides.

The Board was advised that the special item appropriation of \$1,000 for Lead Poisoning (Section 16A, page 117) was vetoed.

Upon a motion by Mr. McLellan, seconded by Mr. Morris, the Board authorized the Office of Executive Director to transfer \$1,000 to Lead Poisoning Special Item Miscellaneous Operations to restore the entire vetoed amount (quarters 1, 2, 3 and 4), effective January 1, 1988.

Information relating to this matter has been retained in these files and is identified as Exhibit 15.

Executive Director: State Ceiling Allocations (Regular #13)

Board Secretary William A. McInnis appeared before the Board on this matter.

The Board was advised in the agenda materials of the following requests for ceiling allocations:

A. The State Education Assistance Authority requested a ceiling allocation of \$75,000,000 which will be carried forward for the purpose of issuing tax exempt bonds to fund student loans as necessary during the next three years.

B. The State Housing Authority requested a ceiling allocation of \$75,000,000 which will be carried forward for the purpose of issuing tax

Minutes of State Budget and Control Board Meeting
Regular Session -- December 18, 1987 -- Page 17

exempt bonds for qualified residential rental projects as necessary during the next three years.

The Board was provided with a status report on the State Ceiling as of December 10, 1987, (year elapsed 94%) which showed:

	<u>CY 1987 Ceiling</u>	<u>Allocated</u>	<u>(%)</u>	<u>Not Allocated</u>	<u>(%)</u>
State Pool	\$101,340,000	\$16,600,000	(16%)	\$ 84,740,000	(84%)
Local Pool	<u>152,010,000</u>	<u>48,364,350</u>	(32%)	<u>103,645,650</u>	(68%)
Total	\$253,350,000	\$64,964,350	(26%)	\$188,385,650	(74%)

The Board also was provided with a listing of carryforward elections approved in prior years.

At the meeting, Mr. McInnis advised that there have been adjustments to the State Ceiling report and that a balance of \$191,185,650 is available for allocation.

Mr. McInnis asked the Board, in its role as the Education Assistance Authority, to petition the Board for an allocation of \$116,000,000 for student loans rather than the \$75,000,000 previously requested. He recommended this to the Board because no other claimants had filed requests for ceiling allocations for use in 1987 or to carry forward to 1988 and beyond.

Mr. McInnis also advised the Board that the State Housing Authority State Ceiling allocation request is for rental projects. He said the Housing Authority carried forward \$63 million of the 1986 ceiling for single family projects and had issued \$25 million against that leaving a balance of \$38 million for use in 1988 which is the year the single family program ends. Mr. McInnis reported that Housing Authority officials had advised him that the \$38 million would cover the Authority's likely single family needs during 1988. He noted that there is doubt the Authority could use the \$75 million requested for rental projects but that it will have three years in which to try because that program continues beyond 1988.

Following a brief discussion, upon a motion by Mr. Morris, seconded by Senator Waddell, the Board allocated \$75,000,000 to the State Housing Authority to be carried forward for the purpose of issuing tax exempt bonds for rental housing as necessary during the next three years and, after acting

Minutes of State Budget and Control Board Meeting
Regular Session — December 18, 1987 — Page 18

as the State Education Assistance Authority to modify its petition to the Board to request \$116,000,000 of the State Ceiling to to be carried forward for student loans over the next three years, allocated \$116,000,000 of the State Ceiling to the State Education Assistance Authority.

[Secretary's Note: The Board was advised on December 22, 1987, that the \$1,280,000 allocation made previously to the Oconee County Log Cabin Acquisition Corporation, Inc., project was relinquished. In an effort to salvage this portion of the State Ceiling, Mr. McInnis consulted with Mr. Patterson and with bond counsel for the Education Assistance Authority who agreed that that Authority, over the next three years, could possibly make use of this additional Ceiling allocation plus the \$185,650 remaining balance. As a result, the allocation to the Education Assistance Authority was increased from \$116,000,000 to \$117,465,650.]

The Board received as information a revised status report on the State Ceiling as of December 10, 1987, (year elapsed 94%) which showed:

	<u>CY 1987 Ceiling</u>	<u>Allocated</u>	<u>(%)</u>	<u>Not Allocated</u>	<u>(%)</u>
State Pool	\$101,340,000	\$16,600,000	(16%)	\$ 84,740,000	(84%)
Local Pool	<u>152,010,000</u>	<u>45,564,350</u>	(30%)	<u>106,445,650</u>	(70%)
Total	\$253,350,000	\$62,164,350	(25%)	\$191,185,650	(75%)

Information relating to this matter has been retained in these files and is identified as Exhibit 16.

College of Charleston: Foreign Travel (Regular #14)

The Board was advised that, on October 14, staff approved a College of Charleston request for Michael Phillips to travel to Rome, Italy, during the November 30, 1987 - January 2, 1988, period at an estimated cost of \$1,800 of which \$272 was to have been paid from State-appropriated funds.

On November 2, the College submitted an amended request which extended the travel dates to January 11, 1988, and which included an additional \$641 of State appropriated funds (total of \$913 State-appropriated funds of the estimated \$1,800 total cost).

The College requested approval of the travel of Dr. Michael Phillips to travel to Rome, Italy, during the November 30, 1987, - January 11, 1988, period at an estimated cost of \$4,000 of which \$1,525 is to be paid from State-appropriated funds.

10781

Minutes of State Budget and Control Board Meeting
Regular Session — December 18, 1987 -- Page 19

Following a brief discussion, upon a motion by Mr. Morris, seconded by Senator Waddell, the Board approved the travel of College of Charleston staff member Michael Phillips to Rome, Italy, during the November 30, 1987 - January 11, 1988, period at an estimated cost of \$4,000 of which \$1,525 will be paid from State-appropriated funds.

Information relating to this matter has been retained in these files and is identified as Exhibit 17.

University of South Carolina: Foreign Travel Blanket Approval (Reg #15)

The University of South Carolina requested blanket approval for the travel of College of Earth Science and Resource Institute faculty and staff to Somalia beginning the first part of 1988 and continuing for a two-year period to conduct geological research with the project to be fully funded by the Louisiana Land and Exploration Company.

The University advised that several members of the ESRI will be participating in this effort and that repeat travel is necessary in order to carry out successful research and development activity throughout the project.

Upon a motion by Senator Waddell, seconded by Mr. McLellan, the Board granted blanket approval for the faculty and staff of the USC Earth Science and Resource Institute (ESRI) to travel to Somalia beginning the first part of 1988 and continuing for a two-year period to conduct geological research with the project to be fully funded by the Louisiana Land and Exploration Company.

Information relating to this matter has been retained in these files and is identified as Exhibit 18.

Future Meeting

Upon a motion by Mr. McLellan, seconded by Mr. Morris, the Board agreed to hold a regular meeting at 9:30 a.m. on Tuesday, January 12, 1988, in the Governor's conference room in the State House.

Executive Session

Dr. Coles advised that one contractual item and one legal advice item had been proposed for consideration during executive session.

Upon a motion by Mr. McLellan, seconded by Mr. Morris, the Board agreed to consider these items in executive session whereupon Mr. Patterson declared the meeting to be in executive session.

Vote on Matters Discussed in Executive Session Actions

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

(a) Attorney General: Asbestos Property Damage Litigation (X1)

Upon a motion by Mr. Morris, seconded by Senator Waddell, the Board authorized the Office of the Attorney General to proceed with the asbestos property damage litigation effort, using funding now available for the purpose, after agreeing to consider funding for the effort at the January 12, 1988, meeting.

(b) General Services: Legal Advice on CCI Relocation RFP

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board authorized the issuance of a request for proposals for investment banking services and a separate request for proposals for a design and construction team in connection with the relocation of the Central Correctional Institution.

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board announced that these requests for proposals will include language providing for the disqualification of any respondent who discusses these matters with any Board member or other person involved in making decisions on these matters.

Adjournment

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the meeting was adjourned at 12:20 p.m.

[Secretary's Note: In compliance with Code §30-4-80, public notice of and the agenda for this meeting were posted on bulletin boards in the office of the Governor's Press Secretary and in the Press Room in the State House, near the Board Secretary's office in the Wade Hampton Building, and in the lobby of the Wade Hampton Office Building at 9:00 a.m. on Wednesday, December 16, 1987.]

EXHIBIT

DEC 18 1987

NO. 1

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

BLUE AGENDA

ITEM NUMBER

1

AGENCY: Budget Division

SUBJECT: 1986-87 Authorized Transfers Report, November 1987

The Budget Division reports that the transfer of \$34,858 of State-appropriated personal service funds to equipment was approved during November.

This brought the total of personal service funds approved for transfer during the fiscal year to \$1,751,313 (\$1,433,422 to other operating expenses and \$317,871 to equipment).

BOARD ACTION REQUESTED:

Receive as information a Budget Division report that the transfer of \$34,858 of personal service funds was approved during November to bring the total approved for transfer during the fiscal year to \$1,751,313.

ATTACHMENTS:

Agenda item worksheet and attachment

10784

EXHIBIT

DEC 18 1987

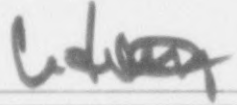
NO. 1

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84) STATE BUDGET & CONTROL BOARD

88-121

Meeting Scheduled for: December 18, 1987

Blue Agenda

1. Submitted By:
(a) Agency: State Budget Division
(b) Authorized Official Signature: 
2. Subject:
1987-88 Authorized Transfers Report for the Month of November, 1987
3. Summary Background Information:
The State Budget Division's Monthly Authorized Transfer Operating Report
4. What is Board asked to do?
Information only
5. What is recommendation of Board Division involved?
Information only
6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____
(b) Division/Agency Name: _____
7. Supporting Documents:
(a) List Those Attached:
1. Authorized Transfers Operating Report

(b) List Those Not Attached But Available From Submitter:

10735

STATE BUDGET DIVISION
ANALYSIS OF 1987-88 AUTHORIZED PERSONAL SERVICE
TRANSFER REQUESTS

DATE	REQUEST NO.	AGENCY	SOURCE OF FUNDS	FROM PERSONAL SERVICE	TO OTHER OPERATING EXPENSES	EQUIPMENT
Total Authorized Transfers 10/31/87 (24)				\$1,716,455	\$1,398,584	\$317,871
November Authorized Transfers						
(A) 11/04/87	-	F12 BCB-General Services	State	\$ 8,250	\$ 8,250	
(B) 11/04/87	-	J04 DHEC	State	1,608	1,608	
(C) 11/30/87	-	S04 Medical Examiners Bd.	State	25,000	25,000	
Total Authorized Transfers For November (3)				\$ 34,858	\$ 34,858	-0-
Total Authorized Transfers Year-To-Date (27)				\$1,751,313	\$1,433,442	\$317,871

NOTE:	Current Month	Year-To-Date
State Funds	\$ 34,858	\$1,513,330
Federal Funds	0	168,022
Other Funds	0	69,961
TOTAL FUNDS	\$ 34,858	\$1,751,313

Prepared
December 8, 1987

EXHIBIT
DEC 18 1987 NO. 1
STATE BUDGET & CONTROL BOARD

10786

10787

DATE _____

STATE AUDITOR

To the Comptroller General and Treasurer: By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.

(A)

RECEIVED BY

DATE _____

STATE BUDGET ANALYST

DATE _____

DATE 11/4

[illegible]
$$= 0.1$$
[illegible]

REASON FOR TRANSFER: Transfer from Federal Services to Contractual Service
FROM TO PAY: Requested Unpaid for Unavailable Services for APOL.

TO REQUESTING AGENCY
This form must be supported with documentation indicating the reason for the transfer. No commitment should be made in anticipation of the approval of a transfer.

APPROPRIATION TRANSFER

BUDGET AND CONTROL BOARD - FINANCE DIVISION

STATE OF SOUTH CAROLINA

C.G. WARRANT NUMBER	
AGENCY TRANSFERRED FROM ID:	
NAME	5/1/02
ADDRESS	

AGENCY YOU HER NUMBER

1012

AGENCY TRANSFERRED TO (CIR)

NAME *Ken Seltman*

ADDRESS *Columbia St*

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

1201 MAIN STREET, SUITE 700
COLUMBIA, S.C. 29201
(803) 737-0500



CARROLL A. CAMPBELL, JR.
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

REMBERT C. DENNIS
CHAIRMAN,
SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN,
HOUSE WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

MEMORANDUM

EXHIBIT

DEC 18 1987

NO. 1

STATE BUDGET & CONTROL BOARD

TO: Charlie Case
FROM: Eddy Brice *JEB*
SUBJECT: Transfer # 0047
DATE: 11-4-87

Please approve the attached transfer totaling \$ 5,250.00
from: Division F 12 Section MATERIALS MANAGEMENT OFFICE
to: Division F 12 Section " "

Reason:

TO TRANSFER FROM PERSONAL SERVICES TO CONSULTANT
SERVICES TO PAY RICHARD CAMPBELL FOR CONSULTANT
SERVICE FEES FOR M.M.C.

This transfer does not exceed 20% of the program budget as provided by section 129.17B of the 1987-88 Appropriation Act; nor does this transfer violate legislative intent of appropriations.

JEB/mag

10788

(A)

AGENCY BATCH NUMBER: 04 BB # 050 OBJECT CODE HASH TOTAL: 830 TOTAL BATCH AMOUNT: \$5,216 BATCH DATE: BATCH NUMBER: 3 DOCUMENT: 3

AGENCY VOUCHER NUMBER
BB # 050

AGENCY TRANSFERRED TO (CRI)
NAME: DHEC
ADDRESS: 2600 Bull Street
Columbia, SC 29201

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

TO REQUESTING AGENCY:
This form must be supported with documentation indicating the reason for the transfer. No commitment should be made in anticipation of the approval of a transfer.

CG WARRANT NUMBER

AGENCY TRANSFERRED FROM (ORI)
NAME: DHEC
ADDRESS: 2600 Bull Street
Columbia, SC 29201

EXHIBIT

DEC 18 1987 NO. 1

STATE BUDGET & CONTROL BOARD

See Cover Letter

REASON FOR TRANSFER:

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE	C G R
04	350	J04	4826	3000						0300	1,000.00		
04	350	J04	4831	1001						0158	1,608.00	A20K	
TOTAL										458	2,608.00		

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE	C G R
04	300	J04	4826	3000						0172	1,000.00		
04	300	J04	4831	1001						0200	1,608.00	A24K	
TOTAL										372	2,608.00		

REQUESTED BY: *[Signature]* DATE: 10/30/87 STATE BUDGET ANALYST: *[Signature]* DATE: 11/4/87

To the Comptroller General and Treasurer: By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized

1C789 (B)

STATE AUDITOR: DATE:

South Carolina Department of Health and Environmental Control

2600 Bull Street
Columbia, S.C. 29201

Commissioner
Michael D. Jarrett



Board

Moses H. Clarkson, Jr., Chairman
Oren L. Brady, Jr., Vice-Chairman
Euta M. Colvin, M.D., Secretary
Harry M. Hallman, Jr.
Henry S. Jordan, M.D.
James A. Spruill, Jr.
Toney Graham, M.D.

October 30, 1987

Mr. Ed Brophy
State Budget Analyst
Division of State Budgets
S.C. Budget & Control Board
530 Edgar Brown Building
Columbia, South Carolina 29211

Dear Mr. Brophy:

We are forwarding the enclosed transfer (BB # 050) in the amount of \$2,608 for your review and approval. The purpose of this transfer is to realign special and state appropriation levels in order to:

1. Allow the Bureau of Health Hazard Evaluation to pay per diem to members of the Agent Orange Committee.
2. Allow the transfer of the remaining \$1,608 state appropriations denied on BB # 44, dated October 16, 1987. You will recall the Bureau of Disease Surveillance is contracting with U.S.C.'s Carolina Health Services Management for services to cover a void created by our vacant state epidemiologist position. We are now requesting these funds be transferred from classified positions instead of fringe benefits as indicated on BB # 44. This action is necessary to fund the contract for the remainder of this fiscal year.

Thank you for your assistance in this matter and if you have any questions, please let us know.

Sincerely,

A handwritten signature in dark ink, appearing to read "Wyman M. Rooney".

Wyman M. Rooney, Director
Bureau of Budgets

WML:wb

Enclosure

10790

(B)

AGENCY NUMBER S04	AGENCY BATCH NUMBER 002	OBJECT CODE WASH TOTAL 0358	TOTAL BATCH AMOUNT 50,000	BATCH DATE 11-30-87	BATCH NUMBER 002
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AGENCY VOUCHER NUMBER
T-02

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD - FINANCE DIVISION

CG WARRANT NUMBER

AGENCY TRANSFERRED TO (CIR)
NAME
Medical Examiners
ADDRESS
1220 Pickens St
Columbia, SC 29201

APPROPRIATION TRANSFER
Fiscal Year 1987-88
TO REQUESTING AGENCY
This form must be supported with documentation indicating the reason for the transfer. No commitment should be made in anticipation of the approval of a transfer.

AGENCY TRANSFERRED FROM (CIR)
NAME
Medical Examiners
ADDRESS
1220 Pickens St.
Columbia, SC 29201

REASON FOR TRANSFER: See Attached Letter
FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
05	350	S04	0922	1001						0158	25,000	
										EXHIBIT		
										DEC 18 1987 NO. 1		
										STATE BUDGET & CONTROL BOARD		
										TOTAL 0158	25,000	

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
05	300	S04	0922	1001						0200	25,000	
										TOTAL 0200	25,000	

REQUESTED BY Stephen Helms DATE 11-30-87 STATE BUDGET ANALYST [Signature] DATE 12-08-87
Exec. Director
To the Comptroller General and Treasurer: By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.
10791
STATE AUDITOR _____ DATE _____



State Board of Medical Examiners
of South Carolina
1220 Pickens Street
Columbia, South Carolina 29201

STEPHEN S. SEELING, EXEC. DIRECTOR
1220 PICKENS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-8901

December 2, 1987

Mr. Jones Herring, Budget Analyst
Fifth Floor, Edgar A. Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Jones:

I am enclosing the 1987-88 budget transfer request which you recently discussed with our Accountant, Barbara Windham. It is our understanding that you have the discretionary authority to transfer up to \$25,000.00 out of the appropriation category of Classified Salaries and into other designated budgetary categories as requested. We are hereby requesting an appropriation transfer of \$25,000.00 from Classified Salaries to Contractual Services.

We have projected classified salaries for the remainder of Fiscal Year 1987-88 and have found that we have a substantial surplus of appropriated funds in that category. This is related, in part, to a reduction in the number of F.T.E.'s in our agency. At the same time we have projected our needs in Contractual Services for the remainder of Fiscal Year 1987-88. We have found that due to several factors, which were not readily foreseeable, our current appropriation in Contractual Services is insufficient.

There are numerous specific reasons why we need increased monies in our Contractual Services Account. These include the substantial direct and indirect expenses incurred in our move to new office quarters in August, 1987, the increased operating expenses caused by a very dramatic increase in the number of complaints received which, by law we must investigate (increase of approximately 70% in two years) and considerable start-up costs related to recent legislation requiring this Board to certify respiratory care practitioners. These start-up costs included additional expenses in creating the application and certification structure from ground zero, and substantial costs in computerizing this data so that we would have ready access to it on the University of South Carolina main-frame computer.

J. ERNEST LATHAM, M.D., PRES., GREENVILLE
527 MILLS AVE., 29605: PH. 233-3901
SPENCER C. DISHER, JR., M.D., V. PRES., ORANGEBURG
P.O. BOX 1266, 29116: PH. 534-3503
R. PATTEN WATSON, M.D., SEC., COLUMBIA
1333 TAYLOR ST., 5-B, 29201: PH. 254-3501
VERNON E. MERCHANT, JR., M.D., ANDERSON
1221 N. FANT ST., 29621: PH. 226-6248
JAMES C. HOLLER, JR., M.D., ROCK HILL
1317 EBENEZER RD., 29730: PH. 327-1174
EDGAR O. HORGER, III, M.D., CHARLESTON
MEDICAL UNIVERSITY, 29425: PH. 792-2864
C. DAYTON RIDDLE, JR., M.D., GREENVILLE
701 GROVE RD., 29605: PH. 242-7878
MRS. ESTHER H. TECKLENBURG, CHARLESTON
136 BROAD ST., 29401: PH. 722-1236
JAMES S. GARNER, JR., M.D., MULLINS
110 E. PROCTOR ST., 29574: PH. 464-7111
JAMES R. EDINGER, D.O., ORANGEBURG
P.O. BOX 468, 29115: PH. 534-0053

EXHIBIT

DEC 18 1987 NO. 1

STATE BUDGET & CONTROL BOARD

10792

(C)

For all these reasons, we are requesting a transfer in the amount of \$25,000.00 from Classified Salaries to our Contractual Services Account. Our Accountant, Barbara Windham, is also familiar with this request. If you have any further questions regarding this, please feel free to contact Barbara or me at your convenience.

Thank you in advance for your cooperation in this matter.

Yours truly,

Stephen S. Seeling

Stephen S. Seeling
Executive Director

SSS:lc

encl.

cc: Barbara Windham

EXHIBIT

DEC 18 1987 NO. 1

STATE BUDGET & CONTROL BOARD

DEC 03 1987

10793

(C)

EXHIBIT

DEC 18 1987

NO. 2

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

STATE BUDGET & CONTROL BOARD AGENDA

ITEM NUMBER

2

AGENCY: Budget Division

SUBJECT: FTE Operating Report, November 1987

The Budget Division reports that a source of funding change of 3.49 FTE positions from other to federal funds was approved during November with no net change in the authorized position base.

At the end of the month, 61,020.80 of the 66,273.14 authorized positions were filled and 5,252.28 were vacant.

BOARD ACTION REQUESTED:

Receive as information the FTE position operating report for the month of November 1987 which shows no net change in FTE positions during the month leaving the base total at 66,273.14 FTE positions at the end of the month of which 61,020.86 FTE positions were filled and 5,252.28 were vacant.

ATTACHMENTS:

Agenda item worksheet and referenced report.

10794

EXHIBIT

DEC 18 1987

NOL 2

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (10/24/87) & CONTROL BOARD

88-120

Meeting Scheduled for: December 18, 1987

Blue Agenda

1. Submitted By:

(a) Agency: State Budget Division

(b) Authorized Official Signature: U. Long

2. Subject:

1987-88 FTE Operating Report for the Month of November, 1987

3. Summary Background Information:

The attached report is submitted in accordance with Section 129.23 of the 1987-88 Appropriation Act. The report exempts all Legislative Employees (726.00) and Judicial Employees (399.22) which totals (1,125.22). Attached also is a copy of a year-to-date summary reflecting, by month, all authorized adjustments.

4. What is Board asked to do?

Information only

5. What is recommendation of Board Division involved?

Information only

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:

(a) List Those Attached:

1. Authorized FTE Position Operating Report
2. Year-to-Date Monthly Summary FTE Position Operational Report

(b) List Those Not Attached But Available From Submitter:

10795

EXHIBIT

DEC 18 1987 NO. 2

STATE BUDGET DIVISION
FULL-TIME EQUIVALENT POSITION
OPERATIONAL REPORT
FOR THE MONTH OF NOVEMBER, 1987

STATE BUDGET & CONTROL BOARD

SECTION NO.	AGENCY	TOTAL FTE POSITIONS	STATE FTE POSITIONS	FEDERAL FTE POSITIONS	OTHER FTE POSITIONS
Total Operational FTE Position Base 10/30/87		66,273.14	38,508.19	8,020.09	19,744.86
NOVEMBER <u>Authorized Adjustments</u>					
41	DHEC	-	-	13.49	(13.49)
42	Mental Health	-	-	(10.00)	10.00
Total Net Adjustment		-	-	3.49	(3.49)
Total Operational FTE Position Base 11/30/87		66,273.14	38,508.19	8,023.58	19,741.37
Total Filled FTE Positions 11/30/87		61,020.86	35,932.24	7,254.69	17,833.93
Total Vacant FTE Positions 11/30/87		5,252.28	2,575.95	768.89	1,907.44

Prepared:
December 8, 1987

10796

EXHIBIT

STATE BUDGET DIVISION
FTE POSITIONS AUTHORIZED ADJUSTMENTS
TO DATE
11/30/87

DEC 18 1987 NO. 2
STATE BUDGET & CONTROL BOARD

	TOTAL FTE POSITIONS	STATE FTE POSITIONS	FEDERAL FTE POSITIONS	OTHER FTE POSITIONS
Total Authorized FTE Position Base per 1987-88 Appropriation Act	67,426.09	39,675.99	8,062.24	19,687.86

Monthly Adjustments				

July	(45.18)	(40.73)	(19.75)	15.30
August	(6.00)	0.00	(21.00)	15.00
September	55.45	19.05	10.70	25.70
October	(32.00)	(23.90)	(12.10)	4.00
November	-	-	3.49	(3.49)
Total Net Adjustments	(27.73)	(45.58)	(38.66)	56.51

Total Authorized FTE Position Base 11/30/87	67,398.36	39,630.41	8,023.58	19,744.37

Less:				
1987-88 Legislative Employees	726.00	723.00	-	3.00
1987-88 Judicial Employees	399.22	399.22		

Total Operational FTE Position Base 11/30/87	66,273.14	38,508.19	8,023.58	19,741.37
=====				

Prepared
December 8, 1987

10797

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD
STATE BUDGET DIVISION
532 EDGAR BROWN BUILDING, 1205 PENDLETON STREET
COLUMBIA, S.C. 29201
(803) 734-2280

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



REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE
JESSE A. COLES, Ph.D.
EXECUTIVE DIRECTOR

A. BARON HOLMES, IV, Ph.D.
DIVISION DIRECTOR

December 8, 1987

EXHIBIT

DEC 18 1987 NO. 2

STATE BUDGET & CONTROL BOARD

The Honorable James M. Waddell
Joint Legislative Committee on Personal
Service, Financing and Budgeting
213 Gressette Building
Columbia, SC 29201

Dear Senator Waddell:

Attached please find a copy of the November 1987-88 Authorized FTE
Position Operating Report. I have approved and adjusted the Authorized FTE
Position Base accordingly.

If you should have any questions, please feel free to call.

Sincerely,

A. Baron Holmes IV
dc

A. Baron Holmes, IV, Ph.D.
Director

ABH/dc

Attachment

10733

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD
STATE BUDGET DIVISION
532 EDGAR BROWN BUILDING, 1205 PENDLETON STREET
COLUMBIA, S.C. 29201
(803) 734-2280

CARROLL A. CAMPBELL, JR., CHAIRMAN
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COMPTROLLER GENERAL



A. BARON HOLMES, IV, Ph.D.
DIVISION DIRECTOR

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE
JESSE A. COLES, Ph.D.
EXECUTIVE DIRECTOR

EXHIBIT

DEC 18 1987 NO. 2

STATE BUDGET & CONTROL BOARD

MEMORANDUM

TO: Mr. George Harris, Manager of Operations
FROM: Curtis Holt, Jr., Assistant Director *Cidam*
DATE: November 17, 1987
SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

☐ Action represents a net increase in authorized F.T.E. Positions

☐ Action represents a net decrease in authorized F.T.E. Positions

☒ Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: J04 Health & Environmental Control (41)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
	Authorized FTE Position Base		11/1/87	4,249.62	2,116.29	1,154.89	978.44
	Adjusted FTE Position Base			4,249.62	2,116.29	1,168.38	964.95
	Authorized Adjustment			-	-	13.49	(13.49)

Authorization/Explanation:

Requested by the agency.

10799

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD
STATE BUDGET DIVISION
532 EDGAR BROWN BUILDING, 1205 PENDLETON STREET
COLUMBIA, S.C. 29201
(803) 734-2280

EXHIBIT

DEC 18 1987

NO. 2

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



A. BARON HOLMES, IV, Ph.D.
DIVISION DIRECTOR

STATE BUDGET & CONTROL BOARD

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE
JESSE A. COLES, Ph.D.
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations
FROM: Curtis Holt, Jr., Assistant Director *Curtis Holt*
DATE: November 12, 1987
SUBJECT: Adjustments to Agency Authorized F.T.E. Positions

 Action represents a net increase in authorized F.T.E. Positions

 Action represents a net decrease in authorized F.T.E. Positions

 X Action represents a change in Source of Funding

Please take the necessary action to adjust the Agency Authorized F.T.E. Positions as follows:

Agency: J12 Department of Mental Health (42)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
	Authorized FTE Position Base		11/1/87	6,644.46	5,126.45	191.87	1,326.14
	Adjusted FTE Position Base			6,644.46	5,126.45	181.87	1,336.14
	Authorized Adjustment			-	-	(10.00)	10.00

Authorization/Explanation:
Requested by the agency (see attached letter).

10800

EXHIBIT

DEC 18 1987

NO. 3

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD

BLUE AGENDA

MEETING OF December 18, 1987

ITEM NUMBER

3

AGENCY: Executive Director

SUBJECT: Permanent Improvement Projects

- A. The following permanent improvement project actions have been reviewed favorably by the Joint Bond Review Committee and approved by staff:
- (1) On Summary 10-88: Items 2 and 4 through 8 (involving Clemson, TEC, Mental Health, Coastal Council, and Employment Security).
 - (2) On Summary 11-88: Items 1, 3, 4, 6, 7 and 9 (involving Adjutant General, Winthrop, TEC, Commission for the Blind, Criminal Justice Hall of Fame, and Wildlife & Marine Resources).
- B. The following permanent improvement project actions have been approved by staff and Joint Bond Review Committee review is not required:
- (1) On Summary 10-88: Items 9 through 25 (involving Adjutant General, B&C Bd-General Services, Clemson, and Mental Retardation).

BOARD ACTION REQUESTED:

Receive as information.

ATTACHMENTS:

Referenced summary extracts.

1C801

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
November 16, 1987 Through November 30, 1987

SUMMARY 10-88 Page 1 of 9
Forwarded to JBRC 12/02/87

Item Agency: H12 Clemson University Project: 9132, Clemson House-First Floor Refurbish

CHE Approval Date: 11/24/87
Committee Review Date: *
B&C Board Approval Date: *

2. Action
Proposed: Increase budget from \$ 418,000.00 to \$ 545,000.00

Budget After Action Proposed
Source Amount

(Add \$ 127,000.00 [9] Other, Housing Improvement)

Other 545,000.00

Purpose: To renovate/remodel function rooms and to revise existing stairs and halls to comply with egress and other code requirements.

Ref: Supporting document pages 4-6.

TOTAL FUNDS 545,000.00

Item Agency: H59 Tech & Comp Education Project: 9505, Midlands-Painting Projects

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

4. Action
Proposed: Increase budget from \$ 43,000.00 to \$ 44,824.00

Budget After Action Proposed
Source Amount

(Add \$ 1,824.00 [9] Other, Local)

Other 44,824.00

Purpose: Bids received exceeded budget.

Ref: Supporting document pages 10-11.

TOTAL FUNDS 44,824.00

Item Agency: H59 Tech & Comp Education Project: 9514, York-"D" Building Roof Replace

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

5. Action
Proposed: Establish project.

Budget After Action Proposed
Source Amount

Total budget.....\$ 90,000.00
[9] Other, Local.....\$ 90,000.00

Other 90,000.00

Purpose: To replace roof on D Building.

Ref: Supporting document pages 12-13.

TOTAL FUNDS 90,000.00

EXHIBIT
DEC 18 1987
NO. 3
STATE BUDGET & CONTROL BOARD

10802
A (1)

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
November 16, 1987 Through November 30, 1987

SUMMARY 10-88 Page 2 of 9
Forwarded to JBRC 12/02/87

Item Agency: J12 Mental Health Project: 8828, Byrnes Med Cntr Consult-Corners Repair
6.

Action
Proposed: Increase budget from \$ 64,000.00 to \$ 134,000.00

(Add \$ 70,000.00 [4] Excess Debt Service)

Purpose: To make remedial repairs to three hazardous corners of the Byrnes Medical Center. An emergency request was approved by the Joint Bond Review Committee on November 25, 1987.

Ref: Supporting document pages 14-15.

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Excess Debt Service	134,000.00

TOTAL FUNDS 134,000.00

Item Agency: P25 Coastal Council Project: 9408, SC Beach Survey Monument Project
7.

Action
Proposed: Increase budget from \$ 61,246.00 to \$ 126,246.00

(Add \$ 65,000.00 [6] Appropriated State)

Purpose: To amend contract with Sur-Tech to install and/or reinstall beach survey markers in Horry, Georgetown, Beaufort and Colleton counties.

Ref: Supporting document pages 16-20.

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Appropriated State	98,246.00
Federal	28,000.00

TOTAL FUNDS 126,246.00

Item Agency: R60 Employment Security Project: 9500, Anderson Roof Replacement
8.

Action
Proposed: Establish project.

Total budget.....\$ 60,000.00
[7] Federal.....\$ 60,000.00

Purpose: To replace the roof system including new gravel, stops, gutters and down spouts.

Ref: Supporting document pages 21-22.

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Federal	60,000.00

TOTAL FUNDS 60,000.00

EXHIBIT
DEC 18 1987 NO. 3
STATE BUDGET & CONTROL BOARD

1C8C3
A (1)

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
December 1, 1987 Through December 7, 1987

SUMMARY 11-88 Page 1 of 3
Forwarded to JBRC 12/07/87

Item Agency: E24 Adjutant General Project: 9101, Warrenville NG Armory Roof Renovation

1. Action
Proposed: Increase budget from \$ 96,342.00 to \$ 221,342.00

(Add \$ 125,000.00 [0] Capital Improvement Bonds)

Purpose: Additional funds are required to finish work left uncompleted by defaulted contractor. Included in this work is removal of all roof panels installed by defaulted Contractor. The work performed by the defaulted Contractor is substandard and does not meet specifications.

Ref: Supporting document pages 1-2.

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	173,233.50
Federal	48,108.50

TOTAL FUNDS 221,342.00

Item Agency: H47 Winthrop College Project: 9502, Electrical Distribution System

3. Action
Proposed: Increase budget from \$ 75,000.00 to \$ 125,000.00

(Add \$ 50,000.00 [4] Excess Debt Service)

Purpose: To include the replacement and disposal of PCB transformers.

Ref: Supporting document pages 9-11.

CHE Approval Date: 12/01/87
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Excess Debt Service	125,000.00

TOTAL FUNDS 125,000.00

Item Agency: H59 Tech & Comp Education Project: 9468, Greenville-Shaw Property Procurement

4. Action
Proposed: Increase budget from \$ 1,150,000.00 to \$ 1,151,040.00

(Add \$ 1,040.00 [9] Other, Local)

Purpose: To add attorney's fees to the cost of procurement for the land and building.

Ref: Supporting document pages 12-13.

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Other	1,151,040.00

TOTAL FUNDS 1,151,040.00

A(2)

1C804

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
December 1, 1987 Through December 7, 1987

SUMMARY 11-88 Page 2 of 3
Forwarded to JBRC 12/07/87

Item Agency: L24 Comm for the Blind Project: 9460, Dorm & Admin Bldg Roof Replacement
6.

Action
Proposed: Increase budget from \$ 79,953.00 to \$ 81,393.00

(Add \$ 1,440.00 [9] Other, General Services Depreciation Reserve)

Purpose: Change order to provide special 1 3/4" tube lock fastener for shingles instead of roofing nails because roof deck is concrete instead of wood.

Ref: Supporting document pages 20-21.

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Federal	56,796.00
Other	24,597.00

TOTAL FUNDS 81,393.00

Item Agency: N24 CJ Hall of Fame Project: 9500, Exhibit Area Addition-Planning
7.

Action
Proposed: Establish project.

Total budget.....\$ 50,000.00
[9] Other, Fines & Forfeitures.....\$ 50,000.00

Purpose: To prepare program, schematics, and budget for the construction of an addition to the exhibit area.

Ref: Supporting document pages 22-23.

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Other	50,000.00

TOTAL FUNDS 50,000.00

Item Agency: P24 Wildlife & Marine Res Project: 9509, Georgetown-Victory Ship Artificial Reef
9.

Action
Proposed: Establish project.

Total budget.....\$ 92,500.00
[7] Federal.....\$ 60,000.00
[9] Other, Horry/G'town Water Rec.....\$ 32,500.00

Purpose: To construct an offshore artificial reef by sinking one 440 foot "Victory Ship".

Ref: Supporting document pages 29-31.

CHE Approval Date: Not req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Federal	60,000.00
Other	32,500.00

TOTAL FUNDS 92,500.00

STATE BUDGET & CONTROL BOARD

DEC 18 1987 NO. 3

EXHIBIT

A(2)

1C805

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
November 16, 1987 Through November 30, 1987

SUMMARY 10-88 Page 1 of 9
Forwarded to JBRC 12/02/87

Item Agency: E24 Adjutant General Project: 9347, Hartsville NC Armory-HVAC Upgrade/Renov/Improve

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Action
Proposed: Revise Scope.

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	71,900.00

Purpose: Revise scope of upgrade to include renovations/improvements to the armory.

Ref: Supporting document pages 23-24.

TOTAL FUNDS 71,900.00

Item Agency: E24 Adjutant General Project: 9505, Union Armory Storage Bldg

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/17/87

Action
Proposed: Cancel project.

(Subtract \$ 25,900.00 [7] Federal)

Budget After Action Proposed	
Source	Amount
Federal	0.00

Purpose: Cancel project. Project was bid for less than \$25,000.

Ref: Supporting document pages 25-26.

TOTAL FUNDS 0.00

Item Agency: E24 Adjutant General Project: 9506, Chesterfield Armory Storage Bldg

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/18/87

Action
Proposed: Cancel project.

(Subtract \$ 26,500.00 [7] Federal)

Budget After Action Proposed	
Source	Amount
Federal	0.00

Purpose: Cancel project. Project was bid for less than \$25,000.

Ref: Supporting document pages 27-28.

TOTAL FUNDS 0.00

EXHIBIT
DEC 18 1987
NO. 3
STATE BUDGET & CONTROL BOARD

10806
B(1)

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
November 16, 1987 Through November 30, 1987

SUMMARY 10-88 Page 2 of 9
Forwarded to JBRC 12/02/87

Item 12.	Agency: E24 Adjutant General	Project: 9534, Rock Hill Armory Expansion/Renovation	CHE Approval Date: Not req'd Committee Review Date: 99/99/99 B&C Board Approval Date: 11/30/87						
	Action Proposed: Decrease budget from \$ 500,000.00 to \$ 444,000.00								
	(Subtract \$ 56,000.00 [0] Capital Improvement Bonds)								
	Purpose: To transfer needed funds to Warrentville Armory Roof Renovation project and Anderson Armory HVAC Improvement project.								
	Ref: Supporting document pages 29-30.								
			<table><tr><th colspan="2">Budget After Action Proposed</th></tr><tr><th>Source</th><th>Amount</th></tr><tr><td>Capital Improvment Bonds</td><td>444,000.00</td></tr></table>	Budget After Action Proposed		Source	Amount	Capital Improvment Bonds	444,000.00
Budget After Action Proposed									
Source	Amount								
Capital Improvment Bonds	444,000.00								
			TOTAL FUNDS 444,000.00						
Item 13.	Agency: E24 Adjutant General	Project: 9535, Orangeburg Armory Expansion/Renovation	CHE Approval Date: Not req'd Committee Review Date: 99/99/99 B&C Board Approval Date: 11/30/87						
	Action Proposed: Decrease budget from \$ 500,000.00 to \$ 445,000.00								
	(Subtract \$ 55,000.00 [0] Capital Improvement Bonds)								
	Purpose: To transfer needed funds to Warrentville Armory Roof Renovation project and Anderson Armory HVAC Improvement project.								
	Ref: Supporting document pages 31-32.								
			<table><tr><th colspan="2">Budget After Action Proposed</th></tr><tr><th>Source</th><th>Amount</th></tr><tr><td>Capital Improvment Bonds</td><td>445,000.00</td></tr></table>	Budget After Action Proposed		Source	Amount	Capital Improvment Bonds	445,000.00
Budget After Action Proposed									
Source	Amount								
Capital Improvment Bonds	445,000.00								
			TOTAL FUNDS 445,000.00						
Item 14.	Agency: E24 Adjutant General	Project: 9536, Mt. Pleasant Armory Expansion/Renovation	CHE Approval Date: Not req'd Committee Review Date: 99/99/99 B&C Board Approval Date: 11/30/87						
	Action Proposed: Decrease budget from \$ 478,126.00 to \$ 434,255.00								
	(Subtract \$ 43,871.00 [0] Capital Improvement Bonds)								
	Purpose: To transfer needed funds to Warrentville Armory Roof Renovation project, Anderson Armory HVAC Improvement project, and Transportation Motor Pool.								
	Ref: Supporting document pages 33-34.								
			<table><tr><th colspan="2">Budget After Action Proposed</th></tr><tr><th>Source</th><th>Amount</th></tr><tr><td>Capital Improvement Bonds</td><td>434,255.00</td></tr></table>	Budget After Action Proposed		Source	Amount	Capital Improvement Bonds	434,255.00
Budget After Action Proposed									
Source	Amount								
Capital Improvement Bonds	434,255.00								
			TOTAL FUNDS 434,255.00						

STATE BUDGET
DEC 18 1998
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EXHIBIT
DEC 18 1987
NO. 3
STATE BUDGET & CONTROL BOARD

10807

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
November 16, 1987 Through November 30, 1987

SUMMARY 10-88 Page 3 of 9
Forwarded to JBRC 12/02/87

Item Agency: E24 Adjutant General Project: 9538, Transportation Motor Pool
15.

Action
Proposed: Decrease budget from \$ 92,000.00 to \$ 83,865.00

(Add \$ 13,871.00 [0] Capital Improvement Bonds)
(Subtract \$ 22,006.00 [7] Federal)

Purpose: To transfer \$13,871 from project 9536 and decrease Federal funds by \$22,006.

Ref: Supporting document pages 35-36.

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/18/87

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	33,871.00
Federal	49,994.00

TOTAL FUNDS 83,865.00

Item Agency: F12 B&C Bd-General Services Project: 9112, Dairy Bar Demolition
16.

Action
Proposed: Decrease budget from \$ 100,000.00 to \$ 50,183.75

(Subtract \$ 49,816.25 [6] Appropriated State)

Purpose: To close completed project.

Ref: Supporting document pages 37-38.

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Appropriated State	50,183.75

TOTAL FUNDS 50,183.75

Item Agency: F12 B&C Bd-General Services Project: 9458, Brown Bldg-Roof Replacement
17.

Action
Proposed: Decrease budget from \$ 150,000.00 to \$ 104,339.88

(Subtract \$ 45,600.12 [9] Other, Depreciation Reserve)

Purpose: To close completed project.

Ref: Supporting document pages 39-40.

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Other	104,339.88

TOTAL FUNDS 104,339.88

10808

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
November 16, 1987 Through November 30, 1987

SUMMARY 10-88 Page 4 of 9
Forwarded to JBRC 12/02/87

Item Agency: H12 Clemson University Project: 8242, Long Hall B-07 Renovation
18.

Action
Proposed: Decrease budget from \$ 89,000.00 to \$ 79,571.53

(Subtract \$ 9,428.47 [6] Appropriated State)

Purpose: To close completed project.

Ref: Supporting document pages 41-43.

CHE Approval Date: 11/17/87
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Appropriated State	68,905.53
Federal	10,666.00

TOTAL FUNDS 79,571.53

Item Agency: H12 Clemson University Project: 9129, Norris Hall-Carpet/Tile Floor Replace
19.

Action
Proposed: Decrease budget from \$ 56,000.00 to \$ 27,968.54

(Subtract \$ 28,031.46 [9] Other)

Purpose: To close completed project.

Ref: Supporting document pages 44-45.

CHE Approval Date: 11/24/87
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Other	27,968.54

TOTAL FUNDS 27,968.54

Item Agency: H12 Clemson Universtiy Project: 9130, Wannamaker Hall-Carpet/Tile Floor Replace
20.

Action
Proposed: Decrease budget from \$ 29,500.00 to \$ 12,804.51

(Subtract \$ 16,695.49 [9] Other, Housing Improvement)

Purpose: To close completed project.

Ref: Supporting document pages 46-47.

CHE Approval Date: 11/24/87
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Other	12,804.51

TOTAL FUNDS 12,804.51

10809

EXHIBIT
DEC 18 1987 NO. 3
STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
November 16, 1987 Through November 30, 1987

SUMMARY 10-88 Page 5 of 9
Forwarded to JBRC 12/02/87

Item Agency: Clemson University Project: 9247, East Campus Act Cntr Feasibility & Econo Study
21.

Action
Proposed: Decrease budget from \$ 20,000.00 to \$ 19,445.42

(Subtract \$ 554.58 [9] Other, Book Store Oper Rev)

Purpose: To close completed project.

Ref: Supporting document pages 48-50.

CHE Approval Date: 11/12/87
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Other	19,445.42

TOTAL FUNDS 19,445.42

Item Agency: J16 Mental Retardation Project: 9216, Coastal-Dorms Reroofing
22.

Action
Proposed: Decrease budget from \$ 50,000.00 to \$ 26,211.35

(Subtract \$ 23,788.65 [4] Excess Debt Service)

Purpose: To close completed project and transfer remaining funds to project 9351.

Ref: Supporting document pages 51-52.

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Excess Debt Service	26,211.35

TOTAL FUNDS 26,211.35

Item Agency: J16 Mental Retardation Project: 9351, Piedmont-8 Bed Comm Res-Laurens
23.

Action
Proposed: Increase budget from \$ 302,850.00 to \$ 326,638.65

(Add \$ 23,788.65 [4] Excess Debt Service)

Purpose: Funds are needed to purchase equipment and furnishings. Funds are being transferred from project 9216.

Ref: Supporting document pages 53-54.

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Excess Debt Service	326,638.65

TOTAL FUNDS 326,638.65

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STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
November 16, 1987 Through November 30, 1987

SUMMARY 10-88 Page 6 of 9
Forwarded to JBRC 12/02/87

Item Agency: P24 Wildlife & Marine Res Project: 8850, Dorchester-Ashley River Boat Ramp
24.

Action
Proposed: Change source.

(Add \$ 75,000.00 [7] Federal)
(Subtract \$ 75,000.00 [9] Other, Dorchester Co Water Rec Res)

Purpose: To change the source of funds from 100% Water Recreation Resources
funding to 75% Federal funds and 25% Water Recreation Resources funds.

Ref: Supporting document pages 55-56.

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Federal	75,000.00
Other	25,000.00

TOTAL FUNDS 100,000.00

Item Agency: P24 Wildlife & Marine Res Project: 9508, Berkeley-Bushy Park Boat Ramp (Saltwater Side)
25.

Action
Proposed: Establish project.

Total budget.....\$ 150,480.00
[7] Federal.....\$ 90,480.00
[9] Other, Berkely G/F & Water Rec Res....\$ 60,000.00

Purpose: To construct a reinforced concrete boat ramp and dock.

Ref: Supporting document pages 57-59.

CHE Approval Date: Not req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 11/30/87

Budget After Action Proposed	
Source	Amount
Federal	90,480.00
Other	60,000.00

TOTAL FUNDS 150,480.00

EXHIBIT
DEC 18 1987 NO. 3
STATE BUDGET & CONTROL BOARD

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EXHIBIT

DEC 18 1987

NO. 4

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

BLUE AGENDA
ITEM NUMBER

4

AGENCY: State Treasurer

SUBJECT: Taxable Bonds

AT the December 8, 1987, meeting, Mr. Patterson again expressed the view that the State's Industrial Development Act (Chapter 29, Title 4 of the Code) does not authorize the issuance of taxable bonds. He noted that he had prepared a memorandum on the subject which he asked be made a part of the record. It is attached and is submitted for the Board's information.

Also attached is a copy of Assistant Attorney General David C. Eckstrom's opinion that the Board may approve the issuance of taxable revenue bonds under Title 4 of the Code.

BOARD ACTION REQUESTED:

Receive as information Mr. Patterson's December 8, 1987, memorandum to Dr. Coles on taxable bonds and Mr. Eckstrom's December 4, 1987, opinion on the subject.

ATTACHMENTS:

Mr. Patterson's December 8, 1987, memorandum to Dr. Coles; Eckstrom December 4, 1987, letter to McInnis plus Eckstrom October 29, 1987, letter to Franks

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OFFICE OF STATE TREASURER

GRADY L. PATTERSON, JR.
TREASURER

COLUMBIA
29211

MEMORANDUM

P. O. DRAWER 11778
EXHIBIT

DEC 18 1987 NO. 4

STATE BUDGET & CONTROL BOARD

TO: Dr. Jesse Coles, Executive Director
State Budget and Control Board

FROM: Grady L. Patterson, Jr., State Treasurer

DATE: December 8, 1987

RE: Taxable Bonds

Reference is made to Chapter 29, Title 4, of the Code of Laws of South Carolina, 1976, as amended, as to whether taxable bonds may be issued under said Chapter.

Article X, Section 14 (2) and (b) provides that

"Such political subdivisions shall have the power to incur indebtedness in the following categories and in no others:
(b) indebtedness payable only from a revenue-producing project as provided in Subsection (10) of this Section."

Subsection (10) provides

"Indebtedness payable solely from a revenue-producing project or from a special source, which source does not involve revenues from any tax or license, may be issued upon such terms and conditions as the General Assembly may prescribe by general law"

The General Assembly by general law has provided for the issuance of Industrial Development Bonds under the provisions of Chapter 29, Title 4, Industrial Development Projects.

The purpose and intent of the Industrial Development Act was to take advantage of the tax-exempt status, state and federal, of such bonds to encourage industrial development in the state. In other words, funds for development projects can be secured at substantially lower rates than taxable rate financing. There is no other rational or logical reason for the passage and existence of the Industrial Development Act. Without the advantage of the federal tax exemption, there is no reason for the existence of the statute. An industrial prospect can go directly to the market without governmental involvement and secure funds at substantially the same rate (of interest).

10813

Incurring debt cannot be done by the state or political subdivisions without specific authority in the Constitution and legislative enactment pursuant to Constitutional authority. In other words, debt can be incurred only if it is specifically authorized by the Constitution or legislative enactment pursuant to the Constitutional authority. Otherwise, any number of schemes for incurring debt could surface that are not prohibited by the Constitution.

Municipal corporations have only such powers as are granted to them by the constitution or statute, either expressly or by necessary implication. The following statement of law, taken from 1 Dillon on Municipal Corporations, Section 89, is supported by practically unbroken authority:

It is a general and undisputed proposition of law that a municipal corporation possesses and can exercise the following powers, and no others: First, those granted in express words; second, those necessarily or fairly implied in or incident to the power expressly granted; third, those essential to declared objects and purposes of the corporation -- not simply convenient but indispensable. Any fair, reasonable doubt concerning the existence of power is resolved by the courts against the corporation, and the power is denied.

. . . The power to levy taxes is far more usual and necessary to corporate existence than the power to borrow money on the faith of taxes, and, if the former is not implied from the fact of incorporation, for a stronger reason the latter is not.

Although political subdivisions may not incur debt or liability for debt under the Industrial Development Act, nevertheless, a portion of the sovereignty of the state is involved because the Act exists by virtue of authority of the state.

The fact that taxable bonds are not prohibited by the Act does not give rise to authority to issue such bonds. Moreover, there is no authority set forth in the Act that specifically authorizes taxable bonds. Thus, taxable bonds are not valid under the Industrial Development Act. Such bonds would thwart the purpose and intent of the Act.

Additionally, the General Assembly specifically recognized the federal tax exemption of Industrial Development Bonds in Section 1-11-370, Code of Laws of South Carolina, 1976, as amended, when it designated the Budget and Control Board and the Bond Review Committee the authority to determine which private activity bonds are included within any tax-exempt limitations by the Federal Government.

EXHIBIT

DEC 18 1987 NO. 4

MEMORANDUM
December 8, 1987
Page 3

STATE BUDGET & CONTROL BOARD

See:

Elliott v. McNair	250	SC	75	156	SE	(2)	421
Powell v. Chapman	260	SC	516	197	SE	(2)	287
Harper v. Schooler	258	SC	486	189	SE	(2)	284

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DEC - 7 1987

The State of South Carolina

EXHIBIT



DEC 18 1987

NO. 4

STATE BUDGET & CONTROL BOARD

Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11344
COLUMBIA, S.C. 29211
TELEPHONE 803-734-3680

December 4, 1987

Mr. William A. McInnis
Secretary
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

Dear Mr. McInnis:

You have requested an opinion whether the Budget and Control Board may approve the issuance of the taxable revenue bonds under Title 4 of the South Carolina Code. We recently issued an opinion addressed to taxable revenue bonds under Title 41 of the Code. A copy of that opinion is attached. It is our opinion that the reasoning in that opinion would be equally applicable to bonds issued under Title 4. For this reason, it is our opinion that the Board may approve the issuance of taxable revenue bonds under Title 4 of the Code. This opinion, of course, does not address the question whether such bonds should be approved for any particular project.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "D. Eckstrom".

David C. Eckstrom
Assistant Attorney General

DCE:tgc
Enclosure
Reviewed and Approved By:

A handwritten signature in cursive script, appearing to read "Joseph A. Wilson, II".

Joseph A. Wilson, II
Chief Deputy Attorney GeneralA handwritten signature in cursive script, appearing to read "Robert D. Cook".

Robert D. Cook
Executive Assistant for Opinions

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EXHIBIT
A
DEC 18 1987
SOUTH CAROLINA
DEPARTMENT OF REVENUE & CONTROL BOARD

The State of South Carolina



Office of the Attorney General

EXHIBIT

DEC 18 1987

NO. 4

DEPARTMENT OF REVENUE & CONTROL BOARD

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11544
COLUMBIA, S.C. 29211
TELEPHONE 803 734-3660

October 29, 1987

Mr. Elliott E. Franks, III
Chief Executive Officer
South Carolina Jobs-Economic
Development Authority
Number One Main Building
1203 Gervais Street
Columbia, South Carolina 29201

Dear Mr. Franks:

You have requested an opinion whether the South Carolina Jobs-Economic Development Authority (JEDA) has the authority to issue taxable revenue bonds, that is bonds which are not tax exempt under federal income tax laws. It is our opinion that JEDA has the authority to issue revenue bonds, in compliance with its enabling act, without regard to their treatment under federal tax law.

We have reviewed the several opinion letters you have provided from private bond counsel which support this conclusion. As was indicated, JEDA is authorized to issue revenue bonds pursuant to § 41-43-110, S.C. CODE, 1976 (as amended). The only reference in the JEDA enabling act to tax treatment of such bonds is § 41-43-130, supra, which provides that "[t]he bonds and the income therefrom are exempt from all taxation in the State except for inheritance, estate, or transfer taxes." (emphasis added). Obviously, the General Assembly has not purported to prescribe how these bonds are to be treated under federal law. In fact, the act makes no explicit reference to federal tax law. It does, however, exempt from State income tax the interest income received from such bonds.

Statutes authorizing the issuance of public securities must be construed in such a way that "when such powers are given ... they are confined to the particular case so authorized." 64 Am.Jur. 2d, "Public Securities and Obligations," § 37. The authority given to JEDA to issue revenue bonds neither expresses nor implies any limitations as to federal tax treatment of

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EXHIBIT

DEC 18 1987

NO. 4

Mr. Elliott E. Franks, III

Page 2

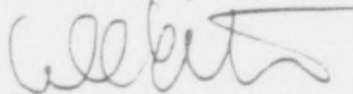
October 29, 1987

STATE BUDGET & CONTROL BOARD

interest on those bonds. The term "bonds" itself, as used in the enabling act, does not necessarily imply that the bonds must be exempt under federal law. In State of Florida v. Division of Bond Finance, 495 So.2d 183, 184 (Fla. 1986), the Florida Supreme Court concluded that "the term 'bonds' includes both taxable and tax-exempt bonds" We have found no other authority to the contrary. Consequently we conclude that the authority given to JEDA by the General Assembly to issue revenue bonds includes the authority to issue bonds without regard to federal tax treatment. Approval or issuance of any such bonds is proper insofar as the proceedings comply with State law.

It is acknowledged that the State's experience with such bonds, historically, has been that they were treated as tax-exempt under federal law. But there is no mandate in State law that the only revenue bonds which may be approved or issued by the State are those which may be deemed tax-exempt under federal law. The purposes of this act, which are to promote business development and job creation, § 41-43-70, supra, are fully served by the issuance of such bonds whether the interest received by bond holders is treated as taxable or tax-exempt under federal law. For all these reasons it is our opinion that JEDA is authorized to issue such revenue bonds without regard to federal tax consequences. This opinion, of course, does not address the policy issues applicable to a determination as to whether a bond issue should be approved for any particular project.

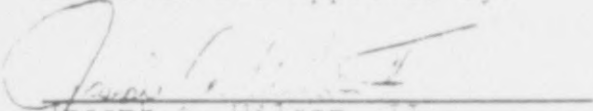
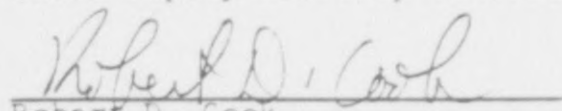
Sincerely yours,



David C. Eckstrom
Assistant Attorney General

DCE:tgc

Reviewed and Approved By:


Joseph A. Wilson, II
Chief Deputy Attorney General
Robert D. Cook
Executive Assistant for Opinions

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EXHIBIT

DEC 18 1987

NO. 5

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

REGULAR SESSION

ITEM NUMBER

2

AGENCY: Budget Division

SUBJECT: 1988-89 Appropriation Bill Provisos

The Budget Division has submitted a list of changes to the proviso package presented to the Board on November 25. Also submitted are copies of the new pages on which the changes occurred.

BOARD ACTION REQUESTED:

Adopt the 1988-89 appropriation bill proviso package.

ATTACHMENTS:

Agenda item worksheet; attachments

10819

EXHIBIT

DEC 18 1987

NO. 5

STATE BUDGET & CONTROL BOARD

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

88-122

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:

(a) Agency: State Budget Division

(b) Authorized Official Signature: 

2. Subject:

1988-89 Proviso Package

3. Summary Background Information:

The State Budget Division's 1988-89 Appropriation Bill Proviso Package.

Details to be presented at the meeting.

4. What is Board asked to do?

Adopt the 1988-89 Budget and Control Board Recommended Proviso Package.

5. What is recommendation of Board Division involved?

Recommend approval

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:

(a) List Those Attached:

(b) List Those Not Attached But Available From Submitter:

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STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD
STATE BUDGET DIVISION
532 EDGAR BROWN BUILDING, 1205 PENDLETON STREET
COLUMBIA, S.C. 29201
(803) 734-2280

EXHIBIT

DEC 18 1987

NO. 5

STATE BUDGET & CONTROL BOARD

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



A. BARON HOLMES, IV, Ph.D.
DIVISION DIRECTOR

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE
JESSE A. COLES, Ph.D.
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Budget and Control Board

FROM: A. Baron Holmes, IV *AOH/dd*

RE: Proviso Changes

DATE: December 10, 1987

Attached please find a list of changes to the proviso package which was presented to the Board on November 25, 1987. Also included are copies of the new pages on which the changes occurred. The changes are indicated by either BCB2: or BCB3:.

ABH/dd

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EXHIBIT

* = BCB3:

DEC 18 1987

NO. 5

Changes to Proviso Package Dated 11/25/87

STATE BUDGET & CONTROL BOARD

<u>Old Page #</u>	<u>Proviso</u>	
7,8	3.45.	Reinsert & Change Year (Study Committee on Formula Funding in Education Programs)
10, 11	5.13.	Reinsert & Amend (Special School of Math & Science) Change "\$200,000" to "funds"
13	10.1.	Change Solicitors Salary from "\$68,962" to "\$70,686"
21	16.36.	Reinsert (Longevity/Base Pay Increase)
22	16.37.	Delete/Reinsert/Amend (Base Pay & Merit Increases)
23	16.41.	Delete/Reinsert/Amend (Agency Head Salary Range)
23	16.42.	Delete/Reinsert/Amend (Agency Head Salary Increase)
23	16.43.	Delete/Reinsert/Amend (Agency Head Salary Increase)
-	16.43A.	Add (Minimum of Range Salary Adjustment for Agency Heads)
23	16.44	Change "2.5%" TO "5.0%" (Chief Exec Officers not reviewed by Agency Head Salary Commission)
24	16.46	Change "2.0%" to "5.0%" (Chief Justice/Other Judicial Officers) Change "July 1, 1987." to "July 1, 1988."
30-32	16.86	No Change-For Information Only (Board of Economic Advisors)
-	16.90*	Add/Change (Statewide Administrative Reduction)
-	16.91	Add (Information Technology Carry Forward)
37	30.5*	Delete/Reinsert/Amend (School Bus Drivers Compensation)
49	30.86	Delete/Reinsert/Amend (Teacher Recruitment)
71	53.1	Change "102%" to "105%" (Aid to Counties-Veterans Affairs)
101	129.23	Change "monthly" to "quarterly" (Reports to Com on Personal Service Financing & Budgeting and JARC-Authorized FTEs)
-	Part II	Add
	Sec 1	Standard Statement
	Sec 2	General Reserve Fund and Capital Expenditure Fund
	Sec 3	Low-Level Radioactive Waste Disposal
	Sec 4*	Investment Reports

December 10, 1987

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EXHIBIT

* = BCB3:

DEC 18 1987

NO. 5

Changes to Proviso Package Dated 11/25/87

STATE BUDGET & CONTROL BOARD

<u>Old Page #</u>	<u>Proviso</u>	
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101	129.23	Change "monthly" to "quarterly" (Reports to Com on Personal Service Financing & Budgeting and JARC-Authorized FTEs)
-	Part II	Add
	Sec 1	Standard Statement
	Sec 2	General Reserve Fund and Capital Expenditure Fund
	Sec 3	Low-Level Radioactive Waste Disposal
	Sec 4*	Investment Reports

December 10, 1987

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accounts of the Senate, shall be allocated in such manner as determined by the Senate Operations and Management Committee.

3.33. The State shall provide to the nurses under Subsection 3C of this section the same leave time and basic health and accident insurance coverage as is provided other state employees pursuant to law.

3.34. The funds provided herein for the Council of State Governments and the National Conference of State Legislatures are appropriated to be paid as dues to the respective organizations and these funds shall not be transferred to any other program.

3.35. Notwithstanding any other provision of law, the Clerk of the House is required to send only one copy of each Act to the Clerk of the Court of the various counties.

3.36. All of the amount provided in 3C for nurses shall be utilized for the specified purpose.

3.37. Prior to negotiating contracts for legislative printing, the Clerks of the House and Senate shall investigate the establishment of in-house printing of bills, calendars, journals and other legislative material.

3.38. Of the amount appropriated for "Supplies and Equipment" in Subsection 3C of this section \$2,000 must be used for the rental of an electrocardiograph machine which would supply immediate readings to be used during the legislative session.

3.39. All members of the General Assembly shall receive a legislative expense allowance of \$300 per month.

3.40. An amount of \$150,000 is appropriated for the purpose of providing additional support personnel to assist House members who are not already being furnished with direct legislative assistance in the conduct of their Legislative responsibilities. This amount shall be used for staffing requirements where necessary for part time personnel. The House Operations & Management Committee shall recommend the method of use of these funds upon approval by the Speaker. The additional personnel shall be used only when the House is in regular or special session.

3.41. No per diem may be paid to any person from more than one source for any one calendar day.

3.42. The Speaker of the House is authorized to approve no more than \$500 per member per fiscal year from the postage accounts of Special Services for Both Houses for postage.

3.43. Each committee and joint legislative committee provide a list to the members of the General Assembly of all employees who hold dual positions of state employment.

3.44. The Director of the Legislative Council is authorized to have the staff proofreaders work one month before and one month after the session.

3.45. A joint study committee, consisting of three members of the House Ways & Means Committee appointed by the Chairman of the House Ways & Means Committee, three members of the Senate Finance Committee appointed by the Chairman of the Senate Finance Committee, and three members appointed by the Governor, shall study formula funding in education programs. The Chairman of the Senate Finance Committee shall convene the initial meeting of the study committee. The formulas to be studied include those utilized in Education Finance Act programs, the determination of the Southeastern average teacher pay, and the funding of institutions of postsecondary education. The State Board of Education, the State Board for Technical and Comprehensive Education, the Commission on Higher Education and any institution of

postsecondary education or school district must provide the committee such information as the committee requests. The committee shall report

to the General Assembly no later than January 1, 1988. The expenses of the legislative members of the study committee shall be paid from the approved accounts of their respective bodies. The expenses of the gubernatorial appointees shall be absorbed within the Governor's office.

3.46. The appropriation for Staff Reclassification Compensation provided for in Section 3B is for use by the Speaker for reclassification and salary adjustment of any employee of the House of Representatives after consultation with the Operations and Management Committee and the chairmen of the other Standing Committees of the House.

3.47. Any unexpended balance on June 30, 1987, in Section 3A, Subsection 1, Special Items, Security-Gressette Building, not to exceed

\$15,100, may be carried forward to 1987-88 to be utilized to purchase necessary security camera equipment not purchased as of June 30, 1987.

BO4 - SECTION 4 - JUDICIAL DEPARTMENT

4.1. County salary supplements of Judicial Department personnel shall be prohibited.

4.2. Every county shall provide for each circuit and family judge residing therein an office with all utilities including a private telephone, and shall provide the same for Supreme Court Justices and Judges of the Court of Appeals upon their request.

4.3. The amount appropriated in this section for "Defense of Indigents" shall be apportioned among counties in accord with Section 17-3-10, 1976 Code, but at a rate of \$459.02 per one thousand population, based on the official United States Census for 1980.

4.4. The appropriation for continued implementation of Article 7, Chapter 17, of Title 44 of the 1976 Code, and Chapter 52 of Title 44 of the 1976 Code, relating to commitments, admissions and discharges to mental health facilities, or treatment facility for the purpose of alcohol and drug abuse treatment, shall be expended for the compensation of court appointed private examiners, guardians ad litem, and attorneys for proposed patients, and related costs arising from the filing, service and copying of legal papers and the transcription of hearings or testimony. Court appointed private examiners, guardians ad litem and attorneys shall be paid at such rates or schedules as are jointly determined to be reasonable by the South Carolina Association of Probate Judges, the State Court Administrator and the South Carolina Department of Mental Health with the approval of the Attorney General.

4.5. Except as otherwise provided in Section 129.27, no money appropriated pursuant to Item VII, Judicial Commitment, or Item VI, Defense of Indigents shall be used to compensate any state employees appointed by the court as examiners, guardians ad litem or attorneys nor shall such funds be used in payment to any State agency for providing such services by their employees.

4.6. Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit Court Judge shall receive two hundred fifty dollars per month as expense allowance.

BCB2: CHANGE "1988." TO "1989."

BCB: CHANGE "1987," TO "1988,"

BCB: CHANGE "1987-88" TO "1988-89"

BCB: CHANGE "1987." TO "1988."

EXHIBIT

DEC 18 1987 NO. 5
STATE BUDGET & CONTROL BOARD

BCB: CHANGE "129.27.," TO "129.26.," (TECHNICAL)

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used to pay thirty percent of the excess cost of private placement over and above one per pupil share of state and local funds generated by the Education Finance Act, and the one per pupil share of applicable federal funds; provided it has been established that all other possible placements are exhausted or inappropriate. The balance of funding responsibility necessary to provide the child with services must be determined by the Children's Case Resolution System (CCRS) and apportioned among the appropriate public agencies on the basis of the reasons for the private placement. When the amount appropriated in this section is exhausted, the funding responsibility must be apportioned according to the procedures of the CCRS.

5.6. The funds provided herein for the National Governor's Association, the Southern Growth Policies Board, and the Southern States Energy Board are appropriated to be paid as dues to the respective organizations and these funds shall not be transferred to any other program.

5.7. Funds awarded to the State Law Enforcement Division by either court order or from donations or contributions shall be deposited in a special account with the State Treasurer, and shall be carried forward from year to year, and withdrawn from the Treasurer as needed to fulfill the purposes and conditions of the said order, donations or contributions, if specified, and if not specified, as may be directed by the Chief of the State Law Enforcement Division. Funds expended from the special account must be reviewed by the Joint Appropriations Review Committee.

5.8. Revenue generated from the operation of the Division's criminal justice computer/communications center and not expended during FY

1986-87 may be carried forward and expended for the same purpose during FY 1987-88.

5.9. The State Law Enforcement Division is hereby authorized to charge a fee, not to exceed \$5.00 each, for criminal record searches conducted pursuant to Regulations contained in Chapter 73, Article 3, Subarticle 1 of the Code of State Regulations.

5.10. Revenue generated by SLED from the sale of vehicles during FY 1986-87 may be carried forward into FY 1987-88 and expended for the purpose of purchasing new vehicles.

5.11. Forty-five days after the passage of this Act the Governor's Office shall submit to the Ways and Means Committee and Senate Finance Committee a detailed line item program budget. Programs enumerated shall include: Finance and Grants Management, Community and Economic Affairs, Small and Minority Business, Health and Human Affairs, Ombudsman, Economic Opportunity, Energy and Environment, Transportation, Rural Improvements, Public Safety and Education.

5.12. \$120,000 of the sums appropriated under OEPP, Allocations to other State Agencies must be for the South Carolina Development Disabilities Case Coordination System.

BCB: CHANGE "1986-87" TO "1987-88"

BCB: CHANGE "1987-88." TO "1988-89."

BCB: ADD TO END OF ABOVE "5.9"
<"The revenue may be retained and expended to offset any cost incurred by the State Law Enforcement Division to conduct a criminal record search.">

BCB: CHANGE "1986-87" TO "1987-88"
CHANGE "1987-88" TO "1988-89"

BCB2: CHANGE "\$200,000" TO "funds"

5.13. The \$200,000 appropriated herein for the Special School of science and Mathematics shall not be expended until such time as the Comptroller General certifies that there is a match of non-state funds in the form of cash, pledges or services equal to \$800,000. Funds shall be expended pursuant to the direction of the Board of Trustees of the Special School of Science and Mathematics as constituted herein.

5.14. There shall be established a commission to advise the Governor and the General Assembly on the feasibility, governance, location, design, purpose, and cost of a Rural Development Center to be named in honor of the late Senator I. DeQuincey Newman.

The manner of appointment for the commission shall be three members by the Speaker of the House, three by the President of the Senate, and five gubernatorial appointees, all representative of rural areas.

The commission shall appoint other committees and work groups as necessary. The commission will provide to the Governor and the General

Assembly a report in March of 1988. The commission chairman will be appointed by the Governor.

This commission shall receive travel and per diem as provided by state law. \$6,000 is authorized for the expenses of this commission. The Governor's Office shall provide staff support to the commission.

BCB: CHANGE "1988." TO "1989."

BCB: ADD "5.15." (Agents Operations)

<"5.15. Any unexpended balance on June 30, 1988, in subsection 5B of the Section "Agents Operations" may be carried forward and expended for the same purpose in FY 1988-89.">

E08 - SECTION 7 - SECRETARY OF STATE'S OFFICE

7.1. The Secretary of State shall investigate failures of special purpose districts to disclose information required by Act 488 of 1984.

He shall report to the General Assembly by January 1, 1988, the districts which were granted extensions and the reasons for these extensions and the districts which become nonfunctioning or inactive.

BCB: CHANGE "1988," TO "1989,"

E12 - SECTION 8 - COMPTROLLER GENERAL'S OFFICE

8.1. The one remaining widow of a Confederate veteran shall receive as pension the sum of Six Hundred (\$600.00) Dollars per year. Not more than one pension shall be allowed or paid after the death of the pensioner, the said amount after death being for the purpose of defraying the funeral expenses of pensioner, but such funeral expenses shall not exceed the sum of One Thousand (\$1,000.00) Dollars. The Comptroller General shall pay the above pension in a single payment as soon after the beginning of the fiscal year as may be practical.

8.2. Of the appropriation contained in Program I, Administration, the Comptroller General is authorized to spend an amount not to exceed \$2,000.00 which, in his determination, will benefit the one remaining widow of a Confederate veteran in South Carolina. Such expenditure shall not be construed as income to the recipient and that such funds should be expended by the Comptroller General in such a manner so as not to affect the recipient's eligibility for social security assistance, veteran's assistance, or Medicaid benefits.

10.1. The amount appropriated in this section for salaries of Solicitors shall be paid to each full-time Solicitor at an annual rate of \$68,962.

10.2. Each solicitor shall receive two hundred fifty dollars per month as expense allowance.

10.3. The Attorney General is hereby authorized to contract for the collection of debts, claims or obligations due to the State, or any of its departments or institutions.

10.4. No department or agency of the State Government shall hire any attorney as an employee to be engaged in legal work except upon the written approval of the Attorney General and at a compensation approved by him. All such attorneys shall at all times be under the supervision and control of the Attorney General except as otherwise provided by law unless obtaining prior approval by the Budget and Control Board.

10.5. No department or agency of the State Government shall engage on a fee basis any attorney at law except upon the written approval of the Attorney General and upon such fee as shall be approved by him. This shall not apply to the employment of attorneys in special cases in inferior courts where the fee to be paid does not exceed two hundred fifty (\$250.00) dollars or exceptions approved by the Budget and Control Board.

10.6. The Attorney General shall assign and physically locate at least one assistant as counsel to perform necessary legal work in the Tax Commission. A Deputy Attorney General shall be assigned and physically located at the Department of Social Services to supervise the Department Child Support Enforcement Legal Division. Appropriate office space and reference materials shall be provided and secretarial, travel and other expenses of the attorneys thus assigned shall be borne by the respective agencies.

10.7. The Attorney General is authorized to print for public sale, copies of his published opinions and index thereto at such charges as are established by the state printer, in accordance with the cost of the documents plus a twenty-five percent surcharge. All proceeds from the sale of copies of opinions or indices shall be remitted to the general funds of the State and a full accounting kept thereof.

10.8. The amount appropriated in this section for "Judicial Circuits (16)-State Support" shall be apportioned among the circuits at a rate of 72 cents per capita, based on the official United States Census of 1980. Payment shall be made to each Judicial Circuit in two equal payments, which shall be made as soon after the beginning of the first and third quarter as practical.

10.9. No circuit shall receive less than \$45,000 as its share of the above apportionment.

10.10. The Health and Human Services Finance Commission shall transfer quarterly to the General Fund of the State, the funds available from the prevailing federal participation rates applicable to the total costs incurred by the Attorney General in operating the Medicaid Fraud Program.

10.11. Any unexpended balance on June 30, 1987, of the amount appropriated under Program II, "Judicial Circuit-State Support" may be

carried forward into the Fiscal Year 1987-88 and expended for the operation of the Solicitor's office relating to operational expenses.

10.12. Any unexpended balance, appropriated for litigation for the

BCB2: CHANGE "\$68,962." TO "\$70,686."

BCB: CHANGE "1987," TO "1988,"

BCB: CHANGE "1987-88" TO "1988-89"

BCB: CHANGE "1987," TO "1988,"

16.32. State employees who, while driving State-owned vehicles on official business, are involved in accidents resulting in damages to such vehicles shall not be held liable to the State for the cost of repairs. Agencies shall insure such vehicles through the Budget and Control Board or shall absorb the cost of repairs within the agency budget. The employee-operator may be assessed for an amount not to exceed two hundred dollars for each occurrence if he is found to be at fault in the accident after a review of records conducted by a duly appointed Accident Review Board.

16.33. The State Budget and Control Board may develop and implement a revised pay schedule for classified positions. The minimum wage shall be no less than the minimum wage established by the Federal Fair Labor Standards Act and that no classified employee be paid less than the minimum of his pay range.

16.34. The Budget and Control Board shall develop a plan for the distribution of the funds appropriated in SECTION 16L and designated as base pay increase.

16.35. Base pay increases shall not be awarded to employees in amounts having the effect of raising base salaries above the new adjusted maximum of their pay ranges.

16.36. Longevity payments shall not be considered a part of the base salary of the employee for the purpose of awarding a base pay increase.

BCB: DELETE & REINSERT/AMEND "16.37."
(Base Pay & Merit Increase)

16.37. The amounts appropriated to the Budget and Control Board for Base Pay and Merit increases must be allocated by the Board to various state agencies to provide pay increases for employees in accordance with the following plan:

A. Effective on the first pay date which occurs on or after July 1, 1987, the compensation of unclassified employees and classified employees shall be increased by 2.0% unless otherwise prohibited or allowed by Paragraph B of this proviso.

B. Effective on the first pay date which occurs on or after October 1, 1987, with respect to unclassified executive compensation system and unclassified academic employees, each agency is authorized to allot the total funds for compensation increases for its employees in these groups among individual employees without uniformity. All of the salaries are subject to the provisions of Section 129.10 of Part I of this Act and that specific Budget and Control Board approval must be obtained before any employees subject to the provisions of this paragraph may be granted an annual pay raise in excess of 5.0%. The funds provided for compensation increases for any employees subject to the provisions of this paragraph are based on an average annual 2.5% increase. Any employees subject to the provision of this paragraph shall not be eligible for the compensation increases provided in Paragraphs A and C.

C. The Budget and Control Board shall develop a plan for the distribution of funds appropriated in Section 16L and designated as merit increments so as to provide funds for an average 1% merit increment increase for classified and unclassified employees. All classified employees including those at or above the maximum salary for their grade shall be eligible to receive merit increases under the plan adopted by the Budget and Control Board. For the purpose of computing the allocation of merit increment funds to the various agencies and institutions, it is assumed that the average merit review date for both classified and unclassified employees shall be January 1, 1988.

BCB2: REINSERT/AMEND "16.37." (Base Pay/Merit Inc)

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"16.37. The amounts appropriated to the Budget and Control Board for Base Pay and Merit Increases must be allocated by the Board to various state agencies to provide pay increases for employees in accordance with the following plan:

A. Effective on the first pay date which occurs on or after July 1, <1988,> the compensation of classified employees shall be increased by <2.5%>.

B. Effective on the first pay date which occurs on or after <July 1, 1988,> with respect to <unclassified employees not elsewhere covered in this Act,> each agency is authorized to allot the total funds for compensation increases among individual employees without uniformity. The funds provided for compensation increases for any employees subject to the provisions of this paragraph are based on an annual average <5.0%> increase. All of the salaries are subject to the provisions of Section 129.10 of Part I of this Act and Budget and Control Board approval must be obtained before any employees subject to the provisions of this paragraph may be granted an annual pay <increase> in excess of <the guidelines established by the Budget and Control Board>. Any employees subject to the provisions of this paragraph shall not be eligible for the compensation increases provided in Paragraphs A, C <and D>.

C. <Effective on the first pay date which occurs on or after October 1, 1988, with respect to unclassified executive compensation system employees, each agency is authorized to allot the total funds for compensation increases among individual employees without uniformity. The funds provided for compensation increases for any employees subject to the provisions of this paragraph are based on an annual average 5.0% increase. Budget and Control Board approval must be obtained before any employees subject to the provisions of this paragraph may be granted an annual pay increase in excess of the guidelines established by the Budget and Control Board. Any employees subject to the provisions of this paragraph shall not be eligible for the compensation increases provided in Paragraphs A, B and D.>

<D>. The Budget and Control Board shall develop a plan for the distribution of funds appropriated in Section 16L and designated as merit increments so as to provide funds for an average <2.5%> merit increment increase for classified employees. <All merit increases awarded shall be effective on the first pay date on or after July 1, 1988.">

16.38. It is the intent of the General Assembly that a salary and fringe benefit survey for agency heads shall be conducted by the Human Resource Management Division of the Budget & Control Board every three years.

16.39. Appropriated funds may be used for compensation increases for classified and unclassified employees and agency heads only in the same ratio that the employee's base salary is paid from appropriated sources.

16.40. Statewide elected officials, constitutional officers, temporary positions, whether full or part-time, and agency heads, shall not be eligible for any compensation increases as provided in this Act unless otherwise specified in this Act.

16.41. No employee shall receive in excess of 96% of the midpoint of the agency head salary range, except upon approval of the Budget and Control Board. This proviso shall not apply to agencies headed by a constitutional officer.

16.42. Salary increases to agency heads may not have the effect of raising salaries above the maximum of their pay ranges.

16.43. The Agency Head Salary Commission shall recommend to the Budget and Control Board, by October 1, 1987, salary increases for agency heads with the exception of the Executive Director of the State Board for Technical and Comprehensive Education, the Administrator of the Department of Consumer Affairs, and the Director of the Department of Archives and History, reviewed by that Commission. Pay increases shall range from zero percent to five percent. No agency head will be paid less than the minimum of the pay range nor receive an increase having the effect of raising the salary above the maximum of the range. Any increases recommended by the Agency Head Salary Commission must be

BCB2: DELETE & REINSERT/AMEND "16.41."
(Agency Head Salary Range)

BCB2: REINSERT/AMEND "16.41." (Agcy Hd Salary Range)
"16.41. No employee <of agencies reviewed by the Agency Head Salary Commission> shall receive in excess of <95%> of the midpoint of the agency head salary range, except upon approval of the Budget and Control Board."

BCB: DELETE & REINSERT/AMEND "16.42."
(Agency Head Salary Increase)

BCB2: REINSERT/AMEND "16.42. (Agcy Hd Salary Inc)
"16.42. <The Agency Head Salary Commission shall recommend to the Budget and Control Board salary increases consisting of a 2.5% base pay increase and 0% to 5% performance pay increase. No agency head shall be paid less than the minimum of the pay range nor receive an increase that would have the effect of raising the salary above the maximum of the pay range. Funding shall be provided for the 2.5% base pay increase. Any performance increases recommended by the Agency Head Salary Commission shall be funded from the individual agency budget. All increases shall be effective on or after October 1, 1988.">

BCB: DELETE & REINSERT/AMEND "16.43."
(Agency Head Salary Increases)

funded out of the individual agency's budget. The effective date of salary increases is the first pay date on or after October 1, 1987.

16.44. With the exception of the Director of the Division of Local Government, agency chief executive officers not reviewed by the Agency Head Salary Commission shall receive an annual increase of 2.5% effective on the first pay date which occurs on or after July 1, 1987, unless otherwise provided in this Act. Such increases will be funded out of the individual agency's budget. The Budget and Control Board shall transfer the amount, as necessary, for such increases.

16.45. Notwithstanding any other provision of law all new members appointed to a governing board of an agency where the performance of the agency head is reviewed and ranked by the Agency Head Salary Commission, shall attend the training in agency head performance appraisal provided by the Commission within the first year of their appointment unless specifically excused by the Chairman of the Agency Head Salary Commission.

16.46. The Chief Justice and other judicial officers as prescribed by law shall receive an annual increase of 2.0% effective on the first pay date occurring on or after July 1, 1987.

16.47. The Health and Human Services Finance Commission shall remit to the General Fund an amount representing fifty percent (allowable Federal Financial Participation) of the cost of the Medical Assistance Audit included in Program II as established in the State Auditor's Office of the Budget and Control Board Section 16J such amount to also include appropriated salary adjustments and employer contributions allowable to this program. Such remittance to the General Fund shall be made monthly and based on invoices as provided by the State Auditor's Office of the Budget and Control Board.

16.48. The Budget and Control Board shall make quarterly payments on all insurance contracts where the annual premium exceeds \$50,000. The Board shall undertake such negotiations as are necessary to implement this requirement. Where fees may be incurred for quarterly rather

BCB2: REINSERT/AMEND "16.43." (Agcy Hd Salary Inc)
"16.43. <The Agency Head Salary Commission may further recommend to the Budget and Control Board that agency head salaries be adjusted when necessary up to the midpoints of their respective salary range. These increases would be based on criteria developed and approved by the Agency Head Salary Commission and would be effective on or after October 1, 1988.>"

BCB2: ADD "16.43A." (Minimum of Range Salary Adj)
"<16.43A. The Agency Head Salary Commission may further recommend to the Budget and Control Board that agency head salaries be adjusted to the minimum of their salary range when necessary on or after July 1, 1988.>"

BCB: DELETE "With...Local Government,

BCB2: CHANGE "2.5%" TO "5.0%"

BCB: CHANGE "1987," TO "1988,"

BCB: DELETE "Such increases...such increases."

BCB2: CHANGE "2.0%" TO "5.0%"

BCB2: CHANGE "1987." TO "1988."

16.86. (1) The General Assembly finds and declares that the present system of advising the Budget and Control Board and General Assembly on economic trends has, at times, developed in a fragmented manner and that a unified system of dealing with the collection, analysis, interpretation, and presentation of matters relative to the economy is urgently needed for the orderly development of projections and forecasts as relates to revenues for a specified period of time. It is the purpose of this provision to establish an organizational and procedural framework governing formulation and review of all state revenues for all state programs and to establish general policy governing the administration of the Office of the Board of Economic Advisors.

(2) Notwithstanding the provisions of Section 11-9-820 of the 1976 Code, and effective June 1, 1988, there is created the Board of Economic Advisors as follows:

(a) One member with broad economic or business experience appointed by the Governor for a period of two years and for each two-year period thereafter, who shall serve as chairman.

(b) One member with broad economic or business experience appointed by the Senate Finance Committee Chairman for a period of two years and for each two-year period thereafter.

(c) One member with broad economic or business experience appointed by the House Ways and Means Committee Chairman for a period of two years and for each two-year period thereafter.

(d) Director of the Division of Research and Statistical Services, Budget and Control Board.

(e) Chairman of the State Tax Commission.

The chairman of the Board of Economic Advisors shall report directly to the Budget and Control Board to establish policy governing economic trends. Staff support and services for the Board of Economic Advisors must be provided by the Division of Research and Statistical Services, Budget and Control Board, and all such staff shall report to the Division Director. The Office of the Executive Director, Budget and Control Board, shall provide any additional administrative and logistical support that may be required for the advisors to carry out the provisions of this section. Members of the Board of Economic Advisors who are not state employees shall receive only per diem compensation in accordance with state regulations. State employees shall not receive additional compensation for services to the Board of Economic Advisors.

The members of the Board of Economic Advisors shall appoint a panel consisting of at least five experts to advise the Board of Economic Advisors on national and state economic conditions and trends.

(3) In order to provide a more effective system of providing advice to the Budget and Control Board and the General Assembly on revenue trends, the members of the Board of Economic Advisors as established pursuant to this paragraph of Part I of this Act have the following duties:

(a) The Director, Division of Research and Statistical Services, shall maintain an economic data base and statistical models; shall compile and maintain in a unified, concise, and orderly form information about total revenues; shall compile economic, social, and demographic data for use in the publishing of economic scenarios for incorporation into the development of the state budget; shall publish data on economic and revenue trends; shall provide staff support from within the Division to the Board of Economic Advisors; and shall provide a monitoring report of the economic outlook on a continual basis

BCB: DELETE "and effective June 1, 1988,"

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to the House Ways and Means Committee, the Senate Finance Committee, and the Budget and Control Board.

(b) The chairman of the Tax Commission shall advise the Board of Economic Advisors on trends and impacts regarding revenues administered by the Tax Commission; shall coordinate estimates of impacts on revenues with the Board of Economic Advisors; and shall provide to the Advisors nonconfidential data as may be necessary to carry out their duties.

(c) The three appointed members shall advise on broad economic trends at the national and state levels; shall conduct independent research on economic trends; and must be available to the other advisors for consultation on economic trends.

(d) All advisors shall continuously review and evaluate total revenues to determine the extent to which they meet fiscal plan forecasts/projections.

(e) The chairman, Board of Economic Advisors, shall bring to the attention of the Governor and the Budget and Control Board the consensus about the effectiveness, or lack thereof, of revenue trends and the impact on statewide budgets.

(4) In the organizational and procedural framework governing the formulation and review of revenues, any appropriate governmental entity identifying or requesting a change in the official revenue forecast or projection exceeding one hundred thousand dollars, for a specified period of time, shall first notify the office of the Board of Economic Advisors as established pursuant to this paragraph of part I of this Act prior to any independent adjustment in the appropriations or requests of the revenue for a particular year.

The Board of Economic Advisors shall formally meet at least monthly. Other meetings may be at the call of the Governor, the General Assembly, or the Chairman of the Board. Meetings must be announced in advance and open to the public.

The Board of Economic Advisors is the official voice of the State in economic matters related to revenue estimates. The chairman is responsible for formulating a consensus and for generally acting as a spokesman.

(5) Of the funds appropriated for fiscal Year 1987-88, the Chairman of the Board of Economic Advisors shall receive from the Budget and Control Board Civil Contingent Fund an amount not to exceed \$667 and for each year after that an amount not to exceed ten thousand dollars.

16.87. The Information Technology Planning Unit of the State Budget and Control Board shall conduct a survey to determine the extent and use of television technology throughout state government, and identify any unnecessary duplication of services. This study shall include both production services being offered and technological hardware available from state agencies. A full report on the results of this study be made

to the Legislature by January 1, 1988.

16.88. Any supplement from a public or private source to the salary appropriated for a state employee and fixed by the State must be reported by the employee to the Division of Human Resource Management of the State Budget and Control Board. The report must include the amount, source, and any condition of the supplement. Any change in the amount, source, or condition must be reported to the division by the employee.

BCB: CHANGE "1987-88," TO "1988-89,"

BCB: CHANGE "1988." TO "1989."

BCB: ADD "16.89." (Health Ins/Retirees)

<"16.89. The Budget and Control Board, State Retirement Division shall reduce the monthly

billing of state funded health insurance for retired state and public school employees by \$468,283 during Fiscal Year 1988-89.">

BCB3: ADD "16.90." (Statewide Admin Reduction)

<"16.90. A statewide administrative reduction in the amount of \$3,800,000 shall be allocated in the following manner. The Governor's Office of Grants Services, considering but not necessarily following appropriate federal indirect cost guidelines, shall provide information upon which the Budget Division will establish a definition of general administration which would be applicable to all state agencies. In formulating this definition, the Budget Division shall take into account the program functions of central management agencies as well as those of service delivery agencies, thereby establishing a common definition of general administration applicable to both central management and service delivery agencies. Upon approval of the Joint Legislative Appropriations Review Committee, this definition of general administration shall be submitted to the Budget and Control Board for review. In the event that the Budget and Control Board determines this definition to be appropriate and fair, the Budget Division shall allocate the reduction according to this or a revised definition of administrative costs. In the event that the Budget and Control Board determines that the definition would not be appropriate and fair, the reduction shall be allocated as a percentage of agency personal service funds.

The Budget and Control Board will entertain requests for exemption from the reduction on the basis of demonstrated hardship or the historical absence of any increase in appropriations for administrative purposes. The Budget Division shall withhold from each agency not exempted an amount of employee base pay increase allocation in FY 1989 adequate to cover the administrative reduction.">

BCB2: ADD "16.91." (Info Technology Carry forward)

<"16.91. Any funds appropriated to the Budget and Control Board for the purchase of computer equipment, software, and related services intended to support the development of redistricting activities in FY 1988-89 which are not expended at the end of 1988-89 may be carried forward into 1989-90 for the same purpose as originally appropriated.">

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29.6. The State Board for Technical and Comprehensive Education may increase the teaching faculty salaries up to twenty percent (20%) in addition to any other increases provided in this Act. The increases are to provide competitive market adjustments. Any increases and subsequent year annualization costs must be derived from and limited to funds presently available within each college.

29.7. That notwithstanding any other provision of law, county or any other locally raised funds of Technical Colleges shall be retained as local funds under the guidelines of the State Board for Technical and Comprehensive Education and administration of the local area commissions; such guidelines may include, but not be limited to authorization for investment of local funds.

29.8. An area commission of a technical college under the jurisdiction of the State Board for Technical and Comprehensive Education may issue covenants, enter into mortgages, and/or grant liens limiting the use or sale of certain parcels of real or personal property in its possession when required as a condition of accepting a grant, loan or donation for specified Capital Improvement Projects.

H63 - SECTION 30 - DEPARTMENT OF EDUCATION

30.1. The "School Building Aid" appropriation, after being appropriately adjusted, shall be transferred to a special trust fund established by the Comptroller General. Such funds shall remain available to the school districts of the State until approved for use in accordance with Section 59-21-350 of the Code of Laws of 1976.

30.2. The amount appropriated in this section for Attendance Supervisors shall be used for the payment of salaries of one supervisor for each county at the rate of \$11,795 each per year. In the absence of a County Board of Education or with the approval of the County Board of Education in multi-district counties, the salary will be proportionately distributed among the districts of the county on the basis of the 35-day enrollment of the prior year, provided that such funds must be used for supervision of the Attendance Program.

30.3. The amount appropriated in this section for County School Lunch Supervisors shall be used for the payment of salaries of one supervisor for each county at the rate of \$11,795 each per year and no such salary shall be supplemented from funds provided in this section for "School Lunch Program Aid". In the absence of a County Board of Education or with the approval of the County Board of Education in multi-district counties, the salary shall be proportionately distributed among the districts of the county on the basis of the 35-day enrollment of the prior year, provided that such funds must be used for the supervision of the School Food Service Program.

30.4. For the Fiscal Year 1987-88 the local supplement to salaries of county School Lunch Supervisors and School Attendance Supervisors

shall not be reduced below 95.2% of the supplements paid in 1986-87.

30.5. For the Fiscal Year 1987-88 the compensation of school bus drivers shall be three dollars and forty-seven cents (\$3.47) per hour

BCB: CHANGE "1987-88" TO "1988-89"

BCB: DELETE "95.2% of"
CHANGE "1986-87." TO "1987-88."

BCB2: DELETE & REINSERT/AMEND "30.5."
(School Bus Drivers)

or the federal minimum wage, whichever is greater. Children employed when parents are elected or appointed to a school board may continue employment.

30.6. The appropriation in this section under Item VII, Direct Aid to School Districts shall be expended for employer contributions for public school employees. Any portion of the employer contribution expended by the school districts to provide group health, life, and accidental death, dismemberment, and disability insurance for active employees of public school districts of South Carolina and their eligible dependents, shall be in accord with such plans as may be determined by the Budget and Control Board to be equitable and of maximum benefit to those covered.

30.7. It is the intent of the General Assembly that the appropriation contained herein for "Public School Employee Benefits" shall not be utilized to provide employer contributions for any portion of a school district employees salary which is federally funded.

30.8. Notwithstanding any other provisions of law, the amounts appropriated in this section under "State Employer Contributions" for State Retirement, Group Life Insurance, Social Security, and Health Insurance for Public School Employees shall be the total amount provided for these purposes, herein, and shall be the maximum paid to the aggregate of recipients.

30.9. Funds contained herein for "Aid to School Districts - Employer Contributions" shall be allocated to the school districts or educational subdivisions according to a formula developed by the State Department of Education. The formula shall provide for a three year phase-in to allocation of the funds on a weighted pupil unit basis.

30.10. The Department of Youth Services and the Department of Corrections school districts must be allocated funds under this program in accordance with criteria established for all school districts.

30.11. In the event the Department of Education is notified that an Educational Subdivision has failed to remit proper payments to cover Employee Fringe Benefit obligations, the Department of Education is directed to withhold the Educational Subdivision's state funds until such obligations are met.

30.12. The amount appropriated in this Section for "Education Finance Act" shall be the maximum paid under the provisions of Act 163 of 1977 (the South Carolina Education Finance Act of 1977) to the aggregate of all recipients. The South Carolina Education Department shall develop formulas to determine the State and required local funding as stipulated in the South Carolina Education Finance Act of 1977. Such formulas shall require the approval of the State Board of Education and the Budget and Control Board.

BCB3: REINSERT/AMEND "30.5." (School Bus Drivers)
"30.5. for the fiscal year <1988-89> the compensation of school bus drivers <with at least three years driving experience shall be \$4.50 per hour. The compensation of all other school bus drivers> shall be \$3.47 per hour or the federal minimum wage, whichever is greater. Children employed when parents are elected or appointed to a school board may continue employment."

BCB: DELETE "The formula shall...unit basis."

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required by Act 187 of 1979 for full admittance into an undergraduate teacher education program.

30.81. Of the funds provided for teacher salaries funds may be used to pay salaries for those teachers holding temporary or emergency certificates which shall remain valid for the 1987-88 school year if the local board of education so requests. The State Department of Educa-

tion shall submit to the General Assembly by March 1, 1988, a report showing by district the number of emergency certificates by category; including an enumeration of the certificates carried forward from the previous year. After July 1, 1987, no temporary or emergency certificate shall be continued for more than three years.

30.82. \$40,000 of funds appropriated under the Education Improvement Act, Tuition Reimbursement Program, shall be provided to the Governor's School for the Arts for training teachers, administrators and supervisory personnel to work effectively in the identification, program development and evaluation of artistically talented students. The Governor's School for the Arts shall report to the Education Improvement Act Select Committee on the effectiveness of the program by

January 1, 1988.

30.83. Funds appropriated above in X. Education Improvement Program, E. Quality Control and Production, School Council Improvement-Contractual Services shall be transferred to USC, College of Education, School Council Assistance Project to conduct activities specified in the Education Improvement Act.

30.84. Administrative costs for the Congressional Teacher Scholarship Program, an amount not to exceed \$15,000, shall be paid from funds appropriated for the Education Improvement Act Teacher Loan Program.

30.85. Funds appropriated under Section 30, Item X, Allocation Education Improvement Act, (D)(2) Principal Incentive Program may be expended for pilot-testing of one of the models approved by the State

Board of Education. During 1987-88, school districts must either (1) pilot-test one of the models approved by the State Board of Education or (2) develop a plan for full implementation of one of the approved

models for 1988-89. The State Board of Education shall select pilot-test districts from among those applying to the extent state funds are provided for the Principal Incentive Program.

30.86. Of the amount of \$540,000 appropriated in this section under "X - Education Improvement Act, C. - Teaching Profession, 4, S.C. Ctr. for Tch. Recruit; Aid to Subdivisions, Alloc. EIA - S.C. Cntr. for Teacher Recruiting," \$90,000 must be distributed to S.C. State College, and \$90,000 must be distributed to Benedict College to be used by both colleges only for minority teacher recruitment programs.

BCB: CHANGE "1987-88" TO "1988-89"

BCB: CHANGE "1988," TO "1989,"

BCB: CHANGE "1988," TO "1989,"

BCB: CHANGE "1987-88," TO "1988-89,"

BCB: CHANGE "1988-89." TO "1989-90."

BCB2: DELETE & REINSERT/AMEND "30.86."
(Teacher Recruitment)

BCB2: REINSERT/AMEND "30.86." (Teacher Recruitment)
"30.86. Of the amount of \$540,000 appropriated in this section under "X-Education Improvement Act, C.-Teaching Profession, 4, S.C. Center for Teacher Recruitment; Aid to Subdivisions, Alloc. EIA-S.C. Center for Teacher Recruiting," <\$360,000 must be distributed to

30.87. Of funds appropriated in Item X, Education Improvement Act, Item B.1, Basic Skills Remedial an amount not to exceed \$1,000,000 must be used for adult education students scoring below the BSAP standard on any portion of the exit examination at a remedial weight of .114 of the base student cost as defined in the Education Finance Act.

H67 - SECTION 31 - EDUCATIONAL TELEVISION COMMISSION

31.1. The Educational Television Commission shall be permitted to carry forward any funds derived from grant awards or designated contributions and any state funds necessary to match such funds, provided that these funds be expended for the programs which they were originally designated.

31.2. The Educational Television Commission shall annually report the cost of providing production services to governmental agencies by including a summary of these projects in the Commission's annual report to the Legislature. The information reported in this summary shall include the costs incurred by the Commission by category of the production services provided to governmental agencies.

H71 - SECTION 32 - WILLOW GRAY OPPORTUNITY SCHOOL

32.1. The Opportunity School will incorporate into its program services for students, ages 15 and over, who are deemed truant; and will cooperate with the Department of Youth Services, the Family Courts, and School districts to encourage the removal of truant students to the Opportunity School when such students can be served appropriately by the Opportunity School's program.

H73 - SECTION 33 - VOCATIONAL REHABILITATION

33.1. All revenues derived from production contracts earned by the handicapped trainees of the Evaluation and Training Facilities (Workshops) may be retained by the State Agency of Vocational Rehabilitation and used in the facilities for Client Wages and any other production costs; and further, any excess funds derived from these production contracts be used for other operating expenses and/or permanent improvements of these facilities.

33.2. To maximize utilization of federal funding and prevent the loss of such funding to other states in the Basic Service Program, the State Agency of Vocational Rehabilitation be allowed to budget realignment and other funds received in excess of original projections in following State fiscal years.

Winthrop College for general recruiting to the teaching profession, > \$90,000 must be distributed to S.C. State College, and \$90,000 must be distributed to Benedict College to be used only for minority teacher recruitment programs. <The Commission on Higher Education shall evaluate the recruitment programs and report to the Education Improvement Act Select Committee on the effectiveness of the programs by January 15, 1989.>"

ried forward by the Authority into 1987-88. By October 1, 1987, a report shall be submitted to the Senate Finance Committee and the House Ways and Means Committee, detailing the amount carried forward and a detailed budget for its expenditures.

L36 - SECTION 52 - S.C. COMMISSION ON HUMAN AFFAIRS

52.1. Revenue derived from the sale of 'The Blueprint' may be retained and expended for the purpose of conducting the biennial Human Affairs Forum.

L40 - SECTION 53 - DEPARTMENT OF VETERAN'S AFFAIRS

53.1. In the allocation of the appropriation in this section as adjusted for "Aid to Counties--Operation of County Office," each county shall receive an effective annual amount equal to 102% of the amount allocated to it for the year 1986-87.

N04 - SECTION 55 - DEPARTMENT OF CORRECTIONS

55.1. Whenever an inmate shall be discharged from the Department of Corrections the State Board of Corrections thereof shall furnish such inmate with a suit of common clothes, if deemed necessary, and transportation from the Department of Corrections to his home, if his home be within this State, or to the County from which he was sentenced if his home be without this State.

55.2. Revenue derived wholly from supervisory charges paid by inmates participating in the Extended Work Release Program be retained by the Department of Corrections to continue the program. Revenue collected and retained by the Department of Corrections in prior years from the Extended Work Release Program be retained and carried forward to continue the Extended Work Release Program.

55.3. Notwithstanding any provision of law to the contrary, the proceeds from the sale of all excess agricultural products produced by the Farm Program of the South Carolina Department of Corrections shall be retained by that agency to be utilized in the expansion and modernization of the program.

55.4. In addition to sales currently authorized by statute, all articles or products produced by the Department of Corrections may be sold on the open market; those articles or products not provided for by statute, are sold and distributed through wholesalers and jobbers within this State.

55.5. Notwithstanding any other provision of law to the contrary, the excess revenue generated by the Adult Work Activity Center be returned to the Department of Corrections to be utilized in the expansion and modernization of the Habilitation Unit for the Developmentally Disabled.

55.6. Revenue derived wholly from the Canteen operations within the Department of Corrections on behalf of the inmate population, may be retained and expended by the Department for the continuation of the operation of said Canteens and the welfare of the inmate population.

CHANGE "1987," TO "1988,"

BCB2: CHANGE "102%" TO "105%"

BCB: CHANGE "1986-87." TO "1987-88."

EXHIBIT

DEC 18 1987 NO. 5

STATE BUDGET & CONTROL BOARD

agencies of the State Government occupying space in State-controlled office buildings. The amount charged each department or agency shall be calculated on a square foot, or other equitable basis of measurement, and at such rates as will yield sufficient total annual revenue to cover, in priority order, both (1) the annual principal and interest due on the Capital Improvement Obligations authorized by Act No. 829 of the 1964 Acts, Act No. 1273 of the 1970 Acts and Act No. 508 of the 1971 Acts and Act No. 1377 of the 1968 Acts as amended for projects administered by the Division of General Services and (2) maintenance and operation costs of State-controlled office buildings in the City of Columbia. The amount so collected which is applicable to the payment of principal and interest due on obligations authorized by Act 1377 of the 1968 Acts as amended shall be paid into the State's General Fund to apply on debt service appropriations under the Section 122 of this Act.

Subsection (b). All departments and agencies against which rental charges are assessed and whose operations are financed in whole or in part by Federal and/or other non-appropriated funds are directed to apportion the payment of such charges equitably among all such funds, so that each shall bear its proportionate share. All appropriations in this Act applicable to the rental of space in State-controlled buildings (exclusive of the Department of Highways and Public Transportation), shall be available only for payment of that portion of rental charges applicable to State-appropriated operations.

Subsection (c). Rental collections shall be deposited by the Budget and Control Board in the State Treasury in a special account and shall be expended only for (1) payment of principal and interest due on the obligations referred to in Subsection (a) above and (2) maintenance and operations costs of the buildings referred to in Subsection (a) above.

129.19. Any funds derived by the State Port Authority from the rental, lease or sale of any of its facilities shall be expended for the benefit of the particular Port where such facilities are located.

129.20. In any instances where Federal laws or regulations, relating to funds allotted to State Government agencies, include requirements relating to banking procedures, the State Treasury shall be deemed to meet the definition of a bank.

129.21. Presidents of the University of South Carolina, Clemson University, the Medical University of South Carolina, The Citadel, Winthrop College, South Carolina State College, Francis Marion College, College of Charleston, and Lander College must not be paid a fixed allowance for personal expenses incurred in connection with the performance of their official duties. Reimbursements may be made to the Presidents from funds available to their respective institutions for any personal expenses incurred provided that all requests for reimbursement are supported by properly documented vouchers processed through the normal accounting procedures of the institutions.

129.22. The funds appropriated to each agency or institution for payment of employer contributions for state employees shall be used for that purpose only and it is intended that the amount so provided to each agency or institution shall be sufficient to pay the employer contribution costs of that agency. The Budget and Control Board is directed to devise a plan for the expenditure of the funds appropriated for employer contributions and may require transfers of funds within an agency or institution if it becomes evident that the employer contribution costs will exceed the funds available for that purpose.

129.23. The General Assembly expresses its continuing concern over the control of the number of personnel employed by the State of South

Carolina. This concern is evidenced in the 1980 Public Employment Report of the United States Bureau of Census. It is further declared to be the intent of the General Assembly to continue to take positive steps to control and restrict the number of personnel employed in the future, without unduly hampering the legitimate functions of state government.

In order to obtain the necessary control over the number of employees, the Budget and Control Board is hereby directed to maintain close supervision over the number of state employees, and to require specifically the following:

1. That no state agency exceed the total authorized number of full-time equivalent positions funded from State, Federal, or other sources as provided in each section of this Act except by majority vote of the Budget and Control Board after review and comment by the Joint Legislative Committee on Personal Service Financing and Budgeting. Specific written confirmation of such majority approval shall be forwarded to the Joint Appropriations Review Committee in the event that any agency is allowed to exceed the number of positions authorized in this Act.

2. That the State Budget Division shall maintain and make, as necessary, periodic adjustments thereto, an official record of the total number of authorized full-time equivalent positions by agency categorized by State, Federal, or other funding sources and shall provide a certified duplicate of such record to the Joint Legislative Committee on Personal Service Financing and Budgeting and to the Joint Appropriations Review Committee. The State Budget Division shall submit

monthly reports to the Joint Legislative Committee on Personal Service Financing and Budgeting and the Joint Appropriations Review Committee and such reports shall include any changes in the authorized number of full-time equivalent positions, the number of filled and vacant positions and any other data requested by the committees.

(a) That within thirty (30) days of the passage of the Appropriation Act or by August 1, whichever comes later, each agency of the State must have established on the Budget and Control Board records all positions authorized in the Act. After that date, the Board shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established by the Board in excess of the number authorized in the Board record of authorized full-time equivalent positions.

(b) That within forty-five (45) days of the passage of the Appropriation Act, or by August 15, whichever comes later, the Board shall prepare a personal service detail, by agency, which shows each position established for the fiscal year and the amount of funds required, by source of funds, to support the position for the fiscal year at a funding level of 100% and the Board shall then reconcile each agency's personal service detail with the agency's personal service appropriation as contained in the Act adjusted for any pay increases, and any other factors necessary to reflect the agency's personal service funding level. The Board shall provide a copy of each agency's personal service reconciliation to the Budget and Control Board and to the Joint Legislative Committee on Personal Service Financing and Budgeting.

(c) Any position which is shown by the reconciliation to be unfunded or significantly underfunded may be deleted at the direction of the Budget and Control Board and the Joint Legislative Committee on Personal Service Financing and Budgeting.

BCB2: CHANGE "monthly" TO "quarterly"

BCB: CHANGE "That within...comes later,"
TO "By September 30,"

EXHIBIT

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STATE BUDGET & CONTROL BOARD

(d) Full-time equivalent (FTE) positions shall be determined under the following guidelines:

1. The annual work hours for each FTE shall be the agency's full-time standard annual work hours.

2. The State FTE shall be derived by multiplying the state percentage of budgeted funds for each position by the FTE for that position.

3. All institutions of higher education shall use a value of 0.75 FTE for each position determined to be full-time faculty with a duration of nine (9) months.

The FTE method of accounting shall be utilized for all authorized positions.

3. That the number of positions authorized in this Act shall be reduced in the following circumstances:

(a) Upon request by an agency.

(b) When anticipated federal funds are not made available.

(c) When the Budget and Control Board, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

(d) When a position has been vacant for nine months. Except in the case of an academic position at an institution of higher education when such position has been vacant for eighteen months.

4. That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this Act but temporary positions may be so funded.

5. The provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan under Item 1 of Section 8-11-260 of the 1976 Code.

The Budget and Control Board, in making their appropriation recommendations to the Ways and Means Committee, must provide that the level of personal service appropriation recommended for each agency is at least 95% of the funds required to meet 100% of the funds needed for the full-time equivalents positions recommended by the Board (exclusive of new positions).

The Budget and Control Board, must submit to the Ways and Means Committee and Senate Finance Committee at each stage of consideration of the appropriation bill, a personal service reconciliation which includes the number of positions recommended for the next fiscal year and the amount needed to fully fund the positions compared to the amount recommended as of that stage and a list of italicized positions.

129.24. The Legislative Audit Council, the State Auditor, the House Ways and Means Committee, the State Reorganization Commission and the Senate Finance Committee shall be furnished a copy of each audit report issued by a Federal Audit Agency within fifteen days from the date of receipt by the State Agency. The State Auditor shall periodically furnish a list of such reports to each member of the General Assembly and to the Joint Appropriations Review Committee. The State Auditor will provide a copy of each Federal Block Grant Audit Report to the Joint Appropriations Review Committee to comply with provisions of the Omnibus Budget Reconciliation Act of 1981.

129.25. Notwithstanding any other provision of law, the Budget and Control Board shall be responsible for coordinating the placement of all state employees who are terminated because of a reduction-in-force resulting from reduced personal service funding and shall issue such administrative procedures as necessary to carry out the intent of this proviso. When a vacancy occurs in a state agency, or when an agency acts to fill a new position as listed and italicized in the Appropri-

expend such funds for the maintenance and development of the South Carolina Research Authority's parks; The South Carolina Research Authority shall promptly notify in writing the Budget and Control Board of all real estate transactions immediately upon closing of any such transactions.

129.44. Any employee who is approved for dual employment must be paid in a timely manner. To assist in timely payments, the secondary agency shall transfer any required funds necessary to fund the dual employment to the primary agency within forty-five days of the beginning of the employment.

129.45. The Budget and Control Board is authorized and directed to implement for FY 88-89 a process that identifies all agency and department requests, with the exception of colleges and universities, for computer services by individual agency, compile the request into one report, evaluate and place priorities on such requests. No agency shall commit to expend more funds for computer services than allocated to the agency for this purpose without first transferring the required additional funds from other budget items.

129.46. The Attorney General shall issue his written opinion as to the obligation of the General Assembly to appropriate funds to compensate officers for their ex officio duties as provided in Sections 82A, 82C, and 95 of Part I of this act and the opinion must be forwarded to the respective chairmen of the Ways and Means Committee of the House of Representatives and the Senate Finance Committee.

130.1. Unless specifically authorized herein, the appropriations provided in Part I of this Act as ordinary expenses of the State Government shall lapse on July 31, 1988. State agencies are required to submit all Fiscal Year 1987-88 input documents to the Comptroller General's Office by July 22, 1988. Appropriations for Permanent Improvements, or for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Budget and Control Board and Joint Bond Review Committee, toward the accomplishment of the purposes for which the appropriations were provided.

End of Part I

BCB: CHANGE "88-89" TO "1989-90"

BCB: CHANGE "1988." TO "1989."

BCB: CHANGE "1987-88" TO "1988-89"

BCB: CHANGE "1988." TO "1989."

STATE BUDGET & CONTROL BOARD

DEC 18 1987 NO. 5

EXHIBIT

BCB2: ADD PART II

PART II
PERMANENT PROVISIONS

SECTION 1

It is the intent of the General Assembly that the following Sections constitute a Part of the

10843

Permanent Laws of the State of South Carolina and the Code Commissioner is Directed to Include all Permanent General Laws in This Part in the Next Edition of the Code of Laws of South Carolina and All Supplements to the Code.

SECTION 2

TO AMEND ARTICLE 3, CHAPTER 11 OF TITLE 11 OF THE 1976 CODE, RELATING TO THE RESERVE FUND, CAPITAL EXPENDITURE FUND, AND OTHER FISCAL MATTERS, SO AS TO RETITLE THE ARTICLE TO INCLUDE THE CAPITAL EXPENDITURE FUND, ELIMINATE OBSOLETE FINDINGS AND LANGUAGE, MAKE GRAMMATICAL AND TECHNICAL CHANGES, AND TO REDUCE THE ANNUAL APPROPRIATION TO THE CAPITAL EXPENDITURE FUND TO ONE PERCENT OF THE GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR BEGINNING WITH THE 1988-89 FISCAL YEAR.

Article 3, Chapter 11 of Title 11 of the 1976 Code is amended to read:

"Article 3

General Fund Reserve and Capital Expenditure Fund

Section 11-11-310. (A) The State Budget and Control Board shall provide for a general fund reserve. Funds accumulating in excess of the annual operating expenditures must be transferred to the general fund reserve and the transfer must continue to be made in succeeding fiscal years until the accumulated total in this reserve reaches an amount equal to four percent of the general fund revenue of the latest completed fiscal year.

(B) If there is a year-end operating deficit, so much of the general fund reserve as is necessary must be used to cover the deficit. The amount so applied must be restored to the general reserve fund out of future revenues as provided in Section 36 of Article III of the Constitution of this State and out of surpluses as provided in this section until the four percent maximum is again reached and actually maintained.

Section 11-11-320. (A) The General Assembly beginning with the Fiscal Year 1988-89 general appropriations act shall appropriate into a capital expenditure fund which is separate and distinct from the general fund reserve an amount equal to one percent of the general fund revenue of the latest completed fiscal year.

(B) This appropriation must be contained in the Ways and Means Committee report on the general appropriations bill, the general appropriations bill at the time of third reading in the House of Representatives, the Senate Finance Committee report on the general appropriations bill, the general appropriations bill at the time of a third reading in the Senate, and in any conference report on the general appropriations bill.

(C) Revenues in this capital expenditure fund may be appropriated by the General Assembly in separate legislation for the purpose of accelerating the retirement of state bonded indebtedness or for the purpose of avoiding the issuance of bonds for projects that are authorized but not issued. If the Board of Economic Advisors' revenue forecast to the Budget and Control Board at any time during a fiscal year projects that revenues at the end of the fiscal year will be less than appropriated expenditures for that year, the State Budget and Control Board in mandating reductions during the fiscal year to eliminate the projected deficit must first reduce to the extent necessary the current year's appropriation to the capital expenditure fund prior to mandating any cuts in operating appropriations."

SECTION 3

TO AMEND SECTION 48-47-175, AS AMENDED, OF THE 1976 CODE, RELATING TO THE TAX ON LOW-LEVEL RADIOACTIVE WASTE DISPOSAL, SO AS TO INCREASE THE TAX IMPOSED ON EACH CUBIC FOOT OF LOW-LEVEL RADIOACTIVE WASTE DISPOSED OF IN THIS STATE FROM SIX DOLLARS A CUBIC FOOT TO NINE DOLLARS AND EIGHTY-ONE CENTS A CUBIC FOOT.

A. Section 48-47-175A of the 1976 Code, as amended by Section 10, Part II of Act 170 of 1987, is further amended to read:

"A. There is imposed a tax of nine dollars and eighty-one cents a cubic foot on each cubic foot of low-level radioactive waste disposed of in this State."

B. This section is effective for low-level radioactive waste disposed of after June 30, 1988.

BCB3: ADD "SECTION 4"

SECTION 4

TO AMEND SECTION 11-1-25 OF THE 1976 CODE, RELATING TO INVESTMENT REPORTS OF THE STATE

TREASURER, SO AS TO REDUCE THE REPORTING PERIOD FROM MONTHLY TO QUARTERLY AND TO DELETE THE REQUIREMENT FOR SEPARATE REPORTING OF THE COMPTROLLER GENERAL.

Section 11-1-25 of the 1976 Code, as added by Section 52, Part II of Act 170 of 1987, is amended to read:

"Section 11-1-25. The State Treasurer shall report on a quarterly basis in accordance with GAAP on all funds invested by the State Treasurer to the Ways and Means Committee of the House of Representatives and the Senate Finance Committee with a copy to the Comptroller General. The report must list each investment identifying its type, rate earned, maturity date, par value, and principal cost. The report must include the amount of interest earned during the quarter."

EXHIBIT

DEC 18 1987 NO. 5

STATE BUDGET & CONTROL BOARD

10846

EXHIBIT

DEC 18 1987

NO. 6

STATE BUDGET AND CONTROL ~~STATE~~ BUDGET & CONTROL BOARD REGULAR SESSION
MEETING OF December 18, 1987

ITEM NUMBER

3

AGENCY: State Treasurer

SUBJECT: Revenue Bond Counsel Fee Schedule Change Request

Ms. April Lucas of the McNair Law Firm, who serves as counsel for the Jobs-Economic Development Authority (JEDA), asks that the Board approve the fee arrangements in connection with JEDA bond issues which previously were authorized by JEDA. This arrangement anticipates a fee of 25 basis points as issuer's counsel and 50 basis points as bond counsel with a minimum fee of \$5,000 per project.

The fee schedule approved by the Board for revenue bond issues provides a \$5,000 minimum fee for issues of \$5,000,000 or less plus \$1 per \$1,000 of issue for amounts over \$5,000,000. The Board also agreed to consider exceptions.

The request relates to the JEDA 1987 fall composite issue which involved six individual issues totalling \$14,250,000. The fee, under the schedule approved by the Board, would be \$30,000 (6 times the \$5,000 minimum since each issue was less than \$5 million).

Under the fee arrangements authorized previously by JEDA, the fees for the 1987 fall composite would total \$106,875 (0.0075 times \$14,250,000). A slightly lower fee apparently was negotiated on one project which reduced the total somewhat.

BOARD ACTION REQUESTED:

Consider authorizing the Jobs-Economic Development Authority, as an exception to the fee schedule adopted previously by the Board, to pay a fee of 25 basis points for issuer counsel services and a fee of 50 basis points for bond counsel services, with a minimum fee of \$5,000, in connection with its revenue bond issues.

ATTACHMENTS:

Lucas October 1 and December 10, 1987, letters to Mr. Patterson

10847

DEC 10 1987
2:28 P.M.
LJ

McNAIR LAW FIRM, P. A.
ATTORNEYS AND COUNSELORS AT LAW
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December 10, 1987

EXHIBIT

The Honorable Grady L. Patterson, Jr.
South Carolina State Treasurer
Wade Hampton Office Building
Columbia, South Carolina 29201

DEC 18 1987

NO. 6

STATE BUDGET & CONTROL BOARD

Re: South Carolina Jobs-Economic Development Authority

Dear Mr Patterson:

This will supplement my letter to you dated October 2, 1987 (copy attached). At that time we explained to you the fee arrangements approved by JEDA. We have since closed another JEDA composite bond issue, and all fees for our services are being held in escrow pending determination of whether the JEDA-approved fee schedule is acceptable to the Budget and Control Board.

We did not pursue the matter further in October because we felt it appropriate to provide you with data showing the amount of time required to close the most recent transaction. Such data is attached. Since both the borrowers and we have an interest in closing the escrow account as soon as possible, we believe this matter is ripe for consideration by the Budget and Control Board.

Accordingly, we respectfully request that the Budget and Control Board consider at its December 18, 1987 meeting approval of the fee schedule previously approved by JEDA. Do not hesitate to call if we can provide you with additional information.

Yours very truly,

April C. Lucas

April C. Lucas

ACL/bcs

Enclosures

cc: Mr. William A. McInnis ✓
Mr. Elliott E. Franks, III

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EXHIBIT

DEC 18 1987

NO. 6

STATE BUDGET & CONTROL BOARD

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EMORY W. SNEEDEN
ARTHUR W. FLOWERS, JR.
STERNEN KORAN*
RICHARD S. WOODS
RICHARD L. C. SULLIVAN
W. JOHN BOWEN, JR.
JOHN H. LUMPKIN, JR.
W. WILLIAM YOUNGBLOOD, JR.
JOHN W. CURRIE
W. ELIZABETH CRUM
THEODORE J. HOPKINS, JR.
DANIEL R. MOORE, JR.
JAMES B. MOORE, JR.
WILLIAM S. ROSE, JR.
JAMES R. FIELDS, JR.
W. CRAIG GARNER, JR.
ROBERT T. BOCKMAN
JOHN W. FOSTER
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D. ALAN BUNYAN
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J. WESLEY CRUM, II
HENRY M. BURNELL
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JOSEPH C. WALKER
CLARENCE DAVIS
NANCY S. JEFFERS
ALISON RENEE LEE
HARITH F. WOODLUN
WILLIAM ASHLEY JORDAN, JR.
JOSEPH A. QUARLEY
GREGORY HUGH WORTH
MICHAEL W. BEAL
DEBORAH ANN DAVIS
CHARLES OWEN NATHAN
ELIZABETH BOWEN ANGERS
WILLIAM H. HUSSEY
SHARON E. CRANKLEY
JAMES D. HALE
T. PARK HUNTER
ROBERT T. MCMAHER, JR.
KEITH S. BROOKS*
LUTHER L. MCINNIS
KENNETH S. WINGATE

OF COURSE
THOMAS H. BARRISDALE, JR.*
C. CLAYTON DAVIES, JR.
RALPH W. KITTLE*
JOHN H. LUMPKIN, SR.
JAMES B. MOORE, SR.

October 1, 1987

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*NOT ADMITTED IN SOUTH CAROLINA

Grady L. Patterson, Jr.
State Treasurer
STATE OF SOUTH CAROLINA
P. O. Box 11778
Capitol Station
Columbia, South Carolina 29211

Re: South Carolina Jobs-Economic Development
Authority

Dear Mr. Patterson:

This will confirm the information regarding the fees which our firm has charged as issuer's bond counsel in connection with JEDA's composite bond program, which our staff provided to Georgia Jenkins of your office last week. We have attached tables reflecting standard billing rates for those in our firm handling the composite, the amount of billable time expended calculated at those rates and the amount of fees and out-of-pocket expenses actually charged and collected. Please note that the borrowers, not JEDA, pay all fees and expenses.

Because JEDA's Board of Directors completed its own review of fees at mid-summer, we have provided you with the same overall data which JEDA reviewed. This data is current through June, 1987, and includes a summary of total billable time and collections since we began work on the test case pertaining to JEDA's enabling legislation. The summary also contains a breakdown of fees charged for each composite project. Our fees for the first composite were generally higher because of heavy start-up costs and because most of those projects were multi-tenant, commercial projects. Such projects increase our risk in delivering opinions and entail more extensive research on tax issues than typical

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EXHIBIT

Grady L. Patterson, Jr.
State Treasurer
October 1, 1987
Page 2

DEC 18 1987 NO. 6

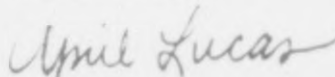
STATE BUDGET & CONTROL BOARD

manufacturing projects. Our fees for composite number 2 reflect our lower costs for manufacturing transactions.

The current arrangement approved by JEDA and concurred in by Developing Systems, Limited, a Washington, D. C. firm serving as JEDA's program manager, anticipates a fee of 25 basis points as issuer's counsel and 50 basis points as bond counsel with a minimum fee of \$5,000 per project. If a county bond issue tags onto JEDA's composite, we back away from the issuer's counsel fee. Although not requested to do so, we advised JEDA that we would cap our fees at a level equivalent to what we would have charged had the project been financed through a county bond issue. In order to provide borrowers with greater certainty as to cost of issuance, we have also capped our out-of-pocket expenses at \$2,000 per project. As the documentation and procedures become standardized, we hope to reduce expenses.

Please note that the tremendous commitment necessary for JEDA's start-up program and the complexity of the composite transactions has left us with a heavy commitment of time and resources for JEDA. We incurred approximately \$57,000 and \$61,000 in uncollected time and expenses on composite numbers 1 and 2, respectively. Moreover, we have provided JEDA with roughly \$359,000 in total uncollected services in the three years since the test case respecting its enabling legislation. We are happy to be of service to the State in this area and do not expect to recover 100% of the time which we have expended. We would, however, appreciate the opportunity to break even at least on JEDA's tax exempt composite program and to continue to serve the state. Accordingly, we respectfully request approval of the fee arrangements previously authorized by JEDA as outlined herein.

Sincerely,



April C. Lucas

ACL:csb
cc: Elliott E. Franks, III

10850

EXHIBIT

DEC 18 1987

NO. 7

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

ITEM NUMBER

4

AGENCY: Executive Director

SUBJECT: Capital Improvement Bond Recommendation Parameters

As the process for assembling the Board's bond recommendations begins, staff seeks Board guidance on:

1. the amount of bonds the Board now thinks it wants to recommend from the \$695 million requested for 1988-89 and 1989-90;
2. any program or functional area priorities the Board wants to emphasize;
3. any Board preferences among project types, i.e., renovation of existing versus construction of additional space; and
4. other aspects of the issue the Board desires to emphasize.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

10851

EXHIBIT

DEC 18 1987

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STATE BUDGET & CONTROL BOARD

- Review and adjust program level every couple of years.

- Determination of a program level subject to two (2) major factors:

REVENUE GROWTH

OUTSTANDING DEBT SCHEDULE

- Preliminary evaluation of factors indicate an increase to not more than \$110,000,000, effective July 1, 1988.

1C852

December 17, 1987

EXHIBIT

PRIORITY GROUP LEVEL

DEC 18 1987

NO. 7

STATE BUDGET & CONTROL BOARD

FY 1982 through FY 1984	\$60,000,000 per year
FY 1985 and FY 1986	\$75,000,000 per year
FY 1987 and FY 1988	\$85,000,000 per year
FY 1989 -	\$110,000,000 per year

10853

December 17, 1987

EXHIBIT

DEC 18 1987

NO. 7

STATE BUDGET & CONTROL BOARD

ANALYSIS OF GENERAL OBLIGATION INDEBTEDNESS PROJECTED LIMITATION AND OUTSTANDING INDEBTEDNESS AS OF JUNE 30, 1987

<u>Fiscal Year</u>	<u>Projected Limitation¹</u>	<u>Current Outstanding General Obligation Debt²</u>
1987-88	\$134,048,688	\$98,896,887.50
1988-89	143,777,457	95,854,410.00
1989-90	152,117,596	92,486,307.50
1990-91	159,723,476	89,231,580.00
1991-92	167,709,649	74,460,477.50

¹The projected limitation is based on actual revenues for Fiscal Year 1986-87 and on the official revenue estimates of the Board of Economic Advisors for Fiscal Years 1987-88 and 1988-89 with subsequent years based on annual revenue growth of 5%. The statutory limitation is 5% of prior year's revenue, after certain adjustments.

²Current outstanding general obligation debt is composed of capital improvement bonds and school bonds outstanding as of June 30, 1987.

December 17, 1987

10854

EXHIBIT

DEC 18 1987

NO. 7

PERCENTAGES

STATE BUDGET & CONTROL BOARD

NOW	Fiscal Year 1987-88 Debt Limit Current Maximum Outstanding	\$134,048,688 = 5% 98,896,888 = 3.69%
SPRING 1988	Fiscal Year 1987-88 Debt Limit Maximum Outstanding After \$85,000,000 Spring 1988 issue	\$134,048,688 = 5% 109,171,076 = 4.07%
SPRING 1989	Fiscal Year 1988-89 Debt Limit Maximum Outstanding After \$110,000,000 Spring 1989 issue	\$143,777,457 = 5% 122,526,307 = 4.26%
SPRING 1990	Fiscal Year 1989-90 Debt Limit Maximum Outstanding After \$110,000,000 Spring 1990 issue	\$152,117,596 = 5% 135,334,912 = 4.45%

The assumptions made for the new issues are:

- * 9% Interest Rate
- * Equal Principal Payments
- * 15 Year Maturity

December 17, 1987

10855

PRIORITY SCHEDULE
SUMMARY

	<u>July 1988 - June 1989</u>	<u>July 1989 - June 1990</u>
Current Program Level	\$85,000,000	\$85,000,000
Now Allocated	<u>53,600,000</u>	<u>24,000,000</u>
Difference	\$31,400,000	\$61,000,000

=====

Revised Program Level	\$110,000,000	\$110,000,000
Now Allocated	<u>53,600,000</u>	<u>24,000,000</u>
Difference	\$ 56,400,000	\$ 86,000,000

=====

Increase in Program Level	\$ 25,000,000	\$ 25,000,000
---------------------------	---------------	---------------

10856

December 17, 1987

EXHIBIT
DEC 18 1987 NO. 7
STATE BUDGET & CONTROL BOARD

EXHIBIT

DEC 18 1987

NO. 8

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

REGULAR SESSION
ITEM NUMBER

5

AGENCY: General Services

SUBJECT: Property Transfer from IPTAY to Clemson University

The Division of General Services advises that, in 1983, a house and swimming pool to be used by the Clemson football coach was constructed on land owned by IPTAY. In 1984, IPTAY transferred ownership of the house to Clemson University and in 1985, ownership of the pool was transferred.

Although the greater portion of the cost of the house was paid by IPTAY, the State Auditor has pointed out that \$137,153.10 of Athletic Operating Revenue was used, putting the construction within the requirements of the Manual for Planning and Execution of State Permanent Improvements. The University did not make a request for a permanent improvement project then.

Clemson University Athletic Department and IPTAY officials propose the following corrective action:

1. IPTAY has reimbursed \$137,153.10 to the University
2. IPTAY will pay all required annual maintenance and repair.
3. IPTAY has reimbursed the Athletic Department \$20,000 paid for the pool.
4. All costs have been paid by IPTAY with its understanding that the house will be used as a residence for the head football coach.
5. Approve of a permanent improvement projects at \$597,153 and of the transfer of ownership of the property from IPTAY to Clemson University.

The Commission on Higher Education did not approve the property transfer.

The project, with a budget of \$597,153 of other (IPTAY) funds, was approved by the Joint Bond Review Committee on September 21, 1987.

BOARD ACTION REQUESTED:

Approve the transfer of ownership of a house and swimming pool from IPTAY to Clemson University and the establishment of the permanent improvement project it represents.

ATTACHMENTS:

Agenda item worksheet; attachments

10857

EXHIBIT

DEC 18 1987

NO. 8

STATE BUDGET & CONTROL BOARD

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

Meeting Scheduled for: December 18, 1987

Agenda - Regular

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Division Director2. Subject: Retroactive approval of transfer of real property from IPTAY to Clemson University

3. Summary Background Information: In 1983 a house and swimming pool to be used by the Clemson football coach was constructed on land owned by IPTAY. In 1984 IPTAY transferred ownership of the house to the University. In 1985 ownership of the pool was transferred. Although the greater portion of the cost of the house was paid by IPTAY, the State Auditor has pointed out that \$137,153.10 of Athletic Operating Revenue was used, putting the construction within the requirements of the Manual for Planning and Execution of State Permanent Improvements. Inadvertently, no request for a Permanent Improvement Project was made.

Athletic Department and IPTAY officials propose this corrective action:

1. IPTAY has reimbursed \$137,153.10 to the University.
2. IPTAY will pay all required annual maintenance and repair.
3. IPTAY has reimbursed the Athletic Dept. \$20,000 which was paid for the pool.
4. All costs have been paid by IPTAY with its understanding that the house will be used as a residence for the head football coach.

4. What is Board asked to do?

Give retroactive approval to the transaction.

5. What is recommendation of Board Division involved?

Approve.

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:(a) List Those Attached:

1. Letter from IPTAY dated October 30, 1987 concerning \$20,000 swimming pool reimbursement.
2. Letter from David Larson to Bill McInnis.
3. Excerpt from State Auditor's Report for FY84-85.

~~Other Documents Not Attached & Not Available From Subject~~

4. 1-11-65.

1C858

EXHIBIT

DEC 18 1987 NO. 8

STATE BUDGET & CONTROL BOARD

§ 1-11-35 ADMINISTRATION OF THE GOVERNMENT

§ 1-11-35. Procurement of products manufactured or produced in South Carolina or United States; priority over foreign products.

The State Budget and Control Board by regulation shall develop and implement a policy whereby this State, and its agencies, departments, institutions of higher learning, boards, commissions, and committees in procuring necessary products to perform their assigned duties and functions must obtain products made, manufactured, or grown in South Carolina if available or must obtain products made, manufactured, or grown in the United States if similar South Carolina products are not available before any foreign made, manufactured, or grown products may be procured.

HISTORY: 1985 Act No. 201, Part II, § 70.

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

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

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

§ 1-11-70. Lands subject to Board's control.

All vacant lands and lands purchased by the former land commissioners of the State shall be subject to the directions of the State Budget and Control Board.

HISTORY: 1962 Code § 1-357; 1952 Code § 1-357; 1942 Code § 2137; 1932 Code § 2137; Civ. C. '22 § 98; Civ. C. '12 § 93; Civ. C. '02 § 89; G. S. 61; R. S. 83; 1878 (16) 559; 1950 (46) 3605.

Cross references—

As to State Budget and Control Board granting easements and rights of way over vacant lands or marshlands, see §§ 1-11-80 and 1-11-90.

As to lease of gas, oil and certain other mineral interests upon lands and waters under control of State Budget and Control Board, see § 10-9-10.

As to duties and authority of State Budget and Control Board over state's phosphate interests, see §§ 10-9-110 et seq.

Research and Practice References—

63A Am Jur 2d, Public Lands § 113.

73B CJS, Public Lands §§ 178, 180.

§ 1-11-75. Board may charge fee to applicants for permits to engage in construction, alteration, dredging, filling and the like in state's navigable waters.

The State Budget and Control Board may charge a fee to an



MEMORANDUM

TO: Jack Wilson
Assistant Vice President
for Facility Planning/Management

FROM: Allison Dalton, Executive Secretary *A. Allison Dalton*

SUBJECT: Pool, Coach's Residence

Date: October 30, 1987

The IPTAY Board of Directors met in a regular quarterly meeting at Clemson, South Carolina, at 3:00 p.m. October 23, 1987. Dr. Glenn Lawhon, chairman of the Long Range Planning and Priorities Committee, reviewed the IPTAY financial statement and made a motion that \$20,000 of IPTAY funds be transferred to the Athletic Department account to reimburse funds which were previously transferred from the Athletic Department account to the IPTAY Life Membership Endowment account to the credit of Mr. Julian Price, owner of Price Aqua Tech Pools, for payment of construction of the swimming pool at the coach's residence on Lewis Road in Clemson.

The motion was seconded by Marshall Walker. Motion passed without opposition.

/lt

EXHIBIT

DEC 18 1987 NO. 8

STATE BUDGET & CONTROL BOARD

10860

AUG 7 1987



EXHIBIT

DEC 18 1987 NO. 8

STATE BUDGET & CONTROL BOARD

VICE PRESIDENT FOR BUSINESS AND FINANCE

August 4, 1987

Mr. William A. McInnis
State Budget and Control Board
612 Wade Hampton Office Building
Columbia, South Carolina 29211

Dear Mr. McInnis:

In December, 1986 Clemson University submitted a request to the Commission on Higher Education requesting approval to transfer a house located on Lewis Road in the city of Clemson from Clemson IPTAY to the University. The residence is currently occupied by Coach Danny Ford on a rent-free basis. Our initial request was the result of an audit exception by the State Auditor's Office, but the Commission did not approve the transfer.

The State Auditor pointed out that the residence was constructed using \$400,000 of IPTAY gifts and \$137,153.10 of Athletic Operating Revenue. The use of Athletic Operating Revenue puts the construction within the rules of the Manual for Planning and Execution of State Permanent Improvements. Due to an oversight we did not, during the construction period, request a Permanent Improvement Project as stipulated in the Manual.

Since our original request to the Commission on Higher Education, discussions have been held with officials of the Athletic Department and the Clemson IPTAY Organization. After careful consideration we arrived at the following corrective actions:

- 1) IPTAY will reimburse the University for all funds used during construction from Athletic Operating Revenue (\$137,153.10).
- 2) IPTAY will pay all annual maintenance, upkeep and repair required.
- 3) All costs of the Lewis Road residence will, therefore, be paid by IPTAY with the understanding that the gift is made in order to provide a residence for the head football coach.

10881

EXHIBIT

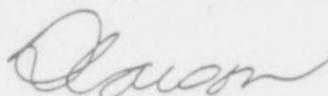
DEC 18 1987

NO. 8

STATE BUDGET & CONTROL BOARD

We, therefore, respectfully request approval to transfer title of the property to Clemson University.

Sincerely,



David R. Larson
Vice President for
Business and Finance

DRL/rr

cc: President Max Lennon
Mr. Manning N. Lomax
Mr. Bobby Robinson
Mr. Jack Wilson

10862

(6)

Excerpt from State Auditor's Report for Fiscal Year 1984-85.

EXHIBIT

DEC 18 1987

NO. 8

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STATE BUDGET & CONTROL BOARD

Permanent Improvement Transfer

During 1983, a house for the football coach was built and paid for with IPTAY funds at a total cost, excluding land, of \$537,153. The land on which the house was built was donated with an appraised value of \$40,000. In addition, a swimming pool was installed on the land. The pool was also donated and has an appraised value of \$20,000. Using IPTAY funds, the construction costs were exempt under the South Carolina Consolidated Procurement Code. However, certain transactions subsequently occurred for which we find the University in violation of State Laws as outlined below.

1. In fiscal year 1984, IPTAY transferred ownership of the above referenced house and land to the University. During fiscal year 1985, the swimming pool was transferred to the University. In the transfer of these permanent improvements to the University, no approval was obtained from the Joint Bond Review Committee or the State Budget and Control Board.

The Manual for Planning and Execution of State Permanent Improvements,
Part I, Chapter I, Section 10.01 defines permanent improvements, in part, as:

- "(1) any acquisition of land, regardless of cost;
- (2) any acquisition (as opposed to the construction) of buildings or other structures, regardless of cost; ..."

1C863

In addition, Chapter III, Section 30.02 states in part:

"In a limited sense, permanent improvements funding also may be authorized through what has come to be known as the interim authorization process, in addition to the biennial funding authorization request process. This interim process derives from provisions in Act 194 of 1979 and Act 518 of 1980 which require that the Joint Bond Review Committee review, prior to approval by the Board, the establishment of any permanent improvement project and the source of funds for any such project not previously authorized specifically by the General Assembly."

We recommend that the University seek retroactive approval from the "Board" (State Budget and Control Board) and from the Joint Bond Review Committee for the referenced permanent improvements. For any future transfers of permanent improvements, management should ensure that the proper approvals are obtained.

2. In August, 1984, the Athletic Department transferred to IPTAY \$137,153, as pursuant to the supporting documentation for the transfer: "to cover the Coach's house not authorized by the IPTAY Board of Directors." Also, in June, 1985, the Athletic Department transferred \$20,000 to IPTAY for the appraised value of the swimming pool. No approval for the transfer of Athletic Department funds for these permanent improvement projects was obtained from the State Budget and Control Board or the Joint Legislative Capital Bond Review Committee.

10864

(11)

9-22-87

S-5-88

Capital Improvements Joint Bond Review Committee

HORACE C. SMITH
SENATE
CHAIRMAN

SENATE MEMBERS:
HORACE C. SMITH
JAMES M. WADDELL, JR.
WILLIAM W. DOAR, JR.
HUGH K. LEATHERMAN
THOMAS L. MOORE

HOUSE MEMBERS:
MARION P. CARNELL
JENNINGS G. McABEE
T. W. EDWARDS, JR.
R. N. McLELLAN
LARRY BLANDING



MARION P. CARNELL
HOUSE OF REPRESENTATIVES
VICE CHAIRMAN

SCOTT R. INKLEY
DIRECTOR OF RESEARCH
BUDGET AND CONTROL BOARD LIAISON

LIB CROFT
ADMINISTRATIVE ASSISTANT

September 22, 1987

EXHIBIT

DEC 18 1987 NO. 8

STATE BUDGET & CONTROL BOARD

Mr. William A. McInnis
Deputy Executive Director
State Budget & Control Board
600 Wade Hampton Bldg.
Columbia, South Carolina 29201

In Re: S-5-88

- (1) Adjutant General
- (2-4) Clemson University
- (5) Francis Marion College
- (6) USC-Aiken
- (7) Winthrop College

- (8) Sumter TEC
- (9) John de la Howe School
- (10-11) Parole & Comm. Corrections
- (12) Highways & Public Transp.

Mr. McInnis:

Transmitted herewith is Summary #5-88, pages 1-4, indicating Joint Bond Review Committee approval, at the meeting of September 21, 1987, of projects for the above referenced agencies.

With kind regards, I am

Sincerely,

Horace C. Smith
Senator Horace C. Smith, Chairman
Joint Bond Review Committee

HCS/aw

cc: Mr. Jay A. Flanagan
State Engineer
Enc. S5-88, pgs. 1-4

10865

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
September 1, 1987 Through September 15, 1987

SUMMARY 5-88 Page 1 of 7
Forwarded to JBRC 09/17/87

Item Agency: E24 Adjutant General Project: 9503, Leesburg Training Site-Fire Station

1.

Action

Proposed: Increase budget from \$ 75,300.00 to \$ 95,850.00

(Add \$ 20,550.00 [7] Federal)

Purpose: Bid exceeded original estimated budget. The overrun was due to a non-standard bay width required to house the emergency vehicles.

Ref: Supporting document pages 1-2.

CHE Approval Date: Not req'd
Committee Review Date: * 9/21/87
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Federal	95,850.00

TOTAL FUNDS 95,850.00

Item Agency: H12 Clemson University Project: House/Property-Lewis Road Gift

2.

Action

Proposed: Establish project.

Total budget.....\$ 597,153.00
[9] Other, IPTAY Private Donations.....\$ 597,153.00

Purpose: Clemson requests approval retroactively for the transfer of property from Clemson's IPTAY to the University. During 1983 a house was constructed for the football coach at a cost of \$537,153 using IPTAY funds (\$400,000) and Athletic Operating Revenue (\$137,153). The land was donated for IPTAY and had an appraised value of \$40,000. A swimming pool (\$20,000) was donated and installed. In 1984 IPTAY transferred ownership of the house and land to the University. In 1985 the ownership of the swimming pool was transferred. In the transfer of these permanent improvements to Clemson, no approval was obtained from the Budget and Control Board. The Commission on Higher Education does not recommend approval. After further discussions IPTAY has agreed to reimburse the University for funds used during construction and to pay all operating costs.

Ref: Supporting document pages 3-16.

CHE Approval Date:
Committee Review Date: * 9/21/87
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Other	597,153.00

TOTAL FUNDS 597,153.00

Item Agency: H12 Clemson University Project: Shadwick Land Acq/Exchange

3.

Action

Proposed: Establish project.

Total budget.....\$ 0.00
[9] Other, Land Swap.....\$ 0.00

Purpose: To obtain 6.013 acres of land and \$10,000 in exchange for 3.82 acres of Clemson University land.

Ref: Supporting document pages 17-21.

CHE Approval Date:
Committee Review Date: * 9/21/87
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Other	0.00

TOTAL FUNDS 0.00

STATE BUDGET & CONTROL BOARD

DEC 18 1987

NO. 8

EXHIBIT

10866

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD
DIVISION OF GENERAL SERVICES

1201 MAIN STREET, SUITE 401
COLUMBIA, S.C. 29201
(803) 737-0790

CARROLL A. CAMPBELL, JR.
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



REMBERT C. DENNIS
CHAIRMAN,
SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN,
HOUSE WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

REAL PROPERTY MANAGEMENT

October 13, 1987

Mr. David R. Larson
Vice President for Business & Finance
Clemson University
Clemson, South Carolina 29634

Dear Mr. Larson:

We will be taking the House/Property-Lewis Road acquisition before the Budget and Control Board in connection with recognizing this transaction as a permanent improvement project. Within point 1 of your letter to Mr. McInnis on August 4 (attached), you state that "IPTAY will reimburse the University for all funds used during construction from Athletic Operating Revenue (\$137,153.10)." An attached excerpt from the State Auditor's Report for Fiscal Year 1984-85 states that "also, in June, 1985, the Athletic Department transferred \$20,000 to IPTAY for the appraised value of the swimming pool."

In representing this transaction to the Board we need to be able to address the circumstances concerning the \$20,000 (swimming pool) as well as the \$137,153.10 related to the house construction. In order to include this item on the Board's agenda for the meeting of October 27, we will need your response by October 21. Otherwise, this matter would be presented at a subsequent meeting.

Thank you very much for your assistance.

Sincerely,

Charles E. Shaw

CES:sm

Attachments

cc: Bill McInnis, Ed Vaughn, Bruce Taylor, Jack Wilson

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relations at The Citadel. It was moved (Brightharp) and seconded (McGuire) that the resolution be adopted. Mr. Jones noted that the Commission has not read the report of the Human Affairs Committee. The motion was amended (Williams) and seconded (Jones) that the references to The Citadel in the resolution be deleted. The amendment was adopted. The motion, as amended, was adopted. The resolution is attached as Exhibit A.

VII. Report of Committee on Implementation of the State Desegregation Plan

Dr. Lewis, chairperson of the Committee on Implementation of the State Desegregation Plan, reported on the following matters:

a. Letter from U.S. Office for Civil Rights. On November 19, 1986, the Commission wrote to the U.S. Office for Civil Rights (OCR) requesting a response to the Final Comprehensive Report on Implementation of the Desegregation Plan from 1981 Through 1986. A reply from OCR received on January 13, 1987, indicates that the process for evaluating the report is lengthy, and that that office will correspond with Governor Campbell "as soon as a decision is made on South Carolina's future responsibilities regarding compliance with Title VI of the Civil Rights Act of 1964."

b. Report on Hazing/Race Relations at the Citadel. The Committee met on February 4, 1987, to discuss a report on hazing/race relations at The Citadel that was prepared by the S.C. Human Affairs Commission. Commissioner James L. Clyburn was present for the discussion. Col. Isaac Metts, Dean of Undergraduate Studies, represented The Citadel at the meeting.

VIII. Report of Committee on Facilities

Mr. Whitener, acting chairperson of the Committee on Facilities, reported on the following matters:

a. Consideration of Property Transfer, Clemson University. Clemson University requests approval retroactively for the transfer of property from Clemson's IPTAY to the University. During 1983 a house was constructed for the football coach and paid for by IPTAY funds at a cost, excluding the land, of \$537,153. The land on which the house is built was donated by IPTAY and had an appraised value of \$40,000. In addition, a swimming pool with an appraised value of \$20,000 was donated and installed on the property. In 1984 IPTAY transferred ownership of the house and land to the University. In 1985 the ownership of the swimming pool was also transferred to the institution. In the transfer of these permanent improvements to Clemson, no approval, as required in the Manual for Planning and Execution of State Permanent Improvement, was obtained from the Commission on Higher Education. Maintenance of the house and pool will be paid from the Athletic Department's budget.

In discussions with Clemson's facilities staff, it was noted that the Clemson football coach does not pay rent for use of the house. In the event the current coach leaves the University, the house will remain the property of Clemson University. Although the house was donated by IPTAY, there is no reversion clause in the deed. The Committee on Facilities does not recommend approval of the property transfer. It was moved (Whitener) and seconded (Askins) that the recommendation of the Committee be adopted.

(From CHE minutes on February 5, 1987)

10868

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Mr. David Larson of Clemson University stated that these transactions were made by persons no longer at Clemson. A recent State audit report directed Clemson to take corrective action. After further discussion, the motion was adopted, by six affirmative and four negative votes.

b. Consideration of Lease Agreement, Clemson University. Clemson University requests approval to lease a facility from Keenan/Clemson Associates.

This lease involves various transactions. The University entered into a ground lease with the South Carolina Research Authority for a parcel of land, leased to Clemson for \$1.00 per year. Clemson, in turn, has sublet a portion of the land to Keenan/Clemson for the purpose of the construction of a computer operation and programming facility for the University. Keenan/Clemson Associates will lease the computer center complex to Clemson beginning December 1, 1987, for a period of 20 years. The lease is payable monthly in the amount of \$40,320 with a built-in interest rate of 6.44%. The lease may be cancelled by Clemson University at the end of any fiscal year after the acceptance date. Upon expiration of the lease term on December 1, 2007, Clemson may purchase the premises for the purchase option price of \$1.00.

The Committee believes this to be a meritorious project and recommends approval, with the understanding that Clemson University not request unique cost funding for the lease payments and that square footage of the facility and replacement costs not be included in Clemson's formula request for maintenance costs. It was moved (Whitener) and seconded (Utsey) that the recommendation of the Committee be adopted. The motion was amended (Turner) and seconded (Jones) to read, "The Committee believes this to be a meritorious project and recommends approval with the understanding that Clemson University request unique cost funding for the lease payments and that square footage of the facility and replacement costs be included in Clemson's formula request for maintenance costs." The amendment was disapproved. The motion was amended (Jones) and seconded (Henderson) to read: "The Committee believes this to be a meritorious project and recommends approval, with the understanding that Clemson University not request unique cost funding for the lease payments. The amendment was adopted. The motion, as amended, was adopted. Mr. Brightharp opposed. Mr. Turner urged the Committee to develop guidelines concerning leases and maintenance.

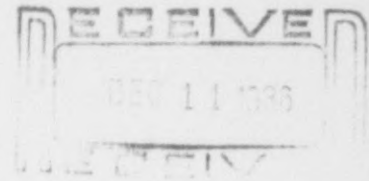
c. Consideration of Campus Asbestos Removal. The Medical University of South Carolina requests approval to increase the budget of its asbestos removal project in order to continue the removal of asbestos in two key projects, to be funded from State Institutional Bonds -Plant Improvement. The Committee recognizes the massive Statewide problem with asbestos and is pleased that MUSC, as well as the other institutions, are proceeding with an orderly plan of asbestos removal from its facilities. The Committee, therefore, recommends approval of the increase of the project cost from \$250,000 to \$800,000 with the understanding that no unique cost funding will be requested. It was moved (Whitener), seconded (Utsey), and voted that the recommendation of the Committee be adopted.

d. Consideration of Hospital Renovation - Phase 8, MUSC. The Medical University of South Carolina requests approval to increase this project in order to move simultaneously on Phase I and Phase II. In 1983 the Com-



CLEMSON
UNIVERSITY

VICE PRESIDENT FOR BUSINESS AND FINANCE



EXHIBIT

DEC 18 1987 NO. 8

STATE BUDGET & CONTROL BOARD

December 1, 1986

Mr. Charles A. Brooks, Jr.
S.C. Commission on Higher Education
1333 Main Street, Suite 650
Columbia, SC 29201

Dear Mr. Brooks:

In response to the State Auditor's Report dated August 11, 1986 for years ending June 30, 1984 and June 30, 1985, we are submitting the attached A-13 for approval. Included in the above referenced report was the recommendation by the State Auditors to obtain this retroactive approval from the Joint Bond Review Committee and the Budget and Control Board. Your assistance in this matter will be greatly appreciated.

If I can be of assistance or provide further information, please do not hesitate to contact me.

Sincerely,

David R. Larson
Vice President for
Business and Finance

DRL:kl

cc: Jack Wilson

Attachment

cc: Dr. Max Lennon
Mr. Nick Lomax
Mr. Bobby Robinson

10870

9

EXHIBIT

DEC 18 1987

NO. 9

STATE BUDGET AND CONTROL ~~STATE BUDGET & CONTROL BOARD~~ REGULAR SESSION
MEETING OF December 18, 1987 ITEM NUMBER

6

AGENCY: Highways and Public Transportation

SUBJECT: Property Purchase, Lake City

The Department of Highways and Public Transportation requests Board authorization to purchase four acres in Lake City, Florence County, for a total price of \$40,000.

The Department's staff appraiser has valued the property at \$40,000.

The Department is attempting to complete this transaction by the end of this calendar year. The project has not been before the Bond Committee.

Property Management staff are examining the proposal and will advise the Board on its status at the meeting.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

Link December 11 letter to McInnis; attachments

10871



SOUTH CAROLINA

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

P.O. BOX 191
COLUMBIA, S.C. 29202

EXHIBIT

DEC 18 1987

NO. 9

STATE BUDGET & CONTROL BOARD

December 11, 1987

Florence County General

Mr. William A. McInnis
Deputy Executive Director
South Carolina Budget and Control Board
P. O. Box 12444
Columbia, S. C. 29211

Re: Capital Improvements Program - Land Purchase
for MVD Florence County - City of Lake City

Dear Mr. McInnis:

Attached is a copy of the appraisal and a plat on which we have sketched the dimensions for the 4 acres that the Department wishes to buy for a total price of \$40,000.00.

I certainly appreciate your help in attempting to get this before the Budget and Control Board on its December 18th meeting.

Sincerely yours,

H. B. Link
Director, Rights of Way

16872

EXHIBIT

DEC 18 1987

NO. 9

STATE BUDGET & CONTROL BOARD

THIS PROPERTY DESIGNATED AS

MFP 164 BLOCK 27 PARCEL 27

ON FLORENCE COUNTY TAX MAPS.

SPLIT FROM

ROBERT S. FLOYD, FLORENCE COUNTY TAX ASSESSOR



FLORENCE COUNTY
SOUTH CAROLINA

PLAT

Land located just south of Lake City the
property of
LAKE CITY INDUSTRIAL PARK, INC.

SURVEYED JAN 4 1985 & JAN 22 1973

Scale 1" = 300'

✓ C.B. ASHWINI 0106



BOOK 22 - 629

10873

EXHIBIT

DEC 18 1987 NO. 9

STATE BUDGET & CONTROL BOARD

APPRAISAL REPORT

4 acres S of Lake City

Florence County

Prepared by William E. Kelbaugh

SCDHPT Staff Appraiser

October 28, 1987

40,000⁰⁰ for 4 ac
Appraised 10/28/87 J. Kelly

10874

EXHIBIT

DEC 18 1987

NO. 9

STATE BUDGET & CONTROL BOARD



SOUTH CAROLINA
DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION
P.O. BOX 191
COLUMBIA, S.C. 29202

October 28, 1987

SUBJECT: Appraisal of 4 acres on US 52 about $\frac{1}{2}$ mile South of Lake City.

I have appraised this property for \$40,000.

This is the Northeast corner of a 22.11 acre parcel shown on The Florence County Tax rolls as Map 169-31 lot 27.

CONTENTS:

- Pg. 1 - cover letter
- 2 - appraisal report
- 3 - photo and sketch
- 4 - plat
- 5 - location map
- 6 - comparable sales information
- 7 - limiting conditions
- 8 - certificate of appraiser

William E. Kelbaugh
William E. Kelbaugh
SCDHPT Staff Appraiser

10875

EXHIBIT

DEC 18 1987

NO. 9

STATE BUDGET & CONTROL BOARD

Description of the Property:

The subject is a 4 acre portion of a 22.11 acre tract on the West side of US 52 about 3/4 mile South of the Lake City Town limits. It is about level and on grade. The subject will be at the North-East corner of the larger parcel. The larger parcel backs up to the Lake City Airport. Immediately adjacent to the North is a small industrial plant. There are scattered commercial and industrial uses in the area typical of the outskirts of a small rural town. The tract has access to sewer and water from Lake City.

There has been some commercial development in town over the last few years (fast food, Wal-Mart, etc) but it does not appear to have much influence out as far as the subject. Sale 3 is on a side road across the airport runway from the subject and it has been developed with an industrial plant. The area seems to have slow growth but seems to be holding its own.

Highest and Best Use:

The area is generally industrial with some service type commercial uses. The area has utilities and access to the airport. In my opinion, the Highest Use is industrial.

Valuation:

Sales 1 & 2 are across US 52 from the subject. Sale 2 is in the City limits but is considered to have a similar location. They indicate \$10,400 and \$8,900 per acre respectively. Both sales contained buildings but I feel that the estimated improvement values are reliable. Sale 3 is on a side road and would be expected to have about 2/3 the value of land on US 52 or about \$9,675 per acre which seems to support the values indicated from Sales 1 & 2.

In my opinion, the value of 4 acres at the Northeastern corner of the larger tract is \$10,000 per acre.

$$4 \text{ ac @ } \$10,000 = \underline{\underline{\$40,000}}$$

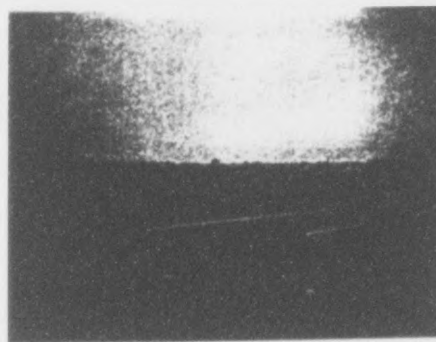
10876

EXHIBIT

DEC 18 1987

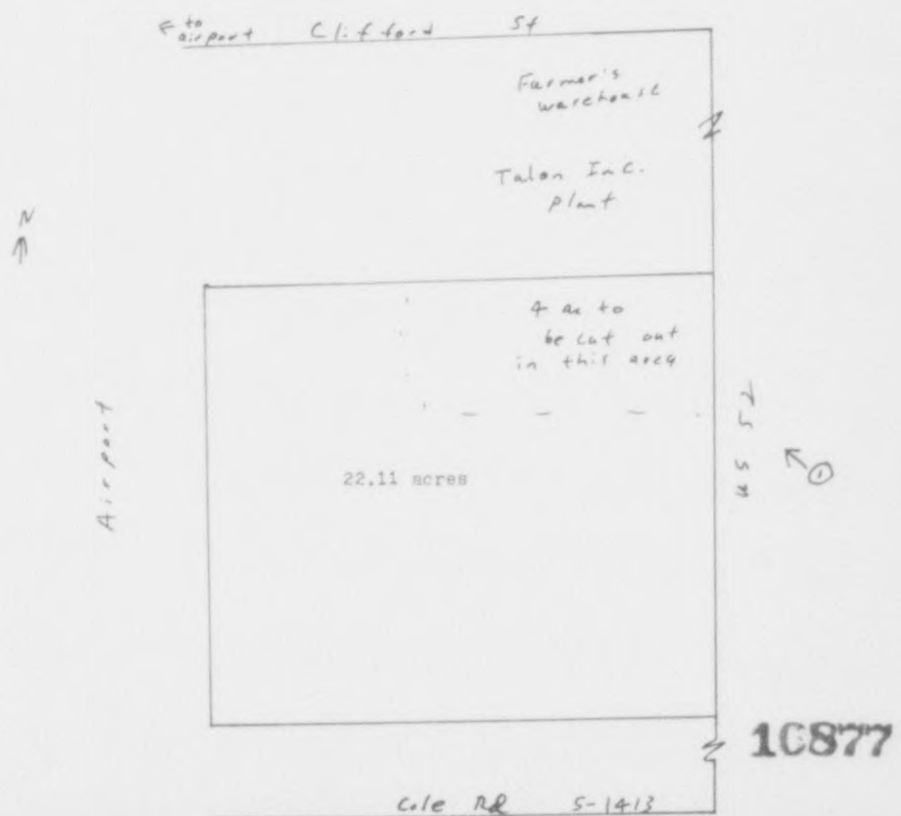
NO. 9

STATE BUDGET & CONTROL BOARD



1) NW from US 15

Property of C.B. Askins et.al.



EXHIBIT

DEC 18 1987

NO. 9

STATE BUDGET & CONTROL BOARD

THIS PROPERTY DESIGNATED AS

MAP 164 BLOCK 22 PARCEL 227

ON FLORENCE COUNTY TAX MAPS.

SPLIT FROM

HOWER: S. FLOYD, FLORENCE COUNTY TAX ASSESSOR



FLORENCE COUNTY
SOUTH CAROLINA

PLAT

Land located just S. wth of Lake City the
property of
LAKE CITY INDUSTRIAL PARK, INC

Surveyed Jan. 4, 1965 & Jan. 23, 1973

2004 / 300

James B. Boyd, owner

✓ C.A. ARNING 0106



Book 24 - 629

16878

EXHIBIT

DEC 18 1987

NO. 9

STATE BUDGET & CONTROL BOARD



* This map reviewed for corrections annually.
These are dates of actual revisions to map.

10879

EXHIBIT

DEC 18 1987

NO. 9

STATE BUDGET & CONTROL BOARD

Sales Information:

Sale 1: TMS 169-31-47; Suburban Propane to Loyd Morris; Deed A246-879; 5/9/86; \$27,500 for 2.02 acres on US 52 across from subject at corner of dirt road. Contains 2 small and old buildings estimated to contribute approximately \$7,500 to overall value leaving \$20,000 for land. Indicates \$9,900 per acre time adjusted 5% to \$10,400/acre.

Sale 2: TMS 80-011-1-11; Moore to Stewart W Heath III et al; Deed A248-68; 6/3/86; \$55,000 for 2.05 acres on US 52 with rear frontage on railroad siding. Contains warehouse at rear of tract assessed by the county for \$37,559 leaving \$17,441 for land. Indicates \$8,508 per acre time adjusted 5% to \$8,933/acre.

Sale 3: TMS 169-31-208; Floyd Estate & C.B. Askins et al to Lake City Manufacturing Co; Deeds A-197-161 & A197-165; 7/12/83; Total price \$21,945 for 5.45 acres on Road s-1413 adjacent to Lake City Airport. Indicated \$4,027 per acre time adjusted 20% (4 years @ 5%) to \$4,832 per acre.

10880

This appraisal is based upon the following premises and limiting conditions:

1. That I assume no responsibility for matters legal in character, nor do I render any opinion as to title, which is assumed to be good. All existing liens and encumbrances securing payment of money have been disregarded, and the property has been appraised as though free and clear under responsible ownership and competent management.
2. That, although parcel dimensions are taken from a source considered reliable and verifying measurements were made, such verification should not, in any way, be construed as a land survey.
3. That legal description, as furnished, is correct.
4. That information obtained for use in this appraisal is believed to be true and correct to the best of my ability; however no responsibility is assumed for errors or omissions nor for information not disclosed which might otherwise affect the valuation estimate.
5. That valuation relates to this parcel alone and should not be construed as applying with equal validity if this tract were part of a larger parcel or tract, or if this parcel were split into fractional parts.

[illegible][illegible]

DEC 18 1987 NO. 9

STATE BUDGET & CONTROL BOARD

Lake City

FILE _____

TRACT

EXHIBIT

DEC 18 1987

NO. 10

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

STATE BUDGET & CONTROL BOARD

REGULAR SESSION

ITEM NUMBER

7

AGENCY: Department of Corrections

SUBJECT: Petition for Annexation, Town of Ridgeville

In accord with Code Section 5-3-140, the Department of Corrections asks the Board to petition the Town of Ridgeville to annex properties owned by the Department (Lieber site).

The Department's legal advisor indicates that the Board of Corrections, by unanimous vote, has endorsed the annexation proposal. He advises that the annexation will not cost the Department anything and is proposed in response to the Town's suggestion.

BOARD ACTION REQUESTED:

In accord with Code Section 5-3-140, petition the Town of Ridgeville to annex properties owned by the Department of Corrections (Lieber site).

ATTACHMENTS:

Batson December 4 letter to Coles; Petition

10883



south carolina
department of corrections

P.O. BOX 21787/4444 BROAD RIVER ROAD/COLUMBIA, SOUTH CAROLINA 29221-1787
TELEPHONE (803) 737-8555
PARKER EVATT, Commissioner

EXHIBIT

DEC 18 1987

NO. 10

STATE BUDGET & CONTROL BOARD

December 4, 1987

RECEIVED
DEC - 8 1987
BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

Dr. Jesse A. Coles, Jr.
Executive Director
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

RE: Petition for Annexation

Dear Dr. Coles:

I have enclosed herewith a Petition for Annexation which was prepared for the Board of Corrections by the Town of Ridgeville. The Board of Corrections, by unanimous vote, has endorsed the annexation proposal.

Pursuant to Section 5-3-140, Code of Laws of South Carolina, 1976, I am forwarding the Petition to the Budget and Control Board for appropriate action and execution should such be the will of the Board.

If I can provide any further information, please contact me directly.

Kindest personal regards

Sincerely,

Larry C. Batson
Larry C. Batson
Legal Advisor

LCB:elz

Enclosure

cc: Parker Evatt, Commissioner

10884

BOARD OF
CORRECTIONS

CHARLES C. MOORE
Chairman
Spartanburg, S.C.

BETTY M. CONDON
Vice Chairman
Mt. Pleasant, S.C.

EUGENE N. ZEIGLER
Secretary
Florence, S.C.

GOETZ B. EATON
Member
Anderson, S.C.

C. LOCK MCKINNON
Member
Lancaster, S.C.

NORMAN KIRKLAND
Member
Bamberg, S.C.

GOV. CARROLL A. CAMPBELL, JR., Member, Ex Officio, Columbia, S.C.

EXHIBIT

DEC 18 1987

NO. 10

STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)

PETITION

The undersigned freeholder, who owns real property in the area herein described, does hereby petition and request the Town Council of the Town of Ridgeville to annex and include within the corporate limits of the Town of Ridgeville the area herein described. It is requested that said annexation be accomplished in accordance with and pursuant to the provisions of Section 5-3-140 of the South Carolina Code of Laws, 1976 as amended. The tract of land hereby requested for annexation is described as follows:

ALL that certain piece, parcel, or tract of land, situate, lying and being near the Town of Ridgeville, in the County of Dorchester, State of South Carolina, and being more specifically described as follows: Beginning at the Southern most point of the property of the South Carolina Department of Corrections (TMS No. 109-00-00-046); thence in a Northerly direction along the Eastern boundary of the property of the South Carolina Department of Corrections to a point on the Northwestern boundary of the right of way of Highway S-18-630; thence in a Southwesterly direction along the Northwestern side of the right of way of Highway S-18-630 to a point on the Northwest boundary of the property of the Southern Railroad; thence in a Southeasterly direction along the Northeast boundary of the Southern Railroad right of way and the Southwestern boundary of the South Carolina Department of Corrections (TMS No. 109-00-00-046) to the Southern most point of the property of the South Carolina Department of Corrections (TMS No. 109-00-00-046) and the point of beginning.

The above described property is more particularly shown and delineated as the area shade in red on the map attached hereto which is incorporated herein and made a part of this description. The tract described above and shown in red on the map encompasses and includes

10885

EXHIBIT

DEC 18 1987 NO. 10

STATE BUDGET & CONTROL BOARD

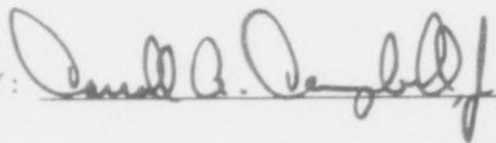
the highway right of way area shown thereon, Southern Railroad right of way shown thereon, and certain parcels of real estate having current Dorchester County Tax Map Numbers and any portion of parcels not presently within the corporate limits of the Town of Ridgeville. The undersigned property owner does respectfully request the Town Council of the Town of Ridgeville to grant this petition and request for annexation. All land annexed will be zoned RA (Rural Agricultural).

Assessed Value of Property: \$4,500.00

TMS Number of Property: 109-00-00-046

THE SOUTH CAROLINA BUDGET AND
CONTROL BOARD

BY:



Columbia, South Carolina

December 18, 1987.

10886

EXHIBIT

DEC 18 1987

NO. 11

STATE BUDGET AND CONTROL BOARD STATE BUDGET & CONTROL BOARD SESSION
MEETING OF December 18, 1987 ITEM NUMBER

8

AGENCY: Attorney General's Office

SUBJECT: Civil Contingent Fund Allocation

The Office of Attorney General requests an allocation of \$528.25 from the Civil Contingent Fund to pay the Gignilliat, Savitz & Bettis firm for legal work performed on the Mack Truck matter during the month of October.

BOARD ACTION REQUESTED:

Allocate \$528.25 of Civil Contingent Fund monies to the Attorney General's Office to pay Gignilliat, Savitz & Bettis for legal work performed on the Mack Truck matter during October.

ATTACHMENTS:

Kaminski November 10 letter to Elam; attachment

10887

DEC 10 1987

The State of South Carolina



Office of the Attorney General

EXHIBIT

DEC 18 1987

NO. 11

STATE BUDGET & CONTROL BOARD

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE 803-734-3970

November 10, 1987

Mark R. Elam
Counsel to the Governor
Office of the Governor
P. O. Box 11450
Columbia, S.C. 29211

Dear Mark:

Attached is a subsequent bill from Gignilliat, Savitz & Bettis for legal work performed on the Mack Truck matter during the month of October. The bill is in the amount of \$528.25. Since there may be further consultations with the law firm, I would appreciate you handling this in the same fashion that the prior bills were paid through the Budget and Control Board. Thank you for your assistance in this matter.

With kind regards, I am

Sincerely yours,

A handwritten signature in cursive script that reads "Nat Kaminski".

Nathan Kaminski, Jr.
Executive Assistant for Administration

NKjr/drb
Enclosure

10888

EXHIBIT

DEC 18 1987

NO. 11

STATE BUDGET & CONTROL BOARD NOV 05 1987

STATEMENT OF LEGAL SERVICES RENDERED

RESPONSE BY:

FROM: GIGNILLIAT, SAVITZ, & BETTIS
TO: State of South Carolina - Office of the Governor
DATE: October 31, 1987
SUBJECT: Case Caption/(or Subject) Mack Trucks Dispute
Attorney General File
*Reference Code:
*MUST BE INCLUDED ON VOUCHER TO COMPTROLLER GENERAL

PERIOD OF BILLING: 10/01/87 THROUGH 10/31/87

ITEMIZATION OF LEGAL SERVICES**

SEE ATTACHED ITEMIZATION

TOTAL HOURS: 6.75

TOTAL PROFESSIONAL SERVICES:

6.75 hours at \$ 75.00 per hour = \$ 506.25

TOTAL FEES: \$ 506.25

ITEMIZATION OF COSTS**

DATE	NATURE OF COST/EXPENSE	AMOUNT
10/31/87	Federal Express	\$ 22.00

TOTAL COSTS: \$ 22.00

TOTAL FEES/COSTS: \$ 528.25

Reviewed and Submitted by: Vance J. Belts
(Attorney's Signature) Date: 11/1/87
Phone (803) 799-9311

Approved by
Agency: (Signature and Title) Date:

(TO BE PAID OUT OF FISCAL YEAR)

**These itemized listings need not be completed if your firm attaches an automated billing statement. However, totals must be completed on this form. The Agency is responsible for insuring that all required information is provided on this form.

ATTORNEY GENERAL USE:

Approved: Date:
Comments:

10889

LAW OFFICES
GIGNILLIAT, SAVITZ & BETTIS

1627 BLANDING STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE 803 799-9311

* Personal & Confidential *
State of South Carolina
Office of the Governor

FILE #: 386.C

MATTER: Labor

RE: Mack Trucks Dispute

AS OF: 10/31/87

PAGE # 1

DATE	ATTORNEY OR STAFF	SERVICE	RATE	TIME	AMOUNT
10/22/87	VJB	Research preemption	75.00	2.00	150.00
10/22/87	VJB	Telephone call - Bob Cook re: preemption	75.00	.25	18.75
10/26/87	VJB	Telephone call - Travis Medlock, Esq., Ed Evans, Esq., Bob Cook, Esq.	75.00	.50	37.50
10/27/87	VJB	Conference - Travis Medlock, Esq., Ed Evans, Esq., Bob Cook, Esq. & Governor Campbell	75.00	2.25	168.75
10/27/87	VJB	Telephone call - Travis Medlock, Esq.	75.00	.25	18.75
10/27/87	VJB	Office conference	75.00	.25	18.75
10/27/87	JHG	Conference re: Right-to-Work Law	75.00	1.25	93.75
* TOTAL SERVICES RENDERED				6.75	506.25
Federal express					22.00
* TOTAL COST ADVANCES					22.00

PREVIOUS BALANCE:

6,599.64

CURRENT CHARGES:

528.25

LESS PAYMENTS:

.00

TOTAL AMOUNT DUE:

7,127.89

10890

LAW OFFICES
GIGNILLIAT, SAVITZ & BETTIS

1527 BLANDING STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE 803 799-9511

* Personal & Confidential *
State of South Carolina
Office of the Governor

FILE #: 386.C AS OF: 11/30/87
MATTER: Labor PAGE # 1
RE: Mack Trucks Dispute

DATE	ATTORNEY OR STAFF	SERVICE	RATE	TIME	AMOUNT
-----	-----	-----	----	----	-----
11/03/87	VJB	Review Judge Cahn's order on merits	75.00	.50	37.50
11/13/87	VJB	Telephone call - Ed Evans, Esq., re: status	75.00	.25	18.75
		* TOTAL SERVICES RENDERED		.75	56.25
		Photocopy			3.21
		* TOTAL COST ADVANCES			3.21

PREVIOUS BALANCE:	7,127.89
CURRENT CHARGES:	59.46
LESS PAYMENTS:	.00
TOTAL AMOUNT DUE: AS OF 11/30	7,187.35
	=====
Payment received 12/1	6,543.39

TOTAL AMOUNT DUE AS OF 12/1	\$ 643.96
	=====

10891

The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE 803 734-3900

December 8, 1987

Mark R. Elam
Counsel to the Governor
Office of the Governor
P. O. Box 11450
Columbia, S.C. 29211

RE: Mack Truck Matter

Dear Mark:

Attached is a bill for the month of November 1987, submitted by Gignilliat, Savitz & Bettis for the Mack Truck matter in the amount of \$59.46. Please handle payment of this bill as you have done with the previous billing submitted on this case. Thank you for your assistance.

With kind regards, I am

Sincerely yours,

A handwritten signature in cursive script, reading "Nat Kaminski".

Nathan Kaminski, Jr.
Executive Assistant for Administration

NKjr/drb
Enclosure

10892

EXHIBIT

DEC 18 1987

NO. 12

STATE BUDGET AND CONTROL BOARD REGULAR SESSION
MEETING OF December 18, 1987

ITEM NUMBER

9

AGENCY: Budget Division

SUBJECT: Veto-related Transfer Requests (3rd Quarter)

The Budget Division recommends approval of the following veto-related transfer requests which do not exceed 25% of the vetoed amount for the third quarter of the fiscal year:

- (a) Reorganization Commisison, \$1,250 from travel, Administration Program to travel, Jail/Prison Overcrowding Program;
- (b) State Treasurer, \$6,850 from supplies to travel;
- (c) State Auditor, \$1,875 from contractual services in one program to contractual services in another program;
- (d) State Auditor, \$6,500 from contractual services to supplies;
- (e) Wildlife and Marine Resources: \$14,600 from items purchased for resale (magazine) to supplies and travel.

BOARD ACTION REQUESTED:

Approve the following veto-related transfer requests which do not exceed 25% of the vetoed amount for the third quarter of the fiscal year:

- (a) Reorganization Commisison, \$1,250 from travel, Administration Program to travel, Jail/Prison Overcrowding Program;
- (b) State Treasurer, \$6,850 from supplies to travel;
- (c) State Auditor, \$1,875 from contractual services in one program to contractual services in another program;
- (d) State Auditor, \$6,500 from contractual services to supplies;
- (e) Wildlife and Marine Resources: \$14,600 from items purchased for resale (magazine) to supplies and travel.

ATTACHMENTS:

Agenda item worksheets; attachments

10893

EXHIBIT

DEC 18 1987

NO. 12

BUDGET AND CONTROL BOARD AGENDA

STATE BUDGET & CONTROL BOARD

Regular Session

Meeting of December 18, 1987

AGENCY: Budget Division

SUBJECT:

Veto-Related Appropriation Transfer Requests (Third Quarter)

The Division recommends that the Board approve the following appropriation transfer request which does not exceed 25% of the vetoed amount (for the third quarter of the year):

- (a) Reorganization Commission: \$1,250 from Travel to Travel (88-127).
- (b) State Treasurer: \$6,850 from Supplies to Travel (88-128).
- (c) State Auditor's Office: \$1,875 from Contractual Services to Contractual Services (88-129).
- (d) State Auditor's Office: \$6,500 from Contractual Services to Supplies (88-130).
- (e) Wildlife & Marine Resources: \$14,600 from Items Purchased for Resale (Magazine) to Supplies and Travel (88-131).

BOARD ACTION REQUESTED:

Approve.

ATTACHMENTS:

Agenda item worksheets and attachments.

10894

EXHIBIT

DEC 18 1987

NO. 12

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

STATE BUDGET & CONTROL BOARD

88-127

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:

(a) Agency: State Budget Division

(b) Authorized Official Signature: 

2. Subject:

Reorganization Commission Veto-Related Request

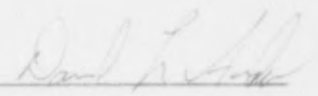
3. Summary Background Information:

The Reorganization Commission veto was \$5,000 of Travel funds. This request is for restoration of 25%, or \$1,250, in compliance with present rules for veto restoration, for the third quarter.

4. What is Board asked to do?

Approve the transfer of \$1,250 from Travel in the Administration Program to Travel in the Jail/Prison Overcrowding Program.

5. What is recommendation of Board Division involved?

Recommend approval so that necessary travel may be accomplished in the third quarter, \$1,250. 

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:

(a) List Those Attached:

1. Agency Letter
2. Transfer Request

(b) List Those Not Attached But Available From Submitter:

10895

State of South Carolina
State Reorganization Commission

P.O. Box 11949
Columbia, South Carolina 29211
(803) 734-3152

Sen. John Drummond
Chairman

November 23, 1987

Richard D. Young
Director

Rep. Herbert Kirsch
Vice Chairman

Rep. David H. Wilkins
Secretary

Senators

Rembert C. Dennis

Phil P. Leventis

Isadore E. Lousie

Kay Patterson

J. Verne Smith

Marshall B. Williams

Representatives

Michael L. Fair

Jackson V. Gregory

Robert N. McLellan

Paul E. Short, Jr.

Juanita M. White

Governor's Appointees

Brian R. Fry

Horace W. Fleming

James C. Morton, Jr.

Thomas A. Palmer

Willieae Sanders

Mr. Scott Barnes
Budget Development
Budget & Control Board
530 Edgar Brown Building
Columbia, SC 29201

Dear Scott:

I would like to request your approval of Appropriation Transfer T-16, which request that \$1,250.00 be transferred into the travel account for the Jail/Prison Overcrowding Project. A \$5,000.00 appropriation for travel was vetoed by the Governor this year. In compliance with new Budget & Control rules, I would request that 25% of that amount be restored to the Project to cover third quarter expenses.

Thank you for your consideration of this request.

Sincerely,

Paulette

Paulette M. Redfern

Attachment

*THIRD QUARTER
VETO RESTORATION*

NOV 24 1987
Bldg 100
STATE

10897

access to a Free Conference Report than the final Bill as printed by the Legislative Council. My intent is to veto the lines in the final Bill that correspond to those in the Free Conference Report.

VETO 1 - Section 3H, State Reorganization Commission,
Page 3-027, Line 14, Travel, \$5,000

VETO 2 - Section 5A, Governor's Office, Executive Control
of the State, Page 5-001, Line 18, Transportation, \$1,500

This cut is in addition to a cut of \$4,335 in actual spending from FY 86-87 to FY 87-88.

VETO 3 - Section 5B, Governor's Office, State Law Enforcement
Division, Page 5-005, Line 36, Contractual Services, \$25,840

VETO 4 - Section 5B, Governor's Office, State Law Enforcement
Division, Page 5-005, Line 11, Equipment, \$63,887

VETO 5 - Section 5B, Governor's Office, State Law Enforcement
Division, Page 5-005, Line 40, Equipment, \$10,000

VETO 6 - Section 5B, Governor's Office, State Law Enforcement
Division, Page 5-003, Line 17, Library Books, Maps and
Films, \$500

VETO 7 - Section 5B, Governor's Office, State Law Enforcement
Division, Page 5-005, Line 39, Travel, \$4,000

VETO 8 - Section 5C, Governor's Office, Office of
Executive Policy and Programs, Page 5-007, Line 17,
Transportation, \$12,080

This cut is in addition to a \$205,170 decrease in actual spending from FY 1986-87 to FY 1987-88.

VETO 9 - Section 6, Lt. Governor's Office, Page 6-001,
Line 13, Fixed Charges and Contributions, \$300

VETO 10 - Section 6, Lt. Governor's Office, Page 6-001,
Line 14, Travel, \$1,411

VETO 11 - Section 7, Secretary of State's Office, Page
7-001, Line 11, Equipment, \$4,984

VETO 12 - Section 7, Secretary of State's Office, Page
7-001, Line 10, Travel, \$4,224

VETO 13 - Section 8, Comptroller General's Office, Page
8-003, Line 4, Contractual Services, \$37,513

EXHIBIT

DEC 18 1987

NO. 1 2

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84) STATE BUDGET & CONTROL BOARD

88-128

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:

(a) Agency: State Budget Division

(b) Authorized Official Signature: 

2. Subject:

State Treasurer Veto-Related Request

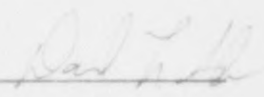
3. Summary Background Information:

The State Treasurer's Office vetoes were \$27,399 Travel, \$2,408 Temporary Positions, and \$2,926 Contractual Services for a total of \$32,733. This request is for the third quarter on Travel, restoring \$6,850 to this account so that travel reimbursements can be made.

4. What is Board asked to do?

Approve transfer of \$6,850 from Supplies to Travel so that reimbursements can be made.

5. What is recommendation of Board Division involved?

Recommend approval of third quarter transfer to Travel of \$6,850 so that reimbursements can be made. 

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:

(a) List Those Attached:

1. Agency Letter
2. Transfer Request

(b) List Those Not Attached But Available From Submitter:

10899

AGENCY NUMBER AGENCY BATCH NUMBER OBJECT CODE HASH TOTAL TOTAL BATCH AMOUNT BATCH DATE BATCH NUMBER DOCUMENT
E16 0800 \$13,700.00 3

AGENCY VOUCHER NUMBER
6

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

CG WARRANT NUMBER

AGENCY TRANSFERRED TO (CIR)
NAME

State Treasurer's Ofc
ADDRESS

Box 11778

Columbia, SC 29201

APPROPRIATION TRANSFER

TO REQUESTING AGENCY:

This form must be supported with documentation indicating the reason for the transfer. No commitment should be made in anticipation of the approval of a transfer.

AGENCY TRANSFERRED FROM (CIR)
NAME

State Treasurer's Ofc
ADDRESS

Box 11778

Columbia, SC 29201

REASON FOR TRANSFER:

FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE	C G F
05	350	E16	0082	1001						0300	6,850.00		

EXHIBIT
DEC 18 1987 NO. 12
STATE BUDGET & CONTROL BOARD

TOTAL 0300 6,850.00

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE	C G R
05	300	E16	0082	1001						0500	6,850.00		

TOTAL 0500 6,850.00

REQUESTED BY *[Signature]* DATE 11/13/87 STATE BUDGET ANALYST DATE

To the Comptroller General and Treasurer: By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.

STATE AUDITOR DATE

STATE OF SOUTH CAROLINA

OFFICE OF STATE TREASURER

GRADY L. PATTERSON, JR.
TREASURER



P. O. DRAWER 11778

COLUMBIA
29211

MEMORANDUM

TO: Mr. Scott Barnes, State Budget Development
FROM: Grady L. Patterson, Jr., State Treasurer *GLP*
DATE: November 13, 1987
RE: Transfer of Funds

We hereby request a transfer of \$6,850.00 from our Supplies Account to the Travel Account to cover the State Treasurer and staff operations for the third quarter.

*THIRD QUARTER
VETO-RELATED*

Received
NOV 11 7 1987
Budget & Control Board
STATE BUDGET DIVISION

10901

VETO 14 - Section 8, Comptroller General's Office, Page 8-001, Line 16, Transportation,	\$1,000	
VETO 15 - Section 9, State Treasurer's Office, Page 9-001, Line 14, Travel,	\$27,399	} <u>32,733</u>
VETO 16 - Section 9, State Treasurer's Office, Page 9-001, Line 28, Temporary Positions,	\$2,408	
VETO 17 - Section 9, State Treasurer's Office, Page 9-001, Line 31, Contractual Services,	\$2,926	
VETO 18 - Section 10, Attorney General's Office, Page 10-001, Line 8, Temporary Positions,	\$18,000	
VETO 19 - Section 10, Attorney General's Office, Page 10-001, Line 33, Contractual Services,	\$2,680	
VETO 20 - Section 11, Commission on Appellate Defense, Page 11-001, Line 16, Library Books, Maps and Films,	\$9,105	
VETO 21 - Section 13, Adjutant General's Office, Page 13-002, Line 13, Equipment,	\$29,200	
VETO 22 - Section 13, Adjutant General's Office, Page 13-002, Line 12, Travel,	\$9,000	
VETO 23 - Section 13, Adjutant General's Office, Page 13-004, Line 23, Transportation,	\$1,500	
VETO 24 - Section 15, State Election Commission, Page 15-001, Line 38, Supplies and Materials,	\$12,535	
VETO 25 - Section 15, State Election Commission, Page 15-001, Line 16, Per Diem,	\$2,450	
VETO 26 - Section 15, State Election Commission, Page 15-003, Line 3, Fixed Charges and Contributions,	\$650	
VETO 27 - Section 16A, Budget and Control Board, Office of Executive Director, Page 16-001, Line 24, Departmental Printing,	\$50,008	
VETO 28 - Section 16A, Budget and Control Board, Office of Executive Director, Page 16-001, Line 17, Supplies and Material,	\$8,934	
VETO 29 - Section 16A, Budget and Control Board, Office of Executive Director, Page 16-002, Line 7, Total Lead Poisoning,	\$1,000	

EXHIBIT

DEC 18 1987

NO. 12

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET STATE BUDGET & CONTROL BOARD

88-129

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:

(a) Agency: State Budget Division

(b) Authorized Official Signature: 

2. Subject:

State Auditor's Office Veto-Related Transfer Request

3. Summary Background Information:

The State Auditor's veto in Contractual Services was \$7,500. This request is for restoration of 25% for third quarter, an amount of \$1,875 into this account from the Contractual Services account in another program.

4. What is Board asked to do?

Approve the transfer of \$1,875 from Contractual Services in one program to Contractual Services in another program so that administrative program bills can be paid.

5. What is recommendation of Board Division involved?

Recommend approval of \$1,875 transfer to Contractual Services in the Administrative Program.

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:

(a) List Those Attached:

1. Agency Letter
2. Transfer Request

(b) List Those Not Attached But Available From Submitter:

10903

State of South Carolina

EXHIBIT

DEC 18 1987

NO. 12

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

OFFICE OF THE STATE AUDITOR

P.O. BOX 11333
COLUMBIA, S.C.
29211
(803) 734-1727

MARGARET C. STILWELL, CPA
DEPUTY STATE AUDITOR

CPA

November 18, 1987

Charlie Case, State Budget Analyst

George N. Dorn, Jr., Director of Administration

Third quarter transfer of contractual service funds for the administrative program, which were vetoed

rejected budget for administrative program contractual services

he first two quarters, \$3,750 has been transferred. Year to date es are \$2,041. Another \$2,098 is presently encumbered. The attached AT 490 is requested to adequately fund this account for the third 87-88.

THIRD QUARTER
VETO RESTORATION!

STATE BUDGET & CONTROL BOARD

EARLE E. MORRIS JR.
COMPTROLLER GENERAL
REMBERT C. DENNIS
CHAIRMAN
SENATE FINANCE COMMITTEE

CHAIRMAN

N. JR.
OR

ROBERT N. MUELLAN
CHAIRMAN
HOUSE WAYS AND MEANS COMMITTEE
JESSE A. COLES JR.
EXECUTIVE DIRECTOR

10905

VETO 43 - Section 16E, Budget and Control Board, General Services Division, Page 16-019, Line 12, Travel, \$15,000

VETO 44 - Section 16E, Budget and Control Board, General Services Division, Page 16-019, Line 25, Fixed Charges and Contributions, \$24,235

VETO 45 - Section 16F, Budget and Control Board, State Fire Marshal, Page 16-027, Line 39, Supplies and Materials, \$1,525

VETO 46 - Section 16F, Budget and Control Board, State Fire Marshal, Page 16-028, Line 3, Library Books, Maps and Films, \$1,100

VETO 47 - Section 16F, Budget and Control Board, State Fire Marshal, Page 16-028, Line 25, Supplies and Materials, \$23,994

VETO 48 - Section 16G, Budget and Control Board, Motor Vehicle Management Division, Page 16-030, Line 15, Supplies and Materials, \$2,617

VETO 49 - Section 16H, Budget and Control Board, Human Resource Management, Page 16-032, Line 17, Travel, \$11,600

VETO 50 - Section 16H, Budget and Control Board, Human Resource Management, Page 16-032, Line 18, Equipment, \$12,144

VETO 51 - Section 16H, Budget and Control Board, Human Resource Management, Page 16-032, Line 37, Travel, \$5,000

VETO 52 - Section 16J, Budget and Control Board, State Auditor, Page 16-038, Line 14, Contractual Service, \$10,008

VETO 53 - Section 16J, Budget and Control Board, State Auditor, Page 16-038, Line 32, Supplies and Materials, \$24,300

VETO 54 - Section 17, Commission on Higher Education, Page 17-001, Line 10, Per Diem, \$6,658

VETO 55 - Section 17, Commission on Higher Education, Page 17-001, Line 17, Equipment, \$15,403

VETO 56 - Section 18, Higher Education Tuition Grants Committee, Page 18-001, Line 8, Temporary Positions, \$1,000

VETO 57 - Section 18, Higher Education Tuition Grants Committee, Page 18-001, Line 9, Per Diem, \$1,050

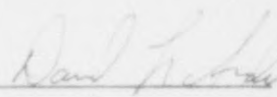
34,308

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

88-130

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:
(a) Agency: State Budget Division
(b) Authorized Official Signature: _____
2. Subject:
State Auditor's Office Veto-Related Transfer Request
3. Summary Background Information:
The State Auditor's veto in Supplies was \$26,000. This request is for restoration of 25% for the third quarter, an amount of \$6,500 into Supplies accounts from Contractual Services accounts.
4. What is Board asked to do?
Approve transfer of \$6,500 from Contractual Services to Supplies so that bills can be paid.
5. What is recommendation of Board Division involved?
Recommend approval of transfer of \$6,500 to Supplies for the third quarter.

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____
(b) Division/Agency Name: _____
7. Supporting Documents:
(a) List Those Attached:
 1. Agency Letter
 2. Transfer Request
(b) List Those Not Attached But Available From Submitter:

EXHIBIT

DEC 18 1987

NO. 1 2

STATE BUDGET & CONTROL BOARD

10907

State of South Carolina

EXHIBIT

DEC 18 1987

NO. 1 2

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

OFFICE OF THE STATE AUDITOR

P.O. BOX 11333
COLUMBIA, S.C.
29211
(803) 734-1727

EDGAR A. VAUGHN, JR., CPA
STATE AUDITOR

MARGARET C. STILWELL, CPA
DEPUTY STATE AUDITOR

November 18, 1987

MEMORANDUM

TO: Charlie Case, State Budget Analyst

FROM: George N. Dorn, Jr., Director of Administration *GD*

SUBJECT: Transfer of supply funds in order to budget supply accounts which were vetoed in the audit program

This office has spent \$9,535 for supplies as of the date of this letter in the audit program. In addition, another \$1,251 is encumbered and expected to be paid by the end of the second quarter. This leaves \$1,214 available to encumber for supplies to the end of December 1987.

Our revised annual estimate is \$26,000 for the audit program. In accordance with Budget & Control Board directives, the attached transfer #AT 489 is requested to fund the third quarter based on our best estimate at this time. Please approve as early as possible.

Thank you.

*THIRD QUARTER
VETO RESTORATION!*

NOV 18 1987

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER

STATE BUDGET & CONTROL BOARD
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL
REMBERT C. DENNIS
CHAIRMAN
SENATE FINANCE COMMITTEE

S. Danner
11-19-87

ROBERT N. McLELLAN
CHAIRMAN
HOUSE WAYS AND MEANS COMMITTEE
JESSE A. COLES, JR.
EXECUTIVE DIRECTOR

10909

VETO 43 - Section 16E, Budget and Control Board, General
Services Division, Page 16-019, Line 12, Travel, \$15,000

VETO 44 - Section 16E, Budget and Control Board, General
Services Division, Page 16-019, Line 25, Fixed Charges
and Contributions, \$24,235

VETO 45 - Section 16F, Budget and Control Board, State Fire
Marshal, Page 16-027, Line 39, Supplies and
Materials, \$1,525

VETO 46 - Section 16F, Budget and Control Board, State Fire
Marshal, Page 16-028, Line 3, Library Books, Maps and
Films, \$1,100

VETO 47 - Section 16F, Budget and Control Board, State
Fire Marshal, Page 16-028, Line 25, Supplies and
Materials, \$23,994

VETO 48 - Section 16G, Budget and Control Board, Motor
Vehicle Management Division, Page 16-030, Line 15, Supplies
and Materials, \$2,617

VETO 49 - Section 16H, Budget and Control Board, Human
Resource Management, Page 16-032, Line 17, Travel, \$11,600

VETO 50 - Section 16H, Budget and Control Board, Human
Resource Management, Page 16-032, Line 18,
Equipment, \$12,144

VETO 51 - Section 16H, Budget and Control Board, Human
Resource Management, Page 16-032, Line 37, Travel, \$5,000

VETO 52 - Section 16J, Budget and Control Board, State
Auditor, Page 16-038, Line 14, Contractual Service, \$10,008

VETO 53 - Section 16J, Budget and Control Board, State
Auditor, Page 16-038, Line 32, Supplies and
Materials, \$24,300

VETO 54 - Section 17, Commission on Higher Education,
Page 17-001, Line 10, Per Diem, \$6,658

VETO 55 - Section 17, Commission on Higher Education,
Page 17-001, Line 17, Equipment, \$15,403

VETO 56 - Section 18, Higher Education Tuition Grants
Committee, Page 18-001, Line 8, Temporary Positions, \$1,000

VETO 57 - Section 18, Higher Education Tuition Grants
Committee, Page 18-001, Line 9, Per Diem, \$1,050

34308

EXHIBIT

DEC 18 1987

NO. 12

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET STATE BUDGET & CONTROL BOARD

88-131

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:

(a) Agency: State Budget Division

(b) Authorized Official Signature: 

2. Subject:

Department of Wildlife & Marine Resources Third Quarter Transfer Request to Accommodate the Governor's Veto

3. Summary Background Information:

The Wildlife & Marine Resources Department requests the transfer of \$14,600 of appropriated General Funds for the Magazine Program from Items Purchased for Resale to Supplies and Travel. This request is needed to cover three months of operating funds for those line items vetoed by the Governor in the 1987-88 Appropriation Act. Approval of this transfer request is necessary for publication of the Wildlife Magazine.

4. What is Board asked to do?

Approve the transfer of \$14,600 of appropriated State Funds to Supplies and Travel from Items Purchased for Resale (Magazine).

5. What is recommendation of Board Division involved?

Recommend approval of sufficient funding for third quarter expenditures, \$14,600.

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:

(a) List Those Attached:

1. Agency Letter
2. Transfer Form #30

(b) List Those Not Attached But Available From Submitter:

10911

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUMENT
P24	0516	1700	29,200.00			3

AGENCY VOUCHER NUMBER

AT-42

AGENCY TRANSFERRED TO ICRI

NOTES

ADDRESS

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

TO REQUESTING AGENCY

This form must be supported with documentation indicating the reason for the transfer. No commitment should be made in anticipation of the approval of a transfer.

CG WARRANT NUMBER

AGENCY TRANSFERRED FROM (DR)

94 第 9 章

ADDRESS

REASON FOR TRANSFER:

FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
05	350	P24	0779	1001						0900	14,600.00	048000000
										EXHIBIT		
										DEC 18 1987 NO. 12		
										STATE BUDGET & CONTROL BOARD		
										TOTAL	900	14,600.00

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
05	300	P24	0779	1001						0300	13,350.00	0430000000
05	300	P24	0779	1001						0500	1,250.00	0450000000
TOTAL										500	14,600.00	

REQUESTED BY Carl Walker DATE 11-16-87 STATE BUDGET ANALYST _____ DATE _____

To the Comptroller General and Treasurer: By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.

10912

STATE AUDITOR _____ DATE _____



*South Carolina
Wildlife & Marine
Resources Department*

James A. Timmerman, Jr., Ph.D.
Executive Director
John B. Reeves
Director of
Administrative Services

November 16, 1987

MEMORANDUM

TO: Bob Stein

FROM: John B. Reeves *JBR*

SUBJECT: Appropriation Transfer - Magazine

In reference to the above subject, the South Carolina Wildlife and Marine Resources Department is requesting a transfer of funds amounting to 25% of the veto imposed by Governor Carroll Campbell in the 1987-88 budget.

The magazine program is funded 100% by appropriated dollars; therefore, the veto effectively eliminated all supply and travel funds necessary to accomplish the mission of publishing the magazine.

With out budget authorization and cash, this program cannot purchase required art supplies, postage, educational supplies, office supplies or provide the necessary travel support for our writers and photographers. Without funding in these areas, the magazine staff is unable to secure the items necessary to publish this publication, thereby jeopardizing the future of the overall operation.

This transfer request is not intended to change legislative intent, but to continue the program as supported by the Governor and General Assembly.

Your favorable consideration of this request will be greatly appreciated.

JBR/lj

10913

(addition, serious questions have been raised about management of the agency, and it has been the target of investigations by the State Auditor's Office and the State Law Enforcement Division. I intend for this veto to lead to a complete elimination of the Authority.

VETO 228 - Section 65, Clemson University - Public Service
Activities, Page 65-002, Line 1, Supplies and Materials \$107,553

VETO 229 - Section 65, Clemson University - Public Service
Activities, Page 65-002, Line 39, Supplies and Materials, \$ 73,685

VETO 230 - Section 65, Clemson University - Public Service
Activities, Page 65-001, Line 18, Travel, \$51,100

This cut represents only two-thirds of one percent of the agency's budget.

VETO 231 - Section 67, Wildlife and Marine Resources, Page
67-002, Line 18, Supplies and Materials \$53,400

VETO 232 - Section 67, Wildlife and Marine Resources, Page
67-003, Line 21, Fixed Charges and Contributions, \$60,282

(VETO 233 - Section 67, Wildlife and Marine Resources, Page
67-004, Line 23, Contractual Services, \$1,560

VETO 234 - Section 67, Wildlife and Marine Resources, Page
67-002, Line 20, Travel, \$5,000

VETO 235 - Section 68, Coastal Council, Page 68-001, Line 22,
Temporary Positions, \$2,000

VETO 236 - Section 68, Coastal Council, Page 68-001, Line 31
Library Books, Maps and Films, \$800

VETO 237 - Section 68, Coastal Council, Page 68-001, Line 32,
Light/Power/Heat, \$1,000

VETO 238 - Section 68, Coastal Council, Page 68-001, Line 33,
Transportation, \$3,000

VETO 239 - Section 70, Department of Parks, Recreation and
Tourism, Page 70-004, Line 15, Fixed Charges and Contributions, \$133,007

VETO 240 - Section 70, Department of Parks, Recreation and
Tourism, Page 70-004, Line 16, Travel, \$50,000

EXHIBIT

EXHIBIT

DEC 18 1987

NO. 13

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD

REGULAR SESSION

MEETING OF December 18, 1987

ITEM NUMBER

10

AGENCY: Budget Division

SUBJECT: Veto-related Transfer Requests (2nd Quarter)

The Budget Division recommends approval of the following appropriation transfer requests which do not exceed 25% of the vetoed amount (second quarter of the fiscal year):

- (a) Department of Corrections, \$362,915 from supplies, transportation, inmate earnings, and equipment to transportation, fixed charges, inmate earnings and equipment;
- (b) Aeronautics Commission, \$3,750 from equipment to fixed charges;
- (c) Mental Retardation, \$73,298 from temporary positions to overtime and shift differential.

BOARD ACTION REQUESTED:

Approve the following appropriation transfer requests which do not exceed 25% of the vetoed amount (second quarter of the fiscal year):

- (a) Department of Corrections, \$362,915 from supplies, transportation, inmate earnings, and equipment to transportation, fixed charges, inmate earnings and equipment;
- (b) Aeronautics Commission, \$3,750 from equipment to fixed charges;
- (c) Mental Retardation, \$73,298 from temporary positions to overtime and shift differential.

ATTACHMENTS:

Agenda item worksheet; attachments

10915

EXHIBIT

DEC 18 1987

NO. 13

BUDGET AND CONTROL BOARD AGENDA STATE BUDGET & CONTROL BOARD

Regular Session

Meeting of December 18, 1987

AGENCY: Budget Division

SUBJECT:

Veto-Related Appropriation Transfer Requests (Second Quarter)

The Division recommends that the Board approve the following appropriation transfer request which does not exceed 25% of the vetoed amount (for the second quarter of the year):

- (a) Department of Corrections: \$362,915 from Supplies, Transportation, Inmate Earnings, and Equipment to Transportation, Fixed Charges, Inmate Earnings, and Equipment (88-124).
- (b) Aeronautics Commission: \$3,750 from Equipment to Fixed Charges (88-125).
- (c) Mental Retardation: \$73,298 from Temporary Positions to Overtime and Shift Differential (88-126).

BOARD ACTION REQUESTED:

Approve

ATTACHMENTS:

Agenda item worksheets and attachments

10916

EXHIBIT

DEC 18 1987

NO. 13

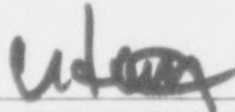
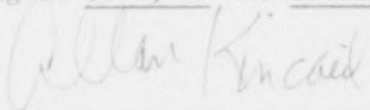
STATE BUDGET & CONTROL BOARD BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

88-124

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:
(a) Agency: State Budget Division

(b) Authorized Official Signature: 
2. Subject:
Department of Corrections Veto-Related Fund Transfer Request
3. Summary Background Information:
The Department of Corrections requests a transfer in the total amount of \$362,915 from Supplies, Transportation, Inmate Earnings, and Equipment to Transportation, Fixed Charges, Inmate Earnings, and Equipment to cover the second quarter funding of the line item vetoed by the Governor.
4. What is Board asked to do?
Approve the transfer of \$362,915 appropriated funds from Supplies, Transportation, Inmate Earnings, and Equipment to Transportation, Fixed Charges, Inmate Earnings, and Equipment.
5. What is recommendation of Board Division involved?
Approve the transfer of three months' funding of \$362,915 for second quarter expenditures.

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____
(b) Division/Agency Name: _____
7. Supporting Documents:
(a) List Those Attached:
 1. Agency Letter
 2. Transfer Form #30
 3. Copy of Vetoed Line Item
(b) List Those Not Attached But Available From Submitter:

10917

AGENCY NUMBER: N04 AGENCY BATCH NUMBER: OBJECT CODE HASH TOTAL: 9850 TOTAL BATCH AMOUNT: 725,830.00 BATCH DATE: 11/6/87 BATCH NUMBER: DOCUMENT: 3

AGENCY VOUCHER NUMBER: 18

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD - FINANCE DIVISION

CG WARRANT NUMBER:

AGENCY TRANSFERRED TO (CRI):
NAME: Corrections
ADDRESS: P.O. Box 21787
Columbia, SC 29221

APPROPRIATION TRANSFER

TO REQUESTING AGENCY:
This form must be supported with documentation indicating the reason for the transfer. No commitment should be made in anticipation of the approval of a transfer.

AGENCY TRANSFERRED FROM (CRI):
NAME: Corrections
ADDRESS: P.O. Box 21787
Columbia, SC 29221

REASON FOR TRANSFER: See Attached Letter
FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
05	350	N04	0689	1001					18	0300	236,284.00	
05	350	N04	0689	1001					18	2400	119,884.00	
05	350	N04	0689	1001					18	0180	4,791.00	
05	350	N04	0689	1001					18	0600	1,956.00	
EXHIBIT												
DEC 18 1987 NO. 13												
STATE BUDGET & CONTROL BOARD												
TOTAL										3480	362,915.00	

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
05	300	N04	0688	1001					18	2400	8,634.00	
05	300	N04	0689	1001					18	0400	222,108.00	
05	300	N04	0690	1001					18	0180	4,791.00	
05	300	N04	0690	1001					18	0400	14,173.00	
05	300	N04	0690	1001					18	2400	111,250.00	
05	300	N04	0690	1001					18	0600	1,959.00	
TOTAL										6380	362,915.00	

REQUESTED BY: *[Signature]* DATE: 11/9/87 STATE BUDGET ANALYST: DATE:

To the Comptroller General and Treasurer: By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.

STATE AUDITOR: 10918 DATE:



south carolina department of corrections

P.O. BOX 21787/4444 BROAD RIVER ROAD/COLUMBIA, SOUTH CAROLINA 29221-1787
TELEPHONE (803) 737-8555
PARKER EVATT, Commissioner

November 9, 1987

Mr. Allan Kincaid
Edgar Brown Building
1205 Pendleton Street
Room 530
Columbia, South Carolina 29201

Dear Allan:

The attached Appropriation Transfer is requesting permission to realign State Appropriated Funds to cover several programmatic line item budgets vetoed by the Governor for FY 88. If this transfer is approved, SCDC will be able to fund for a period of three months operating costs incurred for:

1. Gasoline and diesel fuel purchased for our farm vehicles, and our Work Release Program vehicles.
2. Inmate Incentive Pay for inmates participating in our Educational Programs.
3. Rental of photocopy equipment, rental of data processing equipment, rental of non-state owned real property, rental of state owned real property, insurance non-state and other fixed charges.
Note: See copy of Fact Sheet attached for Fixed Charges Expenditures for FY 86-87.
4. Miscellaneous equipment items purchased for our Individual Growth and Motivation Program.

The funds requested to be transferred will be subtracted from funds appropriated to open Broad River Correctional Institution in 1988.

If you have any questions, please call me at 737-8494/8528.

Sincerely,

Glen Franz, Director
Division of Budget and
Planning

NOV 11 0 1987

Attachment

GF/pan

10919

BOARD OF CORRECTIONS

NORMAN KIRKLAND
Chairman
Burling, S.C.

CHARLES C. MOORE
Vice Chairman
Spartanburg, S.C.

BETTY M. CONDON
Member
Mt. Pleasant, S.C.

EUGENE N. ZEIGLER
Member
Florence, S.C.

GOETZ B. EATON
Member
Anderson, S.C.

C. LOCK MCKINNON
Member
Lancaster, S.C.

GOV. CARROLL A. CAMPBELL, JR., Member, Ex Officio, Columbia, S.C.

EXHIBIT

DEC 18 1987

NO. 13

STATE BUDGET & CONTROL BOARD

VETO 203 - Section 53, Department of Veterans Affairs, Page 53-001, Line 14, Contractual Services, \$12,000

VETO 204 - Section 55, Department of Corrections, Page 55-001, Line 21, Transportation, \$34,535

VETO 205 - Section 55, Department of Corrections, Page 55-005, Line 5, Fixed Charges and Contributions, \$888,433

VETO 206 - Section 55, Department of Corrections, Page 55-005, Line 31, Inmate Earnings, \$19,163

VETO 207 - Section 55, Department of Corrections, Page 55-005, Line 36, Fixed Charges and Contributions, \$56,692

VETO 208 - Section 55, Department of Corrections, Page 55-006, Line 1, Transportation, \$445,000

VETO 209 - Section 55, Department of Corrections, Page 55-006, Line 23, Equipment, \$7,833

1,457,655

I do not intend to reduce the basic operating expenses of the Department of Corrections. The House anticipated opening the new Broad River Road institution on April 1, 1988. The Senate added 2.9 million dollars to open the new prison three months earlier. The action I am taking with this set of vetoes splits the difference on the opening date between the House and Senate Bills and would allow the Department of Corrections a reasonable construction timetable to ensure opening of the new Broad River Road prison facility by February 15, 1988. This date would be 45 days before the contract date and, along with recent Budget and Control Board actions relocating the Central Correctional Institution, clearly indicates the State's commitment to address the prison overcrowding problem while living within the financial resources at our disposal.

VETO 210 - Section 60, Water Resources Commission, Page 60-003, Line 15, Administrative Specialist A, \$11,800

VETO 211 - Section 60, Water Resources Commission, Page 60-003, Line 16, 1 FTE

VETO 212 - Section 60, Water Resources Commission, Page 60-003, Line 23, Engineering Associate II, \$23,911

VETO 213 - Section 60, Water Resources Commission, Page 60-003, Line 24, 1 FTE

VETO 214 - Section 60, Water Resources Commission, Page 60-002, Line 14, Supplies and Materials, \$55,816

EXHIBIT

DEC 18 1987

NO. 13

STATE BUDGET & CONTROL BOARD

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

88-125

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:

(a) Agency: State Budget Division

(b) Authorized Official Signature: 

2. Subject:

Aeronautics Commission Request to Transfer Appropriated General Funds to Accommodate the Governor's Veto

3. Summary Background Information:

The Aeronautics Commission requests the transfer of \$3,750 of appropriated General Funds from Equipment (Administration) to Fixed Charges (Administration). This request is needed to cover three months' rent, which is one of the line items vetoed by the Governor in the 1987-88 Appropriation Act. Approval of this transfer request will permit the agency to pay its rent for the second fiscal quarter.

4. What is Board asked to do?

Approve the transfer of \$3,750 of appropriated State Funds from Equipment to Fixed Charges for the Aeronautics Commission.

5. What is recommendation of Board Division involved?

Recommend approval of sufficient funding for second quarter expenditures, \$3,750

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:

(a) List Those Attached:

1. Agency Letter
2. Transfer Form #30

(b) List Those Not Attached But Available From Submitter:

10921



South Carolina Aeronautics Commission

DRAWER 1987, COLUMBIA, SOUTH CAROLINA 29202

TELEPHONE 803-734-1700

JOHN W. HAMILTON
DIRECTOR

November 19, 1987

Mr. Robert Steins, State Budget Analyst
Budget and Control Board
Rm 532 Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

Dear Mr. Steins:

The Aeronautics Commission would like to transfer funds into the following operating account:

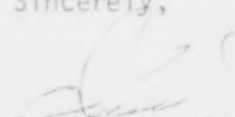
Administrative Fixed Charges & Contributions (0949-0400)

The funds originally requested for this operating account were among the funds vetoed by the Governor.

This account is used to pay for rental of several pieces of office equipment. The funds transferred into this account last quarter have been expended.

In order to continue to operate effectively, we are requesting approval for these funds to be transferred.

Sincerely,


John W. Hamilton
Executive Director

JWH:awr

Enclosure

NOV 24 1987
STAT BUDGET
10923

VETO 254 - Section 81, Department of Insurance, Page 81-002,
Line 12, Travel, \$5,000

VETO 255 - Section 83, Department of Consumer Affairs, Page
83-001, Line 33, Contractual Services, \$17,000

VETO 256 - Section 85, Department of Labor, Page 85-005, Line 27,
Travel, \$34,000

VETO 257 - Section 85, Department of Labor, Page 85-005, Line 13,
Fixed Charges and Contributions, \$3,218

VETO 258 - Section 85, Department of Labor, Page 85-006, Line 28,
Supplies and Materials, \$31

VETO 259 - Section 86, Tax Commission, Page 86-002, Line 13,
Supplies and Materials, \$695,780

VETO 260 - Section 86, Tax Commission, Page 86-002, Line 31,
Fixed Charges and Contributions, \$302,000

As a general principle I agree that enhancing our ability to collect revenue efficiently is a wise investment of the State's resources. The House approved 20 new positions for this effort, but the Senate included an additional 46 new employees. I believe that this large an increase is not justified in a tight budget year. After deducting the amount that I have vetoed, the Commission still retains an increase of \$2,269,006 over the current years spending, an increase of 8.1 percent.

VETO 257 - Section 87, Alcoholic Beverage Control Commission,
Page 87-001, Line 17, Transportation, \$6,500

VETO 258 - Section 87, Alcoholic Beverage Control Commission,
Page 87-001, Line 29, Fixed Charges and
Contributions \$11,740

VETO 259 - Section 87, Alcoholic Beverage Control Commission,
Page 87-002, Line 6, Equipment, \$15,000

VETO 260 - Section 120, Aeronautics Commission, Page 120-001,
Line 13, Fixed Charges and Contributions \$15,000

VETO 261 - Section 120, Aeronautics Commission, Page 120-001,
Line 36, Transportation \$10,000

VETO 262 - Section 125, Aid to Subdivisions, Page 125-002, Line
36, Aid to Planning Districts, \$725,521

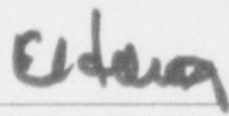
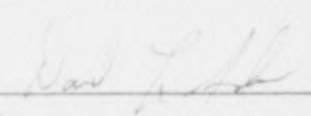
Because of the difficulties facing our local governments as the result of declines in federal aid, the reduction in aid to

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

88-126

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:
(a) Agency: State Budget Division
(b) Authorized Official Signature: 
2. Subject:
Department of Mental Retardation Second Quarter Veto-Related Transfer Request
3. Summary Background Information:
The Department of Mental Retardation requests the transfer of \$73,298 from Temporary Positions to Overtime and Shift Differential for the Residential Program to replace funding vetoed by the Governor.
4. What is Board asked to do?
Approve the Mental Retardation second quarter veto-related transfer request of \$73,298 from Temporary Positions to Overtime and Shift Differential.
5. What is recommendation of Board Division involved?
Recommend approval of the second quarter veto-related transfer request, \$73,298.

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____
(b) Division/Agency Name: _____
7. Supporting Documents:
(a) List Those Attached:
 1. Agency Letter
 2. Transfer Form #30
(b) List Those Not Attached But Available From Submitter:

10925

EXHIBIT

DEC 18 1987

NO. 13

STATE BUDGET & CONTROL BOARD

AGENCY NUMBER J16	AGENCY BATCH NUMBER 110501	OBJECT CODE HASH TOTAL 0344	TOTAL BATCH AMOUNT 146,596.00	BATCH DATE 11/5/87	BATCH NUMBER	DOCUMENT 3
-----------------------------	--------------------------------------	---------------------------------------	---	------------------------------	--------------	----------------------

AGENCY VOUCHER NUMBER

ATB-15-88

AGENCY TRANSFERRED TO (CRI)

NAME S. C. Dept. of
Mental Retardation

ADDRESS

P. O. Box 4706

Columbia, SC 29240

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

TO REQUESTING AGENCY:

This form must be supported with documentation indicating the reason for the transfer. No commitment should be made in anticipation of the approval of a transfer.

C.G. WARRANT NUMBER

AGENCY TRANSFERRED FROM (CRI)

NAME S. C. Dept. of
Mental Retardation

ADDRESS

P. O. Box 4706

Columbia, SC 29240

REASON FOR TRANSFER: See Attached

FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
05	350	J16	0605	1001						0171	73,298.00	
TOTAL										0171	73,298.00	

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
05	300	J16	0605	1001						0173	73,298.00	
TOTAL										0173	73,298.00	

REQUESTED BY Robert W. Bayfield DATE 11/5/87 STATE BUDGET ANALYST _____

10926

To the Comptroller General and Treasurer: By unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.

STATE AUDITOR _____

DATE _____

Charles D. Barnett, Ph.D.
Commissioner

Philip S. Massey, Ph.D.
Deputy Commissioner
Client Services

Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

James E. Kirk
Deputy Commissioner
Fiscal Affairs



MENTAL RETARDATION
COMMISSION

Clarence H. Buurman, Ph.D., Chairman
Melvin L. Burton, Jr., Vice Chairman
Mrs. Doris G. Woods, Secretary
Mrs. Mary C. Ramsay
William deB. Mebane
Mrs. Ava M. Hope
Herbert Rudnick

South Carolina Department of Mental Retardation

2712 Middleburg Drive
P. O. Box 4706
Columbia, South Carolina 29240

November 5, 1987

Mr. David Anderson
State Budget Analyst
State Budget Division
Budget and Control Board
530 Edgar Brown Building
Columbia, South Carolina 29201

Dear Dave:

We are forwarding the attached Appropriation Transfer, ATB-15-88, for your review and approval.

This will transfer the second quarter of the amount requested in the continuing quarterly completion ATB-01-88 which replaces the governor's veto of Residential Program's overtime/shift differential. The funds are being transferred from temporary positions.

Thank you for your consideration and should you have any questions, please call.

Sincerely,

James E. Kirk/RKS

James E. Kirk
Deputy Commissioner,
Fiscal Affairs

JEK/nwr

Attachment

cc: Mr. Robert W. Barfield

10927

VETO 186 - Section 41, Department of Health and Environmental Control, Page 41-029, Line 13, Equipment, \$35,000

VETO 187 - Section 42, Department of Mental Health, Page 42-001, Line 17, Contractual Services, \$500,000

VETO 188 - Section 42, Department of Mental Health, Page 42-001, Line 18, Supplies and Materials, \$250,000

VETO 189 - Section 42, Department of Mental Health, Page 42-001, Line 20, Travel, \$50,000

VETO 190 - Section 42, Department of Mental Health, Page 42-001, Line 21, Equipment, \$100,000

VETO 191 - Section 42, Department of Mental Health, Page 42-002, Line 29, Supplies and Materials, \$25,000

VETO 192 - Section 42, Department of Mental Health, Page 42-002, Line 32, Equipment, \$25,000

VETO 193 - Section 43, Department of Mental Retardation, Page 43-001, Line 19, Equipment, \$93,557

VETO 194 - Section 43, Department of Mental Retardation, Page 43-004, Line 15, O. T. & Shift Differential, \$293,190

VETO 195 - Section 43, Department of Mental Retardation, Page 43-001, Line 15, Contractual Services, \$304,897

VETO 196 - Section 44, S. C. Commission on Alcohol and Drug Abuse, Page 44-003, Line 18, Travel, \$20,542

VETO 197 - Section 44, S. C. Commission on Alcohol and Drug Abuse, Page 44-003, Line 16, Supplies and Materials, \$12,970

VETO 198 - Section 44, S. C. Commission on Alcohol and Drug Abuse, Page 44-003, Line 19, Equipment, \$12,180

VETO 199 - Section 44, S. C. Commission on Alcohol and Drug Abuse, Page 44-003, Line 15, Contractual Services, \$38,904

VETO 200 - Section 45, Department of Social Services, Page 45-002, Line 30, Equipment, \$773,785

VETO 201 - Section 45, Department of Social Services, Page 45-012, Line 18, Contractual Services, \$120,743

VETO 202 - Section 46, John De La Howe School, Page 46-003, Line 29, Contractual Services, \$13,474

\$691,644

EXHIBIT

DEC 18 1987

NO. 14

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD

REGULAR SESSION

MEETING OF December 18, 1987

ITEM NUMBER

11

AGENCY: Budget Division

SUBJECT: Veto-Related Transfer Requests (1st, 2nd and 3rd Quarters)

The Budget Division recommends approval of a Coastal Council request to transfer \$22,680 from fixed charges to temporary positions, library books, light-power-heat, and transportation.

The Division advises that the total transfer requested does not exceed 25% of the vetoed amount for each of the first three quarters of the fiscal year.

BOARD ACTION REQUESTED:

Approve the Coastal Council request to transfer \$22,680 from fixed charges to temporary positions, library books, light-power-heat, and transportation (first, second and third quarters).

ATTACHMENTS:

Agenda item worksheet and attachments

10929

EXHIBIT

DEC 18 1987

NO. 1 4

BUDGET AND CONTROL BOARD AGENDA STATE BUDGET & CONTROL BOARD

Regular Session

Meeting of December 18, 1987

AGENCY: Budget Division

SUBJECT:

Veto-Related Appropriation Transfer Requests (First, Second, and Third Quarters)

The Division recommends that the Board approve the following appropriation transfer request which does not exceed 25% of the vetoed amount (for each of the first three quarters of the year):

(a) Coastal Council: \$22,680 from Fixed Charges to Temporary Positions, Library Books, Light/Power/Heat, and Transportation (88-123).

BOARD ACTION REQUESTED:

Approve

ATTACHMENTS:

Agenda item worksheet and attachments

10930

EXHIBIT

DEC 18 1987


NO. 14

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET STATE BUDGET & CONTROL BOARD

88-123

Meeting Scheduled for: December 18, 1987

Regular Agenda

1. Submitted By:
 (a) Agency: State Budget Division
 (b) Authorized Official Signature: 
2. Subject:
 Coastal Council's Request to Transfer Appropriated General Funds to Accommodate the Governor's Veto
3. Summary Background Information:
 The South Carolina Coastal Council requests the transfer of \$30,240 of appropriated General Funds from Fixed Charges to Temporary Positions, Library Books, Light/Power/Heat, and Transportation. This transfer is needed to cover one year's operating funds for those line items vetoed by the Governor in the 1987-88 Appropriation Act. Approval of this transfer request will permit the agency to carry out its operational responsibilities.

 The Appropriation Act provides only \$6,800 in appropriated funds for the four expenditure categories included in this transfer request. The Coastal Council is seeking to increase their authorization to expend appropriated funds in Temporary Positions, Library Books, Light/Power/Heat, and Transportation in the following manner:

<u>Expenditure Category</u>	<u>Current Appropriation</u>	<u>Requested Authorization</u>
Temporary Positions	\$2,000	\$22,600
Library Books	800	1,500
Light/Power/Heat	1,000	1,140
Transportation	3,000	5,000
4. What is Board asked to do?
 Approve the transfer of \$30,240 of appropriated State Funds from Fixed Charges to Temporary Positions, Library Books, Light/Power/Heat, and Transportation.
5. What is recommendation of Board Division involved?
 In accordance with the established policy of the Budget and Control Board, approval of only the first, second, and third quarters' operating expenses is recommended, \$22,680.



10931

6. Recommendation of other Division/agency (as required)?

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:

(a) List Those Attached:

1. Agency Letter
2. Transfer Form #30

(b) List Those Not Attached But Available From Submitter:

EXHIBIT

DEC 18 1987 NO. 14

STATE BUDGET & CONTROL BOARD

10932

45,360.00
 1125 5884 8264
 AGENCY VOUCHER NUMBER TOTAL/BATCH AMOUNT BATCH DATE BATCH NUMBER

AGENCY VOUCHER NUMBER

AT-8

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

CG WARRANT NUMBER

AGENCY TRANSFERRED TO (CIR)

ASTAL COUNCIL

ADDRESS

30 AT&T Cap Ctr

COLUMBIA, SC 29201

APPROPRIATION TRANSFER

TO REQUESTING AGENCY.

This form must be supported with documentation indicating the reason for the transfer. No commitment should be made in anticipation of the approval of a transfer.

AGENCY TRANSFERRED FROM (CIR)

NAME

SPALDE

ADDRESS

REASON FOR TRANSFER:

To meet Anticipated Expenditures

FORM

M	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
0	350	P25	0793	1001						0400	30,240	61000/1000
EXHIBIT												
DEC 18 1987												
NO. 14												
STATE BUDGET & CONTROL BOARD												
TOTAL											30,240	

M	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	M O D	PROJECT CODE	AGENCY REFERENCE NUMBER	OBJECT CODE	TRANSACTION AMOUNT	MULTI PURPOSE CODE
06	300	P25	0793	1001						0171	22,600	61000/1000
6	300	P25	0793	1001						0618	1,500	61000/1000
6	300	P25	0793	1001						2300	1,140	61000/1000
6	300	P25	0793	1001						2400	5,000	61000/1000
TOTAL											30,240	

REQUESTED BY

J. P. R. R. R.

DATE 11-25-87

STATE BUDGET ANALYST

DATE

By the Comptroller General and Treasurer, by unanimous approval of the Budget and Control Board, the above appropriation transfers are authorized.

10933

STATE AUDITOR

DATE



**SOUTH
CAROLINA
COASTAL
COUNCIL**

1116 NCNB Tower
Columbia, S.C. 29201
(803) 734-1220

James M. Waddell, Jr.
Chairman

H. Wayne Beam, Ph.D.
Executive Director

October 14, 1988

EXHIBIT

DEC 18 1987

NO. 14

STATE BUDGET & CONTROL BOARD

Mr. Bob Stein
Budget Development & Operations
532 Brown Bldg.
Columbia, S.C. 29201

Dear Bob:

This letter constitutes a formal request for the line item transfers outlined in the attached exhibits.

The rationale and justification for these transfers are as follows:

1. Temporary positions. The Coastal Council depends heavily upon temporary/part time employees. This allows us to accomplish the mission of the agency at a much lower cost than by employing classified employees. It also affords us greater flexibility in scheduling our work force. Given the increased work load on our staff, we have decided to further utilize temporary help rather than seek several new classified positions.

2. Library books, magazines, and film. The South Carolina Coastal Council has an extensive public information and public involvement program. These funds are essential to adequately involve the public in the coastal management process as mandated by the Coastal Management Act of 1977.

3. Utilities. These funds are essential to pay the utilities cost for the Council's Myrtle Beach office. The lease as approved by the Division of General Services requires the agency pay for the utilities for the space rented as the Council's Grand Strand office.

4. Transportation. These funds are needed to pay for oil and gas for the vehicles and boats owned by the Council.

Thank you for your consideration of this report.

Sincerely,

H. Wayne Beam
Executive Director

DEC 18 1987

Enclosures (2)

10934

(addition, serious questions have been raised about management of the agency, and it has been the target of investigations by the State Auditor's Office and the State Law Enforcement Division. I intend for this veto to lead to a complete elimination of the Authority.

VETO 228 - Section 65, Clemson University - Public Service
Activities, Page 65-002, Line 1, Supplies and Materials \$107,553

VETO 229 - Section 65, Clemson University - Public Service
Activities, Page 65-002, Line 39, Supplies and Materials, \$ 73,685

VETO 230 - Section 65, Clemson University - Public Service
Activities, Page 65-001, Line 18, Travel, \$51,100

This cut represents only two-thirds of one percent of the agency's budget.

VETO 231 - Section 67, Wildlife and Marine Resources, Page
67-002, Line 18, Supplies and Materials \$53,400

VETO 232 - Section 67, Wildlife and Marine Resources, Page
67-003, Line 21, Fixed Charges and Contributions, \$60,282

(VETO 233 - Section 67, Wildlife and Marine Resources, Page
67-004, Line 23, Contractual Services, \$1,560

VETO 234 - Section 67, Wildlife and Marine Resources, Page
67-002, Line 20, Travel, \$5,000

VETO 235 - Section 68, Coastal Council, Page 68-001, Line 22,
Temporary Positions, \$2,000

VETO 236 - Section 68, Coastal Council, Page 68-001, Line 31
Library Books, Maps and Films, \$800

VETO 237 - Section 68, Coastal Council, Page 68-001, Line 32,
Light/Power/Heat, \$1,000

VETO 238 - Section 68, Coastal Council, Page 68-001, Line 33,
Transportation, \$3,000

VETO 239 - Section 70, Department of Parks, Recreation and
Tourism, Page 70-004, Line 15, Fixed Charges and Contributions, \$133,007

VETO 240 - Section 70, Department of Parks, Recreation and
Tourism, Page 70-004, Line 16, Travel, \$50,000

6,800
=

EXHIBIT

21

DEC 18 1987 NO. 14

10935

STATE BUDGET & CONTROL BOARD

EXHIBIT

DEC 18 1987

NO. 15

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

STATE BUDGET & CONTROL BOARD

ITEM NUMBER

12

AGENCY: Executive Director

SUBJECT: Veto-related Transfer Request (Exception)

The Department of Health and Environmental Control enforces the "Lead Poisoning Prevention and Control Act" (Code Sections 44-53-1310 through -1380). The Act authorizes DHEC to enter property and to see that necessary corrections (like the removal of lead-based paint) are made.

DHEC has encountered an out-of-State owner who has not made the required corrections. Commissioner Jarrett notes that the Act says the Budget and Control Board will bear the costs of the corrections and then attach a lien to the property. DHEC says that about \$1,000 worth of work needs to be done on a house in Marion County in which a family with a small child resides.

The special item appropriation of \$1,000 for Lead Poisoning (Section 16A, page 117) was vetoed.

BOARD ACTION REQUESTED:

Authorize the Office of Executive Director to transfer \$1,000 to Lead Poisoning Special Item Miscellaneous Operations to restore the entire vetoed amount (quarters 1, 2, 3 and 4).

ATTACHMENTS:

Jarrett November 20 letter to Coles; page 6 Governor's veto message

10936

EXHIBIT
South Carolina Department of Health
and Environmental Control

DEC 18 1987

NO. 15

STATE BUDGET & CONTROL BOARD

2600 Bull Street
Columbia, S.C. 29201

Commissioner
Michael D. Jarrett
November 20, 1987



Board

Moses H. Clarkson, Jr., Chairman
Oren L. Brady, Jr., Vice-Chairman
Euta M. Colvin, M.D., Secretary
Harry M. Hallman, Jr.
Henry S. Jordan, M.D.
James A. Spruill, Jr.
Toney Graham, M.D.

Mr. Jesse A. Coles, Jr., Ph.D.
Executive Director
S.C. Budget and Control Board
612 Wade Hampton Office Building
Columbia, SC 29211

RECEIVED

DEC - 3 1987

BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

Dear Mr. Coles:

The South Carolina Department of Health and Environmental Control has responsibility for enforcing the provisions of the "Lead Poisoning Prevention and Control Act," (44-53-1310 thru 44-53-1380) as written in the 1976 Code of Laws. In doing so, we have encountered an out of state property owner who has not made the corrections to his property to satisfy the requirements of the law.

There is one section in the law (44-53-1470) that allows this department to enter the property and see that the necessary corrections are made. However, it also states in that section that if the property owner does not incur the cost, the State Budget and Control Board shall bear the costs and then attach a lien to the property. The DHEC staff, upon looking into this with your staff, have found that the \$1000.00 appropriation in the budget bill for this purpose was one of the items vetoed by the Governor. This being the case, the civil contingency fund might be a viable alternative.

Our situation is that we have about \$1000.00 worth of work that needs to be done on a house located in Marion County where a family with a small child is residing. The improvements have not been made and we should proceed with corrective action. Can you assist this Department in designating funds for this project?

Thank you for your assistance.

Sincerely,

Michael D. Jarrett
Commissioner

RKR:kt

cc: Jack Vaughan
Wyman Looney
Ed Brophy
Sam McNutt
Phil Ward

10937

EXHIBIT

DEC 18 1987

NO. 1 5

STATE BUDGET & CONTROL BOARD

VETO 14 - Section 8, Comptroller General's Office, Page 8-001, Line 16, Transportation, \$1,000 (3)

VETO 15 - Section 9, State Treasurer's Office, Page 9-001, Line 14, Travel, \$27,399

VETO 16 - Section 9, State Treasurer's Office, Page 9-001, Line 28, Temporary Positions, \$2,408 7

VETO 17 - Section 9, State Treasurer's Office, Page 9-001, Line 31, Contractual Services, \$2,926 3

VETO 18 - Section 10, Attorney General's Office, Page 10-001, Line 8, Temporary Positions, \$18,000

VETO 19 - Section 10, Attorney General's Office, Page 10-001, Line 33, Contractual Services, \$2,680 9

VETO 20 - Section 11, Commission on Appellate Defense, Page 11-001, Line 16, Library Books, Maps and Films, \$9,105 II

VETO 21 - Section 13, Adjutant General's Office, Page 13-002, Line 13, Equipment, \$29,200

VETO 22 - Section 13, Adjutant General's Office, Page 13-002, Line 12, Travel, \$9,000 III

VETO 23 - Section 13, Adjutant General's Office, Page 13-004, Line 23, Transportation, \$1,500 10

VETO 24 - Section 15, State Election Commission, Page 15-001, Line 38, Supplies and Materials, \$12,535

VETO 25 - Section 15, State Election Commission, Page 15-001, Line 16, Per Diem, \$2,450 II

VETO 26 - Section 15, State Election Commission, Page 15-003, Line 3, Fixed Charges and Contributions, \$650 (4)

VETO 27 - Section 16A, Budget and Control Board, Office of Executive Director, Page 16-001, Line 24, Departmental Printing, \$50,008

VETO 28 - Section 16A, Budget and Control Board, Office of Executive Director, Page 16-001, Line 17, Supplies and Material, \$8,934 IV

VETO 29 - Section 16A, Budget and Control Board, Office of Executive Director, Page 16-002, Line 7, Total Lead Poisoning, \$1,000 (5) ←

EXHIBIT

DEC 18 1987

NO. 16

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

REGULAR SESSION
ITEM NUMBER

13

AGENCY: Executive Director

SUBJECT: State Ceiling Allocations

* A. The State Education Assistance Authority requests a ceiling allocation of \$75,000,000 which will be carried forward for the purpose of issuing tax exempt bonds to fund student loans as necessary during the next three years.

B. The State Housing Authority requests a ceiling allocation of \$75,000,000 which will be carried forward for the purpose of issuing tax exempt bonds for qualified residential rental projects as necessary during the next three years.

The status report on the State Ceiling as of December 10, 1987, (year elapsed 94%) shows:

	CY 1987 Ceiling	Allocated (%)	Not Allocated (%)
State Pool	\$101,340,000	\$16,600,000 (16%)	\$ 84,740,000 (84%)
Local Pool	152,010,000	48,364,350 (32%)	103,645,650 (68%)
Total	\$253,350,000	\$64,964,350 (26%)	\$188,385,650 (74%)

Also attached is a listing of carryforward elections approved in prior years.

* REVISED TO \$116,000,000 + THEN \$117,465,650 WAS ALLOCATED.
WAM

BOARD ACTION REQUESTED:

Allocate \$75,000,000 of the State Ceiling to the State Education Assistance Authority and \$75,000,000 to the State Housing Authority to be carried forward for the purpose of issuing tax exempt bonds as necessary during the next three years.

ATTACHMENTS:

Referenced status report on State Ceiling; carryforward elections report

10939

EXHIBIT

State of South Carolina

DEC 18 1987

NO. 16

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.

STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



Box 12444

Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

December 18, 1987

REVISED

C E R T I F I C A T E

STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS

(UNDER TAX REFORM ACT OF 1986)

TENTATIVE ALLOCATION, CALENDAR YEAR 1987

TO: State Education Assistance Authority
\$117,465,650
Student Loan Revenue Bonds

The State Budget and Control Board has made a tentative allocation of the State Ceiling established in the Tax Reform Act of 1986 in the amount indicated to the referenced bonds/notes and project. This allocation is valid for calendar year 1987 only. It will expire on December 31, 1987, if the bonds/notes for which the allocation has been approved have not been issued prior to that time or unless a carryforward election is filed.

Before this tentative allocation becomes final, Section 6(B) of Act 117 of 1987, effective May 26, 1987, requires that the exact amount of the bonds/notes being issued be certified to the Board Secretary by the issuing authority **before** the issue is made. In response to that issue amount certificate, the Secretary will issue a certificate which makes the ceiling allocation final.

Grady L. Patterson, Jr.

Attest:

William A. McInnis, Secretary

10940

EXHIBIT

State of South Carolina

DEC 18 1987

NO. 16

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

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



Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE
JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

December 18, 1987

C E R T I F I C A T E

STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS

(UNDER TAX REFORM ACT OF 1986)

TENTATIVE ALLOCATION, CALENDAR YEAR 1987

TO: State Education Assistance Authority
\$116,000,000
Student Loan Revenue Bonds

The State Budget and Control Board has made a tentative allocation of the State Ceiling established in the Tax Reform Act of 1986 in the amount indicated to the referenced bonds/notes and project. This allocation is valid for calendar year 1987 only. It will expire on December 31, 1987, if the bonds/notes for which the allocation has been approved have not been issued prior to that time unless a carryforward election is filed.

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Grady L. Patterson, Jr.

Attest:

William A. McInnis, Secretary

10941

EXHIBIT

DEC 18 1987

NO. 16

A PETITION

STATE BUDGET & CONTROL BOARD

REQUESTING THAT THE SOUTH CAROLINA BUDGET AND CONTROL BOARD ALLOCATE A PORTION OF THE PRIVATE ACTIVITY BOND CEILING FOR THE YEAR 1987 TO THE SOUTH CAROLINA STATE EDUCATION ASSISTANCE AUTHORITY AND REQUESTING THE FILING OF A CARRY FORWARD ELECTION WITH RESPECT TO SUCH ALLOCATION.

FINDINGS OF FACT AND INTENT OF PETITION

As an incident to the adoption of this Petition and the allocation requested herein, the State Education Assistance Authority finds as a fact that each of the statements hereinafter set forth is in all respects true and correct.

1. The State Education Assistance Authority (The Authority) is a body politic and corporate and a public instrumentality of the state of South Carolina. It was created by Act Number 433 of the Acts and Joint Resolutions of the General Assembly for the year 1971, now codified as Chapter 115, Title 59 of the 1976 Code (The Act).

2. The Authority consists of the members from time to time of the South Carolina Budget and Control Board (the Board) who, by reason of their offices, constitute the membership of the Authority.

3. The Authority was created in order to provide a means of making loans in order to enable "students", as such term is defined by the Act, to attend Eligible Institutions, as such term is defined by the Act. Such program of the Authority is administered by a non-profit corporation sponsored by the South Carolina Banker's Association and incorporated under the name of the South Carolina Student Loan Corporation (The Corporation).

4. The purposes, inter alia, of the Authority and its contractual agent The Corporation are to provide financing for a program of making and purchasing insured loans to qualified Students or to the qualifying parent of such Students evidenced by one or more promissory notes, payment of principal of and interest on which is insured by the Authority and re-insured to the extent of not less than eighty percent (80%) of the principal amount thereof by the Commissioner of Education of the United States under the Higher Education Act of 1965, as amended.

5. By letter of election duly filed in December of 1984, the Board elected to "carry forward" up to \$75 million of the State's 1984 Private Activity Bond Allocation. \$10 million of Series 1985 bonds were issued against this authorization, leaving \$65 million of the state's 1984 allocation available for student loan revenue bonds if issued prior to December 31, 1987.

10942

EXHIBIT

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6. Although the authorization above referred to will expire on December 31, 1987, the Authority has determined that conditions in the tax exempt bond markets do not make it advisable for the Authority to incur long term debt at the present time. The Authority remains committed to the public purpose of making available necessary loan funds to permit the students of our state to pursue opportunities for higher education and thereby enhance economic growth, job creation and the quality of life in our State.

7. The Authority is now minded to request \$116 million of the state's 1987 Private Activity Bond Ceiling in order to insure that the Authority will have the capacity to issue tax exempt obligations, as necessary, during the next three (3) calendar years.

8. Pursuant of the provisions of Act Number 117 of the Acts and Joint Resolutions of the General Assembly for the year 1987 and regulations approved thereunder, The Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the Private Activity Bond Ceiling applicable to the state of South Carolina under Section 146 of the Internal Revenue Code of 1986 (The Volume Cap). In compliance with Section 4(B) of said Act 117, the Authority hereby authorizes the issuance of the bonds at such time and in such amount, not exceeding \$116 million, as market conditions and program requirements may dictate.

NOW THEREFORE THE AUTHORITY PETITIONS THE SOUTH CAROLINA BUDGET AND CONTROL BOARD TO CONDUCT SUCH INVESTIGATION AS IT DEEMS APPROPRIATE AND TO THEREAFTER (i) ALLOCATE \$116 MILLION OF THE STATE'S 1987 PRIVATE ACTIVITY BOND LIMIT TO THE AUTHORITY AND (ii) FILE A "CARRY FORWARD" ELECTION WITH THE INTERNAL REVENUE SERVICE IN CONNECTION WITH SUCH ALLOCATION IN ACCORDANCE WITH SECTION 146(f) OF THE INTERNAL REVENUE CODE OF 1986.

STATE EDUCATION ASSISTANCE AUTHORITY

By: Donald C. Campbell, Jr.

Attest:

William A. The Junior
Secretary

December 18, 1987

EXHIBIT

2

DEC 18 1987

NO. 16

10943

STATE BUDGET & CONTROL BOARD

EXHIBIT

DEC 18 1987

NO. 16

REVISED LATER

A PETITION

STATE BUDGET & CONTROL BOARD

REQUESTING THAT THE SOUTH CAROLINA BUDGET AND CONTROL BOARD ALLOCATE A PORTION OF THE PRIVATE ACTIVITY BOND CEILING FOR THE YEAR 1987 TO THE SOUTH CAROLINA STATE EDUCATION ASSISTANCE AUTHORITY AND REQUESTING THE FILING OF A CARRY FORWARD ELECTION WITH RESPECT TO SUCH ALLOCATION.

FINDINGS OF FACT AND INTENT OF PETITION

As an incident to the adoption of this Petition and the allocation requested herein, the State Education Assistance Authority finds as a fact that each of the statements hereinafter set forth is in all respects true and correct.

1. The State Education Assistance Authority (The Authority) is a body politic and corporate and a public instrumentality of the state of South Carolina. It was created by Act Number 433 of the Acts and Joint Resolutions of the General Assembly for the year 1971, now codified as Chapter 115, Title 59 of the 1976 Code (The Act).

2. The Authority consists of the members from time to time of the South Carolina Budget and Control Board (the Board) who, by reason of their offices, constitute the membership of the Authority.

3. The Authority was created in order to provide a means of making loans in order to enable "students", as such term is defined by the Act, to attend Eligible Institutions, as such term is defined by the Act. Such program of the Authority is administered by a non-profit corporation sponsored by the South Carolina Banker's Association and incorporated under the name of the South Carolina Student Loan Corporation (The Corporation).

4. The purposes, inter alia, of the Authority and its contractual agent The Corporation are to provide financing for a program of making and purchasing insured loans to qualified Students or to the qualifying parent of such Students evidenced by one or more promissory notes, payment of principal of and interest on which is insured by the Authority and re-insured to the extent of not less than eighty percent (80%) of the principal amount thereof by the Commissioner of Education of the United States under the Higher Education Act of 1965, as amended.

5. By letter of election duly filed in December of 1984, the Board elected to "carry forward" up to \$75 million of the State's 1984 Private Activity Bond Allocation. \$10 million of Series 1985 bonds were issued against this authorization, leaving \$65 million of the state's 1984 allocation available for student loan revenue bonds if issued prior to December 31, 1987.

EXHIBIT

DEC 18 1987

NO. 16

STATE BUDGET & CONTROL BOARD

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7. The Authority is now minded to request \$75 million of the state's 1987 Private Activity Bond Ceiling in order to insure that the Authority will have the capacity to issue tax exempt obligations, as necessary, during the next three (3) calendar years.


8. Pursuant of the provisions of Act Number 117 of the Acts and Joint Resolutions of the General Assembly for the year 1987 and regulations approved thereunder, The Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the Private Activity Bond Ceiling applicable to the state of South Carolina under Section 146 of the Internal Revenue Code of 1986 (The Volume Cap). In compliance with Section 4(B) of said Act 117, the Authority hereby authorizes the issuance of the bonds at such time and in such amount, not exceeding \$75 million, as market conditions and program requirements may dictate.

NOW THEREFORE THE AUTHORITY PETITIONS THE SOUTH CAROLINA BUDGET AND CONTROL BOARD TO CONDUCT SUCH INVESTIGATION AS IT DEEMS APPROPRIATE AND TO THEREAFTER (i) ALLOCATE \$75 MILLION OF THE STATE'S 1987 PRIVATE ACTIVITY BOND LIMIT TO THE AUTHORITY AND (ii) FILE A "CARRY FORWARD" ELECTION WITH THE INTERNAL REVENUE SERVICE IN CONNECTION WITH SUCH ALLOCATION IN ACCORDANCE WITH SECTION 146(f) OF THE INTERNAL REVENUE CODE OF 1986.

STATE EDUCATION ASSISTANCE AUTHORITY

By: 

Attest:


Secretary

December 8, 1987

10945

EXHIBIT

DEC 18 1987

NO. 16

State of South Carolina

State Budget and Control Board

BUDGET & CONTROL BOARD

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.

STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



Box 12444

Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.
EXECUTIVE DIRECTOR

December 18, 1987

C E R T I F I C A T E

STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS

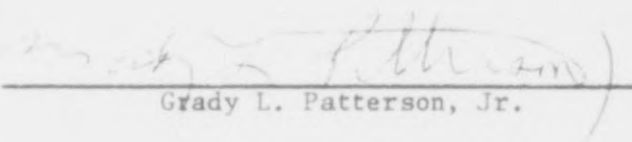
(UNDER TAX REFORM ACT OF 1986)

TENTATIVE ALLOCATION, CALENDAR YEAR 1987

TO: State Housing Authority
\$75,000,000
Qualified Residential Rental Projects

The State Budget and Control Board has made a tentative allocation of the State Ceiling established in the Tax Reform Act of 1986 in the amount indicated to the referenced bonds/notes and project. This allocation is valid for calendar year 1987 only. It will expire on December 31, 1987, if the bonds/notes for which the allocation has been approved have not been issued prior to that time unless a carryforward election is filed.

Before this tentative allocation becomes final, Section 6(B) of Act 117 of 1987, effective May 26, 1987, requires that the exact amount of the bonds/notes being issued be certified to the Board Secretary by the issuing authority **before** the issue is made. In response to that issue amount certificate, the Secretary will issue a certificate which makes the ceiling allocation final.


Grady L. Patterson, Jr.

Attest:


William A. McInnis, Secretary

10946



EXHIBIT

DEC 18 1987

NO. 16

 SOUTH CAROLINA STATE HOUSING AUTHORITY
STATE BUDGET & CONTROL BOARD

1710 GERVAIS STREET • SUITE 300 • COLUMBIA, SOUTH CAROLINA 29201

December 11, 1987

Mr. William A. McInnis, Secretary
 State Budget and Control Board
 601 Wade Hampton Office Building
 Columbia, SC 29201

Dear Mr. McInnis:

The Authority's request for \$75 million carryforward for qualified residential rental projects is the result of our best projections of demand. Based upon economic conditions, the number of applications now undergoing review by our staff, and the restrictions of federal law, we believe that the carryforward amount requested for this purpose will be sufficient to meet demand for the next 3 years.

Under present federal law, the ability to issue qualified mortgage bonds (Single Family Programs) terminates at the end of 1988. Based upon present law and economic conditions, the Authority projects that the remaining \$38 million of its 1986 carryforward for single family use will be sufficient to meet demand. For this reason, we do not believe it would be equitable to other issuers of private activity bonds for the Authority to request additional carryforward for this purpose.

The Authority would, of course, be more than happy to accept any additional allocations of State Ceiling which might remain unapplied for once all requested allocations have been made.

Thank you for your assistance.

Yours very truly,

W. Turner Styons
 Deputy Executive Director - Programs

WIS/tr

10947

EXHIBIT

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PETITION

DEC 18 1987

NO. 16

STATE BUDGET & CONTROL BOARD

TO: THE HONORABLE, THE STATE BUDGET AND CONTROL BOARD OF SOUTH
CAROLINA:

This Petition of the South Carolina State Housing Authority (the "Authority") is respectfully submitted to the State Budget and Control Board (the "Board") pursuant to Act Number 76 of the Acts and Joint Resolutions of the General Assembly of 1977 (the "Act");

1. The Authority is a body corporate and politic and an agency of the State of South Carolina (the "State");

2. Pursuant to the provisions of the Act, the Authority is empowered to issue its notes and bonds to finance the provision of safe, decent and sanitary housing to members of the Authority's Beneficiary Classes, as defined by the Act;

3. In order to meet the continued need for safe, decent and sanitary rental housing within the State, the Authority respectfully requests that the Board allocate to the Authority a carryforward under Section 146(f) of the Internal Revenue Code of 1986 (the "Code") of the 1987 State Ceiling for private activity bonds in the amount of Seventy-five Million (\$75,000,000) Dollars for the purpose of providing financing for Qualified Residential Rental Projects, as defined by the Code.

WHEREFORE, the Authority respectfully requests that the Board allocate to the Authority a carryforward under Section 146(f) of the Code of the 1987 State Ceiling for private activity bonds in the amount of Seventy-five Million (\$75,000,000) Dollars for the purpose of providing financing for Qualified Residential Rental Projects, as defined by the Code.

SOUTH CAROLINA STATE HOUSING AUTHORITY

BY:

N. Turner Styons

Deputy Executive Director-Programs

Columbia, South Carolina
December 11, 1987

10948

EXHIBIT

DEC 18 1987

NO. 1 6

STATE BUDGET & CONTROL BOARD

Page 1

STATE CEILING AMOUNT AVAILABLE FOR ALLOCATION JANUARY 1, 1987

A. State Government Pool (40%)	101,340,000
Total, State Government Pool	101,340,000
B. Local Pool (60%)	152,010,000
Total, Local Pool	152,010,000
Certified State Ceiling (01/14/86)	253,350,000
Allocated This Calendar Year	65,164,350
Issued This Calendar Year	49,884,350

10949

alloc87
12/10/87

1987 STATE CEILING AMOUNT AVAILABLE FOR ALLOCATION

Date of B&C Board Allocation	Governmental Unit	Name of Project	Pool Total	Amount of Pool Allocated	Balance of Pool Available	Amount Certified for Issue	Issue Date	Attorney
01/15/87	STATE GOVERNMENT POOL		\$101,340,000					
04/28/87	JEDA	Schoeller, Inc.		-2,000,000		2,000,000	06/09/87	Lucas
04/28/87	JEDA	Harvin Choice Meats, Inc.		-1,500,000		1,500,000	06/09/87	Lucas
04/28/87	JEDA	Carolina Tank Corp.		-2,500,000		2,500,000	06/09/87	Lucas
04/28/87	JEDA	Defiance Metal Products		-950,000		950,000	06/09/87	Lucas
09/22/87	JEDA	Citation Boats		-2,000,000		2,000,000	11/05/87	Lucas
09/22/87	JEDA	Sunbelt Corporation		-1,800,000		1,800,000	11/05/87	Lucas
09/22/87	JEDA	Edens 321/S. Architec. Wdwrk.		-900,000		900,000	11/05/87	Lucas
09/22/87	JEDA	Durelle Lingerie/Loris Ind.		-900,000		900,000	11/05/87	Lucas
10/27/87	JEDA	Regal Beloit Corporation		-4,050,000		4,050,000	11/05/87	Lucas
	Total Allocated			-16,600,000		16,600,000		
	Total, State Agency and Exempt Facilities Pool		\$101,340,000	-16,600,000	\$84,740,000	16,600,000		
01/15/87	LOCAL POOL		\$152,010,000					
01/29/87	Oconee County	Duke Power Company		-10,000,000		10,000,000	02/26/87	Page
01/29/87	Lancaster County	Forrest R. Wilkerson, Jr.		-918,850		918,850	02/17/87	Galloway
01/29/87	Spartanburg County	Hoke, Inc.		-1,500,000		1,500,000	03/25/87	Page
01/29/87	Laurens County	Dispoz-o Plastics		-750,000		750,000	06/15/87	Page
04/14/87	Spartanburg County	M&M Chevrolet, Inc.		-1,415,000		1,415,000	04/29/87	Youngblood
04/28/87	Charleston, City of	PS Charleston Corp.		-3,500,000		3,500,000	05/12/87	Hutcheson
04/28/87	McCormick County	Gro Bark, Inc.		-600,000		600,000	06/09/87	Lucas
07/29/87	Colleton/Dorchester	SCE&G		-4,365,000		4,365,000	09/01/87	Galloway
10/27/87	Charleston County	Hoover Group, Inc.		-85,500		85,500	11/30/87	Sinick
10/27/87	Greenville County	Baker, Inc.		-400,000		400,000	11/19/87	Page
10/27/87	Dorchester County	Syn Strand, Inc.		-4,750,000		4,750,000	11/19/87	Rusher
11/10/87	Cherokee County	Holson Company		-3,200,000		3,200,000	12/11/87	Flint
11/25/87	Darlington County	Hobart Corporation		-2,800,000				Jeffcoat
11/25/87	Chester County	Ring Container Corp.		-1,800,000		1,800,000	12/14/87	Galloway
12/08/87	Spartanburg County	Skylyn Associates		-11,000,000				Howell
12/08/87	Oconee County	Log Cabin Acquisition Corp.		-1,280,000				Miller
	Total Allocated			-48,364,350		33,284,350		
	Total, Local Pool		\$152,010,000	-48,364,350	\$103,645,650	33,284,350		
	Total, State Government Pool		\$101,340,000	-16,600,000	\$84,740,000	16,600,000		
	Total, Local Pool		152,010,000	-48,364,350	103,645,650	33,284,350		
	GRAND TOTAL		\$253,350,000	-64,964,350	\$188,385,650	49,884,350		

EXHIBIT
DEC 18 1987
NO. 16
STATE BUDGET & CONTROL BOARD

1C950

alloc87
12/10/87

STATE CEILING CARRYFORWARD ELECTIONS
Approved by Budget and Control Board

<u>Governmental Unit</u>	<u>Project Name</u>	<u>Carryforward Authorized</u>	<u>Issue Date</u>	<u>Issue Amount</u>
<u>1984 (Expiration 12/31/87)</u>				
Fairfield County	SC Electric & Gas Company	1,206,922		
Richland County	Union Camp Corporation	50,000,000		
Darlington County	Carolina Light & Power Co.	1,000,000		
Education Assistance Authority	Student Loan Bonds	75,000,000	11/14/85	10,000,000
Greenwood County	Monsanto Company	2,500,000		
Georgetown County	International Paper Company	4,350,000		
Calhoun County	Eastman Kodak Company	19,000,000		
Orangeburg County	SC Electric & Gas Company	158,888,000		
Total, 1984		<u>311,944,922</u>		<u>10,000,000</u>
<u>1985 (Expiration 12/31/88)</u>				
Charleston County	Foster Wheeler Power Systems, Inc.	75,000,000	12/15/87	75,000,000
Florence County	Koppers Company, Inc.	2,500,000		
Horry County	U.S. Steam Corporation	75,000,000		
Total, 1985		<u>152,500,000</u>		<u>75,000,000</u>
<u>1986 (Expiration 12/31/89)</u>				
State Housing Authority	Qualified Homeownership Mortgage Revenue Bonds	63,005,000	12/08/87	25,000,000
Redevelopment Com. for Congaree Vista Area, City of Columbia	Pavilion Towers Project	<u>12,000,000</u>	02/19/87	<u>11,370,000</u>
Total, 1986		<u>75,005,000</u>		<u>36,370,000</u>
Total Carryforward Elections		<u>539,449,922</u>		<u>121,370,000</u>

10951

EXHIBIT
DEC 18 1987 **NO. 16**
STATE BUDGET & CONTROL BOARD

EXHIBIT

DEC 18 1987

NO. 17

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD

REGULAR SESSION

MEETING OF December 18, 1987

ITEM NUMBER

14

AGENCY: College of Charleston

SUBJECT: Foreign Travel

On October 14, staff approved a College of Charleston request for Michael Phillips to travel to Rome, Italy, during the November 30, 1987 - January 2, 1988, period at an estimated cost of \$1,800 of which \$272 was to have been paid from State-appropriated funds.

On November 2, the College submitted an amended request which extended the travel dates to January 11, 1988, and which included an additional \$641 of State appropriated funds (total of \$913 State-appropriated funds of the estimated \$1,800 total cost).

The College now requests approval of the travel of Dr. Michael Phillips to travel to Rome, Italy, during the November 30, 1987, - January 11, 1988, period at an estimated cost of \$4,000 of which \$1,525 is to be paid from State-appropriated funds.

BOARD ACTION REQUESTED:

Approve the travel of College of Charleston staff member Michael Phillips to Rome, Italy, during the November 30, 1987 - January 11, 1988, period at an estimated cost of \$4,000 of which \$1,525 will be paid from State-appropriated funds.

ATTACHMENTS:

Bolchoz memo to McInnis plus attachments

10952



College of Charleston

Charleston, South Carolina 29424

DEC 3 1987

EXHIBIT

DEC 18 1987

NO. 17

STATE BUDGET & CONTROL BOARD

TO: Mr. William McInnis
Deputy Executive Director
SC Budget & Control Board
618 Wade Hampton Office Building
PO Box 124444
Columbia, SC 29211

FROM: Joseph E. Bolchoz, Jr.
Controller
College of Charleston

RE: Request for Foreign Travel Approval

Traveller: DR. MICHAEL PHILLIPS (FINE ARTS DEPT)

Destination: ROME, ITALY

Dates: 11/30/87 1/11/88
From To

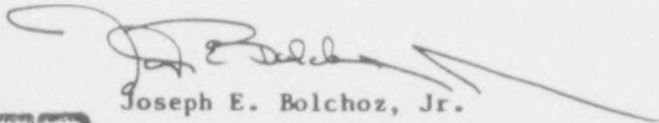
Source of Funds: STATE AND AMERICAN ACADEMY IN ROME

Total Est. Cost: 4,000

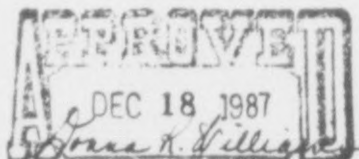
Maximum Amount Allowed
by State Approp. Funds: 1,525.00 (inclusive)

Purpose: FACULTY RESEARCH AND DEVELOPMENT VISITING
ARTIST-AMERICAN ACADEMY IN ROME. THIS REQUEST
REPLACES TWO PREVIOUS APPROVALS (\$272 + 641 =
913.00) BY YOUR OFFICE

Requested on behalf of the College of Charleston by:


Joseph E. Bolchoz, Jr.

JEB, JR/map



STATE BUDGET AND
CONTROL BOARD

10953

EXHIBIT

DEC 18 1987

NO. 17

COLLEGE OF CHARLESTON
Charleston, South Carolina 29424

STATE BUDGET & CONTROL BOARD

MEMORANDUM

TO: President Harry M. Lightsey, Jr.
FROM: Dr. Sam Hines, Jr.
RE: Approval for Foreign Travel for Michael Phillips
(Fine Arts) with support over \$1,000 in state funds
DATE: November 17, 1987

I am requesting your approval for foreign travel with state support in excess of \$1,000 for Professor Michael Phillips (Fine Arts). He has received a total of \$2300 in support from his department, Dr. Festa, and the Faculty Research and Development Committee to be an Artist in Residence at the American Academy in Rome.

Approved: Harry M. Lightsey, Jr.
Not approved: _____

Joe -
Michael Phillips grand total for state
funds is to be \$1762

Sam

$$\begin{array}{r} 21360 - \# 272 \\ 21710 - \# 1720 \\ \hline 1762.00 \end{array}$$

10954

NOV 5 1987



College of Charleston

Charleston, South Carolina 29424

November 2, 1987

EXHIBIT

DEC 18 1987

NO. 17

STATE BUDGET & CONTROL BOARD

TO: Mr. William McInnis
Deputy Executive Director
SC Budget & Control Board
618 Wade Hampton Office Building
PO Box 124444
Columbia, SC 29211

FROM: Joseph E. Bolchoz, Jr.
Controller
College of Charleston

RE: Request for Foreign Travel Approval

Traveller: MICHAEL PHILLIPS

Destination: ROME, LONDON

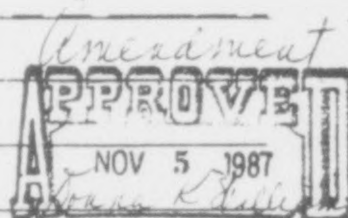
Dates: Nov 30 Jan 11
From To

Source of Funds: STATE FUNDS & AMERICAN ACADEMY IN ROME

Total Est. Cost: \$1800.00

Maximum Amount Allowed
by State Approp. Funds: \$913.00 (272 Previously approved, 641 Add. Funds Req)

Purpose: VISITING ARTIST AT AMERICAN ACADEMY IN ROME



Requested on behalf of the College of Charleston by:

STATE BUDGET AND
CONTROL BOARD

Joseph E. Bolchoz, Jr.
Joseph E. Bolchoz, Jr.

JEB, JR/map

1C955

OCT 14 1987



College of Charleston

Charleston, South Carolina 29424

October 12, 1987

TO: Mr. William McInnis
Deputy Executive Director
SC Budget & Control Board
618 Wade Hampton Office Building
PO Box 124444
Columbia, SC 29211

FROM: Joseph E. Bolchoz, Jr.
Controller
College of Charleston

RE: Request for Foreign Travel Approval

Traveller:	MICHAEL PHILLIPS
Destination:	ROME, ITALY
Dates:	11/30/87 1/2/88
	From To
Source of Funds:	STATE FUNDS & AMERICAN ACADEMY IN ROME
Total Est. Cost:	\$1800.00
Maximum Amount Allowed by State Approp. Funds:	272.00
Purpose:	SERVE AS VISITING ARTIST AT AMERICAN ACADEMY IN ROME.

STATE BUDGET AND
CONTROL BOARD

Requested on behalf of the College of Charleston by:

Joseph E. Bolchoz, Jr.

JEB, JR/map

10956

OCT 14 1987



College of Charleston

Charleston, South Carolina 29424

EXHIBIT

October 12, 1987

DEC 18 1987

NO. 17

STATE BUDGET & CONTROL BOARD

TO: Mr. William McInnis
Deputy Executive Director
SC Budget & Control Board
618 Wade Hampton Office Building
PO Box 124444
Columbia, SC 29211

FROM: Joseph E. Bolchoz, Jr.
Controller
College of Charleston

RE: Request for Foreign Travel Approval

Traveller: MICHAEL PHILLIPS

Destination: ROME, ITALY

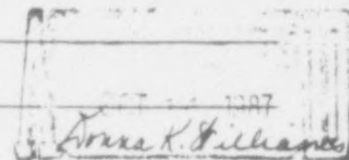
Dates: 11/30/87 1/2/88
From To

Source of Funds: STATE FUNDS & AMERICAN ACADEMY IN ROME

Total Est. Cost: \$1800.00

Maximum Amount Allowed
by State Approp. Funds: 272.00

Purpose: SERVE AS VISITING ARTIST AT AMERICAN ACADEMY
IN ROME.



Requested on behalf of the College of Charleston by:

STATE BUDGET AND
CONTROL BOARD

Joseph E. Bolchoz, Jr.

JEB, JR/map

10957

EXHIBIT

DEC 18 1987

NO. 18

STATE BUDGET AND CONTROL BOARD
MEETING OF December 18, 1987

ITEM NUMBER

15

AGENCY: University of South Carolina

SUBJECT: Foreign Travel Blanket Approval

The University of South Carolina requests blanket approval for the travel of College of Earth Science and Resource Institute faculty and staff to Somalia beginning the first part of 1988 and continuing for a two-year period to conduct geological research with the project to be fully funded by the Louisiana Land and Exploration Company.

The University advises several members of the ESRI will be participating in this effort and that repeat travel is necessary in order to carry out successful research and development activity throughout the project.

BOARD ACTION REQUESTED:

Grant blanket approval for the faculty and staff of the USC Earth Science and Resource Institute (ESRI) to travel to Somalia beginning the first part of 1988 and continuing for a two-year period to conduct geological research with the project to be fully funded by the Louisiana Land and Exploration Company.

ATTACHMENTS:

Denton December 1 letter to McInnis

10958



EXHIBIT

DEC 14 1987

DEC 18 1987

NO. 18

STATE BUDGET & CONTROL BOARD

UNIVERSITY OF SOUTH CAROLINA

COLUMBIA, S. C. 29208

SENIOR VICE PRESIDENT

Business and Finance
(803) 777-7478

December 1, 1987

Mr. William A. McInnis
Deputy Executive Director
Budget and Control Board
618 Wade Hampton Office Bld
Columbia, SC

RE: Foreign Travel Blanket Approval - Somalia

Dear Bill:

The College of Earth Science and Resource Institute has applied to the Louisiana Land and Exploration Company for a fully funded grant in order to conduct geological research activity in the country of Somalia.

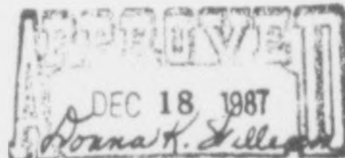
Several members of the ESRI will be participating in this effort which is expected to begin the first part of 1988 and continue for a period of two years. Repeat travel is necessary in order to carryout successful research and development activity throughout the project.

I am formally requesting blanket approval at this time for the faculty and staff of the Earth Science and Resource Institute. The blanket approval will be used provided the Louisiana Land and Exploration Company funds the project. No State funds would be utilized. Your consideration of this request is greatly appreciated.

Sincerely,

R. W. Denton
Senior Vice President

rg

STATE BUDGET AND
CONTROL BOARD

10959