Ways and Means Committee AGENDA

Friday, October 17, 2008, 10:30 AM 521 Blatt Building

I. Opening Remarks:

II. Meeting Room Schedule Sheet for Subcommittees (First sheet in the packet)

Legislative, Executive & Local Government	511 Blatt
Higher Education, Tech & Cultural	321 Blatt
Public Education and Special Schools	521 Blatt
Health, Human Services, and Medicaid	504 Blatt
Economic Development & Natural Resources	523 Blatt
Law Enforcement & Criminal Justice	305 Blatt
Transportation & Regulatory	501 Blatt

III. Discussion and Consideration of Subcommittee Recommendations

- 1) Education and Special Schools
- 2) Higher Education, Tech & Cultural
- 3) Health, Human Services & Medicaid
- 4) Economic Development & Natural Resources

- 5) Law Enforcement & Criminal Justice
- 6) Transportation & Regulatory
- 7) Legislative, Executive, and Local Government

IV. Discussion and Consideration of Provisos

- 1) Education and Special Schools
- 2) Health, Human Services & Medicaid
- 3) Economic Development & Natural Resources
- 4) Legislative, Executive, and Local Government
- V. Adoption of Rescission Bill
- VI. Closing Remarks

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			36
		Nonrecurring Allocations	35
487.906.414)	(487.9	Recurring Allocations	34
		TOTAL ALLOCATIONS	33
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487,906,414)	(487,9	- CLAR NEW FONDS	31
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		Subtotal, Nonrecurring Revenues	29
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			26
		NONRECURRING REVENUES	25
			24
487,906,414)	(487,9	Subtotal, Revenue Shortfall	23
			3 2
		Subtotal, Enhancements and Adjustments	21
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		ENHANCEMENTS AND ADJUSTMENTS:	3 8
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487,906,414)	(487,9	Revenue Shortfall	16
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67.445.829)	(67.	Additional Appropriation Reduction	13
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6,602,544,132)	(6,602,	Less: FY 2008-09 Adjusted Appropriation Base	1
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6.182.083.547	6.182.0	Net Estimated General Fund Revenues	9
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(527.704.278)	(527.7	Less: FY 2008-09 Net Transfer to Tax Relief Trust Fund	7
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,692,362,115	6,692,	Revenue Forecast, FY 2008-09 (BEA Forecast Oct.8, 2008)	L
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		FY 2008-09 Appropriation Act	
		FY2008-09 MID-YEAR APPROPRIATION REVISIONS	
		WAYS AND MEANS COMMITTEE	

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(101,794)		Aid to Subdivisions - Tax Forms and Supplies	70
	2,920,927	X12 85 Aid to Subdivisions - Comptroller General	+
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	219,082,840	V04 84 Debt Service	-
			66
		F31 80D Capital Reserve Fund (Eliminated by B&C Board Action August 12, 2008)	
			64
	13,423,124	F30 80C Employee Benefits	
		STATEWIDE ALLOCATIONS	61 STA
			8
			59
(487,906,414)	20,725,045,685	TOTAL SUBCOMMITTEE RECOMMENDATIONS	58
			57
	316,215,898	All Other Non-General Fund Agencies	56
(18,200,072)	516,309,460	Legislative, Executive and Local Government Subcommittee	55
(2,265,576)	1,295,693,350	I ransportation and Regulatory Subcommittee	14
(51,081,316)	1,068,834,770	Law Enforcement and Criminal Justice Subcommittee	23
(16,349,508)	358,823,582	Economic Development and Natural Resources Subcommittee	52
(160,284,233)	8,614,168,627	Health, Human Services and Medicaid Subcommittee	51
(126,591,455)	4,075,136,723	Higher Education, Tech and Cultural Subcommittee	20
(93,410,358)	3,932,803,315	Public Education and Special Schools Subcommittee	49
(19,723,896)	547,059,960	Statewide Allocations	48
			47
		SUBCOMMITTEE RECOMMENDATIONS:	<u> </u>
			45
			4
		GRAND TOTAL RESIDUAL NOT ALLOCATED	43
			42
		Nonrecurring Allocations	41
		Recurring Allocations	40
		RESIDUAL BALANCE	39
			38
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		FY2008-09 MID-YEAR APPROPRIATION REVISIONS	
		WAYS AND MEANS COMMITTEE	

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WAYS AND MEANS COMMITTEE			
WAYS AND MEANS COMMITTEE			

SUBTOTAL EDUCATIONAL TELEVISION COMMISSION H71 3 Wil Lou Gray Opportunity School Administration Educational Program - Other Operating and Vacant FTE Student Services - Other Operating Support Services - Post Secondary Program Administration Chiter Operating Education Services - Post Secondary Program Agency Wide initiatives - 4-Day Workweek Education Services - Post Secondary Program Agency Wide initiatives - 4-Day Workweek Education Services - Post Secondary Program Agency Wide initiatives - 4-Day Workweek SUBTOTAL SCHOOL FOR DEAF & BLIND L12 5 John de la Howe School Administration Children's Services-Other Operating Support Services-Other Operating Agency Wide initiatives - Voluntary Furlough implementation SUBTOTAL JOHN DE LA HOWE SCHOOL TOTAL - PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE TOTAL - PUBLIC EDUCATION AND SPECIAL SCHOOLS SUBCOMMITTEE	SUBTOTAL EDUCATIONAL TELEVISION COMMISSION SUBTOTAL EDUCATIONAL TELEVISION COMMISSION Will Lou Gray Opportunity School Administration Educational Program - Other Operating and Vacant FTE Student Services - Other Operating Support Services-Other Operating Education Services - Post Secondary Program Agency Wide Initiatives - 1-Day Workweek Education Services-Preschool Services Agency Wide Initiatives-Teri Participants SUBTOTAL SCHOOL FOR DEAF & BLIND John de la Howe School Administration Childrat's Services-Other Operating Support Services-Other Operatin	
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		Leadership Program Dolov In		8 5
		Travel Reductions		181
		Library: Electronic Subscription		180
		+	80H	170
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				176
		SUBTOTAL TUITION GRANTS	(0	175
		Administration		173
		+	H06 7 F	+
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	GHER EDUCATION	SUBTOTAL COMMISSION ON HIGHER EDUCATION	(0)	170
	nuery)	Fire scholarships (smilled to Fottery)		169
	4-1	Touri Leadership Conference		100
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		Charleston Transition College		104
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	Operations & Maintenance (Energy Efficiency Savings, deferred maintenance, etc.)		220
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	15B -Aiken	H29 15B	218 H
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	Education and General		216
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	Travel Reductions		212
	Energy Efficiency Savings		211
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	Publications and Printing		209
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┪	Education and General		186
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FY 2008-09 Appropriation Act
FY2008-09 MID-YEAR APPROPRIATION REVISIONS
WATS AND MEANS COMMITTEE
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23 Department of Mental Health	SUBTOTAL DEPT. OF HEALTH & ENV. CONTROL		Healthcare Services	Environmental Services	Administration Programs and Services	22 Department of Health & Environmental Control		SUBTOTAL DEPT. OF HEALTH & HUMAN SERVICES		Payments		Prevention Partnership Grants	GAPS Assistance Payments Underutilization	Medical Assistance Payments	Medical Contracts	21 Department of Health & Human Services	\perp	H, HUMAN SERVICES AND MEDICAID SUBCOMMITTEE RECOMMENDATIONS			TOTAL - HIGHER EDUCATION, TECH AND CULTURAL SUBCOMMITTEE		SUBTOTAL STATE MUSEUM		Public Information & Marketing	Collections	Administration		SUBTOTAL ARTS COMMISSION		Employee Benefits	Statewide Arts Services					FY 2008-09 Appropriation Act	FY2008-09 MID-YEAR APPROPRIATION REVISIONS	WAYS AND MEANS COMMITTEE	
	573,004,555							5,560,982,083													4,075,136,723		5,835,959						4,904,229				Funds	Total	Agency	FY 2008-09				
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	-3.4%							-1.4%													-3.1%		-9.6%						-10.4%				Funds	Total	%					

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1,311,698,129	SUBTOTAL DEPARTMENT OF SOCIAL SERVICES
	Programs and Services
	Economic and Case Services
	L04 26 Department of Social Services
37.743.213	SUBTOTAL DEPT. OF ALCOHOL & OTHER DRUG ABUSE
	Office Lowder Direct Diffing
	Aid to Entities and Other Operating
	J20 25 Department of Alcohol & Other Drug Abuse Services
	SUBTOTAL VOCATIONAL REHABILITATION
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	H73 20 Vocational Rehabilitation
	SUBTOTAL DEPT. OF DISABILITIES & SPECIAL NEEDS
	Service Coordination
	Programs and Services
	Administration Personal Service
	J16 24 Department of Disabilities & Special Needs
411.575.468	SUBTOTAL DEPARTMENT OF MENTAL HEALTH
	CALIFORNIA STATES AND
	Support Services and Administration
	Innatient Services
	Projects and Grants
	Mental Health Centers
	General Administration and Benefits
Funds	
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FY 2008-09	
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RECOMMENDATIONS
TOTAL - ECONOMIC DEVELOPMENT & NATURAL RESOURCES SUBCOMMITTEE
Funds
Agency
FY 2008-09
FY2008-09 MID-YEAR APPROPRIATION REVISIONS

FY 2008-09 Appropriation Act
FY 2008-09 Appropriation Act
SUBTOTAL COMMISSION ON INDIGENT DEFENSE Dept. of Corrections Housing, Care & Supv - Other Operating Expenses Transfer Competitive Grants Carry-Forward to SCDC NR SUBTOTAL DEPT. OF CORRECTIONS Department of Probation, Parole & Pardon Services Administration Eliminate Temporary/TERI Employees Offender Supervision Sex Offender Monitoring SubTOTAL DEPT. OF PROBATION, PAROLE & PARDON Department of Juvenite Justice Other Personal Service (All Programs) Administration Parole Board Department of Juvenite Justice Sw. Offender Monitoring Sex Offender Monitoring Close 2 Domas & Group Homes Education - Facilities Positions Close 3 Wilderness Camps & Reduce Multi-Agency Beds Eliminate LEEP Program & Bridge Contract Reduce Community Services Staff Reduce Cast Services Policy & Planning and Legal Staff Reductions SUBTOTAL DEPT. OF JUVENILE JUSTICE Law Enforcement Training Council
FY 2008-09 Appropriation Act FY 2008-09 Agency Agency Agency Total Funds SUBTOTAL COMMISSION ON INDIGENT DEFENSE Dept. of Corrections Housing, Care & Supv. Other Operating Expenses Transfer Competitive Grants Carry-Forward to SCDC NR SUBTOTAL DEPT. OF CORRECTIONS Department of Probation, Parole & Pardon Services Administration Eliminate Temporary/TERI Employees Offender Monitoring Sex Offender Monitoring Coher Personal Service (All Programs) Administration Department of Juvenile Justice Other Personal Service (All Programs) Administration Electronistration Department of Juvenile Justice Other Personal Service (All Programs) Administration Electronistration Department of Juvenile Justice Other Personal Service (All Programs) Administration Sex Offender Monitoring Close 2 Dornes & Teacher & Substitute Positions Education - Teacher & Substitute Positions Cose 3 Wilderness Caraps & Reduce Nulti-Agency Beds Eliminate JEEP Program & Bridge Contract Reduce Inspector Ceneral, Police Officer & Security Staff Reduce Community Services Staff Reduce Construct SubTOTAL DEPT. OF JUVENILE JUSTICE Law Enforcement Training Council
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316,215,898	316,215,898
TOTAL - LEGISLATIVE, EXECUTIVE, & LOCAL GOVERNMENT SUBCOMMITTEE 516,308,460	
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233,015,387	233,015,387
Funds	Funds
Total	Total
Agency	Agency
FY 2008-09	FY 2008-09

PUBLIC EDUCATION AND SPECIAL SCHOOL SUBCOMMITTEE

AMEND EXISTING PROVISO (BUSES, PARTS, AND/OR FUEL)

1.34. (SDE: Buses, Parts, and/or Fuel) Funds appropriated for other operating in program IX.B. - Bus Shops may be used to purchase buses, fuel, parts, or other school bus related items. Any funds appropriated or authorized for the purchase of school buses may not be transferred or used for any other purpose, except that up to \$1,500,000 may be used to purchase school bus service vehicles. Funds appropriated or authorized for school bus fuel in this act or any appropriation act supplemental thereto in excess of what is necessary to operate the bus fleet must be used for the purchase of school buses. However, in the event of an emergency fuel situation, and only to the extent necessary, the department may seek approval from the Budget and Control Board and the board is authorized to grant such approval, for the expenditure of any non-program to use appropriated funds in Part IA, IX.C. for fuel expenditures.

ADD NEW PROVISO (STATEWIDE ASSESSMENT)

1.sa. (SDE: Statewide Assessment) The provisions for the administration of the statewide assessment program in 59-18-310(B) are temporarily suspended. The department is directed to utilize the funds provided for the statewide assessment program to ensure the continuation of federal funds. Assessments administered during the 2008-2009 school year shall not be used to generate school and district report card ratings. Nothing in this provision shall require a suspension of any provision that will result in the loss of federal funds.

HEALTH, HUMAN SERVICES & MEDICAID SUBCOMMITTEE

AMEND EXISTING PROVISO (RECOUPMENT/RESTRICTED FUND)

21.1. (DHHS: Recoupment/Restricted Fund) The Department of Health and Human Services shall recoup all refunds and identified program overpayments and all such overpayments shall be recouped in accordance with established collection policy. Further, the Department of Health and Human Services is authorized to maintain a restricted fund, on deposit with the State Treasurer, to be used to pay for liabilities and improvements related to enhancing accountability for future audits. The restricted fund will derive from prior year program refunds. The restricted fund shall not exceed one percent of the total appropriation authorization for the current year. Amounts in excess of one percent will be remitted to the general fund.

There is created in the State Treasury the Medicaid Reserve Fund, which is separate and distinct from the general fund of the State and all other funds. Recouped refunds and identified program everpayments must be credited to the fund. In addition, the fund balance in Subfund 3762 shall be transferred to the newly created Reserve Fund. Any balance in the fund at the end of the prior fiscal year shall be carried forward into the current fiscal year. The Department of Health and Human Services shall also deposit any prior year program refunds or overpayments, excluding pharmacy rebates, into the Medicaid Reserve Fund. The department may use the Reserve Fund to offset operating deficits or audit disallowances from the Medicaid program. At any time, the balance of the Reserve Fund may not exceed fifty million dollars and any excess, up to ten million dollars shall be provided to the Allied Health Initiative, with any remaining excess remitted to the general fund. Withdrawals from the Reserve Fund must be approved by the State Budget and Control Board in advance.

ADD NEW PROVISO (OFFSET BUDGET REDUCTION

21.obr. (DHHS: Offset Budget Reduction) The Department of Health and Human Services is directed to utilize Program II. A. 3. Z. Case Services/Public Assistance funds carried forward from the prior fiscal year into the current fiscal year as well funds appropriated for the same purpose in Fiscal Year 2008-09 that are in excess of program requirements in order to offset Fiscal Year 2008-09 base budget reductions. The department shall be required to enroll into the program any child who qualifies during Fiscal Year 2008-09.

ECONOMIC DEVELOPMENT AND NATURAL RESOURCES SUBCOMMITTEE

ADD NEW PROVISO (SCBOS FUNDS)

81.scbos. (DOR: SCBOS Funds) The Department of Revenue shall share equally the collection assistance fees imposed on overdue tax debt with the South Carolina Business One Stop program. The funds received by the department from this fee shall be used for continued administration of the revenue laws in a fair and impartial manner. Any unexpended funds generated by the fee shall be carried forward from the prior fiscal year into the current fiscal year and shall also be shared equally between the Department of Revenue and the South Carolina Business One Stop program.

AMEND EXISTING PROVISO (TRANSFER OF DEED)

90.16. (SR: Transfer of Deed) For Fiscal Year 2008-2009, Section 48-59-75 is suspended. For Fiscal Year 2008-09, the South Carolina Conservation Bank shall transfer deed recording fees received in the current fiscal year to the Department of Education to be used for school bus fuel. Contractual obligations that existed as of the effective date of this act shall be honored before any transfer is executed. Cash balances carried forward from the prior fiscal year shall be utilized first to meet the South Carolina Conservation Bank contractual obligations and agency operating expenses.

LEGISLATIVE/EXECUTIVE AND LOCAL GOVERNMENT SUBCOMMITTEE

AMEND EXISTING PROVISO (FY 08-09 LOTTERY FUNDING)

2.7. (LEA: FY 08-09 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Budget and Control Board as directed below. These appropriations must be used to supplement and not supplant existing funds for education.

The Budget and Control Board is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.

All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.

For Fiscal Year 2008-09 certified net lottery proceeds and investment earnings and any other proceeds identified by this provision are appropriated as follows:

(1)			
	Two-Year Institutions	\$47,000,000;	
(2)	Commission on Higher EducationLIFE Scholarships		
	as provided in Chapter 149 of Title 59	\$75,256,682	\$85,256,682;
(3)	Commission on Higher EducationHOPE Scholarships	,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
	as provided in Section 59-150-370	\$8,076,110;	
(4)	Commission on Higher EducationPalmetto Fellows		
	Scholarships as provided in Section 59-104-20	\$30,277,240;	
(5)	Commission on Higher Education		
	Need-Based Grants	\$11,631,566;	
(6)	Tuitions Grants CommissionTuition Grants	\$7,766,604;	
(7)			
	Tuition Repayment Program as provided in		
	Section 59-111-75	\$1,700,000;	
(8)	Commission on Higher Education—Endowed Chairs as		
	provided in Chapter 75 of Title 2		
(9)	•	\$2,500,000;	
(10)	TechnologyPublic 4-Year Universities, 2-Year		
	Institutions, and State Technical Colleges		
(11)	Department of EducationK-5 Reading, Math, Science &		
	Social Studies Program as provided in Section 59-1-525	\$47,614,52	7;
(12)	Department of EducationGrades 6-8 Reading, Math,		
	Science & Social Studies Program	\$2,000,000;	
(13)	Commission on Higher EducationHigher Education		
	Excellence Enhancement Program	\$4,700,000;	and
(14)	School for the Deaf and the Blind		
	Technology Replacement	\$200,000.	

Fiscal Year 2008-09 funds appropriated to the Commission on Higher Education for Tuition Assistance must be distributed to the technical colleges and 2-year institutions as provided in Section 59-150-360.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least \$996 per student per term for full time students.

Fiscal Year 2008-09 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, Palmetto Fellows, and HOPE scholarships for Fiscal Year 2008-09 are fully funded.

If the lottery revenue received for Fiscal Year 2008-09 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$260,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process.

For Fiscal Year 2008-09, \$8,400,000 certified from unclaimed prizes shall be appropriated for Technology: Public 4-Year Universities, 2-Year Institutions, and State Technical Colleges. The allocations of Section 59-150-230(I) of the 1976 Code are suspended for the current fiscal year. Of any unclaimed prize funds available in excess of the Board of Economic Advisors estimate, the first \$4,000,000 shall be directed to the State Board for Technical and Comprehensive Education for the Allied Health Initiative. The next \$1,000,000 shall be directed to the Commission on Higher Education for the Critical Needs Nursing Initiative Fund - Simulation Technology and Equipment. All additional revenue in excess of the amount certified by the Board of Economic Advisors for unclaimed prizes shall be distributed to the Commission on Higher Education for Need-Based Grants.

All additional revenue in excess of the amount certified by the Board of Economic Advisors for unclaimed prizes shall be distributed to the Commission on Higher Education for Need-Based Grants.

Notwithstanding the provisions of Section 59-150-355 of the 1976 Code or any other provision of law, the Budget and Control Board may distribute funds from the Education Lottery Account on a monthly basis during the final quarter of the fiscal year.

AMEND EXISTING PROVISO (SUBSISTENCE/TRAVEL REGULATIONS)

- 70.4. (LEG: Subsistence/Travel Regulations) A. Members of the General Assembly shall receive subsistence expense equal to the maximum allowable by regulation of the Internal Revenue Code, for the Columbia area for each legislative day that the respective body is in session and in any other instance in which a member is allowed subsistence expense. No member of the General Assembly except those present are eligible for subsistence on that day. Legislative day is defined as those days commencing on the regular annual convening day of the General Assembly and continuing through the day of adjournment sine die, excluding Friday, Saturday, Sunday, and Monday.
- B. Standing Committees of the Senate and House of Representatives are authorized to continue work during the interim; however, House members must receive advanced approval by the Speaker of the House or Standing Committee Chairman and Senate members must receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the members of the General Assembly shall not be paid the per diem authorized in this provision. When certified by the Speaker of the House, President Pro Tempore of the Senate, or Standing Committee Chairman, the members serving on such committees shall receive a subsistence as provided in item "a." above, mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for allowances specified in this proviso shall be paid to the members of the Senate or House of Representatives from the Approved Accounts of the respective body except as otherwise may be provided.
- C. Joint Study Committees created pursuant to Acts and Resolutions of the General Assembly are authorized to continue work during the interim to secure such information and complete such investigations as may be assigned to the respective committees; however, House members must receive advanced approval by the Speaker of the House or Standing Committee Chairman and Senate

members must receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the House and Senate members of the Joint Study Committee shall not be paid the per diem authorized in this provision. When certified by the Speaker of the House, President Pro Tempore of the Senate, or Standing Committee Chairman, the members appointed to such committees shall receive a subsistence as provided in item "a." above, mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The allowances specified in this proviso shall be paid from funds appropriated to the respective committees for such purposes, or from Approved Accounts of the respective body of the General Assembly if no funds have been appropriated to such a committee for these purposes.

- D. Members of the Senate and the House of Representatives when traveling on official State business shall be allowed a subsistence as provided in item "a." above, transportation expenses as provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees upon approval of the appropriate chairman. When traveling on official business of the Senate or the House of Representatives not directly associated with a committee of the General Assembly, members shall be paid the same allowance upon approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives. In either instance, the members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for the allowances specified in this proviso shall be paid from the Approved Accounts of the Senate or the House of Representatives or from the appropriate account of the agency, board, commission, task force or committee upon which the member serves.
- E. Members of the House of Representatives shall not be reimbursed for per diem or travel in connection with any function held outside of the regular session of the General Assembly unless prior approval has been received from the Speaker of the House.
- F. Mileage reimbursement and per diem for members of the General Assembly shall be at the rate provided for by law.
- G. Notwithstanding the provisions contained herein and in proviso 89.25 (Travel Subsistence Expenses & Mileage), subsistence and mileage reimbursement for members of the General Assembly shall not exceed the level authorized by the Internal Revenue Service as of June 30, 2008.

AMEND EXISTING PROVISO (PURCHASING CARD REBATE PROGRAM)

75.7. (CG: Purchasing Card Rebate Program) The Comptroller General's Office is authorized to retain the first \$50,000 of rebate associated with the Purchasing Card Program. In addition, the Comptroller General's Office shall be authorized to retain a portion of the increase, if any, in Purchasing Card Program rebates which exceeds the average of the corresponding rebates received by the general fund during the last three fiscal years, provided that the general fund and the Comptroller General's Office shall share equally any such increase in rebates. The Comptroller General's Office total share of such increase shall not exceed \$150,000. The funds retained shall be used by the Comptroller General's Office to produce increased statewide use of the Purchasing Card Program while developing stronger safeguards against improper use. These funds shall not be used for any purpose other than for the Purchasing Card Program. However, unexpended Unexpended retained amounts shall be carried forward into the current fiscal year and must be used for the SCEIS program.

Any funds retained in accordance with this provision by the Comptroller General's Office or any cash balances in Subfund 7G7, Purchase Card Incentive Rebates, must be transferred to the Department of Education for the purchase of school bus fuel.

AMEND EXISTING PROVISO (CONSTITUTIONAL OFFICER & AGENCY HEAD VOLUNTARY FURLOUGH)

89.64. (GP: Constitutional Officer & Agency Head Voluntary Furlough) All constitutional officers and agency heads may take up to thirty-six days furlough in the current fiscal year. The officials will retain all responsibilities and authority during the furlough. All monies saved from this furlough may be retained by that agency and expended at the discretion of the constitutional officer or agency head. During this furlough, the constitutional officer or agency head shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agency will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the constitutional officer or agency head remains solely responsible for making those contributions.

ADD NEW PROVISO (MANDATORY FURLOUGH)

89.mf. (GP: Mandatory Furlough) In a fiscal year in which the general funds appropriated for a state agency, institution, or department are less than the general funds appropriated for that state agency, institution, or department in the prior fiscal year, or whenever the General Assembly or the Budget and Control Board implements an across-the-board budget reduction, agency heads may institute employee furlough programs of not more than ten working days in the fiscal year in which the deficit is projected to occur. The furlough must be inclusive of all employees in an agency or within a designated department or program regardless of source of funds or place of work. The furlough must include all classified and unclassified employees in the designated area. If the furlough includes the entire agency, the furlough must include the agency head. Scheduling of furlough days, or portions of days, shall be at the discretion of the agency head, but under no circumstances should the agency close completely. During this furlough, affected employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits that which require employer and employee contributions, including but not limited to contributions to the South Carolina Retirement System or the optional retirement program, the state agencies, institutions, and departments will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. Placement of an employee on furlough under this provision does not constitute a grievance or appeal under the State Employee Grievance Procedure Act. In the event the reduction for the state agency, institution, or department is due solely to the General Assembly transferring or deleting a program, this provision does not apply. The implementation of a furlough program authorized by this provision shall be on an agency-byagency basis. Agencies may allocate the employee's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. The Budget and Control Board, Office of Human Resources shall promulgate guidelines and policies, as necessary, to implement the provisions of this proviso. State agencies shall report information regarding furloughs to the Office of Human Resources of the Budget and Control Board.

ADD NEW PROVISO (REDUCTION IN FORCE ANTIDISCRIMINATION)

89.rifd. (Reduction in Force Antidiscrimination) In the event of a reduction in force implemented by a state agency or institution, the state agency or institution must comply with Title VII of the Civil Rights Act of 1964 or any other applicable federal or state antidiscrimination laws.

ADD NEW PROVISO (REDUCTION IN FORCE/AGENCY HEAD FURLOUGH)

89.rfah. (GP: Reduction in Force/Agency Head Furlough) In the event a reduction in force is implemented by a state agency or institution, the agency head shall be required to take five days furlough in the current fiscal year. If more than one reduction in force plan is implemented in a fiscal year, the mandatory agency head furlough is only required for the initial plan. The agency head will retain all responsibilities and authority during the furlough. All monies saved from this furlough may be retained by that agency and expended at the discretion of the agency head. During this furlough, the agency head shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agency will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the agency head remains solely responsible for making those contributions.

Placement of an agency head on furlough under this provision does not constitute a grievance or appeal under the State Employee Grievance Procedure Act. In the event the reduction for the state agency or institution is due solely to the General Assembly transferring or deleting a program, this provision does not apply. Agencies may allocate the agency head's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. The Budget and Control Board, Office of Human Resources shall promulgate guidelines and policies, as necessary, to implement the provisions of this proviso. State agencies shall report information regarding furloughs to the Office of Human Resources of the Budget and Control Board.

ADD NEW PROVISO (COMPETITIVE COMMUNITY GRANTS FUNDS TRANSFER)

89.cgt. (GP: Competitive Community Grants Funds Transfer) From the following agency's accounts, Competitive Community Grants Program appropriations carried forward from the prior fiscal year shall be transferred to the Department of Corrections: Budget and Control Board - \$4,055,720; Department of Commerce - \$6,239; Department of Parks, Recreation and Tourism - \$2,390,957; and Department of Health, Environment and Control - \$1,842,837. These funds shall be used by the Department of Corrections to offset agency budget reductions.

ADD NEW PROVISO (OFFSET CORRECTIONS BUDGET REDUCTION)

89.ocb. (GP: Offset Corrections Budget Reduction) The Governor shall be authorized to transfer agency earmarked and restricted accounts designated as "special revenue funds" as defined in the Comptroller General's records from the State Law Enforcement Division and the Department of Motor Vehicles to the Department of Corrections to offset any Fiscal Year 2008-09 budget deficit that has been officially recognized by the Budget and Control Board.

ADD NEW PROVISO (SUSPEND FTE DELETION PROCESS & TRAVEL REPORT)

89.susp. (GP: Suspend FTE Deletion Process & Travel Report) The requirements contained in the following provisions of Act 310 of 2008 are hereby suspended for Fiscal Year 2008-09: 80A.13 (BCB: Vacant Positions); 80.17 (GP Personal Service Reconciliation, FTEs) Subitem 2(c) and Subitem 5; and 89.34 (GP: Travel Report).

ADD NEW PROVISO (DMV CASH SURPLUS TRANSFER)

90.dmv. (SR: DMV Cash Surplus Transfer) The Department of Motor Vehicles shall transfer \$10,000,000 from DMV Operating Subfund 3264 and Uninsured Motorist Fees and Fines Subfund 3595 to the Department of Education for school bus fuel.

In order to provide maximum flexibility to maintain critical programs, the department may, in lieu of the specific account identified above, opt to transfer an equal amount of funds from any agency earmarked or restricted account designated as "special revenue funds" as defined by the Comptroller General's records for this purpose. Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year.

AMEND EXISTING PROVISO (FLEXIBILITY)

89.112. (GP: Flexibility) In order to provide maximum flexibility in absorbing the general fund reductions mandated in this act as compared to the prior fiscal year general fund appropriations, agencies are authorized for FY 2008-09 to spend agency earmarked and restricted accounts designated as "special revenue funds" as defined in the Comptroller General's records, to maintain critical programs previously funded with general fund appropriations. Any increase in spending authorization for these purposes must receive the prior approval of the Office of State Budget and must be reported to the Governor, Senate Finance Committee, and the House Ways and Means Committee. The Comptroller General is authorized to implement the procedures necessary to comply with this directive. This provision is provided notwithstanding any other provision of law restricting the use of earned revenue. Appropriation transfers may exceed twenty percent of the program budget upon approval of the Budget and Control Board, Office of State Budget in consultation with the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

State institutions of higher learning whose budgets have been reduced from the Fiscal Year 2007-08 state funding level, shall have the authority to use other sources of available funds to support and maintain state funded programs affected by state reductions during Fiscal Year 2008-09 and may adjust general fund appropriations from special items or programs in an amount greater or less than the percentage of the reduction assessed to the institution's base budget. Institutions shall submit to the Office of State Budget, the Senate Finance Committee, and the House Ways and Means Committee the amount of base budget reductions associated with these programs.

Notwithstanding the flexibility authorized in this provision, the following agencies are prohibited from reducing or transferring funds from the following programs or areas:

- A) Department of Health and Human Services
 - 1) Teen Pregnancy/Abstinence Programs including, but not limited to MAPS
 - 2) PACE
 - 3) Federally Qualified Health Centers
 - 4) Provider Rates

The Department of Health and Human Services shall not change provider reimbursement rates from their current levels.

B) Lieutenant Governor's Office

Home and Community Based Services (Meals on Wheels)

C) Department of Commerce

Regional Economic Development Organizations as defined by proviso 40.35

D) Department of Natural Resources

Law Enforcement Program/Enforcement Operations as contained in Program II. E. 1

- E) Department of Parks, Recreation, and Tourism
 - 1) Program II. A. Special Item: Regional Promotions
 - 2) Program II. A. Special Item: Advertising

In addition the Department of Parks, Recreation, and Tourism is prohibited from closing or reducing the FTE's in the Mansion Gift Shop, the State House Gift Shop, and the Santee Welcome Center.

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MID-YEAR AGENCY BASE REDUCTION

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		ig .	General Fund	% Reduction	% Reduction	
Line	•		Targeted	of General	of Total	Line
No.	≕No.	Agency	Reductions	Funds	Funds	No.
1	A01		1,740,358	14.2%	14.2%	
2		House	1,906,071	14.2%	14.2%	
3		Legislative Council	329,151	11.1%	9.9%	
4		Legislative Printing	473,719	12.1%	12.1%	
5		Legislative Audit Council	178,391	13.0%	13.0%	
6		Judicial Department	5,198,920	14.2%	8.7%	
7		Administrative Law Judges	286,342	12.7%	9.7%	
8		Governor's Office - ECS	400,224	14.2%	14.2%	
9		Governor's Office - SLED	5,113,580	13.9%	6.2%	
10		Governor's Office - OEPP	1,533,839	14.2%	2.1%	
11		Governor's Office - Mansion	96,592	14.2%	13.8%	
12		Lieutenant Governor	630,847	13.0%	1.9%	
13		Secretary of State	153,375	13.8%	6.3%	
14		Comptroller General	549,799	14.2%	12.3%	
15		State Treasurer	427,388	14.2%	3.8%	
16		Attorney General	1,112,863	14.2%	6.8%	
17		Prosecution Coord. Comm.	1,909,433	12.7%	9.0%	
18		Comm. on Indigent Defense	1,100,515	12.7%	5.0%	
19		Adjutant General	1,054,055	13.0%	2.0%	
20		Election Commission	177,081	13.1%	7.9%	
21		B&C Bd.	4,187,635	13.6%	1.8%	
22	F27		443,621	12.0%	10.4%	
23	F31	•	0			23
24	H03		2,060,330	13.1%	0.6%	
25		Higher Education Tuition Grants	46,939	13.1%	0.1%	
26		The Citadel	2,353,314	14.8%	1.9%	
27		Clemson University (E&G)	16,528,048	14.9%	2.8%	
28		University of Charleston	4,965,883	14.8%	2.5%	
29		Coastal Carolina University	2,415,846	14.8%	1.8%	
30		Francis Marion University	2,798,027	14.8%	5.2%	
31		Lander University	1,583,867	14.8%	4.4%	
32		SC State University	3,443,137	14.8%	2.9%	
33		USC - Columbia	26,906,033	14.9%	3.0%	
34		USC - Aiken	1,604,507	14.7%	2.9%	
35		USC - Upstate	2,089,541	14.7%	2.7%	
36		USC - Beaufort	371,854	14.4%	1.9%	
37	-	USC - Lancaster	391,727	14.4%	2.6%	
38		USC - Salkehatchie	340,933	14.7%	3.2%	
39		USC - Sumter	640,022	14.8%	4.7%	
40		USC - Union	157,215	14.9%	3.8%	
41		Winthrop University	3,400,021	14.8%	2.6%	
42	H51		14,233,552	14.9%	2.4%	
43		Consort. of Comm. Teaching Hospitals	2,097,944	13.0%	10.5%	
44		Technical & Comp. Education	24,792,320	14.4%	4.2%	
45 46		Department of Education	88,500,235	3.6%	2.3%	
46		ETV	2,341,657	14.2%	9.7%	
47		Wil Lou Gray Opportunity School	421,082	10.8%	7.1%	
48	_	Vocational Rehabilitation-	2,039,686	14.2%	1.6%	
49		School for the Deaf & the Blind	1,670,042	10.8%	5.3%	
50		Archives & History	493,426	12.2%	6.8%	
51		State Library	1,806,528	13.1%	11.0%	
52		Arts Commission	508,548	14.2%	10.4%	
53 54		Museum Commission	561,893	13.0%	9.6%	
54 55		Dept. of Health & Human Services	76,674,589	8.1%	1.4%	
55 56		Dept. of Health & Environmental Control	19,617,818	13.7%	3.4%	
56		Dept. of Mental Health	23,602,747	10.8%	5.7%	
57 50		Dept. of Disabilities & Special Needs	21,543,257	11.2%	3.7%	
58 50		Dept. of Alcohol & Other Drug Abuse Services	1,761,303	15.1%	4.7%	
59 60		Dept. of Public Safety	8,909,885	10.3%	5.6%	
60	L04	Dept. of Social Services	14,506,726	10.8%	1.1%	60

MID-YEAR AGENCY BASE REDUCTION

10/20/08 10:40 AM

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			General Fund	% Reduction	% Reduction	
Line	Agy		Targeted	of General	of Total	Line
No.	No.	Agency	Reductions	Funds	Funds	No.
61	L12	John de la Howe School	477,342	10.8%	8.7%	
62	L24	Comm. for the Blind	538,107	13.7%		
63	L36	Human Affairs Commission	274,259	12.6%	8.9%	
64	L46	Comm. on Minority Affairs	81,997	12.5%	8.3%	
65	N04	Dept. of Corrections	10,098,964	3.0%	2.4%	
66		Dept. of Prob, Parole & Pardon Services	2,049,001	8.8%	3.9%	66
67	N12	Dept. of Juvenile Justice	11,037,131	10.8%	8.4%	67
68	N20	Law Enforcement Training Council	121,250	14.0%	1.1%	68
69	P12	Forestry Commission	2,279,480	12.9%	7.0%	
70	P16	Dept. of Agriculture	924,004	14.6%	6.6%	70
71	P20	Clemson PSA	6,698,098	13.0%	8.7%	71
72	P21	SC State PSA	498,237	13.0%	7.0%	72
73	P24	Dept. of Natural Resources	4,143,432	15.8%	4.3%	73
74	P26	Sea Grant Consortium	71,908	11.7%	1.0%	74
75	P28	Dept. of Parks, Recreation & Tourism	3,832,588	11.2%	6.0%	75
76	P32	Department of Commerce	1,643,888	11.7%	1.0%	76
77	R08	Workers' Compensation Comm.	444,456	12.5%	8.1%	77
78	R20	Dept. of Insurance	662,222	13.3%	4.8%	78
79	R28	Dept. of Consumer Affairs	261,893	11.7%	6.5%	79
80	R36	Dept. of Labor, Licensing & Regulation	425,587	15.6%	1.2%	80
81	R44	Dept. of Revenue	4,233,893	10.3%	7.4%	81
82	R52	State Ethics Comm.	79,338	13.5%	9.7%	82
83	R60	Employment Security Commission	87,606	10.9%	0.1%	83
84	S60	Procurement Review Panel	6,000	4.8%	4.7%	84
85	U12	Dept. of Transportation	27,556	15.1%	0.0%	85
86	V04	Debt Service	0		0.0%	86
87	X12	Aid to Sub Comptroller General	101,794	3.5%	3.5%	87
88	X22	Aid to Sub Treasurer	169,972	12.5%	1.4%	88
89	X22*	Aid to Sub Treasurer: Local Gov't Fund	19,452,129	6.5%	6.5%	89
90	H03	Comm. on Higher Education	10,000,000 *			90
	TOTAL	-	487,906,414	7.8%	2.4%	

^{* \$10,000,000} for Life Scholarships shifted to Lottery.