

**PROVISO SUBCOMMITTEE
LEGISLATIVE, EXECUTIVE AND LOCAL GOVERNMENT
RECOMMENDATIONS FOR FY 2016-17
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 49 - P280 - DEPARTMENT OF PARKS, RECREATION, AND TOURISM

49.3 **AMEND** (Advertising Funds Use and Carry Forward) Authorizes PRT to carry forward funds appropriated for Advertising and expend those funds for the same purpose to include the Tourism Partnership Fund, Destination Specific Marketing Grants, and the agency advertising fund. Directs the department to provide \$250,000 of Advertising funds from within the Tourism Sales and Marketing Program to the Charleston Area Convention & Visitors Bureau for special event promotion.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement that \$250,000 be provided to the Charleston Area Convention & Visitors Bureau. Requested by Department of Parks, Recreation and Tourism.

~~**49.3.** (PRT: Advertising Funds Use and Carry Forward) The Department of Parks, Recreation and Tourism may carry forward any unexpended funds appropriated on the Advertising line within Program II. A. Tourism Sales and Marketing from the prior fiscal year into the current fiscal year to be used for the same purposes which include the Tourism Partnership Fund, Destination Specific Marketing Grants and the agency advertising fund. \$250,000 of the funds appropriated for the Advertising line within Program II. A. Tourism Sales and Marketing shall be provided to the Charleston Area Convention & Visitors Bureau for special event promotion.~~

49.13 **DELETE** (Football Exhibition Funding) Directs that the funds appropriated to PRT for Football Exhibition Games that were carried forward be made available to the Medal of Honor Bowl by September 1, 2015.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The funds have been expended.* Requested by Department of Parks, Recreation, and Tourism.

~~**49.13.** (PRT: Football Exhibition Funding) The funds appropriated to the Department of Parks, Recreation and Tourism for Football Exhibition Games and carried forward into FY 2015-16 shall be made available to the Medal of Honor Bowl by September 1, 2015.~~

49.sfg **ADD** (State Funded Grant Programs) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize unexpended PARD Grants, Undiscovered SC, and Sports Marketing Grant Programs funds to be carried forward and used for the same purpose. *Timeframes for projects in these grant program are currently two to three years and funds are disbursed on a reimbursable basis.* Fiscal Impact: The impact would be on the grant recipient if the funds are not carried forward to be available to reimburse the grantees upon completion of the project. Requested by Department of Parks, Recreation, and Tourism.

49.sfg. (PRT: State Funded Grant Programs) Any unexpended general funds appropriated for the PARD Grants, Undiscovered SC, and Sports Marketing Grants Programs shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose.

SECTION 91 - A990 - LEGISLATIVE DEPARTMENT

91.21 **AMEND** (DMV Audit Review) Suspends, for FY 2015-16, the requirement that the LAC conduct an independent review of the DMV and directs that any savings generated be used to conduct audits as requested by members of the General Assembly.

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PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “Fiscal Year 2015-16” to “the current fiscal year.”

91.21. (LEG: DMV Audit Review) For ~~Fiscal Year 2015-16~~ *the current fiscal year*, the provisions of Section 56-1-5(F) are suspended. Any savings generated by not conducting the review shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

91.22 **AMEND** (Electronic Correspondence) Prohibits the House of Representatives, during FY 2015-16, from spending funds to print or mail bills, summaries, committee agendas, etc. to committee members. Directs that relevant information on committee meetings be sent to members electronically.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “Fiscal Year 2015-16” to “the current fiscal year.”

91.22. (LEG: Electronic Correspondence) For ~~Fiscal Year 2015-16~~ *the current fiscal year*, the House of Representatives may not expend any funds for the printing or mailing of bills, summaries, committee agendas, etc. to committee members. The House of Representatives shall send all relevant information concerning committee meetings to committee members via electronic means.

91.23 **AMEND** (Technology Panel) Directs the K-12 Technology Initiative partnership provide a report that describes the state’s efforts to facilitate providing cost effective connectivity and internet bandwidth to schools and libraries statewide and to report on certain technology related activities by June 1, 2016.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update report due date to June 1, “2017.”

91.23. (LEG: Technology Panel) Of the funds appropriated in XII.E.2. for Technology the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state’s efforts to facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and utilization of technological and online resources to support student development and achievement, the development and utilization of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational technology related activities engaged in by the partnership. Further, the report must detail information on the expenditure of the K-12 Technology funds by each district as well as a list of the districts requesting flexibility in the use of those funds. The report shall be submitted no later than June 1, ~~2016~~ 2017.

91.25 **DELETE** (Act 388 Study Committee) Establishes a Senate study committee to review and study the effects of Act 388 of 2006 on various classes of property and require findings and recommendations be submitted to the General Assembly by June 30, 2016.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

91.25. (LEG: Act 388 Study Committee) ~~Of the funds appropriated to the Senate, a study committee shall be established to review and study the effects of Act 388 of 2006 on the various classes of property.~~

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Membership of the committee shall be comprised of five members as follows:

- ~~(1) one member of the Senate appointed by the President Pro Tempore of the Senate;~~
- ~~(2) one member of the Senate appointed by the Chairman of the Senate Finance Committee;~~
- ~~(3) one member of the Senate appointed by the Chairman of the Senate Judiciary Committee;~~
- ~~(4) one member of the Senate appointed by the Senate Majority Leader; and~~
- ~~(5) one member of the Senate appointed by the Senate Minority Leader.~~

~~The study committee shall provide a report with findings and recommendations to the General Assembly by June 30, 2016, at which time the study committee shall be dissolved.~~

- 91.27 DELETE** (Voting System Research Committee) Establishes a ten legislative member Joint Voting System Research Committee to identify, evaluate and make an analysis regarding voting systems to be implemented state-wide and directs the committee to determine the level of funding required to acquire and fully implement the system. Directs a report be submitted by January 30, 2016, to the Chairmen of the Senate Finance, Senate Judiciary, House Ways and Means, and Judiciary Committees.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**91.27.** (LEG: Voting System Research Committee) There is created a joint legislative committee, entitled the "Joint Voting System Research Committee." This committee shall be comprised of ten members of the General Assembly, as follows:~~

- ~~(1) the President Pro Tempore of the Senate, or his designee;~~
- ~~(2) the Speaker of the House of Representatives, or his designee;~~
- ~~(3) the Chairman of the Senate Finance Committee, or his designee;~~
- ~~(4) the Chairman of the House Ways and Means Committee, or his designee;~~
- ~~(5) the Chairman of the Senate Judiciary Committee, or his designee;~~
- ~~(6) the Chairman of the House Judiciary Committee, or his designee;~~
- ~~(7) the Majority Leader of the Senate, or his designee;~~
- ~~(8) the Majority Leader of the House of Representatives or his designee;~~
- ~~(9) the Minority Leader of the Senate, or his designee; and~~
- ~~(10) the Minority Leader of the House of Representatives or his designee.~~

~~In the event a designee is appointed they must be selected from the membership of the General Assembly.~~

~~The committee shall identify and evaluate current voting system technologies that meet the standards established by Title 7 of the 1976 Code. The committee shall issue a report which shall include, but is not limited to, the following:~~

- ~~(1) an evaluation of each form of voting system technology considered by the committee, including costs, usability, reliability, accessibility, ability to conduct random audits of election results, and security matters related to each, as well as any possible solutions to address any concerns raised;~~
- ~~(2) consideration of best practices established by the United States Election Assistance Commission; and~~
- ~~(3) an analysis as to which technology should be implemented in South Carolina. This analysis shall include costs to acquire and fully implement the recommended technology for a statewide uniform voting system. The analysis must include proposed milestones and success measures for implementation.~~

~~The report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Judiciary~~

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Committee, and the Chairman of the House Judiciary Committee no later than January 30, 2016, after which the committee shall be dissolved.

~~Staff for the joint committee shall be provided by the Senate Finance Committee, the House Ways and Means Committee, the Senate Judiciary Committee, and the House Judiciary Committee. Members of the study committee shall serve without compensation for per diem, mileage, and subsistence.~~

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

93.13 DELETE (Outside Legal Counsel) Requires DOA to follow procurement code procedures if OEPP hires outside legal counsel.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~93.13. (DOA: Outside Legal Counsel) In the event circumstances necessitate that the Department of Administration, Office of Executive Policy and Programs acquire the services of outside legal counsel, the Department of Administration must follow procedures established by the SC Consolidated Procurement Code.~~

93.24 DELETE (Compensation - Agency Head Salary) Provides a process for establishing the compensation for agency heads and technical college presidents. Requires DOA contract for a compensation study of agency heads and technical college presidents every four years.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Technical. Moved to the State Fiscal Accountability Authority section, proviso 104.ahs since the Agency Head Salary Commission is under the purview of SFAA.* Requested by Department of Administration and State Fiscal Accountability Authority.

~~93.24. (DOA: Compensation - Agency Head Salary) In the event of an agency head or technical college president vacancy, the governing board of the agency or the Governor, or the appointing authority of a technical college president, must have the prior favorable recommendation of the Agency Head Salary Commission to set, discuss, offer, or pay a salary for the agency head or technical college president at a rate that exceeds the minimum of the range established by the Agency Head Salary Commission. No agency head or technical college president shall be paid a salary higher than that recommended by the commission. Boards and commissions, or the Governor if he is the appointing authority, of newly created agencies or technical colleges shall not offer or pay a salary to a prospective agency head until a salary range has been established and the salary approved by the Agency Head Salary Commission. The funding of the salaries of any agency head or technical college president should come from resources within the agency. The Department of Administration shall contract every four years for a study of agency head and technical college president compensation. The cost of the study must be shared by the participating agencies. The staff of the State Fiscal Accountability Authority shall serve as the support staff to the Agency Head Salary Commission. Limited only by the maximum of the respective salary range, the General Assembly authorizes the respective appointing authority for an agency head or technical college president to provide salary increases for an agency head or technical college president not to exceed that recommended by the Agency Head Salary Commission. No agency head or technical college president 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.~~

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93.28 DELETE (Classification and Compensation System Study) Directs DOA, Human Resources Division to contract for an in-depth study of the state's class and comp system and limits the cost of the study to not more than \$300,000. Directs that findings and an implementation plan be submitted by January 4, 2016 to the Classification and Compensation System Study Committee; creates the study committee and directs that the committee review the findings and the plan and deliver a report and recommendations to the Chairmen of the Senate Finance and House Ways and Means Committees.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The report has been submitted, the study committee is being formed.*

~~93.28. (DOA: Classification and Compensation System Study) (A) The Department of Administration, Human Resources Division shall enter into a contract to conduct an in-depth study of the state's classification and compensation system. For purposes of the study, compensation shall include comprehensive employee benefits. The vendor must have experience with a state's compensation system. The study shall include, but not be limited to:~~

- ~~(1) methods used to develop and determine position classifications;~~
- ~~(2) methods used to set pay grade minimum, midpoint, and maximum;~~
- ~~(3) appropriate market comparisons including, but not limited to, the private sector and local governments;~~
- ~~(4) methods to minimize salary disparities within an agency and within state government;~~
- ~~(5) methods of developing and sustaining a consistent long term salary increase administrative policy for state government;~~
- ~~(6) recruitment and retention tools including, but not limited to, the impact of the Teacher and Employee Retirement Incentive program;~~
- ~~(7) a process to address longevity pay deficits that currently exist;~~
- ~~(8) a state compensation philosophy statement;~~
- ~~(9) an analysis of merit based compensation for employees and~~
- ~~(10) an analysis of unnecessary, underutilized, and duplicative positions in order to use that pay to increase salaries of existing employees.~~

~~The study should also include interviews with agency heads and human resource staff from state agencies of various sizes. The cost of the study shall not exceed \$300,000.~~

~~The findings of the study along with an implementation plan outlining the steps, sequences, and costs for implementing study recommendations and findings shall be submitted by January 4, 2016 to the Classification and Compensation System Study Committee as defined herein.~~

~~(B) There is created the Classification and Compensation System Study Committee which shall examine the findings and recommendations submitted by the Department of Administration, Human Resources Division on the state's classification and compensation system.~~

~~The committee shall be composed of eleven members, which shall be appointed as follows: two members appointed by the Governor; two members appointed by the President Pro Temporal of the Senate; two members appointed by the Speaker of the House of Representatives; two members appointed by the Chairman of the Senate Finance Committee; two members appointed by the Chairman of the House Ways and Means Committee; and one member appointed by the SC State Employees Association. The members shall elect a chairman at the first meeting of the committee.~~

~~No later than six months after the date from which a vendor contract has been signed, the committee shall prepare and deliver a report and recommendation to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.~~

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~~Staff for the committee shall be provided by the Senate Finance Committee and the House Ways and Means Committee. Members of the study committee shall serve without compensation for per diem, mileage, and subsistence.~~

- 93.30** **AMEND** (Emerging Leaders Program) Directs DOA, Office of Human Resources to establish an Emerging Leaders Program designed to identify and develop the next generation of state government leaders by attracting and/or retaining imminent or recent graduates to careers in public services. Requires the program to be cohort-based and for participants to complete rotations in a variety of functional roles that focus on budgeting, policymaking, operations/service delivery and other appropriate/elective fields. Requires the plans for the program be completed in time for the first cohort of participants to be selected by June 30, 2016. **PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to update calendar year reference to “2017.” *DOA is still working on the plan.*

93.30. (DOA: Emerging Leaders Program) (A) With the funds appropriated to the Office of Human Resources, the Department of Administration shall establish an Emerging Leaders Program (ELP) that is designed to identify and develop the next generation of South Carolina state government's leaders by attracting and/or retaining imminent or recent graduates of relevant post-baccalaureate programs to careers in public service. In order to cultivate effective and innovative leaders with demonstrated problem-solving capabilities, the program shall be cohort-based and require participants to complete rotations in a variety of functional roles that focus on budgeting, policymaking, operations/service delivery, and other appropriate/elective fields. These rotations shall be augmented by and interspersed with classroom-based modules on organizational behavior, decision-making processes, principles of leadership, and other appropriate topics. The program's ultimate design shall reflect the department's assessment of best practices in both public-sector and private-sector management and/or leadership development programs.

(B) Plans for the program shall be completed in time for the first cohort of participants to be selected by June 30, ~~2016~~ 2017.

- 93.31** **DELETE** (Union County Bus Shop) Directs the DOA, Division of General Services to distribute the proceeds from the sale of the Union County Bus Shop equally to the Union County School District and Union County. **PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *The property has been sold.*

~~**93.31.** (DOA: Union County Bus Shop) Notwithstanding any other provision of this act, the Division of General Services, Department of Administration, must distribute the proceeds from the sale of the Union County Bus Shop equally to Union County School District and Union County.~~

SECTION 95 - E040 - OFFICE OF THE LIEUTENANT GOVERNOR

- 95.va** **ADD** (Vulnerable Adult Guardian ad Litem Carry Forward) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize unexpended Vulnerable Adult Guardian ad Litem Program funds to be carried forward and used for the same purpose. Requested by Lieutenant Governor's Office.

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95.va. (LTG: Vulnerable Adult Guardian ad Litem Carry Forward) Any unexpended funds from appropriation to the Lieutenant Governor's Office on Aging for the Vulnerable Adult Guardian ad Litem Program shall be carried forward from the prior fiscal year and used for the same purpose.

SECTION 97 - E120 - OFFICE OF COMPTROLLER GENERAL

97.1 AMEND (Signature Authorization) Authorizes the Comptroller General to designate signature authority to certain employees for the approval of warrants for payment to the State Treasurer. **PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to authorize designated employees to approve disbursement documents authorizing payment. *Updates the language to reflect current practices and disbursement processes under SCEIS.* Requested by Office of the Comptroller General.

97.1. (CG: Signature Authorization) The Comptroller General is hereby authorized to designate certain employees to ~~sign~~ approve, in his stead, ~~warrants drawn against the State Treasurer~~ disbursement documents authorizing payment, and the State Treasurer is hereby authorized to accept such ~~signatures~~ approved disbursement documents when notified by the Comptroller General. This provision shall in no way relieve the Comptroller General of responsibility.

97.3 AMEND (Payroll Deduction Processing Fee) Authorizes the Comptroller General to charge a fee of not more than 20 cents for processing certain payroll deductions and to retain and expend the revenue to support the operations of the office. Exempts charitable deductions from the charge. Authorizes any unexpended funds to be carried forward and used for the same purpose. **PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change the payroll deduction processing fee from 20 cents to 25 cents and specify that this cost is borne by vendors and other third parties receiving the deductions and not by state employees. Fiscal Impact: RFAO indicates that the additional 5 cents would generate an additional \$45,434 in agency revenue. Requested by Office of the Comptroller General.

97.3. (CG: Payroll Deduction Processing Fee) There shall be a fee for processing payroll deductions, not to exceed ~~twenty~~ twenty-five cents, for insurance plans, credit unions, deferred compensation plans, benefit providers, and professional associations per deduction per pay day. This fee shall not be applied to charitable deductions. Vendors and other third parties receiving payroll deductions shall bear the entire cost of this fee, at no cost to state employees. The revenues generated from these fees and those provided for child support deductions in accordance with Section 63-17-1460(C), South Carolina Code of Laws, 1976, as amended, may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and utilized for the same purposes.

SECTION 98 - E160 - OFFICE OF STATE TREASURER

98.12 DELETE (Identity Theft Reimbursement Fund) Establishes the Department of Revenue Identity Theft Reimbursement Fund for the purpose of reimbursing eligible expenses incurred by an eligible person. Allow unexpended funds to be retained, carried forward, and expended for the same purpose.

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PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *There have been no reimbursements made from the fund.* Fiscal Impact: The current balance in the fund is \$400,000. Requested by State Treasurer's Office.

~~98.12. (TREAS: Identity Theft Reimbursement Fund) (A) There is established in the State Treasury the Department of Revenue Identity Theft Reimbursement Fund which must be maintained separately from the general fund of the State and all other funds. The proceeds of the fund must be utilized to reimburse eligible expenses incurred by an eligible person. The obligation to reimburse claims pursuant to this section does not arise until monies are credited to the fund, and only to the extent that monies are credited to the fund. Any monies remaining in the fund at the end of the fiscal year shall be retained, carried forward, and expended for the same purpose.~~

~~(B) A person seeking reimbursement from the fund must file with the Treasurer a claim on a form prescribed by him and verified by the claimant. The Treasurer shall consider each claim within ninety days after it is filed and give written notice to the claimant if the claim is denied in whole or in part. If a claim is allowed, the Treasurer shall reimburse the eligible person in an amount equal to his eligible expenses subject to availability of monies in the fund. The decision by the Treasurer regarding a claim is a final agency decision that may be appealed to the Administrative Law Court pursuant to the Administrative Procedures Act naming the Treasurer as the defendant. The action must be brought within ninety days after the Treasurer's decision or within one hundred eighty days after the filing of the claim if he has failed to act on it.~~

~~(C) The State Treasurer shall set forth policies and make the necessary determinations to implement the provisions of this section, including the disbursal of proceeds of the fund.~~

~~(D) For the purposes of this provision:~~

~~(1) 'Eligible person' shall mean a person whose personally identifiable information was obtained by a third party from a compromised computer system maintained by a state agency, board, committee, or commission.~~

~~(2) 'Eligible expenses' shall mean financial losses incurred by an eligible person directly related to the misappropriation of the eligible person's personally identifiable information that was obtained by a third party from a compromised computer system maintained by a state agency, board, committee, or commission. Expenses for services provided by private entities to assist eligible persons with financial losses are not eligible expenses to the extent such services are offered through the State or a state supported program free of charge.~~

~~(3) 'Financial losses' shall mean actual losses, including, but not limited to, lost wages, costs incurred by an eligible person related to correcting his credit history or credit rating, or costs or judgments related to any criminal, civil, or administrative proceeding brought against the eligible person resulting from the misappropriation of the victim's personally identifiable information not recovered from any other source. Costs associated with the purchase of identity theft protection and identity theft resolution services are not financial losses.~~

~~(4) 'Identity theft protection' means identity fraud and protection products and services that attempt to proactively detect, notify, or prevent unauthorized access or misuse of a person's identifying information or financial information to fraudulently obtain resources, credit, government documents or benefits, phone or other utility services, bank or savings accounts, loans, or other benefits in the person's name.~~

~~(5) 'Identity theft resolution services' means products and services that attempt to mitigate the effects of identity fraud after personally identifiable information has been fraudulently obtained by a third party, including, but not limited to, identity theft insurance and other identity theft resolution services that are designed to resolve actual and potential identity theft and related matters.~~

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~~(6) ‘Person’ shall mean an individual, corporation, firm, association, joint venture, partnership, limited liability corporation, or any other business entity.~~

~~(7) ‘Personally identifiable information’ means information that can be used to uniquely identify, contact, or locate a single person or can be used with other sources to uniquely identify a single individual, including, but not limited to, social security numbers, debit card numbers, and credit card numbers.~~

SECTION 99 - E190 - RETIREMENT SYSTEM INVESTMENT COMMISSION

99.1 AMEND (Retirement Investment Commission Audit) Suspends, for FY 2015-16, the requirement that the Inspector General employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission and directs any savings from not conducting the audit be used to conduct the required PEBA audit.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2016-17.”

99.1. (RSIC: Retirement Investment Commission Audit) For Fiscal Year ~~2015-16~~ 2016-17, the provisions of Section 9-16-380 requiring the Inspector General to employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission as required by Section 9-16-380 of the 1976 Code shall be suspended. Any savings generated by not conducting the audit shall be used to conduct audits required by Section 9-4-40 of the 1976 Code.

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

100.sga ADD (State Guard Activation) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the Adjutant General to compensate State Guard personnel at a rate of \$150 per day and to compensate for meal per diem according to National Guard and State policy in the event they are called into State Active Duty. Requested by Office of Adjutant General.

100.sga. (ADJ: State Guard Activation) In the event of activation of the State Guard of the South Carolina National Guard to State Active Duty, the Office of the Adjutant General is authorized to compensate State Guard personnel at a rate of \$150 per day and to also compensate such personnel for meal per diem as authorized by National Guard and State policy.

SECTION 101 - E280 - ELECTION COMMISSION

101.7 AMEND (Training & Certification Program) Requires all members and staff of County Boards of Voter Registration and Elections to receive training on their duties and responsibilities; allows the Election Commission to charge a fee for the courses; to retain up to \$35,000 of the revenue to help cover the costs of providing the training; and to retain and carry forward unexpended revenue to be used for the same purpose. Requires the Election Commission to withhold member’s stipends if they do not complete the required training and certification program and provides for member replacement for noncompliance.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete reference to “commission.” *All county boards of voter registration and election commissions were combined per Act 196 of 2014 and there are no longer any separate county election commissions.* Requested by Election Commission.

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101.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board ~~or commission~~ member completes the training and certification program, but fails to complete at least one training course per year. The board ~~or commission~~ member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board ~~or commission~~ member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board ~~or commission~~ member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board ~~or commission~~ member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board ~~or commission~~.

SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY

104.5 **AMEND** (Insurance Coverage for Aging Entity Authorized) Authorizes the Insurance Reserve Fund to provide insurance coverage for certain local aging entities. Directs that the IRF and the State shall not be liable for any coverage insufficiencies.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to "2016-17."

104.5. (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for Fiscal Year ~~2015-16~~ 2016-17, is also authorized to offer insurance coverage to an aging entity and its employees serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve Fund and the State of South Carolina shall not be liable to any person or entity, including an insured, for any insufficiencies of coverage provided hereunder.

104.ahs **ADD** (Compensation - Agency Head Salary) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to provide a process for establishing the compensation for agency heads and technical college presidents. Require SFAA contract for a compensation study of agency heads and technical college presidents every four years. *Technical. Moved proviso 93.24 from the Department of Administration since the Agency Head Salary Commission is under the purview of SFAA.* Requested by Department of Administration and State Fiscal Accountability Authority.

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104.ahs. (DOA: Compensation - Agency Head Salary) In the event of an agency head or technical college president vacancy, the governing board of the agency or the Governor, or the appointing authority of a technical college president, must have the prior favorable recommendation of the Agency Head Salary Commission to set, discuss, offer, or pay a salary for the agency head or technical college president at a rate that exceeds the minimum of the range established by the Agency Head Salary Commission. No agency head or technical college president shall be paid a salary higher than that recommended by the commission. Boards and commissions, or the Governor if he is the appointing authority, of newly created agencies or technical colleges shall not offer or pay a salary to a prospective agency head until a salary range has been established and the salary approved by the Agency Head Salary Commission. The funding of the salaries of any agency head or technical college president should come from resources within the agency. The State Fiscal Accountability Authority shall contract every four years for a study of agency head and technical college president compensation. The cost of the study must be shared by the participating agencies. The staff of the State Fiscal Accountability Authority shall serve as the support staff to the Agency Head Salary Commission. Limited only by the maximum of the respective salary range, the General Assembly authorizes the respective appointing authority for an agency head or technical college president to provide salary increases for an agency head or technical college president not to exceed that recommended by the Agency Head Salary Commission. No agency head or technical college president 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.

SECTION 106 - F300 - STATEWIDE EMPLOYEE BENEFITS

106.1 DELETE (FY 2015-16 Employee Bonus) Provides for a one-time lump sum bonus of \$800 on October 16, 2015, to state employees in a FTE position who has been in continuous state service for at least six months prior to 7/1/15 and who earns less than \$100,000. Directs agencies to pay the bonus for federal and other funded employees from federal and other funds available to the agency. Directs that the earnings limitation in proviso 117.55 of H.3701 does not apply.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The bonus has been paid.*

~~106.1. (SEB: FY 2015-16 Employee Bonus) From the funds appropriated to Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 16, 2015, the Department of Administration shall allocate to state agencies \$23,500,000 to provide for a one time lump sum bonus. Each permanent state employee, in a full time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2015, and who earns less than \$100,000 shall receive an \$800 one time lump sum payment. This payment is not a part of the state employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee's base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee's salary. The earnings limitation in Proviso 117.55 of H. 3701, R. 127, Act 91 of 2015, does not apply to this bonus.~~

~~Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.~~

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SECTION 112 - V040 - DEBT SERVICE

112.1 AMEND (Excess Debt Service) Directs that excess debt service funds from FY 2014-15 be carried forward and spent in FY 2015-16 to pay down general obligation bond debt (1) with the highest interest rate, (2) will achieve relief in constrained debt capacity, or (3) will reduce the amount of debt issued.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references.

112.1. (DS: Excess Debt Service) Excess debt service funds from Fiscal Year ~~2014-15~~ 2015-16 must be carried forward and expended in Fiscal Year ~~2015-16~~ 2016-17 to pay down general obligation bond debt for which the State (1) is paying the highest rate of interest, (2) will achieve relief in constrained debt capacity, or (3) reduce the amount of debt issued.

SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE TREASURER

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

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references to “2016-17.”

113.2. (AS-TREAS: Quarterly Distributions) For Fiscal Year ~~2015-16~~ 2016-17, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with the four distributions together totaling the Fiscal Year ~~2015-16~~ 2016-17 Part IA appropriation for the Local Government Fund.

113.5 AMEND (LGF) Suspends Sections 6-27-30 [FUNDING OF LOCAL GOVERNMENT FUND FROM GENERAL FUND REVENUES] and 6-27-50 [RESTRICTIONS ON AMENDMENT OR REPEAL OF CHAPTER] for Fiscal Year 2014-15.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2016-17.”

113.5. (AS-TREAS: LGF) For Fiscal Year ~~2015-16~~ 2016-17, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

113.7 AMEND (Political Subdivision Flexibility) Authorizes political subdivisions that receive Local Government Fund monies to reduce the amount of support they provide to any state mandated program or requirement up to the percentage their Local Government Fund appropriation has been reduced compared to the amount required to be funded by law, but excludes the court system from the reductions.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2016-17.”

113.7. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year ~~2015-16~~ 2016-17, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the

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amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters-in-Equity and their offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices.

- 113.wf ADD (Withholding Funds) PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that if any political subdivision collects fines from enforcement of any local ordinance, rule, or regulation that alters, amends, or conflicts with Chapter 5 of Title 56 [Uniform Act Regulating Traffic on Highways], the State Treasurer must withhold from that political subdivision's Local Government Fund distribution an amount equal to any amount that is in excess of the amounts authorized by Chapter 5 of Title 56. Direct that the withholding provision also applies to fines collected from enforcement of any local ordinance, rule or regulation that is similar to a provision of Chapter 5 of Title 56.

113.wf. (AS-TREAS: Withholding Funds) In the current fiscal year, if any political subdivision of this State collects fines from the enforcement of any local ordinance, rule, or regulation which alters, amends, or otherwise conflicts with Chapter 5, Title 56 of the 1976 Code, the State Treasurer must withhold an amount of the political subdivision's Local Government Fund distribution equal to the amount of the fines the political subdivision has collected that are in excess of the amounts authorized by Chapter 5 of Title 56. The withholding provision contained in this paragraph also applies to fines collected from the enforcement of a local ordinance, rule, or regulation that is similar to a provision of Chapter 5 of Title 56.

SECTION 117 - X900 - GENERAL PROVISIONS

- 117.2 AMEND (Appropriations From Funds)** Directs that funds appropriated from the General Fund, EIA Fund, Highways and Public Transportation Fund and other applicable funds are to meet the ordinary expenses of the State for FY 2015-16.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to "2016-17."

117.2. (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part, if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways and Public Transportation Fund, and other applicable funds, to meet the ordinary expenses of the state government for Fiscal Year ~~2015-16~~ 2016-17, and for other purposes specifically designated.

- 117.3 AMEND (Fiscal Year Definitions)** Defines current and prior fiscal year time frames.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references from "2015" to "2016;" "2016" to "2017;" and "2014" to "2015."

117.3. (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, "current fiscal year" means the fiscal year beginning July 1, ~~2015~~ 2016, and ending June 30, ~~2016~~ 2017, and "prior fiscal year" means the fiscal year beginning July 1, ~~2014~~ 2015, and ending June 30, ~~2015~~ 2016.

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- 117.38 AMEND** (Personal Property Tax Relief Fund) Suspends Section 12-37-2735 [PERSONAL PROPERTY TAX RELIEF FUND]. *Reduces the amount credited to the Personal Property Tax Relief Fund from \$20 million to zero.* Directs that if a county imposes the Personal Property Tax Exemption Sales Tax and a sales tax rate of 2% of gross proceeds of sale is insufficient to offset the property tax not collected, sufficient amounts must be credited to the Trust Fund for Tax Relief to provide the reimbursement to offset such a shortfall.
- PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to delete suspension of Section 12-37-2735. *This section was repealed by Act 87 of 2015.*

117.38. (GP: Personal Property Tax Relief Fund) ~~For the current fiscal year, Section 12-37-2735 of the 1976 Code is suspended.~~ If the Personal Property Tax Exemption Sales Tax is imposed in a county and a sales tax rate of two percent of gross proceeds of sales is insufficient to offset the property tax not collected, sufficient amounts must be credited to the Trust Fund for Tax Relief established pursuant to Section 11-11-150 of the 1976 Code to provide the reimbursement to offset such a shortfall in the manner provided in Section 4-10-540(A) of the 1976 Code.

- 117.58 AMEND** (Year-End Financial Statements - Penalties) Provides timeframes for submission of annual audited financial statements by agencies and other reporting entities to the Comptroller General for inclusion in the State's CAFR. Requires agencies not in compliance to appear before the Comptroller General and provide an explanation for the delay.
- PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to specify that "institutions" are included in the requirement to submit annual audited financial statements for inclusion in the CAFR. Specify that if an entity's fiscal year-end is June 30th, the due date is October 1st and if an institution or entity's fiscal year-end is other than June 30th, the statement must be submitted within 120 days of that fiscal year-end. Delete the requirement that if noncompliant, the agency must appear before the Comptroller General and explain the delay. Require the Comptroller General to provide a report to SFFA by November 30th of each noncompliant agency, institution, or other reporting entity. Requested by Office of Comptroller General.

117.58. (GP: Year-End Financial Statements - Penalties) Agencies, institutions, and other reporting entities required to submit annual audited financial statements for inclusion in the State's Comprehensive Annual Financial Report must ~~comply with the submission dates stipulated in the State Auditor's Office audit contract~~ submit final audited financial statements to the Comptroller General not later than October 1st for those with fiscal year-end June 30th. For institutions and reporting entities with fiscal year-ends other than June 30th, final audited financial statements must be submitted to the Comptroller General within 120 days of that fiscal year-end. ~~If the audit was not contracted by the State Auditor's Office, the final audited financial statements are due not later than October tenth for the prior fiscal year. Each agency that does not comply with the provisions of this proviso shall appear before the Comptroller General, providing an explanation for the delay.~~ The Comptroller General shall provide a written report of each agency, institution, or other reporting entity not in compliance with this provision to the State Fiscal Accountability Authority by November 30th.

- 117.72 AMEND** (Printed Report Requirements) Directs that for Fiscal Year 2015-16, certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically. Waive the submission of certain reports.

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PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update the fiscal year references to “2016-17.”

117.72. (GP: Printed Report Requirements) (A) For Fiscal Year ~~2015-16~~ 2016-17, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year ~~2015-16~~ 2016-17, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year ~~2015-16~~ 2016-17, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and shall instead only submit the documents electronically.

(D) For Fiscal Year ~~2015-16~~ 2016-17, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

117.105 AMEND (Technology and Remediation) Requires that funds appropriated to DOA, Division of Information Security be used to develop and implement a statewide information security program. Allows a portion of the non-recurring funds to be used for enterprise technology and remediation and be distributed to state agencies to address critical information security vulnerabilities as determined by the Division of Information Security and the Division Technology Operations.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to exclude Enterprise Technology and Remediation funds from the calculation of any across-the-board base reduction mandated by EBO or the General Assembly. Allow Enterprise Technology and Remediation funds to be carried forward and used for the same purpose.

117.105. (GP: Technology and Remediation) The funds appropriated to the Department of Administration for the Division of Information Security shall be used to develop and implement a statewide information security program. A portion of the nonrecurring funds may be used for enterprise technology and remediation, and distributed to state agencies to address the State’s most serious information security vulnerabilities as determined by the Division of Information Security and the Division of Technology Operations. Funds appropriated for Enterprise Technology and Remediation shall be excluded from the Department of Administration’s base budget calculation of any across-the-board agency base reduction mandated by the Executive Budget Office or the General Assembly. Unexpended Enterprise Technology and Remediation funds may be carried forward from the prior fiscal year and used for the same purpose.

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117.114 AMEND (Information Technology and Information Security Plans) Requires all state agencies to submit an information technology plan and an information security plan for FY 2015-16 to the Department of Administration by October 1, 2015; to submit updates to the plan if changes are made after initial submission; and specifies information required to be included in the plans. Excludes the Judicial and Legislative Departments, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies from the requirements of this provision.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update plan due date to October 1, “2016” and fiscal year reference to “2016-17.”

117.114. (GP: Information Technology and Information Security Plans) (A) By October 1, ~~2015~~ 2016, all state agencies must submit an information technology plan and an information security plan for Fiscal Year ~~2015-16~~ 2016-17 to the Department of Administration. State agencies must submit updates to their plans if there are changes following initial submission. Changes that would necessitate an updated plan include, but are not limited to, changes in response to technological advancements, changes in legislation, regulation or compliance requirements, newly identified funding sources, or new issues relating to information technology management or business requirements.

The information technology plans required by this section shall be in the form and level of detail required by the department and shall include at least: (1) the information technology objectives of the state agency; (2) an inventory of the state agency’s information technology; (3) any performance measures used by the state agency for implementing its information technology objectives; (4) how the state agency’s development of information technology coordinates with other governmental entities; (5) the state agency’s budget plans for information technology for the coming fiscal year which must include: (a) all fixed, recurring information technology costs, regardless of funding sources; (b) new information technology expenditures for services, hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information technology projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information technology personnel, regardless of funding sources; and (6) the state agency’s need for appropriations for information technology.

The information security plans required by this section shall be in the form and level of detail required by the division and shall include at least: (1) the information security objectives of the state agency; (2) an inventory of the state agency’s information security technology; (3) a profile of the state agency’s compliance with security policies established by the division; (4) a profile of the state agency’s sensitive data and a description of applicable state and federal privacy requirements; (5) a profile of risk management and other measures taken by the state agency to protect its data from unauthorized access and disclosure; (6) the state agency’s budget plans for information security for the coming fiscal year which must include: (a) all fixed, recurring information security technology costs, regardless of funding sources; (b) new information security expenditures for services hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information security projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information security personnel, regardless of funding sources; and (7) the state agency’s need for appropriations for information security.

(B) The director of the Department of Administration should seek advice from private and public sector resources on the efficient use of information technology and best practices.

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(C) The Judicial Department, Legislative Department, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this proviso.

117.117 AMEND (ABLE Savings Expense Fund) Establishes the South Carolina ABLE Savings Expense Fund in the Office of the State Treasurer to allow for tax-exempt savings accounts for disability-related expenses for individuals entitled to benefits based on blindness or disability under specific titles of the Social Security Act or for individuals with a disability certification signed by a physician.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct that “eligible individuals” are those as defined in Section 529A(e)(1) [QUALIFIED ABLE PROGRAMS] of the federal Internal Revenue Code. Authorize the State Treasurer to develop, implement, and administer the ABLE Fund consistent with federal code and authorizing legislation. Authorize the State Treasurer to charge and collect administrative fees and service charges and engage a program manager for the fund. *Conforms to H.3768.*

117.117. (GP: ABLE Savings Expense Fund) For the current fiscal year, the South Carolina ABLE Saving Expense Fund is established in the Office of the State Treasurer to allow for tax-exempt savings accounts for disability-related expenses for ‘eligible individuals’ as defined in Section 529A(e)(1) of the federal Internal Revenue Code of 1986, as amended ~~as being entitled to benefits based on blindness or disability under Title II or XVI of the Social Security Act, or individuals with a disability certification, which must state that “the individual has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months,” or is blind. The certification must include the diagnosis and be signed by a physician.~~

As the administrator of the ABLE Fund, the State Treasurer may develop, implement and administer the ABLE Fund in a manner consistent with Section 529A of the federal Internal Revenue Code of 1986, as amended and the authorizing legislation. The Treasurer will establish the methods by which the funds held in accounts will be collected, invested and disbursed. The Treasurer may charge and collect administrative fees and service charges in connection with any agreement or transaction relating to the program, including an annual account maintenance fee. All expenses incurred by the State Treasurer in developing and administering the ABLE Savings Program must be payable from the South Carolina ABLE Savings Expense Fund. Additionally, the Treasurer may engage financial institutions or other qualified entities to serve as program manager for the ABLE Fund.

An ABLE account within the ABLE Fund must be opened by the eligible individual or an authorized agent, trustee or guardian for the beneficiary. Account opening will require the Treasurer to collect information about the eligible individual and may require the Treasurer to share information with the Social Security Administration in the future. Account opening details, such as maximum contributions annually and over time, will be established by the ABLE Fund and will be in compliance with Section 529A of the Internal Revenue Code.

Funds in an account will be exempt from attachment, garnishments and other creditor claims against the contributor and the beneficiary. These funds will also be disregarded for purposes of determining eligibility for any State public assistance, including Medicaid. However, upon the death of a beneficiary, funds remaining in an account maybe be recovered by the South Carolina Department of Health and Human Services in an amount equal to Medicaid benefits previously paid on behalf of the beneficiary.

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None of the accounts established by and for an eligible individual create an obligation by the State, the State Treasurer or any agency or instrumentality of South Carolina. There are no guarantees with regard to return of principal, a rate of return on investments or any payment of interest or other earnings.

Contributions to a trust account within the Fund by a South Carolina taxpayer will be entitled to a state income tax deduction, subject to any limits on contributions imposed by the Internal Revenue Code. Income earned on investments in a trust account will be deferred from federal and South Carolina taxation while they remain in the account, and will be exempt from federal and South Carolina taxation as long as the funds are used for Qualified Withdrawals. The earnings portion of withdrawals that are used for nonqualified purposes will be subject to federal and South Carolina taxation and any South Carolina income tax deductions taken previously will be recaptured.

117.126 DELETE (Grant Funds) Authorizes the funds granted to the Fountain Inn Kiwanis Club in a prior fiscal year to be used by its successor entity for a like purpose.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**117.126.** (GP: Grant Funds) Funds granted to the Fountain Inn Kiwanis Club in a prior fiscal year may be used for a like purpose by its successor entity.~~

117.sit ADD (Statewide Strategic Information Technology Plan Implementation) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct agencies, in order to ensure uniform implementation of the Statewide Strategic Information Technology Plan: to use shared services from the DOA, Division of Technology Operations (DTO) as services become available; to comply with DTO information technology rules, standards, plans, policies, and directives; to participate and comply with decisions determined by the IT governance advisory groups; to submit all IT budget requests to the Executive Budget Office and DTO which shall review and make recommendations for funding consideration; to create an information technology plan for purchases that exceed \$50,000 with DTO consultation and approval; to develop a 3 year IT strategic plan, updated annually, for approval by the DTO Chief Information Officer; and to enter IT costs into SCEIS. Direct DOA provide an annual agency compliance report to the Chairmen of the Senate Finance and House Ways and Means Committees by December 31st. Exempt the Legislative and Judicial Branches, higher education institutions, technical colleges, political subdivisions, and quasi-governmental bodies from the requirements of this proviso.

117.sit. (GP: Statewide Strategic Information Technology Plan Implementation) To ensure the uniform implementation of the Statewide Strategic Information Technology Plan developed pursuant to the Restructuring Act of 2014 and designed to improve the State's ability to provide reliable, secure, cost-efficient, and innovative information technology services and infrastructure, state agencies are directed as follows:

(1) Agencies shall use the shared services from the Department of Administration, Division of Technology Operations as those services become available and in a sequence to be determined by the division. Agencies shall coordinate with the division to accomplish a strategic transition to the shared services environment. Shared services include, but are not limited to, mainframe services, application hosting, servers, storage, network services, desktop services, and disaster recovery services. The State Chief Information Officer may grant an exception, to be revisited on a periodic basis, if the division determines that it cannot immediately satisfy the technical or security capabilities required to support the agency in question;

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(2) With regard to information technology governance, standards, and enterprise architecture, agencies shall comply with the rules, standards, plans, policies, and directives of the Division of Technology Operations;

(3) With regard to information technology governance, standards, and enterprise architecture, agencies shall participate and comply with decisions determined by the information technology governance advisory groups.

(4) With regard to the annual Appropriations Act budget submission, agencies shall submit all information technology budget requests to the Executive Budget Office and the Division of Technology Operations. The Executive Budget Office and the Division of Technology Operations shall jointly review the budget requests and recommend for funding consideration only those proposals that fit into the overall Statewide Strategic Information Technology Plan.

(5) With the consultation and approval of the Division of Technology Operations, agencies must create an information technology plan for purchases that exceed \$50,000 to ensure compliance with the Statewide Strategic Information Technology Plan and the standards defined by the division.

(6) Agencies shall develop a three-year strategic plan for information technology, updated annually, for the Division of Technology Operations, that shall be approved by the Chief Information Officer, that sets forth: (a) operational and project priorities; (b) budget summaries; (c) planned projects and procurements; (d) staffing plans; (e) security initiatives; and (f) risks, issues, and concerns with the agency's information technology.

(7) Agencies shall enter information technology costs into the South Carolina Enterprise Information System (SCEIS) as directed by the Division of Technology Operations and SCEIS.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency compliance no later than December 31st of each calendar year.

The Legislative Branch, the Judicial Branch, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this provision.

SECTION 118 - X91-STATEWIDE REVENUE

118.1 AMEND (Year End Cutoff) Directs year-end expenditure deadlines.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year references to “2017.” Requested by Office of Comptroller General.

118.1. (SR: Year End Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, ~~2016~~ 2017. State agencies are required to submit all current fiscal year input documents and all electronic workflow for accounts payable transactions to the Office of Comptroller General by July 14, ~~2016~~ 2017. Appropriations for Permanent Improvements, 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 Fiscal Accountability Authority and Joint Bond Review Committee, toward the accomplishment of the purposes for which the appropriations were provided. Appropriations 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 Fiscal Accountability

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Authority, toward the accomplishment of the purposes for which the appropriations were provided.

- 118.12 DELETE** (Nonrecurring Revenue) Appropriates non-recurring revenue to various agencies for Fiscal Year 2015-16, generated from specific sources.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~118.12. (SR: Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:~~

- ~~(1) \$19,740,576 from Fiscal Year 2013-14 Contingency Reserve Fund;~~
- ~~(2) \$19,280,467 from Fiscal Year 2014-15 unobligated general fund revenue as certified by the Board of Economic Advisors;~~
- ~~(3) \$27,802,168 from the Litigation Recovery Account; and~~
- ~~(4) \$49,500,000 from Fiscal Year 2015-16 non-recurring contribution from the Unclaimed Property Fund.~~

~~Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2014-15 and shall be available for use in Fiscal Year 2015-16.~~

~~This revenue is deemed to have occurred and is available for use in Fiscal Year 2015-16 after September 1, 2015, following the Comptroller General's close of the state's books on Fiscal Year 2014-15.~~

~~(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.~~

~~The State Treasurer shall disburse the following appropriations by September 30, 2015, for the purposes stated:~~

(1) General Reserve Fund Contribution\$ 8,140,680
(2) H630 Department of Education	
(a) Secure Vendor for Teacher Evaluation System\$ 3,000,000
(b) Instructional Materials\$ 14,508,278
(c) Governor's School for the Arts and the Humanities Facilities Management\$ 275,000
(3) A850 Education Oversight Committee	
Reach Out and Read\$ 500,000
(4) H710 Wil Lou Gray Opportunity School	
Campus Infrastructure Improvements\$ 300,000
(5) H750 School for the Deaf and the Blind	
(a) Thackston Hall Roof Replacement\$ 500,000
(b) School Buses\$ 250,000
(6) H790 Department of Archives and History	
(a) Restoration and Repurposing of Fireproof Building (Requires 2:1 Match)\$ 1,500,000
(b) Kings Mountain Fort Thicketty Historic Restoration...\$ 100,000
(c) Historic Heyward House\$ 100,000
(d) Architectural Heritage Preservation\$ 250,000
(7) H910 Arts Commission	
(a) Auntie Karen Foundation Education Through Arts Curriculum\$ 10,000

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	(b) Orangeburg County Fine Arts Center (Requires 2:1 Match).....	\$ 90,000
(8)	H950 State Museum Security System.....	\$ 100,000
(9)	H960 Confederate Relic Room & Military Museum Commission C.A. Huey Collection.....	\$ 390,198
(10)	H030 Commission on Higher Education (a) University Center of Greenville..... (b) Need Based Grants.....	\$ 250,000 \$ 1
(11)	H090 The Citadel Riley Initiative in Government and Public Policy.....	\$ 250,000
(12)	H150 University of Charleston Avery Center.....	\$ 150,000
(13)	H180 Francis Marion University Business/Education School Building.....	\$ 100,000
(14)	H210 Lander University Repair and Replace Science and Math Equipment (STEM)....	\$ 1
(15)	H360 USC Beaufort Campus Hilton Head Gateway Campus Classroom Building.....	\$ 1
(16)	H390 USC Sumter Campus Science Building Renovation.....	\$ 500,000
(17)	H400 USC Union Campus Success Building.....	\$ 67,000
(18)	H470 Winthrop University (a) Library..... (b) Academic Success Center.....	\$ 1 \$ 1
(19)	H590 State Board for Technical and Comprehensive Education (a) ReadySC..... (b) Manufacturing, STEM, and Healthcare Equipment..... (c) Williamsburg Technical College Electrical Technology/MCSC Lab Renovations..... (d) Greenville Technical College Bridge Tech STEM..... (e) Greenville Technical College Center for Manufacturing and Innovation Building..... (f) Florence Darlington Technical College Academic and Workforce Development Building..... (g) Central Carolina Technical College Workforce Center.. (h) Northeastern Technical College Workforce Training Equipment..... (i) Pathways to Workplace Infrastructure Development..... (j) Aiken Technical College Advanced Manufacturing and Industrial Equipment..... (k) Midlands Technical College QuickJobs: MTC CenterRapid Employment..... (l) Spartanburg Community College Composite Manufacturing Training Center.....	\$ 765,881 \$ 2,000,000 \$ 628,000 \$ 65,000 \$ 500,000 \$ 1,000,000 \$ 500,000 \$ 300,000 \$ 1 \$ 1,000,000 \$ 1,000,000 \$ 1,000,000

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(20) D500 – Department of Administration
 South Carolina State University Vendor Debt.....\$ 4,000,000

~~(20.1) Of the funds appropriated above in item 20 for South Carolina State University Vendor Debt, the Department of Administration, Executive Budget Office shall review all outstanding vendor debt to determine the vendors with the most aged outstanding accounts and shall utilize the \$4,000,000 to pay the accounts for which settlement of the outstanding debt would be most advantageous to the university.~~

(21) J020 – Department of Health and Human Services
 (a) Medicaid Eligibility System Replacement.....\$ 2,689,449
 (b) International Classification of Diseases (ICD 10)\$ 561,828
 (c) Medical Contracts\$ 1,700,000
 (d) Osprey Village\$ 200,000

(22) J040 – Department of Health and Environmental Control
 (a) J.R. Clark Sickle Cell Foundation.....\$ 100,000
 (b) Bleeding Disorders Premium Assistance Program\$ 100,000
 (c) National Kidney Foundation\$ 1
 (d) Criminal Domestic Violence (SCCADVASA).....\$ 500,000
 (e) Donate Life – Organ Donor Registry\$ 100,000
 (f) Best Chance/Colon Cancer Networks.....\$ 675,000
 (g) City of North Myrtle Beach – Ocean Water Quality
 Outfall Initiative.....\$ 500,000
 (h) Wateree Community Action Committee (Requires
 1:1 Match).....\$ 250,000
 (i) Indoor Aquatic and Community Center – Richland
 County (Requires 2:1 Match)\$ 100,000
 (j) Real MAD – Real Men Against Domestic Violence.....\$ 100,000

~~(22.1) Of the funds appropriated above in subitem (22)(f), the Department of Health and Environmental Control shall utilize \$475,000 for the Best Chance Network and \$200,000 shall be used as matching funds for the Colon Cancer Prevention Network.~~

(23) J120 – Department of Mental Health
 (a) Information Network Security\$ 250,000
 (b) Community Housing MHA SC\$ 1,800,000
 (c) Replacement of Patient Transportation Vehicles\$ 349,127
 (d) Inpatient Electronic Medical Records.....\$ 2,743,451
 (e) NAMI – Law Enforcement Mental Health Center\$ 250,000
 (f) Waccamaw Mental Health Center – Youth in
 Transition Program\$ 167,000
 (g) Columbia Area Mental Health Center – Relocation from
 Bull Street Property (Requires 2:1 Match)\$ 500,000
 (h) Lander Equestrian Center for Mental Health Treatment...\$ 300,000

(24) J160 – Department of Disabilities and Special Needs
 (a) Autism Services\$ 1,000,000
 (b) Special Family Resource.....\$ 1
 (c) Savannah’s Playground.....\$ 100,000

(25) J200 – Department of Alcohol and Other Drug Abuse Services
 Act 301 Behavioral Health Services.....\$ 2,250,000

(26) L040 – Department of Social Services
 (a) Information Security and Technology Infrastructure.....\$ 922,991
 (b) County Phone System Upgrade\$ 310,234

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(c) Antioch Center	\$ 150,000
(d) CR Neal Dream Center	\$ 150,000
(e) Epworth Children's Home	\$ 100,000
(f) Phillis Wheatley Center—Let's Move Summer Camp and After School Program	\$ 100,000
(g) Pleasant Valley Connection Community Center	\$ 25,000
(h) Donaldson Revitalization Group Center—Homeless Adults Transition Services	\$ 50,000
(i) United Center for Community Care—Greenwood County	\$ 200,000
(27) X220—Local Government Fund—State Treasurer	
(a) Local Government Fund—Counties	\$ 10,409,750
(b) Local Government Fund—Municipalities	\$ 2,090,250
(28) B040—Judicial Department	
Digital Courtroom Recorders	\$ 450,000
(29) E210—Prosecution Coordination Commission	
SC Center for Fathers and Families	\$ 400,000
(30) E230—Commission on Indigent Defense	
Information Technology and Security Infrastructure	\$ 100,000
(31) D100—State Law Enforcement Division	
(a) Technology Equipment/Software	\$ 580,000
(b) Investigative Personnel Operating Expenses	\$ 375,120
(c) Alcohol Enforcement Personnel Operating Expenses	\$ 159,480
(d) Administrative Personnel Operating Expenses	\$ 9,000
(e) Insurance Fraud Investigators Operating Expenses	\$ 106,320
(f) Bike Week Security Overtime Cost	\$ 51,000
(g) Forensic Personnel Operating Expenses	\$ 169,645
(32) K050—Department of Public Safety	
(a) Bike Week Security Overtime Cost	\$ 169,000
(b) Public Safety Coordinating Council—Body Cameras	\$ 1,000,000
(33) N200—Law Enforcement Training Council—Criminal Justice Academy	
(a) Information Security Infrastructure	\$ 277,582
(b) Energy Facility Controls Replacement	\$ 209,957
(c) Fire Panel Replacement	\$ 140,311
(d) Classroom Audio/Visual Equipment	\$ 76,500
(e) Dormitory Water Heater	\$ 66,000
(34) N040—Department of Corrections	
(a) Mental Health Remediation Plan	\$ 1,499,659
(b) Education Improvement Plan/Vocational Equipment	\$ 440,000
(35) N080—Department of Probation, Parole and Pardon Services	
Bike Week Security Overtime Cost	\$ 29,656
(36) N120—Department of Juvenile Justice	
AMI Kids—Beaufort Marine Institute (Requires 1:1 Match) ..	\$ 110,000
(37) P120—Forestry Commission	
Firefighting Equipment	\$ 500,000
(38) P160—Department of Agriculture	
“Certified SC” Marketing	\$ 2,000,000

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(39) P210	South Carolina State University PSA	
	Matching Funds for Federal Grants.....	\$ 740,555
(40) P240	Department of Natural Resources	
	(a) Surface Water Modeling Phase III - Final	\$ 700,000
	(b) Law Enforcement Vehicles for New Officers.....	\$ 1
	(c) High Resolution Elevation Data Development	\$ 500,000
(41) P280	Department of Parks, Recreation and Tourism	
	(a) Parks and Recreation Development Fund.....	\$ 1
	(b) Sports Development Marketing Program.....	\$ 875,000
	(c) Newberry Opera House.....	\$ 60,000
	(d) Palmetto Conservation Foundation - Palmetto Trail.....	\$ 300,000
	(e) Columbia Museum of Art	\$ 200,000
	(f) Hunting Island State Park Cabin Repairs.....	\$ 50,000
	(g) Medal of Honor Museum.....	\$ 1,000,000
	(h) Upstate 9/11 Memorial (Requires 2:1 Match)	\$ 200,000
	(i) Mountain Lakes Destination Promotion and Historic Preservation (Requires 2:1 Match)	\$ 100,000
	(j) Woodrow Wilson Home - National Marketing.....	\$ 125,000
	(k) City of Sumter Green Space Initiative (Requires 1:1 Match).....	\$ 400,000
	(l) Calhoun County Renovation of Former John Ford Middle/High School for Community Center (Requires 2:1 Match).....	\$ 180,000
	(m) Spartanburg City Park Project.....	\$ 300,000
	(n) City of Conway - Renovation of Horry County Museum for Multipurpose Space (Requires 3:1 Match).....	\$ 250,000
	(o) African American History Museum	\$ 5,000,000
	(p) Township Auditorium.....	\$ 250,000
	(q) Manning Avenue/Wilder School Area Green Space Initiative.....	\$ 250,000
	(r) Inman City Market	\$ 100,000
(42) P320	Department of Commerce	
	(a) Closing Fund.....	\$ 3,000,000
	(b) Military Base Task Force	\$ 750,000
	(c) SC Council on Competitiveness	\$ 250,000
	(d) Rock Hill Knowledge Park (Requires 2:1 Match)	\$ 400,000
	(e) Community Development Corporations Initiative.....	\$ 100,000
	(f) IT ology - Coursepower Project.....	\$ 200,000
	(g) LocateSC.....	\$ 2,500,000
	(h) Hartsville Downtown Revitalization - Center Theater (Requires 2:1 Match).....	\$ 500,000
	(i) Marion County Economic Development	\$ 250,000
	(j) Williamsburg County Economic Development	\$ 100,000
	(k) Richland County Economic Development.....	\$ 100,000
(43) R360	Department of Labor, Licensing and Regulation	
	(a) State Fire Marshal: Chester County - Countywide Fire Suppression	\$ 100,000
	(b) State Fire Marshal: Fairfield County - Countywide Fire Suppression	\$ 100,000

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(e) Wind and Seismic Residential Building Requirements	
Study	\$ 40,000
(44) Y140 State Ports Authority	
(a) Jasper Ocean Terminal Permitting	\$ 1,000,000
(b) Port of Georgetown Dredging/Maintenance Dredging	\$ 250,000
(45) L360 Human Affairs Commission	
Community Relations Councils	\$ 119,000
(46) U120 Department of Transportation	
State's Road Salt Infrastructure Maintenance Regional	\$ 945,300
(47) A150 Codification of Laws and Legislative Council	
Dues	\$ 50,000
(48) A170 Legislative Services	
Systems Security	\$ 200,000
(49) E080 Office of Secretary of State	
Charitable Raffle Online Filing and Reporting System	\$ 150,000
(50) E240 Office of Adjutant General	
(a) Armory Maintenance	\$ 1,500,000
(b) State Share Disaster Relief	\$ 300,000
(c) Service Member and Family Care Cost Funding	\$ 250,000
(d) State Active Duty Log Packs	\$ 25,000
(e) Transitioning Military Assistance Programs	\$ 500,000

~~(50.1) Of the funds appropriated above in item (50)(e) for Transitioning Military Assistance Programs, the Office of Adjutant General shall provide \$350,000 to the Technical College of the Lowcountry for the Transitioning Military Training Program and \$150,000 to the Transitional Workforce Education Assistance Collaborative. Both programs shall, at a minimum, provide aviation related training to former and transitioning military members who are preparing for a job in the private sector workforce or shall assist the military members refine the skills they have gained through their military service to match the demands of the job market in the region.~~

(51) R520 State Ethics Commission	
New Investigative Positions Operating Expenses	\$ 25,000

~~Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes.~~

~~(C) From the escrow account established pursuant to Proviso 90.13 of Act 310 of 2008, the remaining funds shall be used to offset any operating shortfalls resulting from the Barnwell Low Level Waste Facility operations in order to preserve the economic viability of the facility. The amount distributed to offset any operating shortfalls shall be determined by calculating the difference between the allowable operating costs plus adjustments as approved by the Public Service Commission, and the access fees paid by the Atlantic Compact generators. Funds remaining in the account to offset operating shortfalls shall also be used to maintain access fees to the facility for Fiscal Year 2015-16 at the Fiscal Year 2009-10 level. There shall also be paid from the escrow account the annual dues of the Southern States Energy Board.~~

118.13 DELETE (Additional Unobligated FY 2014-15 General Fund Surplus Revenue) Appropriates \$150,196,281 of additional nonrecurring unobligated FY 2014-15 General Fund surplus revenues: \$4,117,162 to the Adjutant General for EMD 2014 Winter Storm Local Matching Funds and \$145,829,119 to DOT for the County Transportation Committee Road Program. Authorizes unexpended funds to be carried forward.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

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~~118.13. (SR: Additional Unobligated FY 2014-15 General Fund Surplus Revenue) (A) The source of revenue appropriated in subsection (B) is additional unobligated Fiscal Year 2014-15 General Fund surplus revenues totaling \$150,196,281 as certified by the Board of Economic Advisors on May 29, 2015.~~

~~(B) (1) E240 Office of Adjutant General~~

~~Emergency Management Division: 2014 Winter Storm Local~~

~~Matching Funds\$ 4,117,162~~

~~(1.1) From the funds appropriated in this item for 2014 Winter Storm Local Matching Funds, local governments shall receive allocations to offset storm cleanup expenses resulting from the winter storms during states of emergency declared by Executive Orders 2014-06 and 2014-11. Expenses eligible for reimbursement are those incurred by county and municipal governments and deemed eligible for reimbursement by the Federal Emergency Management Agency (FEMA), but were not reimbursed due to local match requirements. The amount reimbursed to each eligible local government shall be 25% of their Total Non-Federal Aid Share. The intent of the General Assembly is for the local government to pay at least 75% of the Total Non-Federal Aid Share.~~

~~(2) U120 Department of Transportation~~

~~County Transportation Committee Road Program\$ 145,829,119~~

~~(2.1) The Department of Transportation shall distribute the \$145,829,119 appropriated above for the County Transportation Committee Road Program pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.~~

~~Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.~~