

**LEGISLATIVE OVERSIGHT COMMITTEE
SEPTEMBER 27, 2019**

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South Carolina
House of Representatives



Legislative Oversight Committee

*Friday, September 27, 2019
Room 110 - Blatt Building
1:30 p.m.*

Pursuant to Committee Rule 4.9, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.

AMENDED AGENDA

- I. Approval of minutes
- II. Discussion of the Subcommittee Studies
 - A. Education and Cultural Affairs Subcommittee's Study of the Wil Lou Gray Opportunity School ([Executive Summary](#); [Full Report](#))
 - B. Economic Development, Transportation, and Natural Resources Subcommittee's Study of the Department of Motor Vehicles ([Executive Summary](#); [Full Report](#))
 - C. Executive Subcommittee's Study of the Aeronautics Commission ([Executive Summary](#); [Full Report](#))
- III. Discussion of Committee administrative matters, including but not limited to, [Next Agencies to Study](#)
- V. Adjournment

Chair Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

Legislative Oversight Committee



*Micajah P. (Micah) Caskey, IV
Neal A. Collins
Patricia Moore "Pat" Henegan
William M. (Bill) Hixon
Jeffrey E. (Jeff) Johnson
Mandy Powers Norrell
Tommy M. Stringer
Bill Taylor
Robert Q. Williams*

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Robert L. Ridgeway, III
Edward R. Tallon, Sr.
John Taliaferro (Jay) West, IV
Chris Wooten*

*Charles L. Appleby, IV
Legal Counsel*

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

*Kendra H. Wilkerson
Fiscal/Research Analyst*

Legislative Oversight Committee Meeting

**Tuesday, August 13, 2019
Blatt Building Room 110**

Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

Attendance

- I. Pursuant to Committee Rule 3.1, the public-input meeting of the House Legislative Oversight Committee was called to order by Chairman Wm. Weston J. Newton. All members of the Committee were present for all or a portion of the meeting, except Representative Neal A. Collins, Representative Jeffrey E. Johnson, Jr., Representative Martin R. Pendarvis, Representative Tommy M. Stringer, and Representative Bill Taylor.

Minutes

- I. Representative Tallon moved to approve the minutes from the meeting on June 25, 2019. A roll call vote was held, and the motion passed.

Representative Tallon’s motion to approve the minutes from the meeting on June 25, 2019:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Micajah P. “Micah” Caskey, IV	✓			
Gary E. Clary	✓			
Neal A. Collins				✓
Chandra E. Dillard				✓
Laurie Slade Funderburk	✓			
Patricia Moore “Pat” Henegan	✓			
Lee Hewitt	✓			
William M. “Bill” Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffrey E. Johnson				✓
Mandy Powers Norrell	✓			
Marvin R. Pendarvis				✓
Robert L. Ridgeway, III	✓			
Tommy M. Stringer				✓
Edward R. “Eddie” Tallon, Sr.	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			
Christopher Sloan “Chris” Wooten	✓			
Wm. Weston J. Newton	✓			

Discussion of Agenda and Procedure

- I. Chairman Newton stated that one purpose of this meeting was to receive public testimony about the following Departments: Alcohol and Other Drug Abuse Services; Education; Parole, Probation, and Pardon Services; the Secretary of State’s Office; and the South Carolina State Housing Finance and Development Authority. Chairman Newton added that public notice was provided about this public input opportunity in a variety of ways, including notice by statewide press release on July 22, 2019, and through its website.

- II. Chairman Newton further stated that another purpose of the public input meeting is to receive information on agency procedures and practices that are working well or could improve and ways it interacts with individuals and businesses.

- III. **Constituent testimony and Committee minutes summarizing testimony are not the comments or expression of the House Legislative Oversight Committee, any of its Subcommittees, the House of Representatives, or any of these entities staff.**
- IV. **Before each person testified, an oath was administered to the person. Below is the name of each person who testified and the time in the archived video at which the testimony begins.**

Public Input Regarding the Department of Education

- I. No member of the public provided testimony about the Department of Education.

Superintendent of Education Molly Spearman (08:51)

Ms. Spearman testified that the Department of Education has made various improvements. Ms. Spearman stated that safety has improved for students through new equipment and counseling services. Ms. Spearman noted that South Carolina is working with the Department of Mental Health to place counselors in all schools. Ms. Spearman further testified about teacher morale, student achievement, and school district efficiency. Ms. Spearman added that updating textbooks to match the state standards and maintaining data systems are ongoing issues.

Public Input Regarding the Secretary of State's Office

- II. No member of the public provided testimony about the Secretary of State's Office.

Secretary of State Mark Hammond (01:25:46)

Mr. Hammond testified about the positive effects of the Uniform Electronic Transaction Act for the Secretary of State's Office. Mr. Hammond further testified that 2019 was a record year for revenue returned to the General Fund of South Carolina.

Public Input Regarding the Department of Parole, Probation, and Pardon Services

- III. Members of the public provided testimony about the Department of Parole, Probation, and Pardon services or PPP.

Shirene Hansotia (01:43:40)

Ms. Hansotia testified that she resides in Charleston County and is a former public defender who views the agreement to update the South Carolina Department of Corrections inmate classification system positively. Ms. Hansotia further testified that

utilizing this tool to determine release of parolees could be beneficial and enhance community safety.

Stuart Andrews (01:59:29)

Mr. Andrews testified that he resides in Richland County and is a former Chairman of the Department of Education. Mr. Andrews noted that he spoke before the Committee in January and returned to ask for accommodation in public input speaking time extension requests.

Director Jerry Adger (02:11:28)

Mr. Adger is the Director of PPP. Mr. Adger testified about the creation and actions of a task force between SCDC and PPP. Mr. Adger added that PPP is the first probation agency in the United States to receive national accreditation through the Commission for the Accreditation of Law Enforcement Agencies.

Public Input Regarding the South Carolina State Housing Finance and Development Authority

- IV. Members of the public provided testimony about the South Carolina State Housing Finance and Development Authority.

Rhys Quick (00:42)

Mr. Quick testified that he resides in Lexington County and is the President of the Southern Development Management Company. Mr. Quick provided comments about his positive working relationship with HUD. Mr. Quick stated that he is concerned about the federal government contracting out property management, instead of leaving it to the state HUD agencies. Mr. Quick further stated concerns regarding households that rely on federal assistance.

Executive Director Bonita Shropshire (14:49)

Ms. Shropshire testified that she is the Executive Director of the South Carolina State Housing Finance and Development Authority. Ms. Shropshire provided background on this agency and its mission. Ms. Shropshire voiced concerns about the concept of “teacher villages” and conflicts with the federal Fair Housing Act. Ms. Shropshire also testified about the affordable housing crisis in South Carolina. Ms. Shropshire also provided background details on the Housing Trust Fund Emergency Repair Program and waiting lists for Section 8 housing. Ms. Shropshire further testified about a housing need report created by her agency.

Public Input Regarding the Department of Alcohol and Other Abuse Services

- V. Members of the public provided testimony about the Department of Alcohol and Other Abuse Services or DAODAS.

Charlie Stinson (57:52)

Mr. Stinson testified that he resides in Lawrence County and is a member of the Behavioral Health Services Association or BHSA. Mr. Stinson provided background information on BHSA and addiction treatment in South Carolina.

Hubert Yarborough (01:02:50)

Mr. Yarborough testified that he resides in Greenville County and is the Senior Director of Emergency Room Services at FAVOR Greenville. Mr. Yarborough discussed the background of FAVOR and its Emergency Room Program. Mr. Yarborough stated that the program has expanded to seven hospitals in upstate South Carolina and he believes it has been successful.

James Campbell (01:08:31)

Mr. Campbell testified that he resides in Anderson County and is the President of the South Carolina Association of Alcohol and Drug Abuse Counselors (SCAADAC). Mr. Campbell discussed the importance of agency and community collaboration in the realm of addiction. Mr. Campbell further testified about the positive impact of SCAADAC's collaboration with DAODAS.

Terre Marshall (01:13:27)

Ms. Marshall testified that she resides in Lexington County and is the Deputy Director of Health Services for the Department of Corrections or SCDC. Ms. Marshall provided positive feedback regarding the collaborative efforts between SCDC and DAODAS. Ms. Marshall detailed three new programs at SCDC: medication-assisted treatment, NARCAN training, and peer-support specialist training sessions.

Christine Martin (01:20:23)

Ms. Martin testified that she resides in Charleston County and is the Chairperson for the South Carolina Association for the Treatment of Opioid Dependents or SCATOD. She provided background information on SCATOD and positive feedback regarding its collaboration with DAODAS. Ms. Martin stated that she believes DAODAS has done important work and the need for the role this entity fills in South Carolina.

Ed Johnson (01:24:55)

Mr. Johnson testified that he resides in Charleston County and he has been involved with addiction treatment in South Carolina for approximately 30 years. Mr. Johnson further testified that he has been involved with DAODAS technical assistance and training. Mr. Johnson stated that DAODAS is critical to South Carolina's handling of the opioid crisis. Mr. Johnson testified further that it is likely preferable for DAODAS to maintain an independent agency structure instead of merging with another agency.

Virginie Dhequise (01:30:00)

Ms. Dhequise testified that she resides in Richland County and she is the Chronic Disease Director for the Department of Health and Environmental Control or DHEC. Ms. Dhequise also manages the Bureau of Chronic Disease and Prevention, in addition to representing this agency on its emergency response team. Ms. Dhequise stated that she is in favor of DAODAS continuing and positively testifies about the collaborations it has created.

Bobby Brazell (01:35:28)

Mr. Brazell testified that he resides in Lexington County and he is the Executive Director of the Midlands Recovery Center. Mr. Brazell provided background information on the Midlands Recovery Center and its relationship with DAODAS. Mr. Brazell further testified that DAODAS has had a significant positive impact on the expansion of the Midlands Recovery Center through funding.

Director Sara Goldsby (01:40:24)

Ms. Goldsby testified that she is the director of DAODAS and provided background information on this entity. Ms. Goldsby further testified that she looks forward to working more with the Legislative Oversight Committee. Ms. Goldsby took questions from committee members about daily organization activities and budgetary concerns.

Discussion of Committee Administrative Matters

- I. Representative Funderburk provided an overview of administrative matters, including the ability of members to submit written statements for inclusion in Committee Studies pursuant to Standard Practice Rule 12.6.

Representative Ridgeway provided an overview of recent activities regarding the Department of Labor, Licensing, and Regulation; Department of Employment and Workforce; and the South Carolina State Fire Academy.

Representative Funderburk announced that the following studies are available for review by the Committee:

- Economic Development, Transportation, and Natural Resources Subcommittee study of the Department of Motor Vehicles
- Education and Cultural Affairs Subcommittee Study of the Wil Lou Gray Opportunity School.

Also, the Executive Subcommittee's study of the Aeronautics Commission is in the drafting phase and will most likely be available for consideration later in August.

II. There being no further business; the meeting adjourned.



LEGISLATIVE OVERSIGHT COMMITTEE

Education and Cultural Subcommittee

Study of the Wil Lou Gray Opportunity School: Executive Summary

The full report of the Education and Cultural Subcommittee’s study of the Wil Lou Gray Opportunity School, issued on July 19, 2019, is available on the House Legislative Oversight Committee’s webpage.

Recommendations

The **Subcommittee has nine recommendations** arising from its study of the agency. These recommendations fall into four categories: (1) governance; (2) promising practices; (3) applicant pool; and (4) student experience.

Governance Recommendations to the Wil Lou Gray Opportunity School

- | | |
|---------------------|--|
| BOARD TRAINING | 1.) Enhance the training required by S.C. Code §59-51-35, by adding topics on South Carolina state government processes, including but not limited to, procurement, audit, and finance. |
| BOARD EFFECTIVENESS | 2a.) Investigate methods to ascertain the effectiveness of the governing body.
2b.) Add related board effectiveness performance measures to the measures reported on in the annual accountability report. |

Promising Practices Recommendations to the Wil Lou Gray Opportunity School

- | | |
|--------------------|--|
| PROGRAM EVALUATION | 3.) Contract for a formal educational program evaluation focused on correlating Wil Lou Gray Opportunity School’s program structure and program implementation with its results.

4.) Post any replicable promising practices, indicated by the program evaluation, to the agency website and notify the Department of Education, State Board of Education, Education Oversight Committee, and all education-related legislative committees. |
|--------------------|--|

Applicant Pool Recommendation to the South Carolina General Assembly

- | | |
|-------------------|---|
| TARGET APPLICANTS | 5.) Amend S.C. Code § 59-65-470 to require school principals to seek parental consent to release names and addresses of students who are at risk of not completing high school. With consent, principals must supply names and addresses of students who are at risk of not completing high school to Wil Lou Gray Opportunity School. Failure to seek consent and/or provide Wil Lou Gray Opportunity School with names and addresses of students who have consented and are at risk of not completing high school may result in loss of base student cost for the school. The South Carolina Department of Education shall oversee any complaints by Wil Lou Gray Opportunity School regarding a principal withholding information and the Department may withhold base student cost from a district until the district complies. |
|-------------------|---|

Applicant Pool Recommendations to the Wil Lou Gray Opportunity School

- | | |
|--------------------|--|
| MARKETING STRATEGY | 6.) Develop a system to track interactions with school or district personnel, by the type of interaction. Periodically use the data to ascertain what types of interactions have been successful, and where. Adjust the strategy if the data warrants. |
| DEMOGRAPHIC DATA | 7.) Amend the student application such that the demographic data collected on race and ethnicity is accurate. A potential source for categories is the United States Census. |

Student Experience Recommendations to the Wil Lou Gray Opportunity School

STUDENT HANDBOOK	8.) Institute regular formal review of the student handbook and update when necessary. Ensure appearance and grooming rules are consistent with the most up-to-date Army JROTC (Junior Reserve Officers' Training Corps) rules.
VOLUNTEER OPPORTUNITIES	9.) Consider providing diverse community service options, which include both singular (i.e., one-time or event-based) and recurring (i.e., regular services at an organization) opportunities for students.

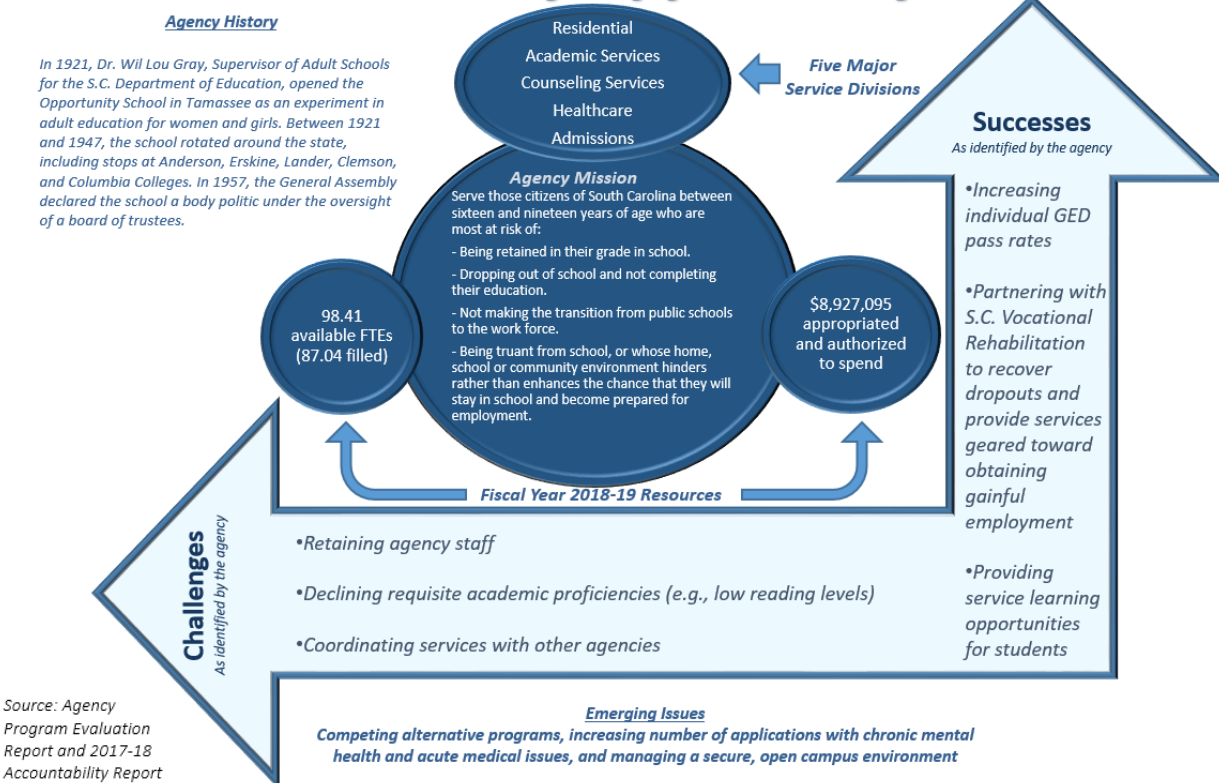
Internal Changes Implemented

During the study process, the agency implements three internal changes directly related to participation in the study process:

- Reviewing marketing strategies;
- Investigating raising the age limit from 19 to 21 because Wil Lou Gray is an adult education facility, and they have received interest from those that are 20 and 21; and
- Getting involved with the Department of Mental Health's Community Crisis and Response program so that there can be quick intervention for students with emergent mental health needs.¹

Agency Snapshot

Wil Lou Gray Opportunity School



¹ S.C. House of Representatives, House Legislative Oversight Committee, "Meeting Minutes" (June 11, 2019), under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Wil Lou Gray Opportunity School," and under "Meetings," [specific meeting minutes URL] (accessed [date of most recent visit to link]). A video of the meeting is available at <https://www.scstatehouse.gov/video/archives.php?key=9692&part=1>.

Study Purpose and Methods

Determine if agency laws and programs:

are being implemented and carried out in accordance with the intent of the General Assembly



should be continued, curtailed, or eliminated.

Evaluate:

the application, administration, execution, and effectiveness of the agency's laws and programs;

the organization and operation of the agency;



any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.

S.C. Code Ann. § 2-2-20(B) and (C)

Study Process

Full Committee schedules agency for study and gathers initial information

Subcommittee investigates through meetings and information requests

Subcommittee publishes report

Full Committee considers Subcommittee report and may conduct further investigation

Full Committee publishes report

Public Input

85 Responses to an online public survey

6 Constituents testify

Subcommittee Membership

The Honorable Joseph H. Jefferson, Jr. (chair)
The Honorable Neal A. Collins

The Honorable Patricia Moore (Pat) Henegan
The Honorable Tommy M. Stringer

Study Milestones

MEETINGS

Full Committee

5/3/18

1/14/19

Subcommittee

1/31/19 2/28/19

2/12/19 3/21/19

6/11/19

AGENCY REPORTS

March 2015 | Seven-Year Plan Report

September 2018 | Annual Accountability Report

November 2018 | Program Evaluation Report



Legislative Oversight Committee

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>

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LEGISLATIVE OVERSIGHT COMMITTEE

Economic Development, Transportation, and Natural Resources Subcommittee

Study of the Department of Motor Vehicles: Executive Summary

The full report of the Economic Development, Transportation, and Natural Resources Subcommittee's study of the Department of Motor Vehicles, issued on July 25, 2019, is available on the House Legislative Oversight Committee's webpage.

Recommendations

The **Subcommittee has 29 recommendations** arising from its study of the agency. These recommendations fall into three categories: (1) recommendations to the Department of Motor Vehicles (DMV); (2) a recommendation to the House Legislative Oversight Committee; and (3) recommendations to the General Assembly for statutory changes.

Recommendations to DMV

- | | |
|--------------------------------------|--|
| EFFICIENCY | <ol style="list-style-type: none">1. Consider ways to allow out-of-state motor vehicle dealers to issue S.C. temporary tags.2. Develop policies and guidance for counties regarding the collection of road use fees (e.g., consistent process or forms to use).3. Examine the option of processing checks electronically at the point of sale. |
| CONSUMER PROTECTION | <ol style="list-style-type: none">4. Post online information about motor vehicle dealers, including a searchable list of licensed dealers and an indication of which dealers have been cited for licensure violations, to help inform consumers' purchasing decisions.5. Work with the Department of Insurance to propose legislation that would remove the ability of drivers to voluntarily register as uninsured while preserving the penalty for those who are found to be driving without insurance. |
| REGULATORY REVIEW | <ol style="list-style-type: none">6. Update outdated regulations (e.g., a prohibition on locating truck driver training schools within 1,500 feet of a building operated by the agency). |
| CONFORMITY WITH CURRENT DMV PRACTICE | <ol style="list-style-type: none">7. Request Proviso 82.2 (FY 18-19 Appropriations Act), which appears to conflict with current agency practice, be removed or revised in future appropriations acts. |

Recommendation to House Legislative Oversight Committee

- | | |
|------------------------|---|
| INFORMING CONSTITUENTS | <ol style="list-style-type: none">8. Encourage fellow legislators to inform their constituents of the upcoming REAL ID deadline, which is October 1, 2020, and potential consequences of waiting (e.g., inability to board a domestic flight, enter a secure federal building, or visit a military installation). |
|------------------------|---|
-

Recommendations to the General Assembly for Statutory Changes

DRIVER'S LICENSES AND IDENTIFICATION CARDS	9. Extend the validity period of identification cards that do not confer driving privileges. ✓
	10. Limit the number of identification cards that do not confer driving privileges that must be issued to each individual free of charge. ✓
	11. Extend the validity period of the commercial driver's license. ✓
MOTOR VEHICLE REGISTRATION AND SALES	12. Require inclusion on vehicle titles of "brands" (e.g. "salvage water," "salvage fire," etc.) that provide information about a vehicle's history.
	13. Strengthen laws relating to unfair vehicle dealer practices.
LICENSE PLATES	14. Standardize the fees and eligibility requirements for different types of military license plates.
CUSTOMER SERVICE	15. Allow DMV to charge a fee for in-person transactions that could be completed online.
	16. Clarify that a watermark printed from the DMV online system is sufficient certification of an official document for use in court proceedings.
FINANCES	17. Clarify that fees DMV collects in accordance with Section 30-4-30 of the Freedom of Information Act that are not covered under Section 56-9-330 relating to the sale of motor vehicle records are to be retained by the Department.
	18. Exempt DMV publications, such as driver's manuals, from sales tax.
EFFICIENCY	19. Eliminate the requirement to print "Please Forward" on DMV notices.
CONFORMITY WITH CURRENT DMV PRACTICE	20. Eliminate a four-year expiration date for service member licenses. ✓
	21. Eliminate a temporary driver's permit that DMV may issue during an investigation.
	22. Eliminate a requirement to cancel a minor's license if the sponsoring adult dies.
	23. Eliminate DMV's ability to garnish income tax refunds.
	24. Eliminate an outdated provision related to reinstatement of a license during an appeal of a verdict or plea.
	25. Eliminate the one-dollar fee for a veteran's designation on an ID card. ✓
	26. Eliminate the requirement for DMV to verify that registered vehicles are equipped with safety glass.
	27. Eliminate the requirement to display all license plate options in DMV offices.
	28. Eliminate an outdated provision relating to verification of motor vehicle insurance.
29. Eliminate NASCAR license plates.	

Table Note: ✓ indicates that the recommendation has been implemented by H.3789, signed into law in May 2019.

Internal Change Implemented

During the study process, the agency posts information on its website about the personal information it sells in accordance with state and federal law.¹ It makes this change after a lengthy discussion of its practices related to sale of information at a Subcommittee meeting.²

Purpose of Oversight Study

To determine if agency laws and programs:

are being implemented and carried out in accordance with the intent of the General Assembly



should be continued, curtailed, or eliminated,

the Committee and Subcommittee evaluate:

the application, administration, execution, and effectiveness of the agency's laws and programs;

the organization and operation of the agency;



any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.

S.C. Code Ann. § 2-2-20(B) and (C)

Study Process

Full Committee schedules agency for study and gathers initial information

Subcommittee investigates through meetings and information requests

Subcommittee publishes report

Full Committee considers Subcommittee report and may conduct further investigation

Full Committee publishes report

Public Input

- 519** Responses to an online public survey
- 5** Constituents testify
- 5** Online comments received

Subcommittee Membership

The Honorable William M. (Bill) Hixon (chair)
The Honorable Lee Hewitt

The Honorable Mandy Powers Norrell
The Honorable Marvin R. Pendarvis

Study Milestones

MEETINGS

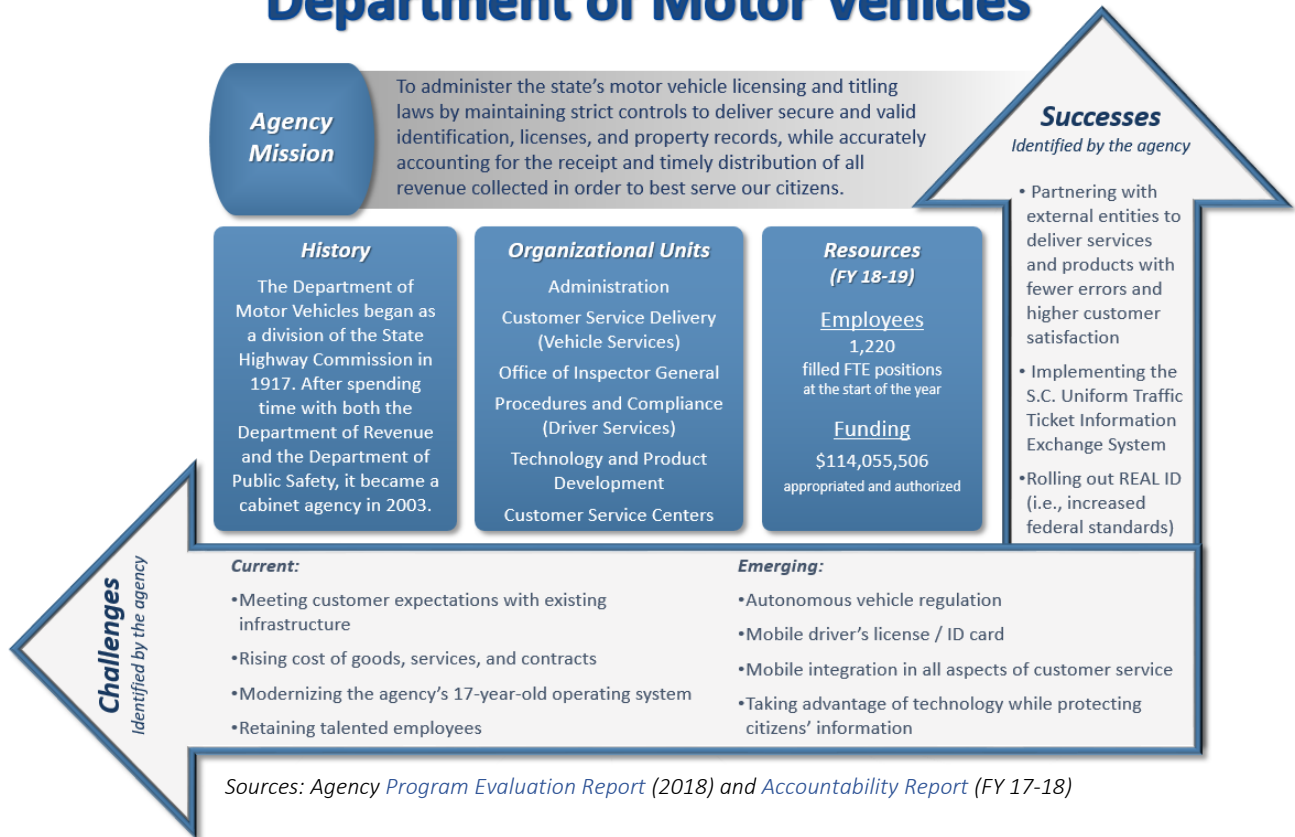
Full Committee	Subcommittee	
5/3/18	1/23/19	3/27/19
1/14/19	2/13/19	4/04/19
	2/27/19	5/01/19
	3/20/19	6/19/19
	7/18/19	

AGENCY REPORTS

March 2015	Seven-Year Plan Report
September 2018	Annual Accountability Report
November 2018	Program Evaluation Report

Agency Snapshot

Department of Motor Vehicles



Endnotes

¹ SC Department of Motor Vehicles, "Disclosure of Information," under "Privacy" <http://www.scdmvonline.com/Privacy> (accessed May 14, 2019).

² S.C. House of Representatives, House Legislative Oversight Committee, "Meeting Minutes" (March 27, 2019), under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Motor Vehicles, Department of," and under "Meetings," https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/SubcommitteeMinutes/EconomicSub/3.27.19_Minutes_EDTNR.PDF (accessed May 14, 2019). A video of the meeting is available at <https://www.scstatehouse.gov/video/archives.php?key=8913&part=1>. See video at 42:45.



Legislative Oversight Committee

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LEGISLATIVE OVERSIGHT COMMITTEE

Executive Subcommittee

Study of the South Carolina Aeronautics Commission: Executive Summary

The full report of the Executive Subcommittee’s study of the South Carolina Aeronautics Commission (SCAC), issued on August 30, 2019, is available on the House Legislative Oversight Committee’s webpage.

Findings

The **Subcommittee has ten findings.** The Subcommittee may or may not have specific recommendations to address these findings. However, the Subcommittee makes the findings to note particular information that a member of the public, or General Assembly, may seek to know or on which they may desire to take action.

ACCOUNTABILITY

1. SCAC has no minority representation on its commission and has not since at least 2005.^{R1}
Each congressional district legislative delegation appoints one commissioner, and the governor appoints an at-large commissioner.
2. The determination of whether a flight on a state-owned aircraft is for official business is not made by SCAC; rather, it is made by the entity requesting the flight with oversight provided by those regulating the entity’s actions.^{R3; R11}

EFFECTIVENESS

3. No entity or division within state government is tasked with centralized management of manned aircraft (i.e., airplanes, helicopters) or information pertaining to their operations.
4. No entity or division within state government is tasked with centralized management of unmanned aircraft systems (e.g., drones) or information pertaining to their operations.^{R12; R13}

EFFICIENCY

5. If more state-owned aircraft move to using a central source (i.e., SCAC) for fuel and maintenance, when possible, there may be a potential cost savings for the state.
6. Airports in the state not recognized in the federal National Plan of Integrated Airport Systems (NPIAS) may desire to seek alternative funding sources in addition to striving for funding eligibility from NPIAS.^A
7. If a dedicated source of funding for matching state grants is accessible each year in July, the state may further leverage federal funding for airports within the state recognized in NPIAS.^{A; B} (The state fiscal year begins in July, and the federal fiscal year begins in October.)

TRANSPARENCY

8. As of June 2019, SCAC has never exercised its authority to separately or jointly acquire, establish, construct, expand, own, lease, control, equip, improve, maintain and operate its own airports, or, among other things, acquire land by condemnation or purchase. *SCAC currently uses the Columbia Metropolitan Airport.*
9. As of June 2019, Clemson University has never exercised its authority to develop an airport. *Clemson University currently uses the Oconee County airport.*
10. Four provisos related to SCAC have been included, with minimal to no change, in the General Appropriations Act for more than a decade, and the General Assembly may wish to consider codifying one or more of them. Topics addressed by these provisos include: reimbursement for services; carry forward; office space rental; hangar/parking facilities; and aviation grants.

Table Notes: ^R Indicates the related recommendation number(s).

^A The NPIAS, published by the Federal Aviation Administration, identifies public-use airports that are important to public transportation and contribute to the needs of civil aviation, national defense, and the postal service. Airports on the NPIAS are eligible for federal funding under the Airport Improvement Program.

^B This is also noted in the April 2018 Senate Transportation Oversight Subcommittee Report on the South Carolina Aeronautics Commission. The Senate recommends SCAC request the General Assembly provide a dedicated source of funding for state grants which would be available at the beginning of the state’s fiscal.

Recommendations

The Subcommittee has 17 recommendations that continue, curtail, and/or eliminate agency programs, and include areas for potential improvement. The Subcommittee recognizes these recommendations will not satisfy everyone nor address every issue or potential area of improvement at the agency.

Recommendations to SCAC

- | | |
|----------------|--|
| ACCOUNTABILITY | <ol style="list-style-type: none">1. Provide notice to the appropriate congressional district legislative delegation one year prior to the expiration of a commissioner's term.^{F1}2. Conduct a formal evaluation of SCAC's executive director on a regular basis (e.g., annual or biennial) and include the requirement of, and procedures for, this evaluation in SCAC's written policies.3. Establish a method to electronically collect flight information (e.g., passenger names, purpose of each flight, etc.) in advance of a flight and publish it, after the flight, in a searchable, online format (e.g., search by purpose, agency, passengers, reimbursement status, etc.).^{F2} <hr/> |
| EFFECTIVENESS | <ol style="list-style-type: none">4. Begin the process of updating current, and promulgating new, regulations (i.e., publication of a Notice of Drafting in the <i>State Register</i>) within the next year.5. Require adherence to airport land use and safety zones as a prerequisite to receiving state grants administered by SCAC (e.g., include in forthcoming regulations). <hr/> |
| EFFICIENCY | <ol style="list-style-type: none">6. Determine if there are potential cost savings it may obtain through the purchase of a utility plane versus entering into agreements with another state agency for use of a utility plane and provide the analysis to the Committee within the next twelve months.7. Request a waiver from the State Fiscal Accountability Authority (SFAA) and Joint Bond Review Committee (JBRC), authorizing it to participate in the federal asset transfer program if the prerequisite approval from its commission prior to accepting any assets remains.8. Determine benefits of, and what is necessary for, it to track and validate scheduled times and mileage of aircrafts subject to the airline property tax and provide its analysis to the Committee within the next twelve months. <hr/> |
| TRANSPARENCY | <ol style="list-style-type: none">9. Formulate a written records retention policy that complies with the various requirements (e.g., Public Records Act and South Carolina Uniform Electronic Transactions Act) to transfer agency records, including electronic ones, to the Department of Archives and History.10. Develop a schedule to digitize the physical maps, photos, and other SCAC printed materials stored at its office. |

Table Note: ^F Indicates the related finding number(s).

Recommendations to the General Assembly

ACCOUNTABILITY	11. Codify state operated aircraft flight log requirements in Proviso 117.22 from the 2018-19 General Appropriations Act and require the log to be in an online, searchable format. ^{F2}
EFFECTIVENESS	12. Establish a stakeholders' group to recommend a legislative/regulatory framework for operation of unmanned aircraft systems (e.g., drones) in the state and, as part of the process, obtain input from potentially impacted parties, including, but not limited to, state agencies, local governments, and the military. ^{F3} 13. Adopt state statutes that mirror federal statutes pertaining to the use of unmanned aircraft systems (e.g., drones) in and around military facilities, to provide additional state penalties. ^{F3}
EFFICIENCY	14. Clarify the transportation company aircraft fuel sales tax exemption by revising S.C. Code Ann. § 12-36-2120(9)(d) [exemptions from sales tax] to make the exemption only available to entities that pay the airline property tax.
MODERNIZATION OF LAWS	15. Remove the requirement that SCAC provide State Law Enforcement Division personnel methods to test flight crew members' blood alcohol content in S. C. Code Ann. § 55-1-100(B) [Operating or acting as flight crew member of aircraft while under influence of alcohol or drugs unlawful; criminal prosecution and rights of accused; penalties]. 16. Revise S.C. Code Ann. § 15-9-410 [Provisions as to nonresident aircraft operators are not applicable to certain air carriers] to conform to Federal Aviation Administration requirements. 17. Repeal S.C. Code Ann. §§ 23-33-10 ["Missile" defined] and 23-33-20 [Permit required for firing missile], as federal laws and regulations supersede these statutes.

Table Note: ^F Indicates the related finding number.

Purpose of Oversight Study

To determine if agency laws and programs:

are being implemented and carried out in accordance with the intent of the General Assembly



should be continued, curtailed, or eliminated,

the Committee and Subcommittee evaluate:

the application, administration, execution, and effectiveness of the agency's laws and programs;

the organization and operation of the agency;



any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.

S.C. Code Ann. § 2-2-20(B) and (C)

Study Process

Full Committee schedules agency for study and gathers initial information

Subcommittee investigates through meetings and information requests

Subcommittee publishes report

Full Committee considers Subcommittee report and may conduct further investigation

Full Committee publishes report

Public Input

189 Responses to an online public survey

0 Constituents testify

1 Online comment received

Subcommittee Membership

The Honorable Gary E. Clary (chair)
The Honorable Chandra E. Dillard

The Honorable Laurie Slade Funderburk
The Honorable Wm. Weston J. Newton

Study Milestones

MEETINGS

Full Committee	Subcommittee
5/3/18	2/6/19
1/28/19	2/26/19
	3/5/19
	3/26/19
	6/25/19

AGENCY REPORTS

March 2015	Seven-Year Plan Report
September 2018	Annual Accountability Report
October 2018	Program Evaluation Report

Agency Snapshot

History

1935 - Created by the legislature to foster air commerce in the state, supervise aeronautical activities and facilities, make and enforce rules and regulations regarding the licensing of airplanes and pilots, and cooperate in the establishment and operations of airports.

1993 – Placed under the Department of Commerce.

2009 – Transferred to the State Budget and Control Board.

2015 – Transferred to S.C. State Fiscal Accountability Authority.

Aeronautics Commission

Agency Mission

Fostering air and economic development by overseeing the safety and development of the state's public use airports, by providing safe and reliable air transportation for state government and business prospects, and by providing aviation education opportunities.

Successes

Identified by the agency

- Obtaining national recognition for geographic information system (GIS) map service
- Evaluating runway approaches with an unmanned aircraft system
- Creating compatible land use evaluation tool for land use review

Organizational Units

Administration

- Provides management of budgets, human resources, legislative efforts, and the maintenance of state and federal grants.

Airport Development

- Provides airports within S.C. safety inspections, engineering design and construction services, maintenance projects, and aerial photography and geographic information system (GIS) mapping.

Flight Department

- Provide air transportation to the governor, state legislators, and other governmental bodies for official state business.

Resources (FY 18-19)

Employees

11
filled FTE positions
at the start of the year

Funding

\$10,981,660
appropriated and authorized

Challenges

Identified by the agency

Current:

- Curbing grant delays and lack of support for all public use airports due to issues with state aviation fund cash flow
- Maintaining aging facilities
- Covering rising costs to maintain aging aircrafts

Emerging:

- Maintaining airports and making capital improvements
- Transitioning to web based airport information and financial aid requests
- Aging aircraft

Sources: Agency Program Evaluation Report (2018) and Accountability Report (FY 17-18)



Legislative Oversight Committee

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
HCommLegOv@schouse.gov • (803) 212-6810

Legislative Oversight Subcommittees and Agencies for Study

Updated July 15, 2019

Economic Development, Transportation, and Natural Resources	Education and Cultural	Executive	Healthcare and Regulatory	Law Enforcement and Criminal Justice
Rep. Hixon, Chair Rep. Hewitt Rep. Norrell Rep. Pendarvis	Rep. Jefferson, Chair Rep. Collins Rep. Henegan Rep. Stringer	Rep. Clary, Chair Rep. Dillard Rep. Funderburk Rep. Newton	Rep. West, Chair Rep. Ridgeway Rep. Taylor Rep. Wooten	Rep. Tallon, Chair Rep. Caskey Rep. Johnson Rep. Williams
T O S T U D Y				
<ol style="list-style-type: none"> 1. Commerce, Dept. of 2. Employment and Workforce, Dept. of 3. Jobs Economic Development Authority 4. Conservation Bank 5. Forestry Commission 6. Sea Grants Consortium 	<ol style="list-style-type: none"> 1. Arts Commission 2. Higher Education Commission 3. Library, State 4. Museum Commission and Confederate Relic Room 5. Technical and Comprehensive Education Board 6. Tuition Grants Commission 	<ol style="list-style-type: none"> 1. Ethics Commission 2. Financial Institutions, Board of 3. Department on Aging 	<ol style="list-style-type: none"> 1. Health and Human Services, Department of 2. Patients' Compensation Fund 3. State Accident Fund 4. Vocational Rehabilitation, Department of 5. Consumer Affairs, Dept. of 6. Insurance, Dept. of 7. Workers' Compensation Commission 	<ol style="list-style-type: none"> 1. Administrative Law Court 2. State Law Enforcement Division 3. Attorney General's Office
I N P R O G R E S S				
<ol style="list-style-type: none"> 1. Motor Vehicles, Dept. of 2. Housing Finance and Development Authority 3. Rural Infrastructure Authority 	<ol style="list-style-type: none"> 1. Wil Lou Gray Opportunity School 2. Education, Dept. of 	<ol style="list-style-type: none"> 1. Aeronautics Commission 2. Secretary of State's Office 3. Retirement System Investment Commission <i>(on hold)</i> 	<ol style="list-style-type: none"> 1. Mental Health, Dept. of 2. Alcohol and Drug Abuse, Dept. of 	<ol style="list-style-type: none"> 1. Corrections, Dept. of <i>This study is being conducted by an ad hoc committee that also includes Reps. Clary, Dillard, and Jefferson</i> 2. Probation, Parole and Pardon, Dept. of
C O M P L E T E D				
<ol style="list-style-type: none"> 1. Agriculture, Dept. of 2. Human Affairs Commission 3. Labor, Licensing and Regulation, Dept. of 4. Minority Affairs, Commission for 5. Revenue, Dept. of 6. Transportation, Dept. of 7. Transportation Infrastructure Bank 	<ol style="list-style-type: none"> 1. Archives and History, Dept. of 2. Deaf and Blind, School for 3. ETV Commission 4. First Steps 5. John de la Howe School 6. Patriots Point Authority 	<ol style="list-style-type: none"> 1. Adjutant General 2. Comptroller General's Office 3. Election Commission 4. Parks, Recreation and Tourism, Dept. of 5. Treasurer's Office 	<ol style="list-style-type: none"> 1. Blind, Commission for the 2. Disabilities and Special Needs, Dept. of 3. Health and Environmental Control, Department of 4. Social Services, Dept. of 	<ol style="list-style-type: none"> 1. Indigent Defense 2. Juvenile Justice, Dept. of 3. Law Enforcement Training Council 4. Natural Resources, Dept. of 5. Prosecution Coordination Comm. 6. Public Safety, Dept. of

Additional agencies may be assigned to these subcommittees, pursuant to the Legislative Oversight Committee's Rule 6, as the Legislative Oversight Committee determines its interpretation of the definition of the term agency as set forth in S.C. Code Section 2-2-10(1).

Agencies to Study: Summary Information

Updated September 2019

Subcommittee	Agency	# of employees ¹	FY20 Funds ²	Restr. Recs? ³	Senate status ⁵	
Economic Development, Transportation, & Natural Resources	Commerce, Dept. of*	97	127.1M		Complete	
	Employment & Workforce*	575	167.5M		Complete	
	Jobs-Economic Dev. Authority*	2 ⁶	0.4M			
	Conservation Bank	2	11.6M			
	Forestry Commission	323	35.9M		Complete	
	Sea Grant Consortium	11	5.7M		Ongoing	
	<i>Currently under study:</i>					
	Motor Vehicles, Dept. of	1,233	105.9M			
	Rural Infrastructure Authority	9	44.1M		Complete	
Housing Finance & Dev. Authority	109	209.1M	Yes	Ongoing		
Education and Cultural	Arts Commission	12	5.8M		Ongoing	
	Higher Education Commission	30	33.9M		Ongoing	
	State Library	43	18.3M			
	State Museum	36	6.9M	Yes	Complete	
	Confederate Relic Room	6	1.3M		Complete	
	Tech & Comprehensive Ed Board	115	717.3M		Ongoing	
	Tuition Grants Commission	4	33.9M		Ongoing	
	<i>Currently under study:</i>					
	Wil Lou Gray Opportunity School	93	7.7M		Complete	
Education, Dept. of	1,071	5,062.5M	Yes			
Executive	Ethics Commission	16	1.9M		Complete	
	Board of Financial Institutions	46	5.6M			
	Dept. on Aging	43	52.1M		Complete ⁴	
	<i>Currently under study:</i>					
	Aeronautics Commission	10	11.6M		Complete	
	Secretary of State's Office	31	3.5M		Complete	
Retirement Sys. Inv. Comm. (on hold)	43	15.3M		Ongoing		
Healthcare and Regulatory	Health & Human Services*	1,270	7,791.7M	Yes		
	Patients' Compensation Fund*	4	1.1M			
	State Accident Fund*	66	8.9M		Ongoing	
	Vocational Rehab, Dept. of*	986	174.3M		Complete	
	Consumer Affairs, Dept. of	40	3.7M		Complete	
	Insurance, Department of	82	18M		Complete	
	Workers' Comp. Commission	51	8.1M		Complete	
	<i>Currently under study:</i>					
	Mental Health, Dept. of	4,143	504.3M		Complete	
Alcohol & Drug Abuse Svc., Dept. of	28	67.7M		Complete		
Law Enforcement and Criminal Justice	Administrative Law Court*	<i>not available</i>	4.6M		Complete	
	State Law Enf. Division (SLED)*	571	103.9M		Ongoing	
	Attorney General's Office	248	101M			
	<i>Currently under study:</i>					
	Corrections, Department of	4,707	515.6M		Ongoing	
Probation, Parole, & Pardon	682	66M	Yes			

*Study of this agency has been requested by a constituent or a Member of the House

¹ [Dept. of Administration](#) – July 1, 2019.

² FY 19-20 Appropriations Act.

³ Restructuring recommendations as indicated in each agency's 2017-18 Accountability Report.

⁴ Senate review completed prior to agency reorganization.

⁵ [Senate Legislative Oversight Committee webpage](#). Accessed September 18, 2019.

⁶ [JEDA website](#). Accessed September 17, 2018.

Legislative Oversight Committee



South Carolina House of Representatives

Committee Mission

Determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether they should be continued, curtailed or eliminated. Inform the public about state agencies.

Website: <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>

Phone Number: 803-212-6810

Email Address: HCommLegOv@schouse.gov

Location: Blatt Building, Room 228

UPCOMING MEETINGS

Law Enf. & Criminal Justice

Tuesday, October 1st

(SCDC)

Blatt 110 at 10:30 a.m.

Wednesday, October 2nd

(SCDC)

Blatt 110 at 10:30 a.m.

Education and Cultural

Wednesday, October 9th

(Dept. of Education)

Blatt 110 at 10:30 a.m.

Thursday, October 10th

(Dept. of Education)

Blatt 110 at 10:30 a.m.