

PROVISO

SUBCOMMITTEE

RECOMMENDATIONS

~~~

**HIGHER EDUCATION**

**TECHNICAL AND**

**CULTURAL**

**PROVISO SUBCOMMITTEE  
HIGHER EDUCATION, TECHNICAL, AND CULTURAL  
RECOMMENDATIONS FOR FY 2012-13  
TO THE HOUSE WAYS AND MEANS COMMITTEE**

**SECTION 2 - H66-LOTTERY EXPENDITURE ACCOUNT**

**2.3 DELETE** (FY 11-12 Lottery Funding) Directs expenditure of lottery funds for Fiscal Year 2011-12.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *Technical. This proviso provides funding for Fiscal Year 2011-12 only.* Fiscal Impact: No impact on the General Fund.

~~2.3. (LEA: FY 2011-12 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Budget and Control Board as directed below. These appropriations must be used to supplement and not supplant existing funds for education.~~

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

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

~~For Fiscal Year 2011-12 certified net lottery proceeds and investment earnings and any other proceeds identified by this provision are appropriated as follows:~~

- ~~(1) Commission on Higher Education and State Board  
for Technical and Comprehensive Education—Tuition  
Assistance.....\$ 47,000,000;~~
- ~~(2) Commission on Higher Education—LIFE Scholarships  
as provided in Chapter 149, Title 59.....\$ 106,554,616;~~
- ~~(3) Commission on Higher Education—HOPE Scholarships  
as provided in Section 59-150-370 .....\$ 7,823,474;~~
- ~~(4) Commission on Higher Education—Palmetto Fellows  
Scholarships as provided in Section 59-104-20 .....\$ 30,277,240;~~
- ~~(5) Commission on Higher Education—Need-Based Grants .....\$ 11,631,566;~~
- ~~(6) Tuitions Grants Commission—Tuition Grants .....\$ 7,766,604;~~
- ~~(7) Commission on Higher Education—National Guard Tuition  
Repayment Program as provided in Section 59-111-75.....\$ 1,700,000;~~
- ~~(8) South Carolina State University.....\$ 2,500,000;~~
- ~~(9) Technology—Public Four Year Universities, Two Year  
Institutions, and State Technical Colleges .....\$ 4,154,702;~~
- ~~(10) Department of Education—K-5 Reading, Math, Science &  
Social Studies Program as provided in Section 59-1-525 .....\$ 29,491,798;~~
- ~~(11) Department of Education—Grades 6-8 Reading, Math,  
Science & Social Studies Program.....\$ 2,000,000;~~
- ~~(12) Commission on Higher Education—Higher Education  
Excellence Enhancement Program.....\$ 3,000,000;~~
- ~~(13) School for the Deaf and the Blind—Technology  
Replacement.....\$ 200,000;and~~
- ~~(14) State Library—Aid to County Libraries.....\$ 733,000.~~

~~Fiscal Year 2011-12 funds appropriated to the Commission on Higher Education for Tuition Assistance must be distributed to the technical colleges and two year institutions as provided in Section 59-150-360. Annually the State Board for Technical and Comprehensive~~

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~~Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds appropriated.~~

~~Of the funds appropriated to South Carolina State University, \$250,000 may be used for the BRIDGE Program.~~

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

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

~~Fiscal Year 2011-12 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2011-12 are fully funded.~~

~~If the lottery revenue received for Fiscal Year 2011-12 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro-rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.~~

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

~~The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.~~

~~For Fiscal Year 2011-12, of the funds certified from unclaimed prizes, \$12,350,000 shall be appropriated to the Department of Education for the purchase of new school buses and \$50,000 shall be appropriated to the South Carolina Department of Alcohol and Other Drug Abuse Services for gambling-related services.~~

~~Of any unclaimed prize funds available in excess of the Board of Economic Advisors estimate, the first \$1,500,000 shall be directed to the Commission on Higher Education for the Partnership Among South Carolina Academic Libraries (PASCAL) Program. The next \$5,470,093 shall be directed for Technology: Public Four Year Universities, Two Year Institutions, and State Technical Colleges. The next \$2,000,000 shall be directed to the State Library for Aid to County Libraries. The next \$1,000,000 shall be directed to the Commission on Higher Education for the Higher Education Excellence Enhancement Program. The next \$4,000,000 shall be directed to the State Board for Technical and Comprehensive Education for the Allied Health Initiative. The next \$1,000,000 shall be directed to the Commission on Higher Education for the Critical Needs Nursing Program. All additional revenue in excess of the amount certified by the Board of Economic Advisors for unclaimed prizes shall be distributed to the Commission on Higher Education for LIFE, HOPE, and Palmetto Fellows Scholarships.~~

**SECTION 6 - H03-COMMISSION ON HIGHER EDUCATION**

- 6.4 DELETE** (Allowable Tuition and Fees) Prohibits state funds from being used to provide undergraduate out-of-state subsidies to students who attend state supported colleges and universities.

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**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *Codified in Section 59-101-55.* Fiscal Impact: No impact on the General Fund. Requested by Commission on Higher Education.

**6.4.** (CHE: Allowable Tuition and Fees) ~~State funds shall not be used to provide undergraduate out of state subsidies to students attending state supported public institutions of higher learning, as defined in Section 59-103-5.~~

- 6.11** **DELETE** (SREB Veterinary Students) Directs CHE to include 5 additional veterinary medicine students in the dues it pays to the Southern Regional Educational Board.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *The 5 additional slots have been incorporated into the contract and the slots implemented.* Fiscal Impact: No impact on the General Fund. Requested by Commission on Higher Education.

**6.11.** (CHE: SREB Veterinary Students) ~~Of the funds appropriated to or authorized for the Commission on Higher Education, the commission is directed to fund the Southern Regional Educational Board dues at an appropriate amount to include five additional veterinary medicine students.~~

- 6.12** **DELETE** (EPSCoR Transfer Authority) Authorizes and provides guidelines for the transfer of the EPSCoR program from the S.C. Research Authority to CHE.

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

**6.12.** (CHE: EPSCoR Transfer Authority) ~~At the discretion of the State Manager of the South Carolina EPSCoR Program, the State Manager is authorized to transfer the South Carolina EPSCoR Program from the South Carolina Research Authority to the Commission on Higher Education. Regardless of whether the State Coordinator chooses for the program to be transferred, no funds appropriated to or authorized for the South Carolina EPSCoR Program may be retained by the South Carolina Research Authority or the Commission on Higher Education without the consent of the South Carolina EPSCoR Program.~~

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

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

**6.16.** (CHE: Critical Needs Nursing Initiative) ~~The funds appropriated to the Commission on Higher Education for the Critical Needs Nursing Initiative shall be used the purpose of implementing the Critical Needs Nursing Initiative Fund per Section 59-110-10, et seq., of the 1976 Code of Laws, as amended. Funds allocated for nursing faculty and faculty salary enhancements and new nursing faculty shall be permanently transferred to the affected institutions where such faculty are employed. The governing body of the institution, pursuant~~

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~~to its procedures, shall then allocate these enhancements among its affected faculty in such amounts as it determines appropriate consistent with their salary guidelines.~~

- 6.17**     **AMEND** (Tuition Age) Suspends, for FY 10-11, the age limit for free tuition for children of certain war veterans if the age limit was successfully appealed to the Division of Veterans Affairs due to a serious extenuating health condition.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change "Fiscal Year 2010-11" to "the current fiscal year." *Technical.* Fiscal Impact: No impact on the General Fund.

**6.17.** (CHE: Tuition Age) For ~~Fiscal Year 2010-11~~ the current fiscal year, the age limitation for those children of certain war veterans who may be admitted to any state-supported college, university, or post high school technical education institution free of tuition is suspended for eligible children that successfully appeal the Division of Veterans Affairs on the grounds of a serious extenuating health condition.

- 6.ss**     **ADD** (SmartState) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to prohibit CHE from spending any funds to market the SmartState Program. Fiscal Impact: No impact on the General Fund.

**6.ss.** (CHE: SmartState) The Commission on Higher Education is prohibited from expending any source of funds on the marketing of the SmartState Program..

**SECTION 15 - H45 - UNIVERSITY OF SOUTH CAROLINA**

- 15.2**     **DELETE** (Indirect Cost Recovery Waiver for Summer Food Service Program) Grants USC a partial indirect cost recoveries waiver for the Summer Food Service Program. Directs that the waiver may not exceed the program's direct administrative cost.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *The Summer Food Program at USC has been discontinued.* Fiscal Impact: No impact on the General Fund. Requested by University of South Carolina.

**15.2.** (USC: Indirect Cost Recovery Waiver for Summer Food Service Program) ~~The University of South Carolina is granted partial waiver of the remittance of indirect cost recoveries for the Summer Food Service Program supported by the Federal Department of Agriculture through the Department of Social Services. The waiver may not exceed the amount of direct administrative cost for the program.~~

**SECTION 17 - H54-MEDICAL UNIVERSITY OF SOUTH CAROLINA**

- 17.1**     **DELETE** (Palmetto Initiative for Excellence) Directs that funds for the Palmetto Initiative for Excellence shall be used as match funds to promote diversity with the administrative health services workforce.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *Funding was eliminated in October of 2009.* Fiscal Impact: No impact on the General Fund. Requested by Medical University of South Carolina.

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~~17.1. (MUSC: Palmetto Initiative for Excellence) Funds appropriated herein to the SC Healthcare Recruitment and Retention Center for the Palmetto Initiative for Excellence shall be used as match funds to promote diversity within the administrative health services workforce in South Carolina. Funds are to be used to stimulate the development of post graduate fellowships, undergraduate internships, and mentoring programs.~~

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

- 18.4 DELETE** (Caterpillar Dealer Academy) Allows the Florence Darlington Technical College area commission to waive the requirements of Chapter 112 of Title 59 [DETERMINATION OF RATES OF TUITION AND FEES] for student that participate in the Caterpillar Dealer Academy.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *Codified in Section 59-112-140.* Fiscal Impact: No impact on the General Fund. Requested by State Board for Technical and Comprehensive Education.

~~18.4. (TEC: Caterpillar Dealer Academy) The area commission for the Florence Darlington Technical College may waive the requirements of Chapter 112, Title 59, Code of Laws of South Carolina, 1976, for student participants in the Caterpillar Dealer Academy operated by Florence Darlington Technical College.~~

**SECTION 28 - H79-DEPARTMENT OF ARCHIVES & HISTORY**

- 28.2 DELETE** (Nat'l. Historic Preservation Program) Provides for the disposition of funds earned from the U.S. Department of Interior by the department for administering the National Historic Preservation Program.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. *Since the department no longer uses state funds to administer this program it no longer earns a federal reimbursement.* Fiscal Impact: No impact on the General Fund. Requested by Department of Archives and History.

~~28.2. (AH: Nat'l. Historic Preservation Program) The funds earned from the United States Department of Interior by the South Carolina Department of Archives and History for administering the National Historic Preservation Program in this State, with the exception of the appropriate amount of indirect cost reimbursement to the general fund, must be deposited in a special account in the State Treasury, to be used by this department for a Historic Preservation Grants program that will assist historic properties throughout South Carolina.~~

- 28.dm ADD** (Disposal of Materials) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to sell certain record and non-record materials from its collections which are not eligible for public auction, upon commission approval and in the most advantageous manner. Fiscal Impact: No impact on the General Fund.

28.dm. (AH: For the current fiscal year, the Department of Archives and History, upon prior approval of the commission, may sell from its collections certain record and non-record materials, which are not eligible for public auction, in a manner most advantageous to the department.

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**SECTION 89 - X90-GENERAL PROVISIONS**

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

**PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change Fiscal Year “2011-12” to “2012-13.” *Technical.* Fiscal Impact: No impact on the General Fund.

**89.122.** (GP: USC Greenville Medical School) It is the intent of the General Assembly that during Fiscal Year ~~2011-12~~ 2012-13, no general funds shall be appropriated for the new medical school at the University of South Carolina in Greenville. In addition, no state funds may be transferred from state earmarked or restricted funds held by the University of South Carolina to the medical school except for grants, contributions, contractual payments, and tuition and required fees for students attending the new medical school at the University of South Carolina in Greenville that are specifically designated for the medical school at the University of South Carolina in Greenville.

**89.pff**    **ADD** (Parking Fines and Fees) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require local governmental entities to remit to the General Fund, 35% of the revenue they receive from parking fines and fees that are generated by parking in the state right of way or on state property. Fiscal Impact: PENDING.

*89.pff. (GP: Parking Fines and Fees) Of the revenue received by local governmental entities derived from parking fines and fees generated by parking in the state right of way or on state property, 35% of such revenue shall be remitted to the General Fund of the State.*