COMMITTEE REPORT

May 8, 2013

**H. 3711**

Introduced by Ways and Means Committee

S. Printed 5/13/13--S. [SEC 5/9/13 10:57 AM]

Read the first time March 13, 2013.

**THE COMMITTEE ON FINANCE**

To whom was referred a Joint Resolution (H. 3711) to appropriate monies from the Capital Reserve Fund for Fiscal Year 2012‑2013, and to allow unexpended funds appropriated to be carried forward to succeeding fiscal years and expended for the, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2012‑2013 the following amounts:

(1) F03‑Budget and Control Board

Consumer Protection and

Statewide Cyber Security

Improvements $ 10,000,000

(2) H63‑Department of Education

School Bus Lease and Purchase $ 10,500,000

(3) F03‑Budget and Control Board

Division of Information

Security/S.334 $ 4,840,508

(4) F03‑Budget and Control Board

Spartanburg Train Disaster

Relief Fund $ 2,000,000

(5) F03‑Budget and Control Board

Statehouse Dehumidification

and Heating $ 60,000

(6) H09‑The Citadel

Cadet Accountability System $ 1,500,000

(7) H15‑University of Charleston

Science Center $ 2,000,000

(8) H17‑Coastal Carolina University

Science Center $ 1,500,000

(9) H21‑Lander University

National Center for

Montessori Education $ 750,000

(10) H47‑Winthrop University

Withers/WTS Building Roof

Replacement Maintenance

and Repairs $ 750,000

(11) H59‑State Board for Technical

and Comprehensive Education

CATT Program/Ready SC $ 7,538,694

(12) H59‑State Board for Technical

and Comprehensive Education

Manufacturing Skills Standards

Council Initiative $ 2,500,000

(13) H59‑State Board for Technical

and Comprehensive Education

Central Carolina Technical

College‑Advanced

Manufacturing Technology

Training Center $ 1,750,000

(14) J20‑Department of Alcohol and

Other Drug Abuse Services

Keystone Alcohol and Drug

Abuse Capital Improvement

Rock Hill $ 750,000

(15) J20‑Department of Alcohol and

Other Drug Abuse Services

McCord Center Fire Safety

‑Alcohol and Drug Abuse $ 250,000

(16) J20‑Department of Alcohol and

Other Drug Abuse Services

Circle Park Florence County

‑Alcohol and Drug Abuse $ 150,000

(17) L04‑Department of Social Services

Child Support Enforcement

System Development $ 212,221

(18) P12‑Forestry Commission

Firefighting Equipment $ 2,000,000

(19) P20‑Clemson University‑PSA

Advanced Plant Technology Lab $ 3,000,000

(20) P32‑Department of Commerce

Deal Closing Fund $ 3,322,234

(21) R44‑Department of Revenue

Repayment of Loan Authorized

by the Budget and Control

Board on 12/12/12 $ 20,170,000

(22) N20‑Law Enforcement Training

Council (Criminal Justice

Academy) HVAC System $ 1,682,032

(23) A17‑Legislative Printing and

Information Technology Systems

Data Center and Server Room $ 950,000

(24) K05‑Department of Public Safety

Deferred Maintenance

‑Roof Replacement $ 300,000

(25) N20‑Law Enforcement Training

Council (Criminal Justice

Academy) Replace Water

Supply Lines Oldest Dorms $ 147,492

(26) R44‑Department of Revenue

Implement Tax Processing

System Improvements $ 7,533,374

(27) H18‑Francis Marion University

Health Sciences Building

(2 to 1 Match) $ 1,750,000

(28) H59‑State Board for Technical

and Comprehensive Education

Aiken Technical‑Academic

Building in Support of

STEM and Engineering $ 640,000

(29) H59‑State Board for Technical

and Comprehensive Education

Denmark Technical‑Plant

Funding for Science Building $ 435,750

(30) H59‑State Board for Technical

and Comprehensive Education

Greenville Technical

‑Enterprise Campus

Development $ 435,750

(31) H59‑State Board for Technical

and Comprehensive Education

Horry‑Georgetown Technical

‑Culinary Arts Academic

Building (1 to 1 Match) $ 435,750

(32) H59‑State Board for Technical

and Comprehensive Education

Midlands Technical‑Quickjobs

Program‑Equipment $ 500,000

(33) H59‑State Board for Technical

and Comprehensive Education

Piedmont‑Phase II

‑Laurens Advanced

Manufacturing Center $ 909,000

(34) H59‑State Board for Technical

and Comprehensive Education

Technical College of

Lowcountry‑Transitioning

Military Support and

Training $ 318,000

(35) H59‑State Board for Technical

and Comprehensive Education

Tri‑County Technical

‑Oconee Workforce and

Economic Development

Center (1 to 1 Match) $ 750,000

(36) H59‑State Board for Technical

and Comprehensive Education

Trident Technical

‑Infrastructure/Roads/Ramps

and Information Technology $ 435,750

(37) H59‑State Board for Technical

and Comprehensive Education

York Technical‑Main Campus

Road‑Health and Safety

Traffic Flow $ 640,000

(38) H73‑Vocational Rehabilitation

Palmetto Center‑Rebuild Facility

‑Fire and Life Safety Issues $ 3,000,000

(39) P16‑Department of Agriculture

Pee Dee Farmers Market

‑Replace Refrigeration Capacity $ 75,000

(40) P16‑Department of Agriculture

Consumer Services

‑Metrology Lab $ 1,900,000

(41) P16‑Department of Agriculture

Farmers Market $ 9,875,000

(42) P20‑Clemson University‑PSA

Agriculture Research ‑ Equipment $ 2,500,000

(43) P21‑South Carolina State

University‑PSA

Rural Farming Equipment $ 100,000

(44) P28‑Department of Parks,

Recreation and Tourism

Lake Greenwood Campground

Electrical $ 800,000

(45) P28‑Department of Parks,

Recreation and Tourism

State Park Sewer Repairs

‑Santee and Table Rock $ 550,000

(46) P28‑Department of Parks,

Recreation and Tourism

Kings Mountain Bridge

Replacement $ 250,000

(47) P28‑Department of Parks,

Recreation and Tourism

Asbestos Abatement and

Mold Removal $ 200,000

$ 112,656,555

SECTION 2. The General Assembly finds, that as a top priority of the current fiscal year, consumer protection is to continue to be provided for those citizens whose personal financial information was compromised as a result of the Department of Revenue Security Breach of 2012. In accordance with that finding, the funds appropriated to the Budget and Control Board for Statewide Cyber Security and Consumer Protection shall first be used to provide, at a minimum, one additional year of consumer protection to those citizens who were enrolled in “ProtectMyID” as of March 31, 2013. Any funds remaining shall be utilized by the board to implement state agency cyber security improvements as recommended in solutions for plans on cyber security improvements.

SECTION 3. The $250,000 appropriated in SECTION 1 to J20‑Department of Alcohol and Other Drug Abuse Services for McCord Center Fire Safety‑Alcohol and Drug Abuse are for the McCord Alcohol and Drug Abuse Treatment Facility operated by the Tri‑County Commission on Alcohol and Drug Abuse, and is for the installation of fire safety and suppression equipment only.

SECTION 4. From the $2,000,000 appropriated above for the Spartanburg Amusement Train Disaster Relief Fund, there is created in the State Treasury the Spartanburg County Amusement Train Disaster Relief Fund. The purpose of the fund is to compensate victims of the amusement train derailment in Cleveland Park in Spartanburg County on March 19, 2011, for medical costs not covered by insurance or other means which exceed the individual victim’s share of the maximum amount recoverable from a governmental entity for a single occurrence pursuant to Section 15‑78‑120 of the Tort Claims Act.

The Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee shall jointly appoint an administrator for the fund. The administrator shall serve without compensation and until all claims to the fund have been processed. The administrator shall establish a sixty day period to receive claims to the fund. For two weeks prior to the opening of the claims period, the administrator must publish a notice in a newspaper of general circulation in Spartanburg County the procedure by which claims may be submitted. The State Office of Victim Assistance shall provide administrative and logistical assistance to the administrator. The administrator may use up to $50,000 from the fund to defray the costs associated with managing the fund and to reimburse the State Office of Victim Assistance for any costs associated with providing support.

At the close of the claims period, the administrator shall pay to each claimant the actual amount of their verifiable medical expenses if the aggregate amount of claims to the fund does not exceed the amount available in the fund. If the aggregate amount of claims exceeds the amount in the fund, the administrator shall pay each claimant a percentage of the fund equal to the percentage of the uncompensated medical expenses incurred by the claimant in relation to the total amount of uncompensated medical expenses incurred by all claimants to the fund. Funds may only be used to pay victims directly for uncompensated medical expenses and must not be used to pay subrogation claims or attorneys fees.

SECTION 5. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11‑11‑320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 6. This joint resolution takes effect thirty days after the completion of the 2012‑2013 fiscal year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(D)(1) of the 1976 Code. /

Renumber sections to conform.

Amend title to conform.

HUGH K. LEATHERMAN, SR. for Committee.

**A** **JOINT RESOLUTION**

TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2012‑2013, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2012‑2013 the following amounts:

(1) F30‑Budget and Control Board

Statewide Cyber Security and

Consumer Protection $ 25,000,000

(2) H63‑Department of Education

School Bus Lease and Purchase $ 10,500,000

(3) H09‑The Citadel

Cadet Accountability System $ 1,500,000

(4) H15‑University of Charleston

Science Center $ 2,000,000

(5) H17‑Coastal Carolina University

Science Center $ 1,500,000

(6) H21‑Lander University

National Center for

Montessori Education $ 750,000

(7) H47‑Winthrop University

Withers/WTS Building Roof

Replacement $ 750,000

(8) H59‑State Board for Technical

and Comprehensive Education

CATT Program/readySC $ 7,538,694

(9) H59‑State Board for Technical

and Comprehensive Education

System‑wide Infrastructure

and Workforce Development $ 5,500,000

(10) H59‑State Board for Technical

and Comprehensive Education

Manufacturing Skills Standards

Council Initiative $ 2,500,000

(11) H59‑State Board for Technical

and Comprehensive Education

Central Carolina Technical

College $ 3,500,000

(12) J20‑Department of Alcohol and

Other Drug Abuse Services

Keystone Alcohol and Drug

Abuse Capital Improvement

Rock Hill $ 750,000

(13) J20‑Department of Alcohol and

Other Drug Abuse Services

McCord Center Fire Safety

‑Alcohol and Drug Abuse $ 250,000

(14) J20‑Department of Alcohol and

Other Drug Abuse Services

Circle Park Florence County

‑Alcohol and Drug Abuse $ 150,000

(15) L04‑Department of Social Services

Child Support Enforcement

System Development $ 212,221

(16) P12‑Forestry Commission

Firefighting Equipment $ 2,000,000

(17) E20-Attorney General’s Office

Farmers Market $ 3,000,000

(18) P20‑Clemson University‑PSA

Advanced Plant Technology Lab $ 3,000,000

(19) P32‑Department of Commerce

Deal Closing Fund $ 5,320,234

(20) P32‑Department of Commerce

Business Incubator Program $ 1,000,000

(21) R44‑Department of Revenue

Repayment of Loan Authorized

by the Budget and Control

Board on 12/12/12 $ 20,170,000

(22) R44‑Department of Revenue

SCITS Implementation $ 7,533,374

(23) N20‑Law Enforcement Training

Council (Criminal Justice

Academy) HVAC System $ 1,682,032

(24) A17‑Legislative Printing and

Information Technology Systems

Data Center and Server Room $ 950,000

(25) E28‑Election Commission

New Statewide Voter System $ 5,000,000

(26) E28‑Election Commission

Electronic Voter Registration

Laptops (EVRL) $ 600,000

$112,656,555

SECTION 2. With the $5,500,000 appropriated in SECTION 1 to H59-State Board for Technical and Comprehensive Education for System-wide Infrastructure and Workforce Development, the board shall be responsible for prioritizing and funding projects to maximize workforce development. For the purpose of prioritizing funding requests, one of the following criteria must be met: (1) projects requested by the Department of Commerce for current industry recruitment, (2) projects to enhance science and math education by renovating existing science buildings, (3) projects designed to enhance traffic flow and student vehicular safety, and (4) projects that have a local county match funding. Central Carolina Technical College shall be excluded from the distribution of these funds.

SECTION 3. The General Assembly finds, that as a top priority of the current fiscal year, consumer protection is to continue to be provided for those citizens whose personal financial information was compromised as a result of the Department of Revenue Security Breach of 2012. In accordance with that finding, the funds appropriated to the Budget and Control Board for Statewide Cyber Security and Consumer Protection shall first be used to provide, at a minimum, one additional year of consumer protection to those citizens who were enrolled in “ProtectMyID” as of March 31, 2013. Any funds remaining shall be utilized by the board to implement state agency cyber security improvements as recommended in solutions for plans on cyber security improvements.

SECTION 4. Prior to any negotiations for the purchase of property at the State Farmers Market located in Lexington County, the Attorney General’s Office shall research all recorded documents related to the property and submit a memorandum to the Budget and Control Board that outlines any potential legal issues associated with ownership by the State of any or all of the property, including but not limited to deed restrictions, liens, easements, encumbrances, and gate fee collections. The Attorney General shall attempt to renegotiate, on behalf of the Department of Agriculture, the original farmers market development agreement including but not limited to the declaration of covenants, conditions and restrictions for the wholesalers section. Once the Attorney General has renegotiated the agreements he deems necessary to the State obtaining full enjoyment of title, the Attorney General may utilize funds appropriated in Fiscal Year 2013-2014 to negotiate for the purchase of property at the State Farmers Market on behalf of the State Department of Agriculture subject to approval of the Budget and Control Board. While negotiating the purchase of the State Farmers Market property, the Attorney General shall prioritize the acquisition of lot twenty-five.

SECTION 5. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11‑11‑320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 6. This joint resolution takes effect thirty days after the completion of the 2012‑2013 fiscal year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(D)(1) of the 1976 Code.

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