

South Carolina
House of Representatives



Legislative Oversight Committee

*December 5, 2018
one hour after adjournment.
Room 110 -Blatt Building*

AGENDA

- I. Nominations for Chairman
Election of Chairman
- II. Nominations for Other Officers
Election of Other Officers
- III. Discussion of organizational matters, including vision, mission, rules, and committee standard practices
- IV. Discussion of recommendations to the Speaker for agencies to schedule for study in 2019
- V. Approval of minutes from the October 23, 2018, last full committee meeting of the 122nd General Assembly
- VI. Adjournment

Committee Vision:

For South Carolina agencies to become, and continuously remain, the most effective state agencies in the country through processes which eliminate waste and efficiently deploy resources thereby creating greater confidence in state government.

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.

PROPOSED LEGISLATIVE OVERSIGHT COMMITTEE RULES

South Carolina House of Representatives 123rd General Assembly (2019-2020 Legislative Sessions)

Overview of Proposed Revisions

THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE COMMITTEE OR THE HOUSE OF REPRESENTATIVES. IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT.

Clarification of existing practices of the Committee	<ul style="list-style-type: none">• Removes references to hearings and instead refers to meetings• Provides that a subcommittee or ad hoc committee chair may direct a roll call vote on any matter• Clarifies that a simple majority is required to constitute a quorum for an ad hoc committee• Clarifies that modification of study assignments includes appointment of members to studies• Clarifies that subcommittees and ad hoc committees shall decline any invitations from agencies for meals or special events
Additions of existing practices of the Committee	<ul style="list-style-type: none">• To address a subcommittee or ad hoc committee, a person must be: (1) scheduled on the agenda, (2) a constitutional officer of South Carolina, (3) member of the South Carolina General Assembly, or (4) granted permission during the meeting by the subcommittee chairman or ad hoc committee chairman.• The Chairman, subcommittee chairmen, and ad hoc committee chairmen shall maintain order and decorum at all meetings in which they preside.• The Committee shall not intervene in any individual's ongoing matter with an agency.

RULE 1

RULES OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES

1.1 The Rules of the South Carolina House of Representatives (House) as they are now or as hereafter adopted shall be the rules of the House Legislative Oversight Committee (Committee) as determined to be appropriate by the Chairman of the Committee (Chairman) and except as otherwise provided below.

1.2 Where the rules of the Committee might be deemed in conflict with the Rules of the House as determined by the Chairman, the Rules of the House will prevail.

RULE 2

GENERAL RULES OF THE COMMITTEE

2.1 The Committee recognizes itself as a standing committee of the House as enumerated in House Rule 4.2.

2.2 The adopted rules of the Committee must be taken as an expression of the normal operating procedure of the Committee, but the procedure, excluding voting requirements, may be departed from with the approval of two-thirds of the Committee members present.

2.3 Permanent changes to the rules require approval by two-thirds of the appointed membership. Any such changes must be conducted by a roll-call vote.

2.4 The rules of the Committee shall remain in effect beyond the two-year session to serve as the temporary rules until the subsequent Committee membership adopts rules.

**RULE 3
COMMITTEE OFFICERS**

- 3.1 During its organizational meeting at the beginning of each two-year session (organizational meeting), the Committee's most senior member of the majority party, as determined by service in the General Assembly, shall preside as the temporary Chairman until a permanent Chairman is elected.
- 3.2 The Committee shall elect a Chairman at its organizational meeting.
- 3.3 The Committee shall elect a First Vice-Chairman at its organizational meeting.
- 3.4 The Committee may elect a Second Vice-Chairman.

**RULE 4
FULL COMMITTEE MEETINGS**

- 4.1 The First Vice-Chairman shall preside over full Committee meetings in the absence of the Chairman or at the pleasure of the Chairman. The Second Vice-Chairman, if one is elected, shall preside over the full Committee meetings in the absence of the Chairman and First Vice-Chairman or at the pleasure of the Chairman.
- 4.2 In the event of the absence of the Chairman and other Committee officers, the Chairman may appoint a Committee member to serve as temporary presiding officer.
- 4.3 A simple majority of the appointed membership constitutes a quorum of the full Committee.
- 4.4 A matter to be considered at a full Committee meeting shall be listed on the agenda.
- 4.5 Preparation of the agenda for a full Committee meeting and designation of the meeting time and location is the responsibility of the Chairman. As the Committee does not have designated meeting rooms, the location of its meetings will vary due to room availability in the Blatt Building.
- 4.6 An agenda for a full Committee meeting shall be distributed to the members of the Committee.
- 4.7 With unanimous consent of those members present and voting, a matter not listed on the agenda may be considered at the meeting for which the agenda is prepared.
- 4.8 To address the full Committee, a person must be: (1) scheduled on the agenda, (2) a constitutional officer of South Carolina, (3) Member of the South Carolina General Assembly, or (4) granted permission during the meeting by the Chairman without objection of five or more members of the Committee. This provision does not apply to full Committee hearings meetings scheduled to receive testimony from the public.
- 4.9 The Chairman, in order to ensure that all full committee meetings are available to the public, shall allow access to S.C. ETV for the availability of internet streaming whenever technologically feasible.

**RULE 5
VOTING**

5.1 All votes taken on legislative oversight studies and investigations by the full Committee, any subcommittee or ad hoc committee shall be decided by a roll call vote, after which the names of committee members voting in the affirmative, voting in the negative, and not voting shall be recorded in the minutes. The Chairman, at his pleasure, may direct a roll call vote on any other matter. A subcommittee chair or ad hoc committee chair, at his pleasure, may direct a roll call vote on any other matter in such meetings.

5.2 The Chairman may vote, at his discretion, on any matter under consideration in full committee and in all subcommittees and ad hoc committees and may, at his discretion, be counted as a member of such committees to constitute a quorum. If a quorum is not present for a subcommittee or an ad hoc committee meeting, the First Vice-Chairman, at his discretion, may serve temporarily as a member of any such committee to achieve the number necessary to constitute a quorum.

5.3 Any member of the Committee may request a roll-call vote on any question pending consideration. The Chairman shall direct a roll-call vote to be taken if at least five Committee members second the requesting member's action.

RULE 6 SUBCOMMITTEES AND AD HOC COMMITTEES

6.1 The Chairman shall determine the number and size of subcommittees; the Committee recognizes that S.C. Code of Laws Section 2-2-30 provides that a subcommittee conducting an oversight study and investigation of an agency must not consist of fewer than three members.

6.2 The Chairman shall appoint subcommittee chairmen and may appoint other subcommittee officers.

6.3 The Chairman may appoint ad hoc committees to study specific issues. The Chairman may appoint officers for any ad hoc committee. The Rules of the House as they are now or as hereafter adopted and the Rules of this Committee, as they may be applicable, shall be the rules of any such ad hoc committee. An ad hoc committee shall cease to exist upon completion of the assigned task(s).

6.4 Legislative oversight studies and investigations of agencies are assigned to a subcommittee or an ad hoc committee at the discretion of the Chairman; the Chairman may modify assignments and appointments as he deems appropriate.

6.5 A subcommittee chairman or an ad hoc committee chairman is responsible for scheduling meetings of such committees, upon approval by the Committee Chairman. As the Committee does not have designated meeting rooms, the location of its subcommittee and ad hoc committee meetings will vary due to room availability in the Blatt Building.

6.6 An agenda for a subcommittee or an ad hoc committee meeting shall be distributed to the members of such committees.

6.7 At least three of the membership of a subcommittee or a simple majority of an ad hoc committee constitutes a quorum.

6.8 To address a subcommittee or ad hoc committee, a person must be: (1) scheduled on the agenda, (2) a constitutional officer of South Carolina, (3) member of the South Carolina General Assembly, or (4) granted permission during the meeting by the subcommittee chairman or ad hoc committee chairman.

6.89 A subcommittee chairman or an ad hoc committee chairman shall allow access to S.C. ETV for the availability of internet streaming of such meetings whenever technologically feasible.

RULE 7
LEGISLATIVE OVERSIGHT STUDIES AND INVESTIGATIONS OF AN AGENCY

7.1 The Committee recognizes its duties, jurisdiction, and responsibilities as enumerated in House Rule 4.2, House Rule 4.3, and S.C. Code of Laws Section 2-2-5 et seq. In carrying out those duties and responsibilities, the Committee may develop and adhere to standard practices for the normal operating procedure, upon approval by the Chairman.

7.2 Pursuant to the provisions of S.C. Code Section 2-2-50 et seq., S.C. Code Section 2-69-30 and Article III, Section 12, of the South Carolina Constitution, the full Committee, a subcommittee or an ad hoc committee, in the discharge of its duties, may administer oaths and affirmations, take depositions, issue subpoenas and subpoenas duces tecum, and receive testimony and evidence as necessary in connection with its work, study, or investigation. Further, the full Committee, a subcommittee or ad hoc committee, in the discharge of its duties of providing legislative oversight, may determine what evidence or information to obtain from an agency.

7.3 A request for a subcommittee or an ad hoc committee hearing meeting on any unassigned legislative oversight study or investigation not assigned must be submitted in writing to the Chairman by the chairman of a subcommittee or an ad hoc committee. The Chairman shall determine whether or not a hearing meeting will be conducted. The subcommittee or ad hoc committee studying an agency shall conduct the hearing meeting; the subcommittee chairman or ad hoc committee chairman shall designate the meeting time for the hearing, upon approval by the Chairman.

7.4 A Committee hearing meeting shall be held on any legislative oversight study or investigation the Committee is considering if requested by two-thirds of the appointed members of the Committee. The Chairman shall designate the meeting time for the hearing meeting.

7.5 With the exception of members of the South Carolina General Assembly, a person requesting to be heard at a full committee, subcommittee or ad hoc committee hearing must contact the Committee office by the deadline determined by the full Committee Chairman, a subcommittee chairman, or an ad hoc committee chairman. The person must submit a prepared statement at least twenty-four hours before the day and time of the hearing to Committee staff. An appropriate number of copies of the prepared statement, as determined by Committee staff, is the responsibility of the person requesting to be heard. However, the full Committee Chairman, a subcommittee chairman or an ad hoc chairman may waive the requirement for a prepared statement.

7.6 The Chairman, at his discretion, may request that the Legislative Audit Council perform an audit of an agency.

7.7 The Chairman, at his discretion, may agree to joint investigations with the Senate or other House standing committees.

RULE 8
MISCELLANEOUS MATTERS

8.1 The Chairman, at his discretion, may approve publication of Committee information on the South Carolina General Assembly's website.

8.2 In recognizing the importance of fairness in the legislative oversight process, the Committee subcommittees and ad hoc committees shall decline any invitations for meals or other similar social events that may be issued to the Committee.

8.3 The Chairman, subcommittee chairmen, and ad hoc committee chairmen shall maintain order and decorum at all meetings in which they preside.

8.4 The Committee shall not intervene in any individual's ongoing matter with an agency.

8.35 Whenever the pronoun ‘he’ appears in any rule, it shall be deemed to designate either masculine or feminine.

Selected House Rules Relevant to Committee Procedure*

The Chairman shall be elected by the respective committees during the organizational session. If any subsequent vacancy shall occur in a committee's chairmanship, the election of a new committee chairman shall take place at the time and date to be set by the presiding officer of the respective committee. The committees may at their discretion elect a Vice-Chairman and such other officers as they may choose. House Rule 1.9

Whenever feasible twenty-four hour advance notice shall be given for all committee meetings. Such notice shall be mailed to the members by the committee chairmen when the House is not in session. Notice of regular and special meetings shall also be given by the administrative assistants to each member of the committees and to the Sergeant at Arms in the manner the committee deems proper. Information as to subcommittee meetings shall be provided by the administrative assistants to the Sergeant at Arms and shall be available at the Sergeant at Arms' desk. Failure of notice of any meeting shall not invalidate committee action unless bad faith is shown. No committee shall meet while the House is in session without special leave by the Speaker. House Rule 4.4.

No committee shall sit unless a quorum be present House Rule 4.4.

All meetings of all committees shall be open to the public at all times, subject always to the power and authority of the Chairman to maintain order and decorum with the right to go into Executive Session as provided for in the South Carolina Freedom of Information Act, Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended. House Rule 4.5.

No committee shall file a report unless the committee has met formally at an authorized time and place with a quorum present. House Rule 4.5.

All standing committees of the House shall prepare and make available for public inspection, in compliance with Section 30-4-90 of the 1976 Code of Laws of South Carolina, as amended, the minutes of full committee meetings. Such minutes need not be verbatim accounts of such meetings but shall include those matters required by the above mentioned Freedom of Information Act. House Rule 4.5

No member of a committee shall be allowed under any circumstances to vote by proxy. House Rule 4.14.

* The House Rules included in this documents are listed for informational purposes only and are not intended to be a part of the formal Legislative Oversight Committee Rules. Additionally, the House Rules listed are not exhaustive and may be updated as rule changes are adopted by the South Carolina House of Representatives.

LEGISLATIVE OVERSIGHT COMMITTEE

Standard Practices



**Approved Pursuant to Legislative Oversight Committee Rule 7.1
Proposed December 2018**

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OVERVIEW OF PROPOSED REVISIONS IN PART I

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Corrections	1.3 corrects a scrivener's error
Clarifications to conform with current Committee practice	3.4 revises explanation of how staff helps constituents to reflect current practices
Additions to conform with current Committee practice	2.3 notes Committee staff are prohibited from providing legal advice to any constituent Flow chart, which is part of the Committee's brochure, with overview of current process

PART I - GENERAL PRACTICES

1. AUTHORITY, MODIFICATION AND GENERAL INFORMATION RELATING TO STANDARD PRACTICES

1.1 Legislative Oversight Committee (Committee) Rule 7.1 authorizes the committee to develop and adhere to standard practices.

1.2 Committee standard practices may be modified pursuant to Committee Rule 7.1.

1.3 Whenever the pronoun 'he' appears in any **rule standard practice**, it shall be deemed to designate either the masculine or feminine.

2. COMMITTEE STAFF

2.1 Committee staff work for the South Carolina House of Representatives (House).

2.2 Committee staff shall assist any Member of the House with matters relating to legislative oversight, and any Member of the House may request that Committee staff hold these matters in confidence.

2.3 Committee staff are prohibited from providing legal advice to any constituents.

3. CONSTITUENTS

Constituents

3.1 Constituents may request to be notified as to when a particular agency is scheduled for legislative oversight study and investigation by the Committee.

3.2 Constituents may contact the Committee about matters relating to legislative oversight, and Members of the House may forward constituent matters relating to legislative oversight to the Committee.

3.3 Committee staff shall make reasonable efforts, as determined by the Committee Chairman, to contact any constituent requesting notification as to when a particular agency is scheduled for legislative oversight study and investigation.

3.4 If a constituent, including, but not limited to, members of the press and agency staff, has concerns about an agency currently undergoing legislative oversight study and investigation, the constituent shall may be informed about

3.4.1 about the process, including the Committee's prohibition on intervening in any constituent's ongoing matter with an agency,

3.4.2 notified about any opportunities to participate in the process, and

3.4.3 Section 2-2-70 requires all testimony provided to the committee to must be under oath pursuant to Section 2-2-70, and anyone knowingly furnishing false information will be subject to the penalties provided by law, and

3.4.4 appropriate resources, if available, that may be able to address the constituent's concerns about an agency. *(Added from 3.5)*

~~3.5 If a constituent has concerns about an agency not currently undergoing legislative oversight study and investigation by the Committee, Committee staff shall refer the constituent to appropriate resources, if available, that may be able to address the constituent's concerns about an agency.~~

Chairman and Committee

3.6 Committee staff shall inform the Committee Chairman, on a schedule as determined by the Chairman, about the concerns received from constituents, House Members and other state entities, which relate to agencies. Dissemination and publication of these concerns is governed by Standard Practice 10.4.

Interaction between Committee Staff and the Press

3.7 Committee staff shall direct questions from the press to the Committee Chairman. The Committee Chairman, at his discretion, may authorize Committee staff to answer specific questions from the press.

3.8 If the Committee Chairman is unavailable to answer questions from the press and has not authorized Committee staff to respond to the specific questions, Committee staff shall direct the questions from the press to the First Vice-Chairman or to the appropriate subcommittee or ad hoc committee chairman.

House Legislative Oversight Committee's Study and Investigative Process

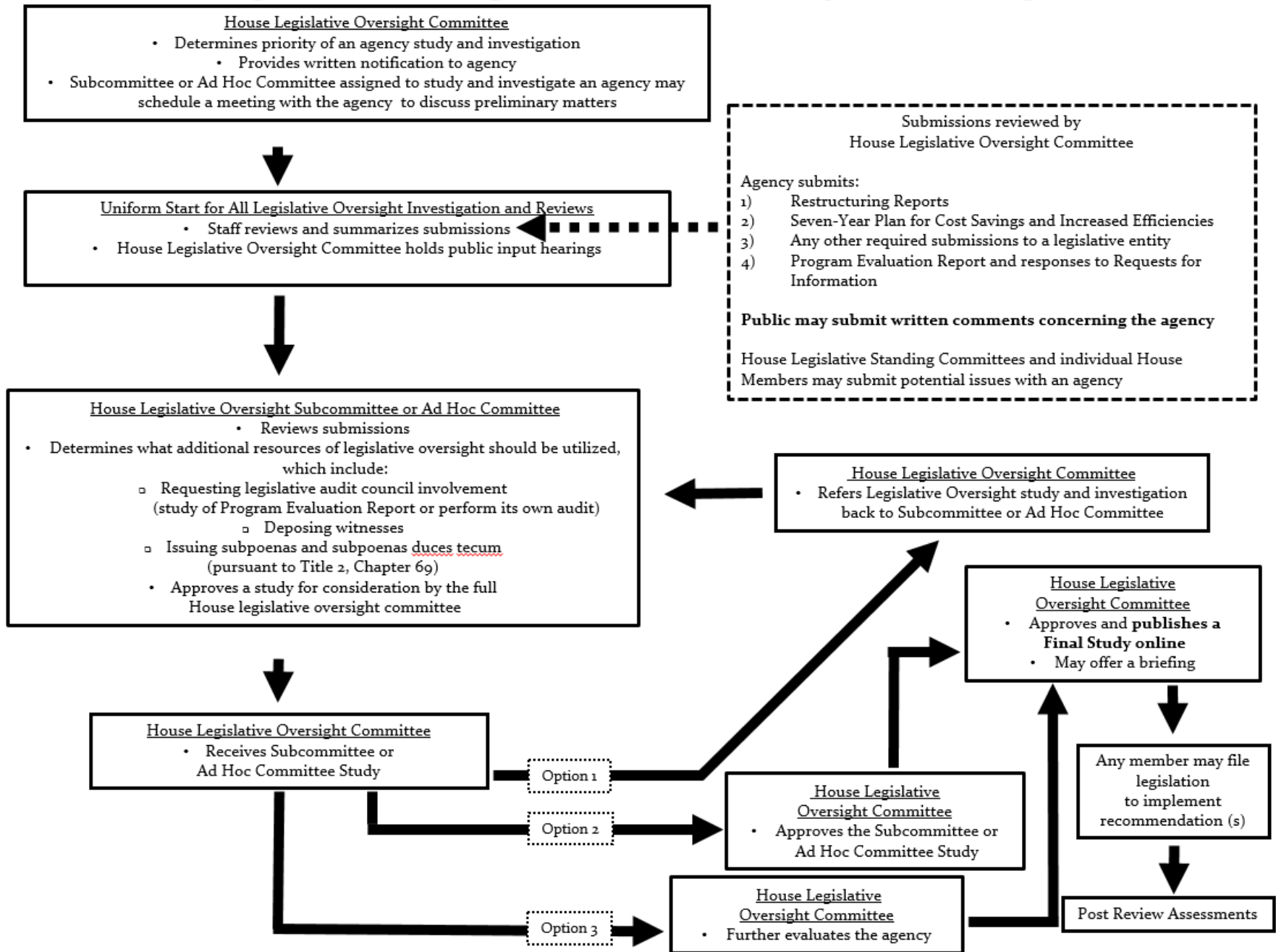


Figure 1. Committee investigation process.

OVERVIEW OF PROPOSED REVISIONS IN PART II

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Clarifications which conform to current Committee practice	4. revises and reorders explanation of how agency restructuring recommendation are posted online
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PART II - PRACTICES RELATING TO REPORTS RECEIVED BY THE LEGISLATIVE OVERSIGHT COMMITTEE

4. AGENCY ANNUAL RESTRUCTURING REPORT

Section 1-30-10(G)(1) requires agencies to submit annual reports to the General Assembly giving detailed or comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs or personnel within each department for a more efficient administration of government services (“Annual Restructuring Report” or “ARR”). If an agency has no restructuring recommendation, the statute requires the report to contain a statement to that effect.

NOTE: Changes below made to help the information flow more easily in light of the fact that some of the provisions apply, regardless of what document serves as the ARR, some apply if the Annual Accountability Report serves as the ARR, and some apply if the ARR is a document separate from the Annual Accountability Report.

Posting Online and Restructuring Recommendations

The standard practices below apply if the Annual Accountability Report serves as the ARR, or if there is an ARR separate from the Annual Accountability Report.

4.1 The documents serving as the ARR include a section which allows an agency to indicate it has no restructuring recommendations.

4.2 The Committee shall indicate online, via a list or other means, the agencies that did and did not provide a restructuring recommendation. *(Same wording as what was previously 4.4)*

4.3 The Committee shall post the documents serving as the ARR online.

4.4 Committee staff shall provide notification, in a manner determined by the Committee Chairman, to all Members of the House about the publication of this information online. *(Same wording as what was previously 4.5)*

Annual Accountability Report Serves as ARR

4.5 The Committee shall continue efforts to integrate and combine aspects of the ARR into the Annual Accountability Report submitted pursuant to S.C. Code Section 1-1-810, so that completion of the annual Accountability Report by the stated deadline in the report fulfills the requirements to complete an ARR. *(Same wording as what was previously 4.1.1)*

4.5.1 The Committee recognizes that not every agency the Committee has identified it will study files an Annual Accountability Report. For these agencies the Committee shall provide the guidelines for the Accountability Report, which includes the deadline for submission. *(Same wording as what was previously 4.1.2)*

ARR Separate from the Annual Accountability Report

4.6 The Committee shall provide agencies with a uniform format, as approved by the Committee Chairman, for submitting their Annual Restructuring Reports to the Committee. ~~The Annual Restructuring Report format will include a section, which allows an agency to indicate it has no restructuring recommendations.~~ *(Moved to 4.1)*

~~4.1.1~~ The Committee shall continue efforts to integrate and combine aspects of the ARR into the Annual Accountability Report submitted pursuant to S.C. Code Section 1-1-810, so that completion of the annual Accountability Report by the stated deadline in the report fulfills the requirements to complete an ARR. *(Moved to 4.5)*

~~4.1.2~~ The Committee recognizes that not every agency the Committee has identified it will study files an Annual Accountability Report. For these agencies the Committee shall provide the guidelines for the Accountability Report, which includes the deadline for submission. *(Moved to 4.5.1)*

~~4.1.3~~ Should the Committee require an agency to complete a separate ARR, the Committee shall make efforts to comply with Standard Practices 4.2 through 4.3.3. If the committee is able to incorporate requirements of the ARR into the Annual Accountability Report, Standard Practices 4.2 through 4.3.3 will not apply. *(No longer necessary in light of separating the sections applicable when the "Annual Accountability Report Serves as the ARR" and when there is an "ARR Separate from the Annual Accountability Report.")*

4.7 The Committee shall provide agencies with the Restructuring Report Guidelines by November thirtieth of each year. Agencies must submit the Annual Restructuring Report by the first day of session each year ("Deadline"). *(Same wording as what was previously 4.2)*

Failure to Provide Responses to All Questions in ARR

4.7.1 The Chairman may require any agency that has submitted its Annual Restructuring Report which does not include responses to all questions to amend its submission so as to provide responses to all questions. The Chairman may provide the agency with a list of questions that do not have responses. The agency will determine the response it would like to make, but the agency will need to provide some type of response to all questions.

Extensions for ARR

4.7.2.2 The Chairman may, for reasons he determines as good cause, provide an agency an extension and new deadline to submit its Annual Restructuring Report (“New Deadline”).

4.7.2.3 Before the Chairman will consider a request from an agency for an extension, the agency must fully complete a Committee Extension Request form, as approved by the Committee Chairman, and provide it to the Chairman for consideration.

4.7.2.4 Until the agency receives a response, it should continue to complete the report to the best of its ability as if it is due on the original deadline.

Amended ARR Submitted Prior to Online Publication

4.7.2.5 The Chairman may, for reasons he determines as good cause, allow an agency to provide an amended version of its Annual Restructuring Report (“Amended Report”) prior to online publication.

4.7.2.6 If an agency makes a request to submit an Amended Report, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency wishes to submit the Amended Report, and a bullet point list of the sections revised in the Amended Report.

4.7.2.7 If the Chairman allows an agency to provide an Amended Report, the agency must provide a completely new Annual Restructuring Report with an updated date of submission and signatures on the report by a date determined by the Chairman. The Committee will not make edits or substitute parts to any versions of an agency’s Annual Restructuring Report. The Committee will only discard an old Annual Restructuring Report, if a complete Amended Report is provided.

Failure to Submit ARR or Respond to All Questions

4.7.2.8 If an agency fails to submit responses to all questions in its Annual Restructuring Report by the Deadline, or New Deadline applicable to the agency, the Committee may request the Executive Director of the agency and, if applicable Board/Commission Chair, appear at a full committee meeting to explain, under oath, why the agency has failed to provide the information requested and when it will be provided.

Online Publication of ARR

4.7.3.9 The Committee will post in a central location online, access to all of the following information: a) Annual Restructuring Reports; b) Extension Request Forms; and c) Letters requesting submission of an Amended Report. *(Strike through language is now covered in 4.3)*

Amended ARR Submitted After Initial Online Publication

4.7.3.1.10 The Chairman may, for reasons he determines as good cause, allow an agency to provide an Amended Report after initial online publication.

4.7.3.2.11 If an agency makes a request to submit an Amended Report, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included

as an attachment to an email, explaining the reason the agency wishes to submit the Amended Report, and a bullet point list of the sections revised in the Amended Report.

4. ~~7 3-3.12~~ If the Chairman allows an agency to provide an Amended Report, the agency must provide a completely new Annual Restructuring Report with an updated date of submission and signatures on the report by a date determined by the Chairman. The Committee will not make edits or substitute parts to any versions of an agency's Annual Restructuring Report. The Committee will only discard an old Annual Restructuring Report, if a complete Amended Report is provided.

Restructuring Recommendations

~~4.4 The Committee shall indicate online, via a list or other means, the agencies that did and did not provide a restructuring recommendation.~~ (Moved to 4.2)

Notification to Members of the House

~~4.5 Committee staff shall provide notification, in a manner determined by the Committee Chairman, to all Members of the House about the publication of this information online.~~
(Moved to 4.4)

5. GOVERNOR'S RESTRUCTURING REPORT

Section 1-30-10(G)(1) provides that the Governor periodically must consult with the governing authorities of the various departments and upon such consultation, the Governor must submit a report of any restructuring recommendations to the General Assembly for its review and consideration ("Governor Restructuring Report").

5.1 The Committee will post in a central location online, access to Governor Restructuring Reports received from the Governor pursuant to Section 1-30-10(G)(1).

6. AGENCY SEVEN-YEAR PLAN FOR COST SAVINGS & EFFICIENCIES

Section 1-30-10(G)(2) requires agencies to submit a seven-year plan that provides initiatives or planned actions that implement cost saving and increases efficiencies within the projected seven-year period to the General Assembly ("Seven-Year Plans").

6.1 The Committee shall provide agencies with a uniform format, as approved by the Committee Chairman, for submitting their Seven-Year Plans to the House.

6.1.1 The following subparts of Section 4 of the Standard Practices shall apply to Agency Seven-Year Plans in the same manner they apply to Annual Restructuring Reports: Failure to Provide Responses to All Questions; Extensions; Amended Reports Submitted Prior to Online Publication; Failure to Submit Report or Respond to All Questions; Online Publication; and Amended Reports Submitted After Initial Online Publication.

6.2 The Committee will post in a central location online, access to all Seven-Year Plans.

OVERVIEW OF PROPOSED REVISIONS IN PART III

THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE COMMITTEE OR THE HOUSE OF REPRESENTATIVES. IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT.

Clarifications to conform with current Committee practice	7.6 uses the term “study” consistently in standard practices rather than interchangeably with the term “review” 8.2 reorders information 8.3 allows for flexibility in the public input meeting process 9.1.4 encourage agencies to share any concerns about requests made during the study process 9.2 provides more transparency in the study process for the agency 9.2.4 clarifies the applicable chair (i.e., subcommittee, full committee or ad hoc committee) may direct staff to obtain clarification on information received from an agency in written correspondence 10 reorders information 10.1 clarifies an agency has 45 calendar days to respond to the Program Evaluation Report New 11 -13 reorders information
Deletions to conform with current Committee practice	Old 11 removes references to staff studies 13 removes references to briefings on studies as they are posted online
Additions to conform with current Committee practice	Flow chart illustrating how public input is received and disseminated

PART III - PRACTICES RELATING TO THE COMMITTEE’S STUDY AND INVESTIGATION PROCESS

7. AGENCY INVESTIGATION SCHEDULE & TIME FOR COMPLETION

Section 2-2-30(C) requires a seven-year review schedule to be published in the House Journal the first day of session each year. Further, this statute provides that the Speaker of the House, upon consulting with the chairmen of standing committees in the House and the Clerk of the House, determines the agencies for each standing committee to conduct oversight studies and investigations. The Committee recognizes there is no requirement in the statute that an agency oversight study and investigation be completed within a certain timeframe, except the overall seven year cycle.

Recommendations as to the Seven-Year Investigation Schedule

7.1 The Committee may adopt recommendations for the Speaker of the House relating to the publication of the seven-year review schedule in the House Journal the first day of session each year.

Priority/Order of Agencies Scheduled for Investigation during a Given Year

7.2 The Committee **may establish** the priority or order of current agencies scheduled for a legislative oversight study and investigation during a given year.

7.2.1 In establishing a priority or order of current agencies scheduled for legislative oversight study and investigation during a given year, the Committee may consider the length of time the agency director has been in office.

7.3 The Committee may, for reasons it determines as good cause, **change the priority** or order of agencies scheduled for a legislative oversight study and investigation during a given year, including placing a current study on hold and moving forward with the study of another agency.

Investigations Outside Schedule

7.4 In addition to the seven-year oversight studies and investigations,

7.4.1 a standing committee of the House may initiate an oversight study and investigation of an agency within its subject matter jurisdiction pursuant to Section 2-2-40(A)¹; and

7.4.2 the Speaker of the House or chairmen of standing committees may authorize and conduct legislative investigations into agencies functions, duties and activities pursuant to Section 2-2-40(B)².

Time Frame for Completion of Agency Investigations

7.5 The Committee may establish a time frame for the legislative oversight study and investigation of an agency.

7.6 The Committee may, for reasons it determines as good cause, change the time frame for a legislative oversight **study and** investigation **and review** of an agency. *(Change made to make language consistent with 7.1 through 7.5.)*

8. ADVANCED NOTIFICATION PROVIDED TO AGENCIES

Section 2-2-30(C) requires a seven-year review schedule to be published in the House Journal the first day of session each year. In addition to this notice available to agencies, the Committee will also follow the notice procedures below.

Required Written Notification

8.1 The Committee shall provide written notification to an agency that it is scheduled for legislative oversight study and investigation prior to the start of the investigation. **The agency shall forward this notification to all employees at the agency.** *(Moved to 9.1.1 since Standard Practice 9 is specifically for the agency)*

8.2 The written notification to the agency shall include the following:

¹ "...The motion calling for the oversight study and investigation must state the subject matter and scope of the oversight study and investigation. The oversight study and investigation must not exceed the scope stated in the motion or the scope of the information uncovered by the investigation."

² "Nothing in the provisions of this chapter prohibits or restricts the President Pro Tempore of the Senate, the Speaker of the House of Representatives, or chairmen of standing committees from fulfilling their constitutional obligations by authorizing and conducting legislative investigations into agencies' functions, duties, and activities."

(Original 8.2.1, 8.2.2, and 8.2.3 re-ordered to match order information appears in letter)

- 8.2.1.2 purpose of the investigation, as outlined in Section 2-2-20(B)³,
- 8.2.2.3 what must be considered in the investigation, as outlined in Section 2-2-20(C)⁴,
- 8.2.3.4 information about the Committee’s expectations of the agency during the investigation, as outlined under Standard Practice 9,
- 8.2.4 **instructions to** encourage employees and other stakeholders (e.g., partners, customers, and vendors) to provide testimony and respond to the public survey, and *(wording added to match other subparts that all start with a noun instead of a verb)*
- 8.2.5 methods by which employees and other stakeholders (e.g., partners, customers, and vendors) may communicate, including the option to communicate anonymously, with the Committee.

Introduction of Agency and Public Input Meeting

8.3 The Full Committee may schedule an Introduction of Agency and Public Input meeting with the agency(ies) scheduled for study ~~to~~ **This meeting may include** (1) obtaining **a** brief (2-3 minutes) explanation of what each agency does; and **or** (2) receiving public input about each agency. *(Changes in the first sentence allow flexibility in whether or not the meeting occurs. Changes to the second sentence allows flexibility in what is covered during the meeting, if the meeting occurs.)*

³ “The purpose of these oversight studies and investigations is to determine if agency laws and programs within the subject matter jurisdiction of a standing committee: (1) are being implemented and carried out in accordance with the intent of the General Assembly; and (2) should be continued, curtailed, or eliminated.”

⁴ “The oversight studies and investigations must consider: (1) the application, administration, execution, and effectiveness of laws and programs addressing subjects within the standing committee’s subject matter jurisdiction; (2) the organization and operation of state agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within the standing committee’s subject matter jurisdiction; and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within the standing committee’s subject matter jurisdiction.”

9. EXPECTATIONS **DURING OF AN AGENCY UNDERGOING INVESTIGATION**

Section 2-2-20(B) states the purpose of the legislative oversight study is to determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly, and should they be continued, curtailed, or eliminated. Further, the Committee recognizes that a legislative oversight study and investigation of agency serves the purpose of informing the public about the agency.

9.1 The Committee expects an agency to:

9.1.1 **Forward agency staff the written notification that the agency is scheduled for legislative oversight study from the Committee. This is to** inform its staff that the agency is undergoing a legislative oversight study and investigation as well as the purpose of the investigation and how to access the Committee's website for information about the study and investigation. *(First sentence moved from 8.1)*

9.1.2 Appoint a liaison to assist the Committee with all activities, including but not limited to, sharing Committee correspondence with agency staff.

9.1.3 Respond to its requests in a concise, complete, and timely manner.

9.1.4 Be candid with the Committee and to promptly discuss with the Committee any concerns or questions the agency may have related to the legislative oversight study and investigation process, including, **but not limited to,** any concerns the agency may have that **(a) the Committee has drawn an incorrect conclusion; or (b) time or resources required to respond to a Committee request.** *(Language added to remind agencies to inform the Committee if a request will require a large number of documents in response or large amount of time to research so the Committee has the opportunity, if it desires, to rephrase the request)*

9.1.5 Realize **formal** written **responses** **information** provided to the Committee is considered sworn testimony *(Language revised to clarify every email an agency staff member sends to Committee staff is not considered sworn testimony, as this question was often asked by agency staff)*

9.1.6 Inform the Committee, **prior to responding,** **if** any information requested by the Committee, **or provided by the agency,** **that** cannot be published online due to provisions in contract or law. *(Language revised to remind agencies to tell the Committee if information is confidential before sending it)*

9.2 The Agency may expect the Committee to:

9.2.1 Post on the Committee's webpage: (1) letters between the Committee and Agency sent via U.S. Mail or as attachments to an email; (2) documents received from the agency in person, via U.S. Mail, or as attachments to an email; **(3) compilations of information;** and **(4) (3)** any other materials pursuant to Committee Rule 8.1. *(Language added to provide the agency advanced notice that if an agency provides information about a similar subject matter in several different letters, Committee staff may compile the information together in a single document for ease of reference. Committee staff may do the same with information obtained from other states or entities, e.g., N.C. Indigent Defense Services)*

9.2.2 Return **or delete** documents to the agency which the agency has indicated, due to confidentiality provisions in contract or law, may not be posted online. *(Language added because information that an agency emails to the Committee cannot be returned, but must be deleted)*

9.2.3 Instruct Committee staff to interact with agency staff for the purposes of discussing procedural matters, including review of draft submissions of Accountability Reports, Program Evaluation Reports or Requests for Information, and/or answering agency staff questions at any time.

9.2.4 Instruct Committee staff to meet with agency staff for the purposes of asking substantive questions and/or reviewing agency files on behalf of **a Subcommittee the Committee**, upon approval **by the Committee Chairman or applicable Subcommittee or Ad hoc Committee Chairman. of a motion to do so during a Subcommittee meeting.** *(Language revised to clarify the applicable Chair can direct staff to perform these actions and a motion is not necessary as sometimes an agency response to a letter may necessitate the need for these actions prior to the next meeting, to ensure the next meeting can cover substantive topics and not get behind schedule. Additionally, 9.2.4.1 ensures there is transparency with any information obtained by staff)*

9.2.4.1 If such action is taken by Committee staff, the information obtained during the meeting between committee staff and agency staff **will may** be memorialized in a letter from committee staff to agency staff, which may be incorporated into the meeting minutes of the **Subcommittee's** next meeting.

10. INITIAL COLLECTION AND REVIEW OF INFORMATION

Language revised since some of the information collected and reviewed occurs throughout the process, not just at the initial stage.

In recognizing the importance of fairness in the legislative oversight process, **the Committee strives for** every legislative oversight study and investigation **shall to** begin the same way. The initial step involves Committee staff obtaining and reviewing information.

Information from Agencies - Program Evaluation Report

10.1 Committee **staff** may request the agency complete a Program Evaluation Report (“PER”) pursuant to Sections 2-2-50(D) and 2-2-60, within **forty five 45 calendar** days of receiving the guidelines for the PER; and *(revised language addresses prior questions from agencies and helps to ensure consistency across agency studies)*

10.1.1 A state agency that is vested with revenue bonding authority may submit annual reports and annual external audit reports conducted by a third party in lieu of a program evaluation report pursuant to Section 2-2-60(E).

Failure to Provide Responses to All Questions in PER

10.1.2 The Chairman may require any agency that has submitted a Program Evaluation Report which does not include responses to all questions to amend its submission so as to

provide responses to all questions. The Chairman may provide the agency with a list of questions that do not have responses. The agency will determine the response it would like to make, but the agency will need to provide some type of response to all questions.

Extensions for PER

10.1.3 The Chairman may, for reasons he determines as good cause, provide an agency an extension and new deadline to submit its Program Evaluation Report (“New Deadline”).

10.1.4. Before the Chairman will consider granting an extension, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency is requesting the extension and the number of days it is requesting, not to exceed thirty.

10.1.5 Until the agency receives a response, it should continue to complete the report to the best of its ability as if it is due on the original deadline.

Amended PER Submitted Prior to Online Publication

10.1.6 The Chairman may, for reasons he determines as good cause, allow an agency to provide an amended version of its Performance Evaluation Report (“Amended Report”) prior to online publication.

10.1.7 If an agency makes a request to submit an Amended Report, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency wishes to submit the Amended Report, and a bullet point list of the sections revised in the Amended Report.

10.1.8 If the Chairman allows an agency to provide an Amended Report, the agency must provide a completely new Program Evaluation Report with an updated date of submission and signatures on the report by a date determined by the Chairman. The Committee will not make edits or substitute parts to any prior versions of an agency’s Program Evaluation Report. The Committee will only discard an old Program Evaluation Report, if a complete Amended Report is provided.

Failure to Submit PER or Respond to All Questions

10.1.9 If an agency fails to submit responses to all questions in its Program Evaluation Report by the Deadline, or New Deadline applicable to the agency, the Committee may request the Executive Director of the agency and, if applicable Board/Commission Chair, appear at a full committee meeting to explain, under oath, why the agency has failed to provide the information requested and when it will be provided.

Online Publication of PER

10.2 The Committee will post in a central location online, access to all of the following information: a) Program Evaluation Report; b) Correspondence related to a Request for Extension, if any is required; and c) Letters requesting submission of an Amended Report, if any is required. After posting online, the Committee will send an electronic copy of the PER to all House Members.

Amended PER Submitted After Initial Online Publication

10.2.1 The Chairman may, for reasons he determines as good cause, allow an agency to provide an Amended Report after initial online publication.

10.2.2 If an agency makes a request to submit an Amended Report, the Chairman may require the agency to provide a written letter, which may be sent via U.S. mail or included as an attachment to an email, explaining the reason the agency wishes to submit the Amended Report, and a bullet point list of the sections revised in the Amended Report.

10.2.3 If the Chairman allows an agency to provide an Amended Report, the agency must provide a completely new Program Evaluation Report with an updated date of submission and signatures on the report by a date determined by the Chairman. The Committee will not make edits or substitute parts to any versions of an agency's Program Evaluation Report. The Committee will only discard an old Program Evaluation Report, if a complete Amended Report is provided.

10.3 The Committee may approve additional requests for information to be submitted to the agency pursuant to section 2-2-50(A).

Information from the Public, House or other State Entities

10.4 Committee members and Committee staff may also collect information from the public, House Members and staff or other state entities. Information from the "public" includes information from individuals, associations, groups, organizations, etc., who are not members of the House of Representatives or submitted on behalf of a state entity.

Solicitation of Information

10.4.1 Written comments and other information shall be solicited from the public, House Members and staff, or other state entities concerning the agency in a manner approved by the Chairman. The comments shall not be considered testimony and offered for the truth of the matter asserted but nevertheless may serve the purpose of directing the Committee to potential issues with an agency.

Types of Information and Method of Publication

(The above additional subcategorization of information was not necessary and was removed to allow better flow of text in the document)

Comments submitted via the Committee website (publication online)

10.4.2 through 10.4.4 moved to group the sections about Comments submitted together and to keep the sections with "publication online" together

10.4.2 Concerns and comments provided by the public, House Members and staff, or other state entities via **online surveys on the Committee website**, will be provided verbatim to the Committee Chair or Vice Chair, who will identify any profanity and replace all letters, after the first letter, of the profane word with asterisks. Other than replacing all letters, after the first letter, of a profane word with asterisks, no members of the Committee or Committee staff shall alter the comments prior to their publication on the Committee webpage.

10.4.3 When an agency is currently under study, concerns and comments constituents provide via online surveys on the Committee website, will be provided to all House Members and the public, via **publication** on the website, at the time the survey is over or once a month.

10.4.4 When an agency is not currently under study, concerns and comments constituents provide via online surveys on the Committee website, will not be provided to all House Members and the public until such time as the agency is under study. Once the agency is under study, the provisions of 3.6 shall apply.

Reports and ~~Reviews obtained from created by~~ other Legislative Entities (publication online)

10.4.2.5 The Committee recognizes that under diverse existing laws agencies are required to submit reports to various legislative entities. The Committee shall use its best efforts to review these reports as part of its legislative oversight study and investigation of agencies.

10.4.3.6 The Committee recognizes that under diverse existing laws other legislative entities study and review some agencies, and the Committee may make efforts, at the discretion of the Chairman, to consult these legislative entities during the legislative oversight study and investigation process.

10.4.4.7 Information provided by other state entities may be **published** on the Committee's website as an additional location for the Committee, House Members, and public to obtain the information.

Comments submitted via the Committee website (publication online)

Wording below is the same as what was previously 10.4.2 through 10.4.4

10.4.5 Concerns and comments provided by the public, House Members and staff, or other state entities via **online surveys on the Committee website**, will be provided verbatim to the Committee Chair or Vice-Chair, who will identify any profanity and replace all letters, after the first letter, of the profane word with asterisks. Other than replacing all letters, after the first letter, of a profane word with asterisks, no members of the Committee or Committee staff shall alter the comments prior to their publication on the Committee webpage.

10.4.6 When an agency is currently under study, concerns and comments constituents provide via online surveys on the Committee website, will be provided to all House Members and the public, via **publication** on the website, at the time the survey is over or once a month.

10.4.7 When an agency is not currently under study, concerns and comments constituents provide via online surveys on the Committee website, will not be provided to all House Members and the public until such time as the agency is under study. Once the agency is under study, the provisions of ~~3.6~~ 10.4.3 shall apply.

Comments submitted via email or other correspondence (provided to agency upon request)

10.4.8 Concerns and comments may be provided by the public, House Members and staff, or other state entities via email, letter or other written form (“correspondence”). The Committee will make efforts to communicate to the remitter (1) the agency, about which the comments relate, may request copies of the correspondence; (2) the Committee cannot control how the agency utilizes the information; and (3) the remitter has the option to: submit revised correspondence or request to withdraw the correspondence. Unless specifically requested by the remitter, correspondence will be considered to come from an anonymous constituent. The Committee will consider any correspondence, for which it does not receive a reply from the remitter within ten business days, to be approved by the remitter for submission to the agency with the remitter’s name and contact information redacted, should the agency request any correspondence the Committee has received relating to it.

10.4.9 The Committee Chairman, at his discretion, may determine the form in which the agency must submit the request for correspondence the Committee has received from the public, House Members and staff, or other state entities. The Committee Chairman, at his discretion, may also determine when and to whom at the agency the correspondence is published.

Comments obtained in person or over the phone (provided to agency upon request)

10.4.10 Committee staff may take notes for use in conducting a study of an agency. Prior to taking any notes that reflect the comments of an individual, staff will make efforts to inform that individual notes are being taken and of the individual’s options relating to staff notes. An individual has the option to review staff notes from the individual’s conversation with staff and after review: submit revisions to comments or request to withdraw comments. Unless specifically requested by the person providing the information, staff notes will be considered to come from an anonymous constituent.

10.4.11 The Committee Chairman, at his discretion, may determine when and to whom staff notes are disseminated or published.

Investigative Resources and Partners

Language below is the same as what was previously 12.1 through 12.2.7. It was moved from “Subcommittee and Ad hoc Committee Review,” section to the “Collection of Information” section because it could occur prior to assignment to a Subcommittee or Ad Hoc Committee. It could also occur after the Subcommittee or Ad Hoc Committee has sent notice to the Full Committee that a study is ready for review (which takes the study out of the jurisdiction of the Subcommittee or Ad Hoc Committee and places it in the Full Committee’s jurisdiction).

The Committee recognizes that Section 2-2-50 allows evidence or information related to a study and investigation to be acquired by any lawful means. Further, the Committee recognizes that Section 2-2-70 requires all testimony given to the Committee to be under oath, and anyone knowingly furnishing false information will be subject to the penalties provided by law.

10.5 After receiving summaries from Committee staff or a staff oversight study, if there is one, and an agency response to the study, if there is one, the subcommittee or ad hoc committee assigned to study and investigate an agency shall review the information and determine what

other investigative resources or partners, if any, of legislative oversight should be utilized in studying and investigating the agency. *(Similar wording as what was previously 12.1)*

10.6 Other investigative resources or partners of legislative oversight include:

10.6.1 Requesting the Legislative Audit Council to study the agency's Program Evaluation Report, after obtaining prior approval from the Committee Chairman, pursuant to 2-2-60(D) and Committee Rule 7.6;

10.6.2 Requesting the Legislative Audit Council perform its own audit of the agency or program, after obtaining prior approval from the Committee Chairman, pursuant to 2-2-60(D) and Committee Rule 7.6;

10.6.3 Referring allegations of fraud, waste, abuse, mismanagement, misconduct, violations of state or federal law, and wrongdoing in an executive branch agency to the State Inspector General and/or appropriate law enforcement agenc(ies);

10.6.4 Deposing witnesses pursuant to Section 2-2-50(B) and Committee Rule 7.2;

10.6.5 Issuing subpoenas and subpoenas duces tecum (production of documents) pursuant to Section 2-2-50(C) and Committee Rule 7.2;

10.6.6 Having a public hearing pursuant to Committee Rule 7.3 and Committee Rule 7.5; and

10.6.7 Affirmatively approving recommendations that may have been made by the Members of the subcommittee or ad hoc committee in a prior General Assembly.

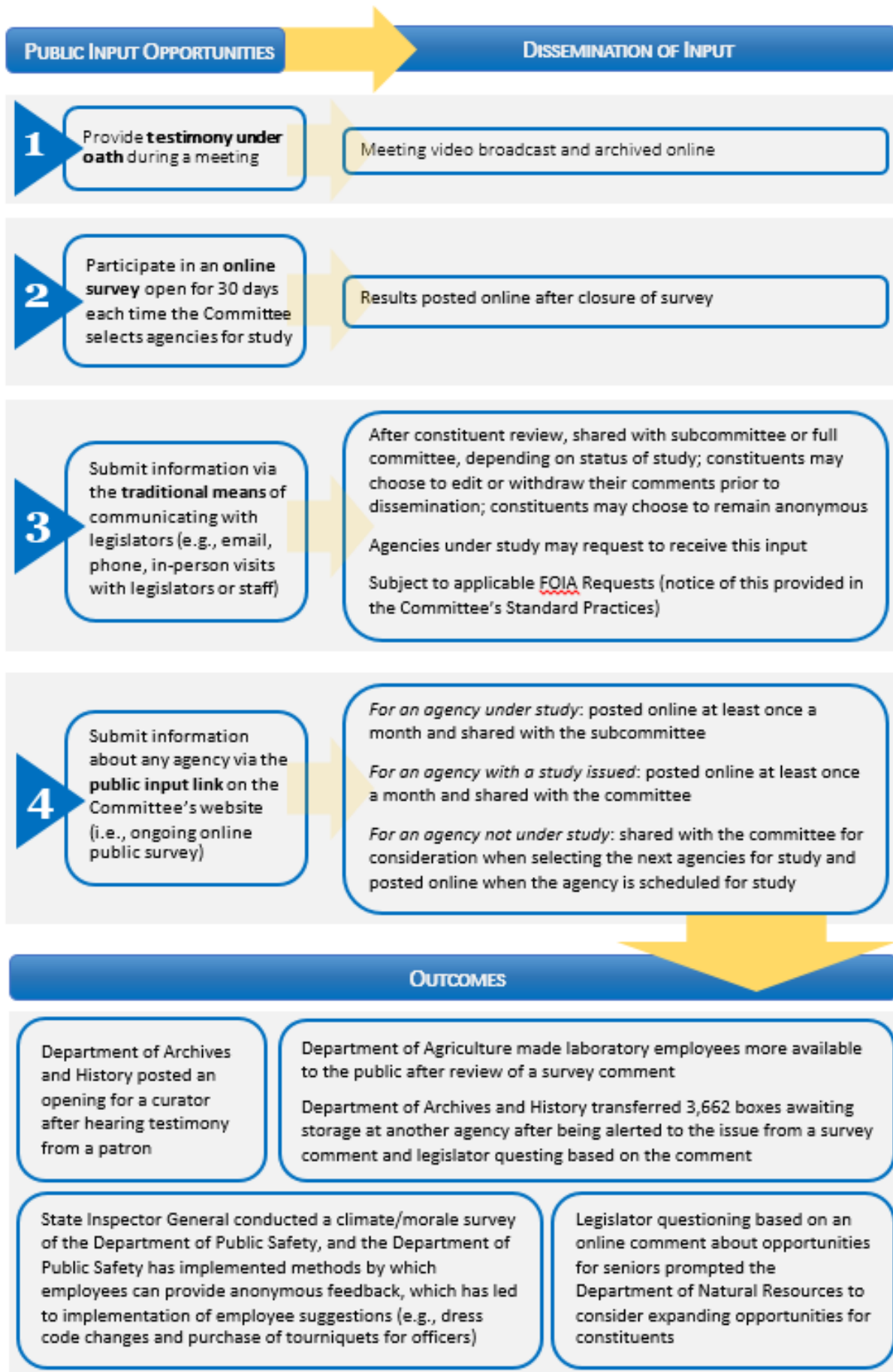


Figure 2. Public input opportunities and how input is disseminated.

11. STAFF SUMMARIES, OVERSIGHT STUDIES, & AGENCY RESPONSES

Removed language below because the Committee is no longer utilizing Staff Studies as it did with the first several agencies it studied when the Committee was initially formed.

In recognizing the importance of fairness in the legislative oversight process, reasonable efforts are made for each legislative oversight study and investigation to begin the same way. After the Committee Staff obtains and reviews relevant information the staff will communicate further with the agency, periodically share summaries of agency information with the Committee and may create a staff study of the agency.

Agency Information Summaries and/or Agency Oversight Study prepared by Staff

11.1 Committee staff shall compile and review all relevant information obtained, periodically prepare summaries of this information, and may draft an oversight study of the agency.

11.2 In preparing a summary or an oversight study, Committee staff may make recommendations based upon its review of the information.

11.3 Committee staff may provide the agency under investigation a draft version of the Committee staff's summary or oversight study.

11.4 Committee staff shall provide the agency under investigation with a copy of any final oversight study prepared by Committee staff.

Agency Response to any final Agency Oversight Study prepared by Committee Staff

11.5 The agency shall have ten business days to respond to any final oversight study prepared by Committee staff.

11.6 An agency may request an extension to respond to any final Committee staff report. The request must be in writing and provide good cause as to why the extension is needed. Upon receipt of the written request, the Chairman, at his discretion, may grant an extension. However, the extension may be no longer than five additional business days.

11.7 An agency is not required to provide a response to any final Committee staff oversight study.

11.8 Any response provided by an agency shall be attached to any final oversight study prepared by Committee staff.

Final Agency Oversight Study prepared by Committee Staff & Responses Provided to Subcommittee or Ad Hoc Committee

11.9 A copy of the Committee staff's final oversight study, if there is one, and an agency response to this study, if there is one, shall be provided to:

11.9.1 the appropriate subcommittee or ad hoc committee and

11.9.2 the Members of any legislative standing committees in the House that may share subject matter jurisdiction over the agency.

11.10 The agency will receive notice that a copy of the Committee staff's final oversight study, if there is one, and the agency's response, if there is one, has been provided to the appropriate subcommittee, ad hoc committee, and any legislative standing committees in the House that may share subject matter jurisdiction over an agency.

11.10.1 The Committee staff's final study, if there is one, and the agency's response, if there is one, shall be published online.

All Standard Practice numbers from here until the end are updated in light of deleting Standard Practice 11.

112. SUBCOMMITTEE AND AD HOC COMMITTEE REVIEW, ADDITIONAL INVESTIGATION, & APPROVAL

Investigative Resources and Partners

Language below moved to the end of Standard Practice 10. Collection of Information.

The Committee recognizes that Section 2-2-50 allows evidence or information related to a study and investigation to be acquired by any lawful means. Further, the Committee recognizes that Section 2-2-70 requires all testimony given to the Committee to be under oath, and anyone knowingly furnishing false information will be subject to the penalties provided by law.

12.1 After receiving summaries from Committee staff or a staff oversight study, if there is one, and an agency response to the study, if there is one, the subcommittee or ad hoc committee assigned to study and investigate an agency shall review the information and determine what other investigative resources or partners, if any, of legislative oversight should be utilized in studying and investigating the agency.

12.2 Other investigative resources or partners of legislative oversight include:

12.2.1 Requesting the Legislative Audit Council to study the agency's Program Evaluation Report, after obtaining prior approval from the Committee Chairman, pursuant to 2-2-60(D) and Committee Rule 7.6;

12.2.2 Requesting the Legislative Audit Council perform its own audit of the agency or program, after obtaining prior approval from the Committee Chairman, pursuant to 2-2-60(D) and Committee Rule 7.6;

12.2.3 Referring allegations of fraud, waste, abuse, mismanagement, misconduct, violations of state or federal law, and wrongdoing in an executive branch agency to the State Inspector General and/or appropriate law enforcement agency(ies);

12.2.4 Deposing witnesses pursuant to Section 2-2-50(B) and Committee Rule 7.2;

12.2.5 Issuing subpoenas and subpoenas duces tecum (production of documents) pursuant to Section 2-2-50(C) and Committee Rule 7.2;

12.2.6 Having a public hearing pursuant to Committee Rule 7.3 and Committee Rule 7.5; and

12.2.7 Affirmatively approving recommendations that may have been made by the Members of the subcommittee or ad hoc committee in a prior General Assembly.

Approve, Add Written Statements & Refer to Full Committee

The subsections below were moved to the end of this Standard Practice, since the Subcommittee would address any allegations of violations of contempt of the General Assembly (see next subsection) prior to referring a Subcommittee or Ad Hoc Committee report to the Full Committee

12.3 A subcommittee or ad hoc committee shall approve an oversight study for the full Committee.

12.3.1 A copy of the subcommittee or ad hoc committee study shall be provided to:

(a) the appropriate subcommittee or ad hoc committee and

(b) the Members of any legislative standing committees in the House that may share subject matter jurisdiction over the agency.

12.4 Any member of the subcommittee or ad hoc committee assigned to study and investigate the agency may provide a written statement for inclusion with the oversight study for the full committee.

12.5 The subcommittee or ad hoc committee chairman shall notify the Committee Chairman in writing that an oversight study is available for consideration by the full Committee.

12.5.1 The subcommittee or ad hoc committee study shall be published online.

Address Any Allegations of Violations of Contempt of the General Assembly (S.C. Code of Laws §2-2-100)

12.6.1 Any subcommittee or ad hoc committee member may make a motion alleging an individual may have violated S.C. Code of Laws §2-2-100 (contempt of the General Assembly) and requesting that the full Committee undertake an inquiry to determine whether to refer the matter to the Attorney General. The current text of this statute is provided below.

Any person who appears before a committee or subcommittee of either house, pursuant to this chapter, and wilfully gives false, materially misleading, or materially incomplete testimony under oath is guilty of contempt of the General Assembly. A person who is convicted of or pleads guilty to contempt of the General Assembly is guilty of a felony and, upon conviction, must be fined within the discretion of the court or imprisoned for not more than five years, or both.

12.7.2 If this motion passes, the subcommittee or ad hoc committee chair shall provide written notification of the subcommittee's request to the Chairman.

12.7.1.2.2 The study of the agency continues, unless the subcommittee or ad hoc committee approves a motion to the contrary.

12.8.3 If a motion fails, the agency study continues.

Address Any Allegations of Violations of Criminal Contempt of the General Assembly (S.C. Code of Laws §2-2-120)

112-9.4 Any subcommittee or ad hoc committee member may make a motion alleging an individual may have violated S.C. Code of Laws §2-2-120 (criminal contempt of the General Assembly) and requesting that the full Committee undertake an inquiry to determine whether to refer the matter to the Attorney General. The current text of this statute is provided below.

A person is guilty of criminal contempt when, having been duly subpoenaed to attend as a witness before either house of the legislature or before any committee thereof, he:

- (1) fails or refuses to attend without lawful excuse; or
- (2) refuses to be sworn; or
- (3) refuses to answer any material and proper question; or
- (4) refuses, after reasonable notice, to produce books, papers, or documents in his possession or under his control which constitute material and proper evidence.

A person who is convicted of or pleads guilty to criminal contempt is guilty of a felony and, upon conviction, must be fined within the discretion of the court or imprisoned for not more than five years, or both.

112-10.5 If a motion passes, the Subcommittee ad hoc committee chair shall provide written notification to the Chairman of the Subcommittee's request.

112-10.5.1 The study of the agency continues, unless the subcommittee or ad hoc committee approves a motion to the contrary.

112-11.6 If a motion fails, the agency study continues.

Approve, Add Written Statements & Refer a Subcommittee or Ad Hoc Committee Oversight Study Report to Full Committee

The subsections are the same as what was previously 12.3 through 12.5.1, except for two "shall" being changed to "may" as noted below the applicable provision. These subsections were moved to the end of this Standard Practice, since the Subcommittee would address any allegations of violations of contempt of the General Assembly prior to referring a Subcommittee or Ad Hoc Committee report to the Full Committee

11.7 A subcommittee or ad hoc committee may shall approve an oversight study for the full Committee. (Changed "shall" in the original language to "may" as it is possible there may be studies which the Subcommittee or Ad Hoc Committee do not approve)

11.7.1 A copy of the subcommittee or ad hoc committee study may be provided to: (Changed "shall" in the original language to "may" to allow for flexibility in how the information is provided as there are various ways to provide this information, including posting online.)

(a) the appropriate subcommittee or ad hoc committee and

(b) the Members of any legislative standing committees in the House that may share subject matter jurisdiction over the agency.

11.8 Any member of the subcommittee or ad hoc committee assigned to study and investigate the agency may provide a written statement for inclusion with the oversight study for the full committee.

11.9 The subcommittee or ad hoc committee chairman shall notify the Committee Chairman in writing that an oversight study is available for consideration by the full Committee.

11.9.1 The subcommittee or ad hoc committee study shall be published online.

123. FULL COMMITTEE REVIEW & REFERRAL, APPROVAL OR FURTHER INVESTIGATION

Schedule a Full Committee Meeting

123.1 The Committee Chairman shall schedule a full Committee meeting for the purpose of receiving an oversight study of an agency from a subcommittee or ad hoc committee or addressing any allegation(s) of violation(s) of contempt of the General Assembly (S.C. Code of Laws §2-2-100) or criminal contempt of the General Assembly (S.C. Code of Laws §2-2-120).

Address Any Allegation(s) of Violation(s) of Contempt of the General Assembly (S.C. Code of Laws §2-2-100) or Criminal Contempt of the General Assembly (S.C. Code of Laws §2-2-120)

(Similar language below was in what was formerly 13.7 and 13.8. The beginning of what is now 12.2 states "Upon receipt of a motion..." instead of "Upon receipt of notification of a subcommittee's request..." This change acknowledges there could be a motion at a full committee meeting, after the subcommittee or ad hoc committee has notified the full Committee the study is available for consideration. Also, the provisions were moved to the beginning of this Standard Practice, since the Committee would address any allegations of violations of contempt of the General Assembly prior to determining how to handle a subcommittee or ad hoc Committee report which was referred to the full Committee.)

12.2 Upon receipt of a motion that the full Committee undertake an inquiry as to whether to refer a matter to the Attorney General on the basis that a violation of contempt of the General Assembly (S.C. Code of Law §2-2-100) or criminal contempt of the General Assembly (S.C. Code of Law §2-2-120) may have occurred, the Committee Chairman shall bring the matter before the full Committee.

12.3 When the full Committee takes up the requested inquiry, it may decide whether or not it will refer the matter to the Attorney General to address in an appropriate manner as determined by the Attorney General.

Options for Handling the Oversight Study

123.2 The full Committee may:

123.2.1 Refer a legislative oversight study and investigation back to a subcommittee or an ad hoc committee for further evaluation;

123.2.2 Approve the subcommittee or ad hoc committee's report; or

123.2.3 As the full Committee, choose to further evaluate an agency (i.e., amend the report) utilizing any of the available tools of legislative oversight discussed in Standard Practice 12.2, Committee Rule 7.4, Committee Rule 7.5, and Committee Rule 7.6.

Approve, Add Written Statements & Publish Full Committee Oversight Study

123.3 The full Committee may shall approve a full committee study. If it is a study of an agency, this full Committee study does not conclude the study of the agency. The agency remains under study, should additional issues arise, until the end of the seven-year cycle.

123.4 Any member of the Committee may provide a written statement for inclusion with the full committee study.

123.5 The full Committee's oversight study shall be published online.

123.6 The agency will receive a copy of the full Committee's-oversight study.

If follow up with an Agency is requested after approval of a Full Committee Study

Moved the subsections below to Standard Practice 14, which addresses processes after approval of a full committee study.

13.7 After the approval of a full committee oversight study, a committee member may make a motion, during a full committee meeting, to request agency representatives attend a full or subcommittee meeting for the purpose of obtaining additional information about the operation of the agency and/or submitting supplemental recommendations.

Address Any Allegation(s) of Violation(s) of Contempt of the General Assembly (S.C. Code of Laws §2-2-100) or Criminal Contempt of the General Assembly (S.C. Code of Laws §2-2-120)

The subsections below were moved to the beginning of this Standard Practice, since the Committee would address any allegations of violations of contempt of the General Assembly prior to determining how to handle a subcommittee or ad hoc committee report which was referred to the full Committee.

13.7 Upon receipt of notification of a subcommittee's request that the full Committee undertake an inquiry as to whether to refer a matter to the Attorney General on the basis that a violation of contempt of the General Assembly (S.C. Code of Law §2-2-100) or criminal contempt of the General Assembly (S.C. Code of Law §2-2-120) may have occurred, the Committee Chairman shall bring the matter before the full Committee.

13.8 When the full Committee takes up the requested inquiry, it may decide whether or not it will refer the matter to the Attorney General to address in an appropriate manner as determined by the Attorney General.

134. POST REPORT REVIEW PROCESS

Briefings

Deleting the subsections below because the Committee is no longer doing this.

14.1 The Committee shall offer at least one briefing to Members of the House about the contents of a final oversight study approved by the Committee.

14.2 The Committee Chairman, at his discretion, may provide briefings to the public about the contents of a final oversight study approved by the Committee.

Legislation to Implement Recommendations

134.3.1 The Committee recognizes that any Member of the House may file legislation to implement any recommendation.

Post Review Assessments and Reports Developed by Committee

134.4.2 The Committee shall develop post review assessments in order to receive feedback from various participants on ways to improve the legislative oversight study and investigation process.

If follow up with an Agency is requested after approval of a Full Committee Study

Same language below as was previously in 13.7

13.3 After the approval of a full committee oversight study, a committee member may make a motion, during a full committee meeting, to request agency representatives attend a full or subcommittee meeting for the purpose of obtaining additional information about the operation of an agency and/or submitting supplemental recommendations.

Legislative Oversight Subcommittees and Agencies for Study

Economic Development, Transportation, and Natural Resources (16 agencies)	Education and Cultural (14 agencies)	Executive (11 agencies)	Healthcare and Regulatory (13 agencies)	Law Enforcement and Criminal Justice (11 agencies)
To Study				
<ol style="list-style-type: none"> 1. Commerce, Dept. of* 2. Employment and Workforce, Dept. of* 3. Housing Finance and Development Authority* 4. Jobs Economic Development Authority* 5. Rural Infrastructure Authority* 6. Conservation Bank 7. Forestry Commission 8. Sea Grants Consortium 	<ol style="list-style-type: none"> 1. Education, Dept. of* 2. Arts Commission 3. Higher Education Commission 4. Library, State 5. Museum Commission and Confederate Relic Room 6. Technical and Comprehensive Education Board 7. Tuition Grants Commission 	<ol style="list-style-type: none"> 1. Secretary of State's Office* 2. Ethics Commission 3. Financial Institutions, Board of 4. Department on Aging 	<ol style="list-style-type: none"> 1. Alcohol and Drug Abuse, Dept. of* 2. Health and Human Services, Department of* 3. Patients' Compensation Fund* 4. State Accident Fund* 5. Vocational Rehabilitation, Department of* 6. Consumer Affairs, Dept. of 7. Insurance, Dept. of 8. Workers' Compensation Commission 	<ol style="list-style-type: none"> 1. Administrative Law Court* 2. Probation, Parole and Pardon, Dept. of* 3. State Law Enforcement Division* 4. Attorney General's Office
*Study of this agency has been requested by a constituent or a Member of the House				
In Progress				
<ol style="list-style-type: none"> 1. Motor Vehicles, Dept. of <i>PER received; Subcommittee meetings to start in 2019</i> 2. Labor, Licensing and Regulation, Dept. of <i>Subcommittee study complete</i> 	<ol style="list-style-type: none"> 1. Wil Lou Gray Opportunity School <i>PER received; Subcommittee meetings to start in 2019</i> 	<ol style="list-style-type: none"> 1. Aeronautics Commission <i>PER received; Subcommittee meetings to start in 2019</i> 2. Retirement System Investment Commission <i>on hold</i> 	<ol style="list-style-type: none"> 1. Mental Health, Dept. of <i>PER received; Subcommittee meetings to start in 2019</i> 	<ol style="list-style-type: none"> 1. Corrections, Dept. of <i>PER received; Subcommittee meetings to start in 2019</i>
Completed				
<ol style="list-style-type: none"> 1. Agriculture, Dept. of 2. Human Affairs Commission 3. Minority Affairs, Commission for 4. Revenue, Dept. of 5. Transportation, Dept. of 6. 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 November 2018

Subcommittee	Agency	# of employees ¹	FY19 Funds ²	Restr. Recs? ³	Senate status ⁵	
Economic Development, Transportation, & Natural Resources	Commerce, Dept. of*	104	224.4M		Ongoing	
	Employment & Workforce*	614	167.5M		Ongoing	
	Housing Finance & Dev. Authority*	109	198.4M	Yes	Ongoing	
	Jobs-Economic Dev. Authority*	2 ⁶	0.4M			
	Rural Infrastructure Authority*	9	42.6M		Complete	
	Conservation Bank	1	7.6M			
	Forestry Commission	327	33.2M		Complete	
	Sea Grant Consortium	11	5.7M		Ongoing	
	<i>Currently under study:</i>					
	Motor Vehicles, Dept. of	1,225	98.7M		Ongoing	
Labor, Licensing, & Regulation	390	41.1M				
Education and Cultural	Education, Dept. of*	1,047	4,813.6M	Yes		
	Arts Commission	14	5.2M		Ongoing	
	Higher Education Commission	32	45.6M		Ongoing	
	State Library	39	16.8M			
	State Museum	38	6.8M	Yes	Complete	
	Confederate Relic Room	5	1.3M		Complete	
	Tech & Comprehensive Ed Board	121	246.5M		Ongoing	
	Tuition Grants Commission	4	31.8M			
	<i>Currently under study:</i>					
	Wil Lou Gray Opportunity School	90	7.5M		Complete	
Executive	Secretary of State's Office*	32	3.2M		Ongoing	
	Ethics Commission	14	1.9M		Ongoing	
	Board of Financial Institutions	45	5.0M			
	Dept. on Aging	<i>not available</i>	<i>not available</i>		Complete ⁴	
	<i>Currently under study:</i>					
	Aeronautics Commission	11	10.6M		Complete	
	Retirement Sys. Inv. Comm. (on hold)	41	15.8M			
Healthcare and Regulatory	Alcohol & Drug Abuse Svc., Dept. of*	30	59.4M		Complete	
	Health & Human Services*	1,245	7,746.8M	Yes		
	Patients' Compensation Fund*	4	1.1M			
	State Accident Fund*	63	8.9M		Complete	
	Vocational Rehab, Dept. of*	1,038	173.3M		Ongoing	
	Consumer Affairs, Dept. of	42	3.6M		Complete	
	Insurance, Department of	84	17.9M		Complete	
	Workers' Comp. Commission	51	7.7M		Complete	
	<i>Currently under study:</i>					
	Mental Health, Dept. of	3,942	491.9M		Complete	
Law Enforcement and Criminal Justice	Administrative Law Court*	<i>not available</i>	4.2M		Complete	
	Probation, Parole, & Pardon*	666	61.3M	Yes		
	State Law Enf. Division (SLED)*	563	101.8M			
	Attorney General's Office	247	78.8M			
	<i>Currently under study:</i>					
	Corrections, Department of	4,851	492.4M		Ongoing	

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

¹ [Dept. of Admin](#) – Oct. 15, 2018.

² FY 18-19 Appropriations Act.

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

⁴ Senate review completed prior to agency reorganization.

⁵ Status of Senate oversight studies on November 15, 2018.

⁶ [JEDA website](#). Accessed November 19, 2018.

Chair Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

Legislative Oversight Committee

*Katherine E. (Katie) Arrington
William K. (Bill) Bowers
Neal A. Collins
MaryGail K. Douglas
William M. (Bill) Hixon
Jeffrey E. (Jeff) Johnson
Robert L. Ridgeway, III
Bill Taylor
John Taliaferro (Jay) West, IV*



South Carolina House of Representatives

*Bruce W. Bannister
Gary E. Clary
Chandra E. Dillard
Phyllis J. Henderson
Joseph H. Jefferson, Jr.
Mandy Powers Norrell
Tommy M. Stringer
Edward R. Tallon, Sr.
Robert Q. Williams*

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
Administration Coordinator*

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Legal Counsel*

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

*Kendra H. Wilkerson
Fiscal/Research Analyst*

Legislative Oversight Committee Meeting

**Tuesday, October 23, 2018
Blatt Building Room 110
10:00 a.m.**

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. The House Legislative Oversight Committee is called to order by Chairman Weston Newton on Tuesday, October 23, 2018, in Room 110 of the Blatt Building. The following members are in attendance for all or a portion of the meeting: Representative Bruce Bannister; Representative William K. (Bill) Bowers; Representative Gary E. Clary; Representative Chandra E. Dillard; Representative Laurie Slade Funderburk; Representative Phyllis Henderson; Representative William M. (Bill) Hixon; Representative Joseph H. Jefferson, Jr.; Representative Robert L. Ridgeway, III; Representative Edward R. (Eddie) Tallon; Representative John T. (Jay) West, IV; Representative Robert Q. Williams; and Representative Wm. Weston Newton.

Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings.
- II. Chairman Wm. Weston Newton calls the meeting to order.
- III. Representative Gary E. Clary moves to approve the minutes from the Committee's meeting on June 26, 2018. A roll call vote is held, and the motion passes.

Representative Clary's motion to approve the minutes from the June 26, 2018 meeting:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Discussion of Department of Disabilities and Special Needs

- I. Representative Phyllis Henderson introduces the study of the Department of Disabilities and Special Needs. Representative Henderson discusses the history of the department, the background of the study, and the study process.
- II. Chairman Newton reminds DDSN Director Poole that she is under oath. Director Poole provides remarks and answers questions from the committee members. Representative Edward Tallon moves that the subcommittee study include the new DDSN director's recommendations for onboarding training and continuing education for commissioners and provide and update to the committee in six months. Also, an update would be warranted on the status of additional mechanisms for feedback from stakeholders.

Representative Tallon's motion that the subcommittee study include the new DDSN director's recommendations for onboarding training and continuing education for commissioners and provide and update to the committee in 6 months. Also, an update would be warranted on the status of additional mechanisms for feedback from stakeholders:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			

Wm. Weston J. Newton	✓			
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IV. Representative Henderson moves that the subcommittee study include a recommendation that DDSN become a cabinet agency. Specifically, the agency head will be appointed by the Governor with advice and consent of the Senate. Also, the Commission on Disabilities and Special Needs would continue to exist, but in an advisory capacity. All responsibilities currently assigned to the Commission would devolve to the Department.

Representative Henderson’s motion that the subcommittee study include a recommendation that DDSN become a cabinet agency. Specifically, the agency head will be appointed by the Governor with advice and consent of the Senate. Also, the Commission on Disabilities and Special Needs would continue to exist, but in an advisory capacity. All responsibilities currently assigned to the Commission would devolve to the Department:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

- V. Representative Henderson moves that the subcommittee study include a recommendation that the county disability and special needs boards as defined in S.C. Code § 44-20-30, serve in an advisory capacity to the county director. All responsibilities currently assigned to the county boards, including hiring of the county director would devolve to the Department. The county disabilities and special needs board offices would become county offices of DDSN.

Representative Henderson’s motion that the subcommittee study include a recommendation that the county disability and special needs boards as defined in S.C. Code § 44-20-30, serve in an advisory capacity to the county director. All responsibilities currently assigned to the county boards, including hiring of the county director would devolve to the Department. The county disabilities and special needs board offices would become county offices of DDSN:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams		✓		
Wm. Weston J. Newton	✓			

VI. Chairman Newton reminds Mr. Ralph Courtney, Executive Director of the Aiken County Board of Disabilities, that he is under oath. Mr. Courtney provides remarks regarding his perspective on DDSN as an agency, the funding and payment of employees, oversight at the county level and explanation of the Aiken county system. Representative Henderson moves to approve the subcommittee study of DDSN as amended.

Representative Henderson’s motion that the subcommittee study of DDSN be approved as amended:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Discussion of Department of Revenue

- I. Representative Bruce Bannister introduces the study of the Department of Revenue, including the history of DOR, the background of the study, and the study process. Representative Bannister provides a summary of the agency recommendations.
- II. Chairman Newton reminds DOR Director Hartley Powell that he is under oath. Director Powell provides testimony regarding the agency and answers questions from the committee members.
- III. Representative Bill Hixon moves that the subcommittee study include a recommendation that DOR study S.C. Code Section 12-36-150 and return to the committee with a recommendation that applies to that code section.

Representative Hixon's motion that the subcommittee study include a recommendation that DOR study S.C. Code Section 12-36-150 and return to the committee with a recommendation that applies to that code section:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson	✓			
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

IV. Representative Bannister moves that the Committee adopt the subcommittee study of the Department of Revenue in full, omitting recommendation 3, amending recommendation 4 as discussed, and adding Representative Hixon’s motion.

Representative Bannister’s motion that the Committee adopt the subcommittee study of the Department of Revenue in full, omitting recommendation 3, amending recommendation 4 as discussed, and adding Representative Hixon’s motion:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West			✓	
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Discussion of Commission on Prosecution Coordination

- I. Representative Tallon introduces the subcommittee study of the Commission on Prosecution Coordination, including the study process, background of study, and a summary of the agency recommendations and findings.
- II. Representative Tallon moves to adopt the subcommittee study of the Prosecution Coordination Commission.

Representative Tallon’s motion to adopt the subcommittee study of the Prosecution Coordination Commission:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Discussion of Department of Parks, Recreation, and Tourism

- I. Representative Gary E. Clary introduces the subcommittee study of the Department of Parks, Recreation and Tourism (PRT), including the background of the study, the study process, and a summary of the recommendations and findings for the agency.
- II. Representative Clary moves that the subcommittee study include a recommendation that: (1) PRT work with the Department of Natural Resources (DNR) and the Conservation Bank to create a comprehensive list of properties, which a citizen could search by different fields. These fields may include the area of the state, accessibility, and amenities available; and (2) All three agencies post the same list on their respective websites so it is easily accessible by a citizen. This will help provide access to the citizen, regardless of the agency with which the citizen may be most familiar.

Representative Clary’s motion that (1) PRT work with DNR and the Conservation Bank to create a comprehensive list of properties, which a citizen could search by different fields. These fields may include the area of the state, accessibility, and amenities available; and (2) All three agencies post the same list on their respective websites so it is easily accessible by a citizen. This will help provide access to the citizen, regardless of the agency with which the citizen may be most familiar:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			

Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

III. Representative Funderburk moves that the subcommittee study include a recommendation that SCPRT and DOR collaborate on how to utilize each agency's different expertise to ensure the auditing required for film incentives is accomplished as efficiently as possible. Further, the General Assembly consider adopting any statutory revisions the agencies recommend to assist in implementing this recommendation.

Representative Funderburk's motion that the subcommittee study include a recommendation that SCPRT and DOR collaborate on how to utilize each agency's different expertise to ensure the auditing required for film incentives is accomplished as efficiently as possible. Further, the General Assembly consider adopting any statutory revisions the agencies recommend to assist in implementing this recommendation:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			

Wm. Weston J. Newton	✓			
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IV. Representative Clary moves that the subcommittee study include a recommendation that the General Assembly consider revising Proviso 117.21, or placing similar language in statute, to clarify the information required must come from not just organizations to which agencies are directed to provide funds in budget line items or provisos, but also organizations to which agencies are directed to provide funds in statute, if the agency has no control over how that organization spends the funds. The information required is already set forth in the Proviso.

Representative Clary’s motion that the subcommittee study include a recommendation that the General Assembly consider revising Proviso 117.21, or placing similar language in statute, to clarify the information required must come from not just organizations to which agencies are directed to provide funds in budget line items or provisos, but also organizations to which agencies are directed to provide funds in statute, if the agency has no control over how that organization spends the funds. The information required is already set forth in the Proviso:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			

Wm. Weston J. Newton	✓			
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V. Representative Clary moves to adopt the subcommittee study of SCPRT in full, with the addition of the recommendations and findings added during the full committee meeting.

Representative Clary's motion to adopt the subcommittee study of SCPRT in full, with the addition of the recommendations and findings added during the full committee meeting:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers	✓			
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Discussion of Commission on Indigent Defense

- I. Representative Tallon introduces the subcommittee study on the Commission on Indigent Defense, including the Commission’s history, the background of the study, and the study process. Representative Tallon also provides a summary of agency recommendations and findings.

- II. Chairman Newton reminds Commission on Indigent Defense Director Hugh Ryan that he is under oath. Director Ryan provides testimony regarding the agency and answers questions from the committee members. Representative Tallon moves to adopt the subcommittee study of the Commission on Indigent Defense in full.

Representative Tallon’s motion to adopt the subcommittee study of the Commission on Indigent Defense in full:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Discussion of Educational Television Commission

- I. Representative Joseph H. Jefferson, Jr. introduces the study of the Educational Television Commission, including the history of the commission, the background of the study, and the study process. Representative Jefferson also provides a summary of agency recommendations and findings for the Educational Television Commission.

- II. Representative Newton reminds ETV President Anthony Padgett that he is under oath. President Padgett answers a question from the committee. Representative Jefferson moves to adopt the subcommittee study of the Educational Television Commission in full.

Representative Tallon’s motion to adopt the subcommittee study of the Commission on Indigent Defense in full:	Yea	Nay	Not Voting: Present	Not Voting: Absent
Katherine E. Arrington				✓
Bruce W. Bannister	✓			
William K. Bowers				✓
Gary E. Clary	✓			
Neal Collins				✓
Chandra E. Dillard	✓			
MaryGail Douglas				✓
Laurie Slade Funderburk	✓			
Phyllis Henderson				✓
Bill Hixon	✓			
Joseph H. Jefferson, Jr.	✓			
Jeffery E. Johnson				✓
Mandy Powers Norrell				✓
Robert L. Ridgeway, III	✓			
Tommy Stringer				✓
Edward R. Tallon	✓			
Bill Taylor				✓
John T. West	✓			
Robert Q. Williams	✓			
Wm. Weston J. Newton	✓			

Administrative Matters

- I. Chairman Newton discusses administrative matters for the committee, including the ability of members to submit written statements for inclusion in committee studies pursuant to standard practice rules 12.4 and 13.4.

- II. There being no further business, the meeting was adjourned.



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - HCommLegOv@schouse.gov
- Location - Blatt Building, Room 228