

House Legislative Oversight Committee Meeting

Thursday, March 18, 2021

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AGENDA

South Carolina
House of Representatives



Legislative Oversight Committee

March 18, 2021

Room 110 - Blatt Building

1:00 p.m. or 30 minutes after the House adjourns, whichever is later

The meeting will stream online and be archived.

Members of the public may follow the meeting via the following link:

<https://www.scstatehouse.gov/video/schedule.php>

AGENDA – PUBLIC INPUT OPPORTUNITY

- I. Approval of minutes
- II. Discussion of Committee administrative matters
- IV. Opportunity for public input about the Attorney General’s Office; Department on Aging; Department of Commerce; and Jobs Economic Development Authority

MEETING PROTOCOL: To provide testimony, you must register in advance no later than 9:00 a.m. on Tuesday, March 16, 2021.

- Click [here](#) to register online.
 - Registration asks for the name and contact information for the individual providing testimony.
 - Testimony may be provided via digital means upon request in the registration.
- Click [here](#) for general information about providing testimony to the Committee.
 - Please plan to limit comments to three to five minutes.
- An ongoing opportunity to submit anonymous public input is available on the Committee’s website by clicking [here](#).

- V. Adjournment

INFORMATION FOR CONSTITUENTS
PROVIDING TESTIMONY TO THE COMMITTEE

Providing Testimony to the House Legislative Oversight Committee

The House Legislative Oversight Committee conducts studies and investigations of state agencies in order to determine if agency laws and programs are being implemented and carried out in accordance with the intent of the General Assembly and whether those programs should be continued, curtailed, or eliminated. It also works to inform the public about the agencies it studies.

Public input is a cornerstone of the oversight process. Input from people who interact with state agencies may help direct the Committee to potential areas for improvement.

Opportunities to provide testimony to the Committee

The Committee periodically holds public input meetings to hear testimony on agencies that are under study. The bulk of each study takes place at the Subcommittee level. Public testimony may be allowed at Subcommittee meetings, with permission of the Subcommittee chair. To see scheduled meetings, sign up for Committee updates, or contact the Committee, please visit <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>.

If you choose to testify before the Committee or one of its Subcommittees, please bear the following in mind:

1. All Committee and Subcommittee meetings are open to the public, and whenever technologically feasible, a video of each meeting is made available online.
2. To allow for safe and accessible public participation during the COVID-19 pandemic, persons interested in providing testimony may choose to participate virtually using Microsoft Teams.
3. You may be asked to keep testimony within a certain timeframe, often between three and five minutes.
4. You may provide written materials to supplement oral testimony.
5. Committee members may ask questions during testimony.
6. All testimony must be given under oath.
7. While the Committee cannot intervene in any individual's ongoing matter with an agency, the following are examples of topics that may be particularly helpful to the Committee:
 - The agency's communication of information to the public;
 - Experiences with the agency that reflect on its overall ability to fulfill its mission;
 - Multiple similar experiences with the agency that may indicate a pattern;
 - Specific concerns about actions of agency leadership; and
 - Ideas about ways in which an agency could better (i.e., more effectively or efficiently) fulfill its mission.

Other opportunities to provide input to the Committee

Providing public testimony under oath is not the only way to contribute to the oversight process. Other options include:

- Providing input by way of online public surveys;
- Emailing the Committee at HCommLegOv@schouse.gov; and
- Calling or meeting with Committee staff, who will provide a summary of your comments to the Committee.

If you have any questions about providing input to the House Legislative Oversight Committee, please contact the Committee by telephone at (803) 212-6810 or by email at HCommLegOv@schouse.gov.

MEETING MINUTES

Chair Wm. Weston J. Newton

*First Vice-Chair:
Joseph H. Jefferson, Jr.*

Legislative Oversight Committee

*Kambrell H. Garvin
Rosalyn D. Henderson-Myers
John R. McCravy, III
Adam M. Morgan
Melissa Lackey Oremus
Marvin R. Pendarvis
Tommy M. Stringer
Michael F. Rivers, Sr.
Chris Wooten*



South Carolina House of Representatives

*Gil Gatch
William M. "Bill" Hixon
Kimberly O. Johnson
Josiah Magnuson
Timothy A. "Tim" McGinnis
Travis A. Moore
Russell L. Ott
Bill Taylor
John Taliaferro (Jay) West, IV*

*Jennifer L. Dobson
Research Director*

*Cathy A. Greer
Administration Coordinator*

**Post Office Box 11867
Columbia, South Carolina 29211
Telephone: (803) 212-6810 • Fax: (803) 212-6811
Room 228 Blatt Building**

*Charles L. Appleby, IV
Legal Counsel*

*Lewis Carter
Research Analyst/Auditor*

Legislative Oversight Committee

**Wednesday, December 2, 2020
45 minutes after adjournment of the House
Blatt Room 110**

Archived Video Available

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

Attendance

- I. The Legislative Oversight Committee meeting was called to order by Representative William M. "Bill" Hixon, on Wednesday, December 2, 2020, in Room 110 of the Blatt Building. All members except: Representative Travis A. Moore; Representative Tommy Stringer; and Representative Bill Taylor were present for all or a portion of the meeting.

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.

Election of Committee Officers

- I. Representative Hixon opens the floor for nominations to fill the Committee chair position. Representative John Taliaferro “Jay” West nominates Representative Wm. Weston J. Newton and moves to close the nominations. The motion to close the nominations is completed by acclamation. Chairman Newton expresses gratitude for his election and asks Representative Hixon to temporarily continue to serve as chair. Without objection, it is noted the minutes will reflect an affirmative vote of all those present for the election of committee officers.

Chairman Election	Yea	Nay	Not Voting
Rep. Garvin	✓		
Rep. Gatch	✓		
Rep. Henderson-Meyers	✓		
Rep. Hixon	✓		
Rep. Jefferson	✓		
Rep. K.O. Johnson	✓		
Rep. Magnuson	✓		
Rep. McCravy	✓		
Rep. McGinnis	✓		
Rep. Morgan	✓		
Rep. Moore			Not Present
Rep. Newton	✓		
Rep. Oremus	✓		
Rep. Ott	✓		
Rep. Pendarvis	✓		
Rep. Rivers	✓		
Rep. Stringer			Not Present
Rep. Taylor			Not Present
Rep. West	✓		
Rep. Wooten	✓		

II. Representative Hixon opens the floor for nominations to fill the Committee First-Vice Chair position. Chairman Newton nominates Representative Jefferson and moves to close the nominations for election by acclamation. The motion to close the nominations is completed by acclamation. Committee First-Vice Chair Jefferson expresses gratitude for his election. Without objection, it is noted the minutes will reflect an affirmative vote of all those present for the election of committee officers.

Chairman Election	Yea	Nay	Not Voting
Rep. Garvin	✓		
Rep. Gatch	✓		
Rep. Henderson-Meyers	✓		
Rep. Hixon	✓		
Rep. Jefferson	✓		
Rep. K.O. Johnson	✓		
Rep. Magnuson	✓		
Rep. McCravy	✓		
Rep. McGinnis	✓		
Rep. Morgan	✓		
Rep. Moore			Not Present
Rep. Newton	✓		
Rep. Oremus	✓		
Rep. Ott	✓		
Rep. Pendarvis	✓		
Rep. Rivers	✓		
Rep. Stringer			Not Present
Rep. Taylor			Not Present
Rep. West	✓		
Rep. Wooten	✓		

Adoption of Vision and Mission Statements

- I. Chairman Newton announces that further organizational matters to discuss include the committee’s vision, mission, rules, and standard practices.
- II. Representative West shares the vision and mission statements used in prior General Assemblies and nominates them for adoption for the 124th General Assembly. Chairman

Newton announces that no second motion is required for the mission statements. No questions or comments on the vision and mission statements are provided by Committee members.

Rep. West's motion to adopt the two committee mission statements for the 124th General Assembly	Yea	Nay	Not Voting
Rep. Garvin	✓		
Rep. Gatch	✓		
Rep. Henderson-Meyers	✓		
Rep. Hixon	✓		
Rep. Jefferson	✓		
Rep. K.O. Johnson	✓		
Rep. Magnuson	✓		
Rep. McCravy	✓		
Rep. McGinnis	✓		
Rep. Morgan	✓		
Rep. Moore			Not Present
Rep. Newton	✓		
Rep. Oremus	✓		
Rep. Ott	✓		
Rep. Pendarvis	✓		
Rep. Rivers	✓		
Rep. Stringer			Not Present
Rep. Taylor			Not Present
Rep. West	✓		
Rep. Wooten	✓		

Adoption of Committee Rules

- I. Chairman Newton notes the former committee rules and suggests the committee adopt the these. Rep. McCravy makes a motion to adopt the committee rules as presented in the meeting packet. A roll call vote is held, and the motion passes.

Rep. McCravy's motion to adopt the committee rules stated in the meeting packet for the 124th General Assembly.	Yea	Nay	Not Voting
Rep. Garvin	✓		
Rep. Gatch	✓		
Rep. Henderson-Meyers	✓		
Rep. Hixon	✓		
Rep. Jefferson	✓		
Rep. K.O. Johnson	✓		
Rep. Magnuson	✓		
Rep. McCravy	✓		
Rep. McGinnis	✓		
Rep. Morgan	✓		
Rep. Moore			Not Present
Rep. Newton	✓		
Rep. Oremus	✓		
Rep. Ott	✓		
Rep. Pendarvis	✓		
Rep. Rivers	✓		
Rep. Stringer			Not Present
Rep. Taylor			Not Present
Rep. West	✓		
Rep. Wooten	✓		

- II. Chairman Newton notes the former committee standard practices and requests Committee members review these committee prior to the next full committee meeting.

Discussion of recommendations for agencies to study in 2021

- I. Chairman Newton explains the agency study process and explains the public surveys about state agencies. He encourages Committee members to have constituents provide feedback.

- II. Chairman Newton states that a schedule of agencies to be studied must be published in the House Journal on the first day of session. He suggests holding on naming additional agencies for study as the Committee currently has 11 agencies under study with limited resources. Also, he requests comments or feedback from members regarding agencies that are currently under study.

Approval of Minutes from October 14, 2020 meeting

- I. Representative Hixon makes a motion to approve the meeting minutes from the prior full committee meeting.

Rep. Hixon’s motion to approve the October 14, 2020, meeting minutes.	Yea	Nay	Not Voting
Rep. Garvin			Not Voting
Rep. Gatch			Not Voting
Rep. Henderson-Meyers			Not Voting
Rep. Hixon	✓		
Rep. Jefferson	✓		
Rep. K.O. Johnson			Not Voting
Rep. Magnuson			Not Voting
Rep. McCravy			Not Voting
Rep. McGinnis			Not Voting
Rep. Morgan			Not Voting
Rep. Moore			Not Present
Rep. Newton	✓		
Rep. Oremus			Not Voting
Rep. Ott			Not Voting
Rep. Pendarvis	✓		
Rep. Rivers			Not Voting
Rep. Stringer			Not Present
Rep. Taylor			Not Present
Rep. West	✓		
Rep. Wooten	✓		

Adjournment

- I. There being no further business, the meeting is adjourned.

OVERVIEW

Office of the Attorney General

Agency Mission

To serve the citizens of the State of South Carolina by providing legal representation of the highest quality to state government entities, by supporting the law enforcement communities and the legal and judicial branches through the legislative process, and by honorably and vigorously carrying out the constitutional and statutory responsibilities of the Attorney General

Successes Identified by the agency

History

- 1776 – The first State Constitution identifies the Attorney General (AG) and provides that the position is elected by the General Assembly
- 1868 – Revised State Constitution provides for a general election of the AG
- 1929 – State and US Supreme Courts affirm the authority of the AG as “the chief law enforcement officer”
- 1974 – Criminal Appeals section is formed
- 1978 – Post Conviction Relief actions primarily handled by the Office
- 1983 – Opinions section is created
- 1992 – AG statutorily responsible for litigation involving any state entity
- 1995 – Capital and Collateral Litigation section is formed
- 2004 – Consumer Protection and Antitrust Division is formed
- 2017 – South Carolina Crime Victim Services Division is created

Organizational Units

- Legal Services Division
- Opinions Division
- Criminal Litigation Division
- Criminal Prosecution Division
- Victim Services Division
- Administration Division
- Executive

Resources (FY 18-19)

Employees
275.2
authorized FTEs

Funding
\$78,758,364
appropriated and authorized

- Increasing efficiency and outreach of services to victims after separate state Crime Victim entities were merged into a single division of the AG.
- Creating regularly occurring self-evaluation practices.
- Upgrading technology hardware and desktop software

Challenges Identified by the agency

Current:

- Providing competitive attorney salaries
- Retaining attorneys in the Post-Conviction Relief section
- Funding to implement the S.C. Anti-Money Laundering Act of 2016
- Obtaining a seat on the Commission on Prosecution Coordination

Emerging:

- Raising the salary of the Attorney General which has been stagnant for over 28 years and is less than half that of a circuit solicitor
- Lacking office space to accommodate the current size of the agency
- Aging case management system that needs updating

OVERVIEW

Department on Aging

Agency Mission

Working to meet the present and future needs of seniors and to enhance the quality of life for seniors through advocating, planning, and developing resources in partnership with federal, state, and local governments, nonprofits, the private sector and individuals.

Successes Identified by the agency

- Receiving two grants that will aid the respite, caregiver, and Alzheimer's programs
- Developing "break rooms" in four SC churches
- Receiving an Alzheimer's Disease Program Initiative Grant that focuses on the rural African American population
- Implementing South Carolina Vulnerable Adult Guardian ad Litem Program

History

- 1965 - Passage of the federal Older Americans Act, which mandates and authorizes programs, services, and structure which the Department on Aging now implements.
- 1965-2018 - The Department on Aging was known as the Commission on Aging, Division on Aging in the Governor's Office, Bureau on Aging in S.C. Health and Human Services, and Lieutenant Governor's Office on Aging.
- 2018 - Passage of legislation establishing the Department on Aging as a cabinet agency.

Organizational Units

- Administration
- Community Resources
- Vulnerable Adult Guardian ad Litem Program
- Ombudsman
- Finance, Grants, and Budgets
- Information Technology/Security/Business Analysis

Resources (FY 19-20)

Employees

43
at end of the fiscal year

Funding

\$52,250,492
appropriated and authorized

Challenges Identified by the agency

Current:

- Transitioning to a new independent department of government
- Growing aging population in South Carolina
- Funding for aging services

Emerging:

- Senior population will double by 2030 and approximately 11.5% of that population lives in poverty
- At least 10% of state's population has Alzheimer's disease or dementia
- One in 11 of state's seniors are at risk for hunger and state ranks third in the nation for food insecurities

OVERVIEW

Department of Commerce

Agency Mission

Working together to create opportunities by promoting job creation, economic growth and improved living standards for all South Carolinians.

History

The Department of Research, Planning and Development, created in 1945, changed to the State Development Board in 1954, and, during reorganization of state government in 1993, was replaced by the Department of Commerce, which also assumed duties of other entities including the Coordinating Council for Economic Development.

Organizational Units

Administration
Global Business Development
International Strategy and Trade
Small Business and Existing Industry
Community and Rural Development
Marketing and Communications
Research
Grants
Workforce
Innovation
Palmetto Railways
Military Base Task Force

Resources (FY 19-20)

Employees

98 filled FTE positions at the end of the year

Funding

\$256,919,111
Cash and available funds

Successes

Identified by the agency

Jan. 2011-2020

- 151,800+ new jobs recruited
- \$41.3 billion+ capital investment
- 1,429 projects (i.e., new or expanding company, recruited and managed by agency to facilitate the creation of new jobs and taxable investment in South Carolina)

Challenges

Identified by the agency

Current:

- COVID-19
- Succession planning
- Economic development in rural South Carolina
- Infrastructure

Emerging:

- Diversification of economy
- Trade environment
- Adaptability to a changing economy

OVERVIEW

S.C. Jobs-Economic Development Authority

Agency Mission

To advance the economic welfare of the state with focus on job creation and retention

Successes

Identified by the agency

Organizational Unit

Administration

- Executive leadership and operation of agency
- Management and administration of entire bond issuance process
- Collaboration with all bond finance professionals and state agencies involved in approval processes
- Compliance & due diligence
- Training and seminar planning

History

- 1983 - The General Assembly created the South Carolina Jobs-Economic Development Authority (JEDA)
- 1985 - Joint Resolution approved JEDA regulations relating to loan eligibility requirements, terms of loan agreements, application costs, and bond issue
- 2011 - Joint Resolution designated JEDA as the authorized agency to implement State Small Business Credit Initiative

Resources (FY 18-19)

Employees
2

Funding
\$0

Pursuant to Section 41-43-280 of the South Carolina Code of Laws, no money flows directly between the state and the agency

- Job creation and increased volume of bond issues
- State Small Business Credit Initiative Program
- Qualified Energy Conservation Bonds and Recovery Zone Economic Development Bonds programs
- Accelerator Program for startup companies

Challenges

Identified by the agency

Current:

- Transaction loss to national issuers of conduit debt
- Obsolete process for volume cap allocation
- Threat of private activity bond elimination by federal government
- Obsolete federal rules regarding industrial revenue bonds

COMMITTEE CONTACT INFORMATION AND UPCOMING MEETINGS

Legislative Oversight Committee



South Carolina House of Representatives

Committee Mission

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

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

Phone Number: 803-212-6810

Email Address: HCommLegOv@schouse.gov

Location: Blatt Building, Room 228

UPCOMING MEETINGS

**Full Committee
Public Input Meeting
Thursday, April 8th**

1:00 p.m. or 1 hour after
adjournment
Blatt Room 110

**Education and Cultural
Subcommittee
Thursday, April 15th**

1:00 p.m. or 30 minutes
after adjournment
Blatt Room 110