

Legislative Oversight Committee

Study of the Patriots Point Development Authority *July 13, 2018*



FULL COMMITTEE OPTIONS STANDARD PRACTICE 13	FULL COMMITTEE ACTION(S)	DATE(S) OF FULL COMMITTEE ACTION(S)
(1) Refer the study and investigation back to the subcommittee or an ad hoc committee for further evaluation; (2) Approve the subcommittee's study; or (3) further evaluate the agency as a full committee, utilizing any of the available tools of legislative oversight available	Study Available for Consideration Study Presentation, Discussion, and Approval	April 17, 2018 June 26, 2018 with opportunity for Members to provide comments open until July 13, 2018

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AGENCY SNAPSHOT

Patriots Point Development Authority

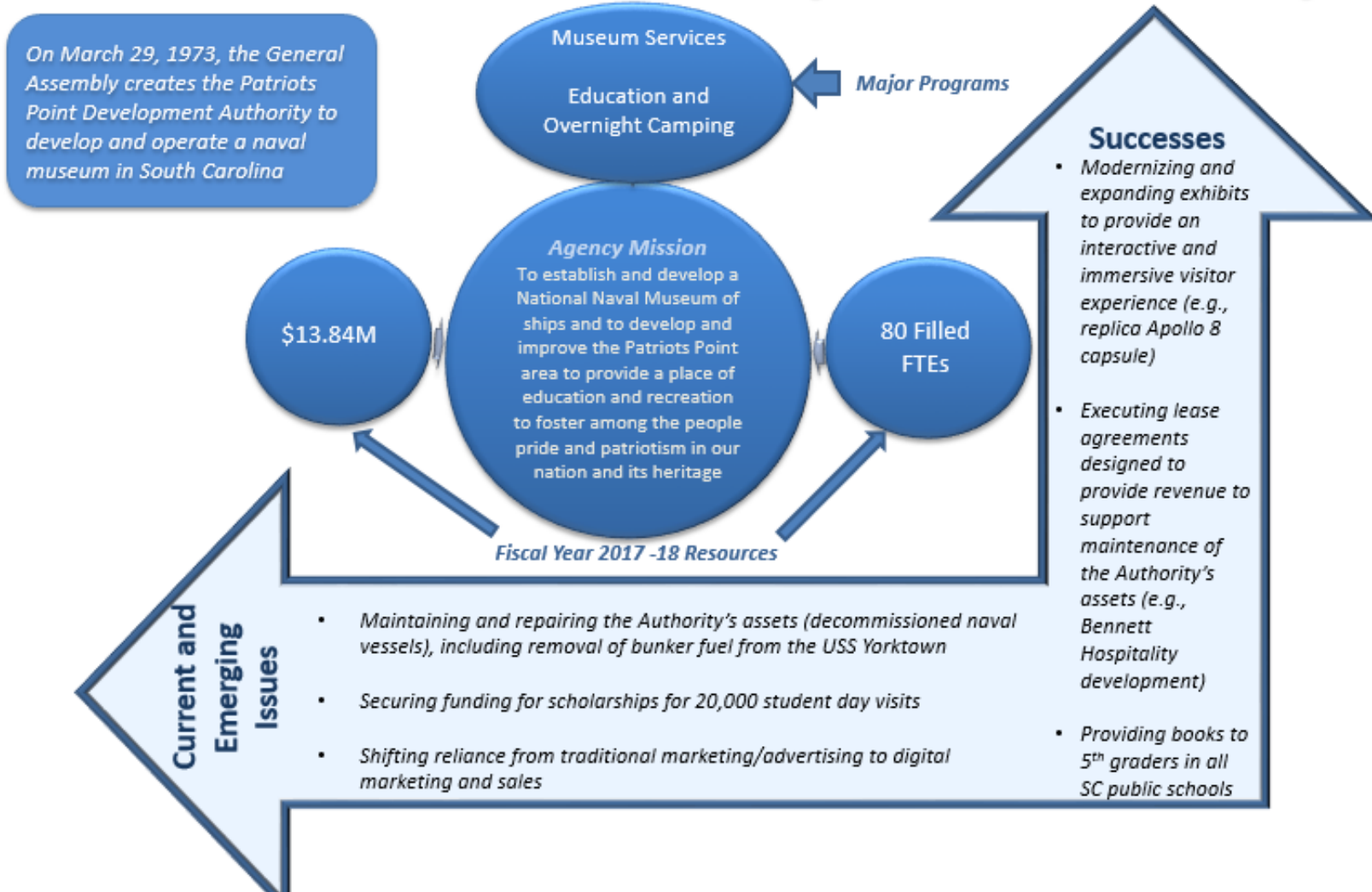


Figure 1. Snapshot of agency's history, major programs, Fiscal Year 2016-17 resources, successes, and issues.¹

EXECUTIVE SUMMARY

Purpose of Oversight Study

As stated in S.C. Code of Laws § 2-2-20(B), “[t]he **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.”**

In making these determinations, the Committee evaluates (1) the application, administration, execution, and effectiveness of the agency’s laws and programs, (2) the organization and operation

of the agency, and (3) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation pertaining to the agency.²

Study Process

The House Legislative Oversight Committee’s (Committee) process for studying the Patriots Point Development Authority (agency, PPDA, Patriot’s Point, or Patriots Point) includes actions by the full Committee; Education and Cultural Subcommittee (Subcommittee); agency; and public.³ A summary of the key dates and actions are listed below in Figure 2.

Legislative Oversight Committee Actions

- May 10, 2017 - Prioritizes the agency for study
- May 19, 2017 - Provides agency with notice about the oversight process
- June 27 - July 18, 2017 - Solicits input from the public about the agency via an online public survey
- October 16, 2017 - Holds **Meeting # 1** to obtain public input about the agency
- June 26, 2018 - Holds **Meeting #7** to discuss study; **approves** study; and provides an opportunity for individual Committee Members to provide written comments for inclusion with the study

Education and Cultural Subcommittee Actions

- November 6, 2017 - Holds **Meeting #2** to discuss the **study process** and receive an **overview of the agency**
- December 5, 2017 - Holds **Meeting #3** with agency to discuss its **human and financial resources**
- January 11, 2018 - Holds **Meeting #4** with agency to discuss its **performance**
- February 8, 2018 - Holds **Meeting #5** with agency to discuss its **potential recommendations**
- April 5, 2018 - Holds **Meeting #6** to discuss **recommendations and findings**

Patriots Point Development Authority Actions

- February 27, 2015 - Submits its **Annual Restructuring and Seven-Year Plan Report**
- January 14, 2016 - Submits its **2016 Annual Restructuring Report**
- July 21, 2017 - Submits its **2015-2016 Accountability Report (2017 Annual Restructuring Report)**
- August 30, 2017 - Submits its **Program Evaluation Report**
- October 2017-February 2018 - Meets with and **responds to Subcommittee inquiries**

Public’s Actions

- June 27 - July 18, 2017 - Provides input about agency via **online public survey**
- October 17, 2017 - Provides **testimony** to the full Committee
- Ongoing - **Submits written comments on the Oversight Committee's webpage** on the General Assembly's website (www.scstatehouse.gov)

Figure 2. Summary of key dates and actions of the study process.

Findings and Recommendations

The Committee has **one finding** arising from its study of the agency. The Committee finds the **Patriots Point Development Authority’s educational programming has the potential to positively contribute to public education in South Carolina**, particularly education of fifth graders through the agency’s distance learning program.

The **Committee has four recommendations** arising from its study of the agency. These recommendations fall into three categories: a recommendation for the General Assembly; a recommendation for PPDA; and recommendations for the General Assembly and/or the State Fiscal Accountability Authority.⁴

Table 1. Summary of recommendation for the General Assembly arising from the study process.

Topic	Recommendations
Voluntary Income Tax Return Contribution	1. The Committee recommends the General Assembly authorize Patriots Point to receive funds through voluntary income tax return contributions.

Table 2. Summary of recommendation for PPDA.

Topic	Recommendations
Annual Restructuring Report	2. The Committee recommends the PPDA submit an Annual Restructuring Report, whether it is in the form of a separate report, or the combined Accountability Report

Table 3. Summary of recommendations for the General Assembly and/or State Fiscal Accountability Authority.

Topic	Recommendations
Procurement Flexibility	<p>3. The Committee recommends the General Assembly and/or the State Fiscal Accountability Authority grant Patriots Point procurement flexibility for purchase of services that are specialized (e.g., talent for major entertainment/history programs, visiting authors, etc.).</p> <p>4. The Committee recommends the General Assembly and/or the State Fiscal Accountability Authority grant Patriots Point an exemption for purchase of new exhibits and improving existing exhibits.</p>

There are **no specific recommendations with regards to continuance of agency programs or elimination of agency programs.**

Internal Changes Implemented by Agency Related to Study Process

During the study process, the agency implements one internal change directly related to participation in the study process. Patriots Point staff and Department of Archives and History staff develop records management processes for the agency.⁵

AGENCY OVERVIEW

History

Origin

Against the backdrop of the nation's preparations to celebrate the bicentennial of the American Revolution, staff of the State Development Authority express an idea for a naval museum in South Carolina, in 1971.⁶ The General Assembly establishes a study committee to investigate the feasibility of this idea.⁷ On January 2, 1973, the report of this study committee is issued to the Governor, General Assembly, and members of South Carolina's Congressional Delegation. On March 29, 1973, the General Assembly creates the Patriots Point Development Authority (PPDA).

Board

The PPDA is governed by a board, which is initially appointed by the Governor with recommendations from federal legislators.⁸ In 1978, board membership provisions are amended so as to provide a term expiration date for members and to allow members to succeed themselves.⁹ In 1990, the General Assembly reduces membership on the PPDA board from nine to five and revises the manner of appointment to the board so that recommendations are made by state legislators rather than federal legislators.¹⁰ In 1992, the General Assembly adds the mayor of Mount Pleasant as an ex officio member of the PPDA board.¹¹ In 2010, the General Assembly adds three additional members to the board and provides for their appointment by the Governor based upon recommendation of House and Senate leadership and the Adjutant General.¹²

Duties

From its inception, PPDA is authorized to employ staff and consultants as necessary (e.g., executive director; secretary; attorney; etc.) to accomplish its duties.¹³ The agency's duties are outlined in legislative provisions for its purposes and powers.

PPDA purposes include:

- (1) To develop and improve the Patriot's Point area to provide a place of education and recreation to foster among the people pride and patriotism in our nation and its heritage;
- (2) To establish and develop a National Naval Museum of ships, naval and maritime equipment, artifacts, books, manuscripts, art and historical materials for the education and enjoyment of the people of our nation and to instill in them a knowledge of our naval and maritime history; and of the importance of sea power to our economy and defense;
- (3) To foster and stimulate national and international travel to and participation in the development of Patriot's Point, by acquiring, constructing, equipping and maintaining museum buildings, seaquariums and laboratories, public exhibits and entertainment facilities, historical monuments and sites; and providing lodging and accommodations for travelers by land or water to Patriot's Point;
- (4) To cooperate with the State of South Carolina and the United States of America, and any agency or any department, corporation or instrumentality thereof, in the maintenance, development,

improvement and use of Patriot's Point and all its functions;

(5) To accept funds, other assets and services from Charleston County and municipalities located therein and the State of South Carolina, and to use them in such manner, within the purposes of the Authority, as shall be stipulated by the county or the State in any matter coming within the general purposes of the Authority;

(6) To act as agent for the United States of America, or any agency, department, corporation or instrumentality thereof, in any matter coming within the purposes of the Authority;

(7) In general to do and perform any act or function which may tend to or be useful toward the development and improvement of Patriot's Point.¹⁴

PPDA powers include:

(1) Shall have the powers of a body corporate, including the power to sue and be sued, to make contracts and to adopt and use a common seal and alter it as may be deemed expedient;

(2) May rent, lease, buy, own, acquire, mortgage and dispose of such property, real or personal, as the Authority may deem proper to carry out the purposes and provisions of this article, all or any of them;

(3) May acquire, construct, maintain, equip and operate docks, ships, piers, quays and other structures and any and all facilities needful for the convenient use of them in the aid of Patriot's Point development, including the dredging of approaches thereto and the construction of roads and highways thereon and bridges and causeways necessary or useful in connection therewith and transportation facilities incident thereto and useful or convenient for the use thereof, including a marina, except that these piers, ships, docks, quays or similar structures shall be used exclusively for fulfilling the educational, recreational and tourist missions of Patriot's Point and shall not be used for any active ocean-going cargo or passenger vessels;

(4) Shall establish an office for the transaction of its business in the County of Charleston and such other offices within and without the State as may be deemed by the Board to be necessary or useful in carrying out the purposes of this article;

(5) May create and operate such agencies and departments as the Board may deem necessary or useful for the furtherance of any of the purposes of this article;

(6) May pay all necessary costs and expenses involved in and incident to the formation and organization of the Authority and incident to the administration and operation thereof and all other costs and expenses reasonably necessary or expedient in carrying out and accomplishing the purposes of this article;

(7) May apply for and accept loans and grants of money from any Federal agency, private sources or any other source for any and all of the purposes authorized in this article and expend such moneys in accordance with the directions and requirements attached thereto or imposed thereon by any such Federal agency and give such evidences of indebtedness as shall be required by any such Federal agency, except that no indebtedness of any kind incurred or created by the Authority shall constitute an indebtedness of the State, or any political subdivision thereof, and no such indebtedness shall involve or be secured by the faith, credit or taxing power of the State, or any political subdivision thereof;

(8) May adopt, alter or repeal its own bylaws, rules and regulations governing the manner in which its business may be transacted and in which the powers granted to it may be enjoyed; may provide rules and regulations for the use of its facilities by the public, and may provide for the appointment of such committees, and the functions thereof, as the Authority may deem necessary or expedient in facilitating its business;

(9) May do any and all other acts and things authorized or required to be done by this article, whether

or not included in the general powers mentioned in this section;

(10) May do any and all things necessary to accomplish the purposes of this article; and

(11) May promulgate rules and regulations governing the use of or doing business on the Authority's property or facilities, including the adoption of safety standards and insurance coverage or proof of financial responsibility, and may provide for the licensing of or enter into concession and use contracts with persons, firms or corporations using or doing business on such property or facilities and require license or other fees therefor. Licenses or concession and use contracts may be revoked after notice and hearing by the Authority for willful breach of or failure to comply with such rules and regulations.¹⁵

Other legislative provisions authorize PPDA to acquire, exchange or purchase property.¹⁶ In Act 173 of 1987, the South Carolina Eminent Domain Procedure Act, the General Assembly amends provisions relating to the acquisition powers of PPDA. PPDA's property is exempt from taxation.¹⁷

Finances

In its enabling legislation PPDA receives \$100,000 in appropriations, which is an equivalent of approximately \$565,000 in 2018.¹⁸ In 2000, the General Assembly authorizes PPDA to maintain special accounts which retain and carry over funds from year to year.¹⁹ The receipt and expenditure of funds in these accounts must be reported in an annual fiscal audit of PPDA.²⁰ All special accounts earnings and interest are for the benefit of PPDA.²¹

In the 2017-2018 Appropriations Act, the agency receives no general fund appropriations (\$13,836,012 total funds). Revenue streams for the agency include admissions, gift shop sales, leases and commissions income, parking lot fees, and scouting program revenues.²²

In its enabling legislation PPDA is authorized to issue bonds.²³ In 1990, the General Assembly deletes revenue bond authorization of the PPDA.

Maintenance

Restoration and maintenance of PPDA's World War II era decommissioned naval vessels (USS Clagmore Submarine; USS Laffey Destroyer; and USS Yorktown Aircraft Carrier), piers, and landside facilities is an ongoing need of the agency.²⁴ In 2014, the General Assembly authorizes volunteers - members of the USS Laffey Association - to assist with meeting this need.²⁵

Transfer Provisions

The General Assembly created PPDA for an initial term of five years. Accordingly, PPDA enabling legislation includes transfer provisions. After five years, the General Assembly is authorized to transfer PPDA powers, duties, responsibilities; liabilities and assets to another state agency or agencies.²⁶ In 1978, transfer provisions relating to PPDA are amended so as to authorize the General Assembly to transfer all of the powers, responsibilities, liabilities, and assets to the Department of Parks, Recreation and Tourism as of June 30, 1983.²⁷ Also, PPDA is authorized to transfer property to the United States government.²⁸

Visitors

According to a 2015 Patriots Point Visitor and Resident Survey Report conducted by the University of South Carolina College of Hospitality, Retail & Sport Management International Tourism Research Institute, "Visitor groups to Patriots Point spent \$105.05 on average per group, per visit."²⁹ This same report estimates that 216,659 non-resident visitors purchased tickets during the 2013-2014 fiscal year.³⁰

Purpose, Mission, and Vision

Purpose

The agency's purpose is to develop Patriots Point into a place of recreation and develop a national naval museum, to stimulate travel and increase tourism to the region and the state.³¹

Mission

The mission of the Patriots Point Development Authority is to establish and develop a national naval museum of ships and to develop and improve the Patriots Point area to provide a place of education and recreation to foster among the people pride and patriotism in our nation and its heritage.³²

Vision

The vision of the Patriots Point Development Authority is to provide an unsurpassed museum experience that educates, entertains, and inspires, while creating a self-sustaining business plan which includes attraction and property management objectives.³³

Agency Organization

Governing Body

The PPDA board consists of nine members. Selection of three members of the board, including its chairman, is at the discretion of the Governor. Five members are appointed by the Governor upon the recommendation of a combination of the following: Speaker of the House, Senate Pro Tempore, Senate Finance Chairman, Chairman of the House Ways and Means Committee, and the Adjutant General. The mayor of the Town of Mount Pleasant serves as an ex-officio member. This board meets regularly to approve strategic planning initiatives, revisions to development plans and contracts, long-term leases, etc.³⁴

The executive director, reporting to the board of directors and working closely with its chairman, is responsible for long-term planning and day-to-day management of the agency, including the museum and all of its ancillary services.³⁵

The terms of the board members are for four years and until their successors are appointed and qualify. Members may succeed themselves. Vacancies must be filled in the same manner of the original appointment for the remainder of the unexpired term.³⁶

Table 4. Patriots Point Development Authority board members (Current as of July 16, 2018).³⁷

Position	Position Title	Current Members	Appointed By	Appointed Date	Expiration Date
At Large	Member	William Thomas McQueeney Jr.	Governor Henry McMaster	7/3/2018	9/1/2021
At Large	Member	Zeb C. Williams III	Governor Henry McMaster	11/28/2017	12/11/2020
At Large	Chairman	Ray E. Chandler	Governor Nikki R. Haley	8/30/2016	12/11/2020
At large (Chair of House Ways & Means, Speaker)	Member	L. Wayne Adams	Governor Henry McMaster	12/20/2017	12/31/2020
At Large (Chair of Senate Finance, Pres. Pro Temp)	Member	Susan C. Marlowe*	Governor Nikki R. Haley	4/2/2015	12/11/2016
At Large (Pres. Pro Temp of Senate)	Member	Edwin S. Taylor	Governor Nikki R. Haley	8/30/2016	9/1/2018
At Large (S.C. Adjutant General)	Member	Richard N. Wilkerson	Governor Nikki R. Haley	1/14/2016	9/1/2018
At Large (Speaker of the House)	Member	George Patton Waters	Governor Henry McMaster	11/9/2017	12/31/2018
Mayor of Mt. Pleasant, S.C.	Ex Officio Member	Will Haynie		11/14/2017	N/A

Table Note: An asterisk denotes the member is serving in a holdover capacity.

Agency Organizational Units

Every agency has an organization or hierarchy that is reflected in the agency’s organizational chart. Within the organization are separate units. An agency may refer to these units as departments, divisions, functional areas, cost centers, etc. Each unit is responsible for contributing to the agency’s ability to provide services and products.

During the study process, the agency is asked about its organization and major operating programs.³⁸ Patriots Point Development Authority has seven major organizational units referred to as divisions, which are described in Table 4.³⁹ The organization of the agency is shown in Figures 4-10.

Table 5. Administrative/Financial Services Department duties and responsibilities.⁴⁰

Administrative/Financial Services Department

The duties and responsibilities of the Administrative Services Department include, but are not necessarily limited to, the following:

- Manage all personnel files and administrative actions;
- Account for all revenue and expenditures;
- Assist the executive department with proposals of the annual budget;
- Liaise with tenants to account for lease revenue;
- Act as liaison for the executive director with state agencies regarding personnel and financial matters;
- Manage ticketing for museum admission;
- Manage the gift shop;
- Manage all concession activities and accounts; and
- Manage the “onboard” caterer contract.

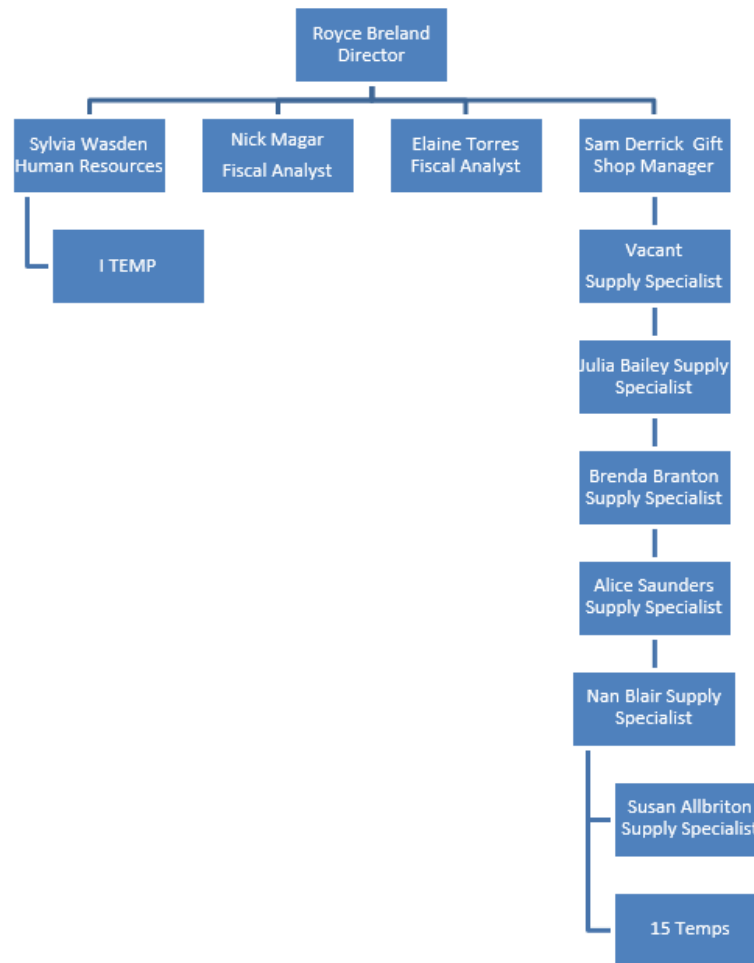


Figure 3. Administration/Financial Services organizational chart provided by the agency. (Current as of March 15, 2018).⁴¹

Table 6. Education and Overnight Camping Department duties and responsibilities.⁴²

Education and Overnight Camping Department
The duties and responsibilities of the Education and Overnight Camping Department include, but are not necessarily limited to, the following:
<ul style="list-style-type: none">• Design, develop, and implement in-residence and distance learning programs;• Operate overnight camping services;• Develop and implement overnight camping programs;• Operate and maintain education support facilities, including, but not limited to, science laboratory, virtual reality systems, theatres, flight academy programs and laboratory;• Plan, produce, implement, and present public symposia and special programs;• Assist grants manager on funding applications to support public school visitation program and distance learning;• Liaise with S.C. Department of Education and various committees of the General Assembly;• Coordinate with county school districts for support services;• Design and produce 5th grade science and math education program texts; and• Hold the annual S.C. Teacher Recertification Conference.



Figure 4. Education and Overnight Camping Department organizational chart provided by the agency. (Current as of March 15, 2018).⁴³

Table 7. Executive Department duties and responsibilities.⁴⁴

Executive Department
<p>The duties and responsibilities of the Executive Department include, but are not necessarily limited to, the following:</p> <ul style="list-style-type: none"> • Supervise all department managers; • Develop annual budget; • Develop and implement the three year business plan; • Assign tasks, projects and programs for the agency; • Prepare and present reports to committees and agencies of the state; • Prepare all board and agency committee meetings; • Coordinate with the Yorktown Foundation and Yorktown Association; • Manage agency properties and leases; • Manage personnel with advice of human resources office; • Conduct 30 presentations to organizations statewide; • Coordinate interdepartmental projects and programs; • Coordinate with local governments as necessary; and • Develop action plan for all grant applications.

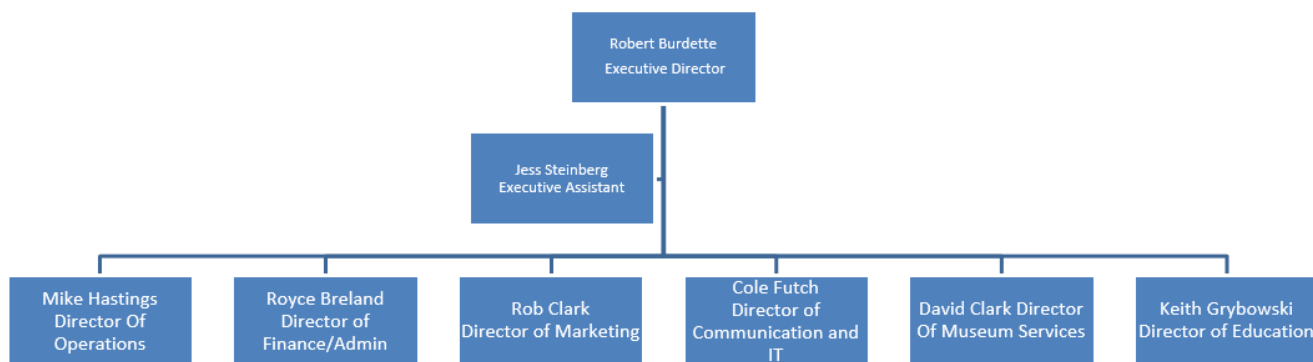


Figure 5. Executive Department organizational chart provided by the agency. (Current as of March 15, 2018).⁴⁵

Table 8. IT/Communications Department duties and responsibilities.⁴⁶

IT/Communications Department	
The duties and responsibilities of the IT/Communications Department include, but are not necessarily limited to, the following:	
<ul style="list-style-type: none">• Procure and maintain all IT related systems and equipment;• Maintain all IT security;• Procure all IT related equipment, including procurement for agency departments;• Coordinate with S.C. Department of Administration IT services;• Provide agency videography services;• Produce agency audio/visual material for programs and events;• Design and development of technology-based museum support and systems;• Provide public media communication;• Design and maintain website;• Provide social media strategic planning and implementation;• Provide technical support for education services and programs;• Provide social media support for marketing and advertising;• Provide technical support for staff IT issues;• Design and maintain Wi-Fi systems; and• Maintain all electronic kiosks.	

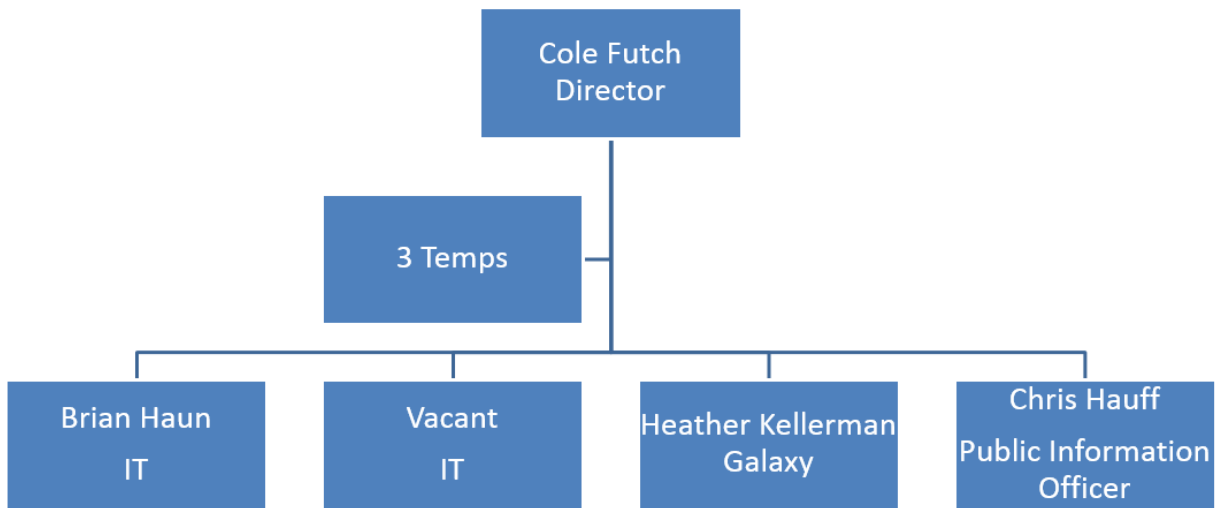


Figure 6. IT/Communications Department organizational chart provided by the agency. (Current as of March 15, 2018).⁴⁷

Table 9. Marketing and Sales Department duties and responsibilities.⁴⁸

Marketing and Sales Department	
<p>The duties and responsibilities of the Marketing and Sales Department include, but are not necessarily limited to, the following:</p> <ul style="list-style-type: none"> • Develop and manage Annual Marketing Plan; • Coordinate with marketing consultant on advertisement placement; • Register all overnight campers and coordinate meal and program services; • Coordinate event rentals; • Assist Communications Department with social media marketing; • Coordinate all volunteer and docent functions; • Coordinate day group visits with tour bus companies; • Manage “Groupon” programs; • Manage “on property” advertising for services and sale of goods; • Assist grants manager with funding applications for marketing and advertising; and • Meet regularly with Boy and Girl Scout Councils throughout the southeast. 	

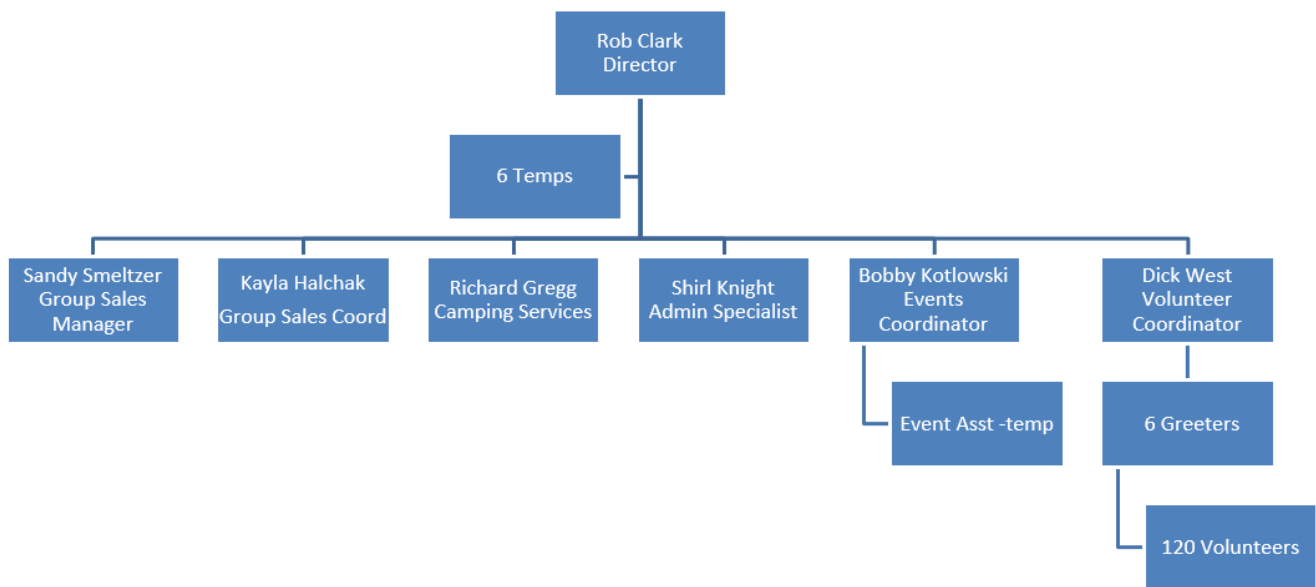


Figure 7. Marketing and Sales Department organizational chart provided by the agency. (Current as of March 15, 2018).⁴⁹

Table 10. Museum Services Department duties and responsibilities.⁵⁰

Museum Services Department	
The duties and responsibilities of the Museum Services Department include, but are not necessarily limited to, the following:	
<ul style="list-style-type: none">• Warehouse and display of artifacts and exhibits and provide accountability;• Interpret history content for exhibits and programs;• Develop and implement museum master plan under the direction of the executive director;• Acquire new exhibits and artifacts;• Coordinate consultant activities relative to construction of new exhibits and maintenance of artifacts;• Assist with historical content of programs, events, printed materials, etc.; and• Liaise with the Medal of Honor Museum onboard the USS Yorktown.	

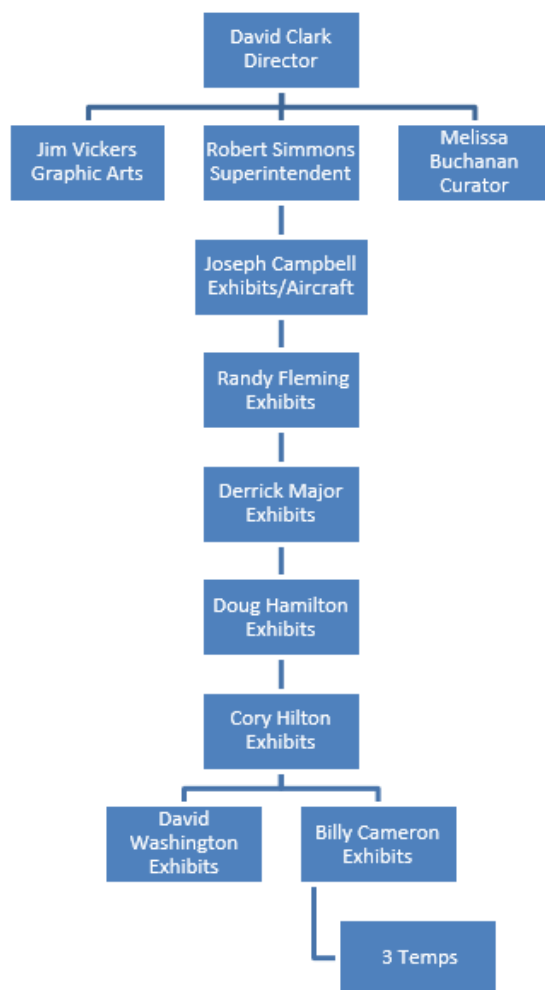


Figure 8. Museum Services Department organizational chart provided by the agency. (Current as of March 15, 2018).⁵¹

Table 11. Operations Department duties and responsibilities.⁵²

Operations Department

The duties and responsibilities of the Operations Department include, but are not necessarily limited to, the following:

- Maintain ships, components, and systems, including, but not limited to, ship hull and superstructure;
- Provide custodial services for the museum and overnight camping facilities;
- Ensure public safety (e.g., surveillance systems and physical security of the museum);
- Provide support services for events and event rentals;
- Provide environmental protection and remediation;
- Coordinate with environmental agencies;
- Coordinate with US Navy and Naval Sea Systems Command (NAVSEA);
- Maintain and repair of all pier systems;
- Maintain of property and landscaping; and
- Provide emergency response, such as storm preparedness and recovery.

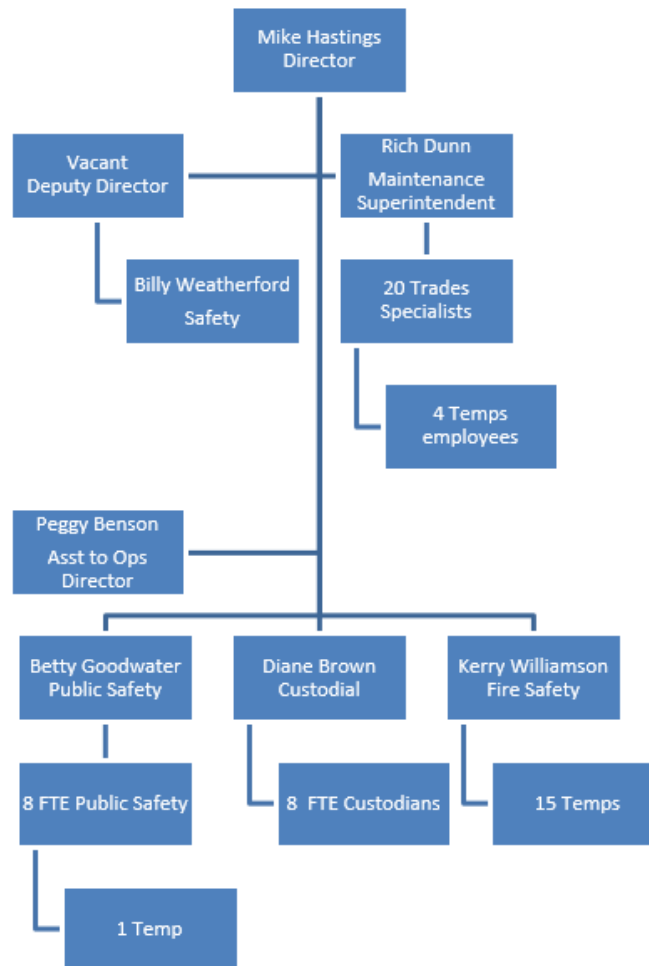


Figure 9. Operations Department organizational chart provided by the agency. (Current as of March 15, 2018).⁵³

Products, Services, and Customers

The Patriots Point Development Authority’s purpose is to develop the Patriots Point area, establish a national naval museum, stimulate tourism, and accept supporting funds from municipalities. To fulfill this purpose, the PPDA provides a variety of products and services.

The PPDA develops a naval and maritime museum on Charleston Harbor that includes the World War II aircraft carrier, the USS Yorktown, and houses the Patriots Point Museum and a fleet of National Historic Landmark ships, the Cold War Memorial and the only Vietnam Experience Exhibit in the U.S., the Congressional Medal of Honor Society, and the Medal of Honor Museum. The PPDA also oversees stewardship of over 400 acres of state property on Charleston Harbor, much of which is currently under lease by a golf course, a collegiate athletic complex, and hotels. Patriots Point welcomes more than 270,000 visitors each year. More than 40,000 school-age children have attended education and overnight camping programs each year.⁵⁴

In 2015-2016, the General Assembly and Governor’s Office begin requesting an agency provide information on the services and products it provides as part of the combined Accountability Report and Annual Restructuring Report. The PPDA lists one major program in the 2015-2016 Accountability Report. Table 12 includes the agency’s primary program and related products, services and customers.

Table 12. Patriots Point services and customer segments.

Divisions or Major Program	Description	Service/Product Provided to Customers	Customer Segments
Patriots Point Naval and Maritime Museum	A naval and maritime museum employing historic ships, exhibits, history programs, overnight camping, group education programs and camps	Provides services associated with naval and maritime history, including a museum, museum exhibits, ships and educational programs	General public (people interested in naval, maritime, military and US history; school groups)

Other Agencies with Similar Goals

During the study of an agency, the **Committee asks the agency if there are any other agencies serving similar customers or providing similar products or services.** In the Program Evaluation Report and during the study of an agency, the Committee asks how the agencies work together to effectively and efficiently achieve both agencies’ goals. PPDA does not list specific agencies. Rather it lists different sectors as having similar goals - state government; local government; higher education institutions; and private business. In addition to the agency’s list, during the studies of PPDA and the Office of the Adjutant General, Committee members note commonalities between PPDA and the S.C. Military Museum within the Office of the Adjutant General, S.C. Confederate Relic Room and Military Museum, the State Museum, and the Department of Archives and History.⁵⁵

Strategic Resource Allocation and Performance

Annually, each agency submits a strategic plan.⁵⁶ Of interest to the oversight process is the total resources available to an agency and how the agency allocates human and financial resources across the agency's strategic plan. Tables 13 and 15 illustrate the agency's allocation of its financial and human resources among its goals and strategies in fiscal years 2016-17 and 2017-18. Also of interest during the study process is how the agency measures its performance in implementing the goals, strategies, and objectives of its strategic plan. Tables 14 and 16 show performance in measures associated with the strategic plan.

Agency Goal 1: Ensure Patriots Point Naval and Maritime Museum maintains financial self-sufficiency

Responsible	Mac Burdette (Executive Director), Royce Breland (Chief Financial Officer), Bob Howard (Director of Operations),
Employee(s):	Keith Grybowski (Director of Education and Camping), David Clark (Director of Exhibits), Cole Futch (Communications and IT Director), Rob Clark (Director of Marketing)

Table 13. Goal 1 (Ensure Patriots Point Naval and Maritime Museum maintains financial self-sufficiency) strategic allocation of resources.

Strategies and Objectives:	2016-17		2017-18	
	Number of FTEs authorized ⁵⁷ (Number of equivalents)	Total spent (Percentage of total funds available)	Number of FTEs authorized (Number of equivalents)	Total budgeted (Percentage of total funds available)
Strategy 1.1 - Maximize the land value managed by Patriots Point Development Authority through land leases	2	\$740,000	3	\$740,000
Objective 1.1.1 - Identify and assign land lease to partner developer to create a multimillion dollar ongoing revenue source	2	\$420,000	3	\$420,000
Objective 1.1.2 - Maintain existing land leases and partnerships	2	\$320,000	3	\$320,000
Strategy 1.2 - Increase ticket sales to 300,000 per year	81*	\$964,780	81	\$964,780
Objective 1.2.1 - Develop statewide awareness of Patriots Point and its mission through various marketing methods	15	\$414,780	20	\$414,780
Objective 1.2.2 - Create profitable value added partnerships	10	\$50,000	20	\$50,000
Objective 1.2.3 - Improve Naval and Maritime Museum "product" through implementation of new exhibits/upgrades	81*	\$500,000	81	\$500,000
Strategy 1.3 - Ensure that the annual budget will support all approved/authorized operational and capital expenditures, including debt service	7	\$50,000	7	\$50,000
Objective 1.3.1 - Continue to produce a balanced budget every year	7	\$50,000	7	\$50,000

Table Note: An asterisk denotes the agency asserts everything each staff person does supports this element of the strategic plan.

Table 14. Performance measures associated with goal 1.

Performance Measures	FY 16 Target Value	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Data Source and Availability	Calculation Method
Increase attendance	280,000	278,080	300,000	297,371	Admissions tickets sales	Track admissions through ticket sales; increase attendance to 200,000 by end of FY19
Register 24,000 overnight campers annually	24,000	20,298	24,000	21,133	Overnight camping ticket sales	Track overnight camping ticket sales; increase annual campers to 24,000 by end of FY19
Achieve a 2% increase in merchandise sales	\$1,786,780	\$1,791,275	\$1,827,100	\$1,764,540	Gift shop sales	Measure gift shop sales; increase sales annually by 2% over Actual Value
Develop and design utilization options for previous "shipyard gallery" space to facilitate event rentals, education programs, and exhibit display by the end of 2016	100%	75%	100%	100%	Completion of directives in scope of work	Completion of projects included in the scope of work
Achieve a 2% increase in parking revenue	\$607,255	\$608,775	\$620,950	\$638,977	Parking revenue reports	Parking revenue; increase revenue by 2% over Actual Value
Achieve a 1% increase in food sale and event rental revenue	\$568,185	\$542,243	\$547,655	\$556,575	Revenue reports from Top Shelf and event rentals	Revenue reports from Top Shelf catering and event rentals; increase revenue by 1% over Actual Value

Table Note: FY refers to the state fiscal year.

Agency Goal 2: Enhance Patriots Point Naval and Maritime Museum as a world class destination

<u>Responsible Employee(s):</u>	Mac Burdette (Executive Director), Royce Breland (Chief Financial Officer), Bob Howard (Director of Operations), Keith Grybowski (Director of Education and Camping), David Clark (Director of Exhibits), Cole Futch (Communications and IT Director), Rob Clark (Director of Marketing)
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Table 15. Goal 2 (Enhance Patriots Point Naval and Maritime Museum as a world class destination) strategic allocation of resources.

<u>Strategies and Objectives:</u>	<u>2016-17</u>		<u>2017-18</u>	
	Number of FTEs authorized ⁵⁸ (Number of equivalents)	Total spent (Percentage of total funds available)	Number of FTEs authorized (Number of equivalents)	Total budgeted (Percentage of total funds available)
Strategy 2.1 - Implement Museum Master Plan recommendation	81*	\$11,081,232	81	\$11,081,232
Strategy 2.2 - Promote Patriots Point Naval and Maritime Museum through a wide range of strategic media promotions/advertising	15	\$600,000	15	\$600,000
Objective 2.2.1 - Maximize social and earned media opportunities to promote the museum and programs	9	\$600,000	15	\$600,000
Strategy 2.3 - Enhance and improve exhibits and programs	81*	\$400,000	81	\$400,000

Table Note: An asterisk denotes the agency asserts everything each staff person does supports this element of the strategic plan.

Table 16. Performance measures associated with goal 2.

Performance Measures	FY 16 Target Value	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Data Source and Availability	Calculation Method
Increase attendance	280,000	278,080	300,000	297,371	Admissions tickets sales	Track admissions through ticket sales; increase attendance to 200,000 by end of FY19
Register 24,000 overnight campers annually	24,000	20,298	24,000	21,133	Overnight camping ticket sales	Track overnight camping ticket sales; increase annual campers to 24,000 by end of FY19
Achieve a 2% increase in merchandise sales	\$1,786,780	\$1,791,275	\$1,827,100	\$1,764,540	Gift shop sales	Measure gift shop sales; increase sales annually by 2% over Actual Value
Develop and design utilization options for previous "shipyard gallery" space to facilitate event rentals, education programs, and exhibit display by the end of 2016.	100%	75%	100%	100%	Completion of directives in scope of work	Completion of projects included in the scope of work
Achieve a 2% increase in parking revenue	\$607,255	\$608,775	\$620,950	\$638,977	Parking revenue reports	Parking revenue; increase revenue by 2% over Actual Value
Achieve a 1% increase in food sale and event rental revenue	\$568,185	\$542,243	\$547,655	\$556,575	Revenue reports from Top Shelf and event rentals	Revenue reports from Top Shelf catering and event rentals; increase revenue by 1% over Actual Value

Table Note: FY refers to the state fiscal year.

During the course of the study, Patriots Point provides five years of data on the agency’s key attendance and gift shop sales performance indicators.

Table 17. Patriots Point Development Authority key attendance and gift shop sales performance indicators.

	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014- 15	FY 2015-16	FY 2016-17
Paid Attendance	\$223,181	\$232,551	\$252,731	\$264,432	\$278,081	\$283,837	\$297,371
Admissions Revenue	\$3,393,395	\$3,580,178	\$3,918,930	\$4,210,264	\$4,727,962	\$4,962,045	\$5,475,269
Gross Gift Shop Sales	\$1,647,295	\$1,630,524	\$1,702,612	\$1,725,208	\$1,791,275	\$1,751,764	\$1,764,540
Parking Revenue	\$498,198	\$530,042	\$560,873	\$581,083	\$595,083	\$608,778	\$638,977

Table Note: FY refers to the state fiscal year.

STUDY PROCESS

Agency Selection

Patriots Point Development Authority is an agency subject to legislative oversight.⁵⁹ During the 122nd General Assembly, the Committee prioritizes the agency for study by the Education and Cultural Subcommittee on May 10, 2017.⁶⁰

As the Committee encourages **collaboration in its legislative oversight process**, the Speaker, standing committee chairs in the House, members of the House, Clerk of the Senate, and Governor are also notified about the agency study.

Subcommittee Membership

The **Education and Cultural Subcommittee of the House Legislative Oversight Committee has studied the agency.**⁶¹ The study begins during the 122nd General Assembly. At the start of the study, the Honorable James E. Smith serves as chair, until his resignation on November 6, 2017. As of November 8, 2017, and throughout the remainder of the study, the Honorable Joseph H. Jefferson Jr., serves as chair. Subcommittee Members and their time of service on the Subcommittee are listed below:

- The Honorable Joseph H. Jefferson, Jr., Chair (121st and 122nd General Assemblies);
- The Honorable James E. Smith, Jr., Chair (121st and 122nd General Assemblies, resigned from Committee on November 6, 2017);
- The Honorable Chandra E. Dillard (122nd General Assembly, appointed to Committee on November 6, 2017);
- The Honorable Raye Felder (121st and 122nd General Assemblies, resigned from Committee on November 8, 2017),⁶²
- The Honorable Tommy Stringer (121st and 122nd General Assemblies); and
- The Honorable John Taliaferro “Jay” West, IV (122nd General Assembly, appointed to Committee on December 19, 2017).⁶³

Agency Reports to Legislative Oversight Committee

During the legislative oversight process, the **Committee requests the agency conduct a self-analysis** by requiring it to complete and submit annual Restructuring Reports, a Seven-Year Plan for cost savings and increased efficiencies, and a Program Evaluation Report. Each report is posted on the agency page of the Committee’s website.

Restructuring Report

The Annual Restructuring Report fulfills the requirement in S.C. Code §1-30-10(G)(1) that annually each agency report to the General Assembly “detailed and comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs, or personnel within each department to provide a more efficient administration of government services.”⁶⁴ The report, at a

minimum, includes information in the following areas - history, mission, vision, laws strategic plan, human and financial resources, performance measures, and restructuring recommendations.

The Patriots Point Development Authority submits its Annual Restructuring Reports on February 27, 2015, and January 14, 2016.⁶⁵ The agency's 2015-2016 Annual Accountability Report to the Governor and General Assembly, submitted on July 29, 2017, serves as its 2017 Annual Restructuring Report.⁶⁶ The agency does not submit its 2016-2017 Annual Accountability Report to the Governor and General Assembly, due on September 15, 2017, which serves as its 2018 Annual Restructuring Report.

Seven-Year Plan for Cost Savings and Increased Efficiencies

S.C. Code §1-30-10 requires agencies to submit "a seven year plan that provides initiatives and/or planned actions that implement cost savings and increased efficiencies of services and responsibilities within the projected seven-year period."⁶⁷ The Patriots Point Development Authority submits its plan on February 27, 2015.⁶⁸

Program Evaluation Report

When an agency is selected for study, the Committee may acquire evidence or information by any lawful means, including, but not limited to, "requiring the agency to prepare and submit to the investigating committee a program evaluation report by a date specified by the investigating committee." S.C. Code §2-2-60 outlines what an investigating committee's request for a program evaluation report must contain. Also, it provides a list of information an investigating committee may request. The Committee sends guidelines for the Patriots Point Development Authority's Program Evaluation Report (PER) on June 20, 2017. PPDA submits the report on August 30, 2017.

Information from the Public

Public input is a cornerstone of the House Legislative Oversight Committee’s process.⁶⁹ There are a variety of opportunities for public input during the legislative oversight process. Members of the public have an opportunity to participate anonymously in a public survey, provide comments anonymously via a link on the Committee’s website, and appear in-person before the Committee.⁷⁰

Public Survey

From June 27 - July 18, 2017, the Committee posts an **online survey to solicit comments from the public about the Patriots Point Development Authority** and three other agencies. Communication about this survey is sent to all House members to forward to their constituents. In an effort to communicate this public input opportunity widely, a statewide media release is issued.⁷¹

Sixty-three respondents to the survey chose to answer questions about PPDA, with at least one response coming from 11 of South Carolina’s 46 counties.⁷² Over half of those responses are from Charleston County.⁷³ These comments are not considered testimony.⁷⁴ As the survey notes, “input and observations from those citizens who [chose] to provide responses are very important . . . because they may help direct the Committee to potential areas for improvement with these agencies.”⁷⁵ The survey results are posted on the Committee’s website. The **public is informed it may continue to submit written comments about agencies online** after the public survey closes.⁷⁶

Of those survey participants that respond to questions related to the Patriots Point Development Authority, **88% have a positive or very positive opinion of the agency.**⁷⁷

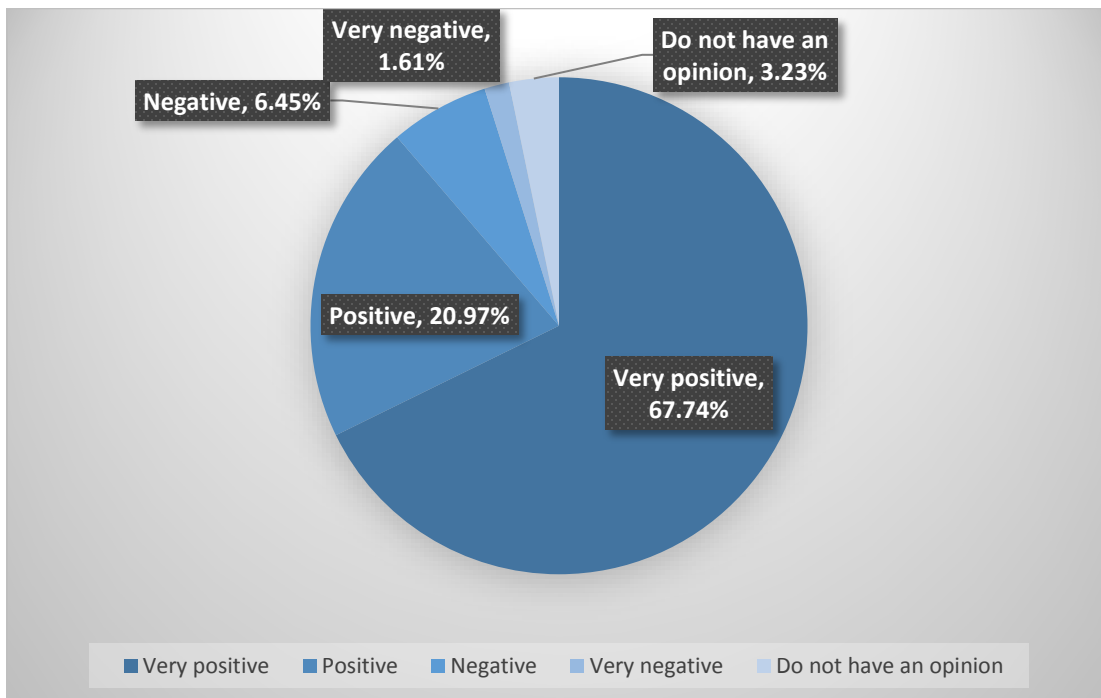


Figure 10. June/July 2018 respondent opinion of Patriots Point Development Authority.

Over 75% of the public survey respondents base their opinions on personal experience or media coverage. There are **positive comments about the education programs, business structure, professionalism, veteran’s support, and leadership.**⁷⁸

Public Input via Committee Website

Throughout the course of the study, people are able to submit comments anonymously on the Committee website. There are no comments provided via the committee webpage.

Public Input via In-Person Testimony

The Committee offers the opportunity for the public to appear and provide sworn testimony.⁷⁹ A meeting dedicated to public input is held on October 16, 2017.⁸⁰ A press release announcing this opportunity is sent to media outlets statewide on October 2, 2017.⁸¹ No member of the public provides in-person testimony about PPDA.

Meetings Regarding the Agency

The Committee meets with, or about, the agency on one occasion, and the Subcommittee meets with, or about, the agency on four occasions. All meetings are open to the public and stream live online; also, the videos are archived and the meeting packets and minutes are available online. A timeline of meetings is set forth in Figure 2 beginning on page 6.

122nd General Assembly (2017-2018)

May 2017

On **May 10, 2017**, the full Committee selects the agency for study.⁸²

October 2017

On **October 16, 2017**, the Full Committee holds its **initial meeting** with the agency to hear public testimony.⁸³ No one testifies about Patriots Point Development Authority.

November 2017

On November 6, 2017, the Subcommittee holds its first meeting with the agency.⁸⁴ During this meeting, Mr. Burdette, Executive Director, provides **an overview of the agency**. Subcommittee members ask, and Mr. Burdette responds to, questions about the following topics:

- | | | |
|------------------------------|---------------------------|-------------------------------|
| a. Three-year business plan; | c. Bennett land | g. Records transfer; |
| b. Cost of restoration and | development proposal; | h. Transfer of Patriots Point |
| maintenance of ships, | d. Museum development; | to Parks, Recreation, and |
| piers, and landside | e. Education and outreach | Tourism; |
| facilities; | activities; | i. External audit; and |
| | f. Grants; | j. Revenue stream. |

December 2017

On December 5, 2017, the Subcommittee holds its second meeting with the agency.⁸⁵ Mr. Mac Burdette testifies about the agency's **human and financial resources**. Subcommittee members ask, and Mr. Burdette responds to, questions about the following topics:

- a. Additional vessels;
- b. Admission cost;
- c. Accommodations tax;
- d. FTEs;
- e. Land leases and renovations; and
- f. Archives.

January 2018

On January 11, 2018, the Subcommittee holds its third meeting with the agency.⁸⁶ Mr. Mac Burdett, Patriots Point executive director, testifies about the agency's **performance**. Subcommittee members ask, and Mr. Burdette responds to, questions about the following topics:

- a. Choosing appropriate performance measures;
- b. Types of measures used by Patriots Point;
- c. Three-year business plan development and evaluation;
- d. Performance trends;
- e. Measuring education expansion programming; and
- f. Methods for collecting consumer experience data.

February 2018

On February 8, 2018, the Subcommittee holds its fourth meeting with the agency.⁸⁷ The purpose of this meeting is to ask further questions the subcommittee may have, and to discuss possible recommendations, either to the agency itself or for changes to the law. Subcommittee members ask, and Mr. Burdette responds to, questions about the following topics:

- a. Titling of property;
- b. Other state naval and maritime museums;
- c. Procurement flexibility; and
- d. Maintenance of exhibits.

Further, multiple motions are made and approved regarding the agency.⁸⁸

April 2018

On April 5, 2018, the Subcommittee holds its fifth meeting about the agency, with a purpose of addressing recommendations and findings.⁸⁹ Multiple motions are made and approved regarding the agency.⁹⁰

June 2018

On June 26, 2018, the full Committee meets to discuss the study of Patriots Point. The Honorable Joseph H. Jefferson moves the Committee approve the Subcommittee study, with one edit. Committee members have until July 13, 2018, to submit statements to be included in the Committee report.

Study Process Completion

To support the Committee's ongoing oversight by maintaining current information about the Patriots Point Development Authority, the agency receives an annual Request for Information.

FINDING

Patriots Point Development Authority Educational Programming

The Committee finds the **Patriots Point Development Authority's educational programming has the potential to positively contribute to public education in South Carolina**, particularly education of fifth graders through the agency's distance learning program.

The PPDA distance learning program, termed the Blended Learning Initiative, is designed to create an integrated learning experience using the agency's self-published story books, educational videos, and supplementary activities featured on the agency's Blended Learning website.⁹¹ The program has evolved since its 2011 inception, now including more interactive options and targeting plaintiff school districts in the Abbeville County School Districts, *et al. v. The State of South Carolina, et al.*, litigation about South Carolina's funding of public schools.⁹²

Agency officials state each fifth grader in South Carolina Public Schools receives a two-book reading series for the 2017-18 school year. The books, Oscar I Am! and Harry I Was?!, are geared toward the state's fifth grade social studies and science standards. In social studies, South Carolina fifth graders focus on the United States from 1865 to the present.⁹³ Harry, I Was?! addresses all time periods included in the standards from Reconstruction, through the collapse of the Soviet Union to the present.⁹⁴ In science, South Carolina fifth graders focus on matter and mixtures, changes in landforms and oceans, forces and motion, and interdependent relationships in ecosystems.⁹⁵ Oscar I Am! addresses standards across these four core areas.⁹⁶ While each book's contents is correlated to the state standards, neither appears on the State Department of Education's comprehensive listing of state adopted and supplemental instructional materials for elementary and middle schools.⁹⁷

Through augmented reality technology, defined as an enhanced version of reality created by the use of technology to overlay digital information on an image of something being viewed through a device (such as a smartphone camera), PPDA provides digital content as a companion to the books.⁹⁸ PPDA also supports teachers, through in-classroom professional development and a year-end professional development program at PPDA.

This program is partially funded by the state, using Education Improvement Act (EIA) funding. The program has received \$415,000 in EIA funding in both the 2016-17 and 2017-18 fiscal years. The Education Oversight Committee, responsible for reviewing and monitoring the implementation and evaluation of the Education Accountability Act and EIA programs and funding and making programmatic and funding recommendations to the General Assembly, neither recommends an increase nor a decrease in this funding for the 2018-19 fiscal year.⁹⁹

RECOMMENDATIONS

General Information

The following **recommendations include areas identified for potential improvement** by the Committee. The **Committee recognizes these recommendations will not satisfy everyone nor address every issue or potential area of improvement at the agency**. These recommendations are based on the agency’s self-analysis requested by the full Committee, discussions with the agency during multiple meetings, analysis of the information obtained by the Committee, and review of information received from other sources. This information, including, but not limited to, the Program Evaluation Report, Accountability Report, Restructuring Report and videos of meetings with the agency, is available on the Committee’s website.

Continue

The **Committee does not have any specific recommendations with regards to continuance of agency programs**.

Curtail (i.e. Revise)

The **Committee has four recommendations** arising from its study of the agency. These recommendations fall into three categories: recommendations for the General Assembly; recommendations for PPDA; and recommendations for the State Fiscal Accountability Authority and/or the General Assembly.

Recommendation for the General Assembly

Table 18. Summary of recommendations for the General Assembly arising from the study process.

Topic	Recommendations for the General Assembly
Voluntary Income Tax Return Contribution	1. Authorize Patriots Point to receive funds through voluntary income tax return contributions.

The **first recommendation** relates to **voluntary income tax contributions**. The Committee recommends Patriots Point be added to the list of entities that may receive funds through the voluntary income tax contributions. Currently, S.C. Code §12-6-5060 allows taxpayers to voluntarily contribute to sixteen organizations, via their individual tax returns. Table 19 lists the S.C. organizations and what they receive from 2016 tax year contributions.

Table 19. Individual income tax contributions in tax year 2016.¹⁰⁰

Type of Contribution	Number of Returns	Amount
Children's Trust Fund	1,060	\$14,920.19
Donate Life South Carolina	517	\$4,578.00
Eldercare Trust Fund	908	\$11,418.00
Endangered Wildlife Fund	1,621	\$22,827.95
K-12 Public Education Fund	910	\$15,483.00
S.C. Association of Habitat Affiliates	314	\$4,230.00
S.C. Conservation Bank Trust Fund	544	\$6,381.00
S.C. Department of Natural Resource Fund	1,041	\$13,677.48
S.C. Financial Literacy Trust Fund	341	\$2,094.00
S.C. First Steps to School Readiness Fund	595	\$7,308.00
S.C. Law Enforcement Assistance Program	870	\$13,857.00
S.C. Litter Control Enforcement Program	588	\$4,790.00
S.C. Military Family Relief Fund	1,006	\$14,507.00
S.C. State Forests Fund	825	\$7,550.37
S.C. State Parks Fund	1,515	\$20,832.80
S.C. Veterans' Trust Fund	1,154	\$15,328.00
War Between the States Heritage Trust Fund	330	\$5,020.00
Total Contributions	14,139	\$184,802.79

PPDA officials state the Patriots Point Development Authority Foundation currently funds scholarships for Junior Reserve Officers' Training Corps (JROTC) students to attend programs at PPDA. In fiscal year 2017-2018, the foundation's goal is to provide at least \$30,000 for these scholarships. In the 2016 tax year, the foundation reports providing \$16,402 in "support of Patriots Point Maritime Museum Facilities, Exhibits, Programs, and other projects."¹⁰¹ Based on organizations raising between \$2,072 and \$24,843, tax contributions to Patriots Point are projected to provide additional revenue that can be directed to the JROTC scholarships.

Table 20. Suggested amendment to S.C. Code §12-6-5060.

Impacted Code Section	Suggested Amendment
S.C. Code §12-6-5060 - Voluntary contribution to certain funds may be designated on return; reporting of contributions annually by department.	(A) Each taxpayer required to file a state individual income tax return may contribute to the War Between the States Heritage Trust Fund established pursuant to Section 51-18-115, the Nongame Wildlife and Natural Areas Program Fund established pursuant to Section 50-1-280, the Children's Trust Fund of South Carolina established pursuant to Section 63-11-910, the Eldercare Trust Fund of South Carolina established pursuant to Section 43-21-160, the First Steps to School Readiness Fund established pursuant to Section 63-11-1750, the South Carolina Military Family Relief Fund established pursuant to Article 3, Chapter 11, Title 25, the Donate Life South Carolina established pursuant to Section 44-43-1310, the Veterans' Trust Fund of South Carolina established pursuant to Chapter 21, Title 25, the South Carolina Litter Control Enforcement Program (SCLCEP) and used by the Governor's Task Force on Litter only for the SCLCEP Program, the South Carolina Law Enforcement Assistance Program (SCLEAP) and used as

provided in Section 23-3-65, the South Carolina Department of Parks, Recreation and Tourism for use in the South Carolina State Park Service in the manner the General Assembly provides, the South Carolina Forestry Commission for use in the state forest system, the South Carolina Department of Natural Resources for use in its programs and operations, K-12 public education for use in the manner the General Assembly provides by law, South Carolina Conservation Bank Trust Fund established pursuant to Section 48-59-60, the Financial Literacy Trust Fund established pursuant to Section 59-29-510, ~~or~~ the South Carolina Association of Habitat for Humanity Affiliates, **or the Patriots Point Development Authority established pursuant to 51-13-710**, by designating the contribution on the return. The contribution may be made by reducing the income tax refund or by remitting additional payment by the amount designated.

(B) All South Carolina individual income tax return forms must contain a designation for the above contributions. The instructions accompanying the income tax form must contain a description of the purposes for which the funds were established and the use of monies from the income tax contribution.

(C) The department shall determine and report at least annually to the appropriate agency administering the fund or in the case of the Children's Trust Fund to the fund the total amount of contributions designated to the above funds. The department shall transfer the appropriate amount to each fund at the earliest possible time. The incremental cost of administration of the contribution must be retained by the department from the contributions before any funds are expended as provided in this section.

(D) The Department of Natural Resources shall make a report to the General Assembly as early in January of each year as may be practicable, which must include the amount of revenue produced by the contributions and a detailed accounting of expenditures from the Nongame Wildlife and Natural Areas Fund.

(E) For purposes of this section, the South Carolina Department of Revenue is not subject to provisions of the South Carolina Solicitation of Charitable Funds Act as contained in Chapter 56, Title 33.

(F) Revenues from the South Carolina Litter Control Enforcement Program Fund and the South Carolina Law Enforcement Assistance Program Fund carry forward into succeeding fiscal years and earnings of the funds must be credited to them.

Recommendation for the Patriots Point Development Authority

Table 21. Summary of recommendations for the Patriots Point Development Authority.

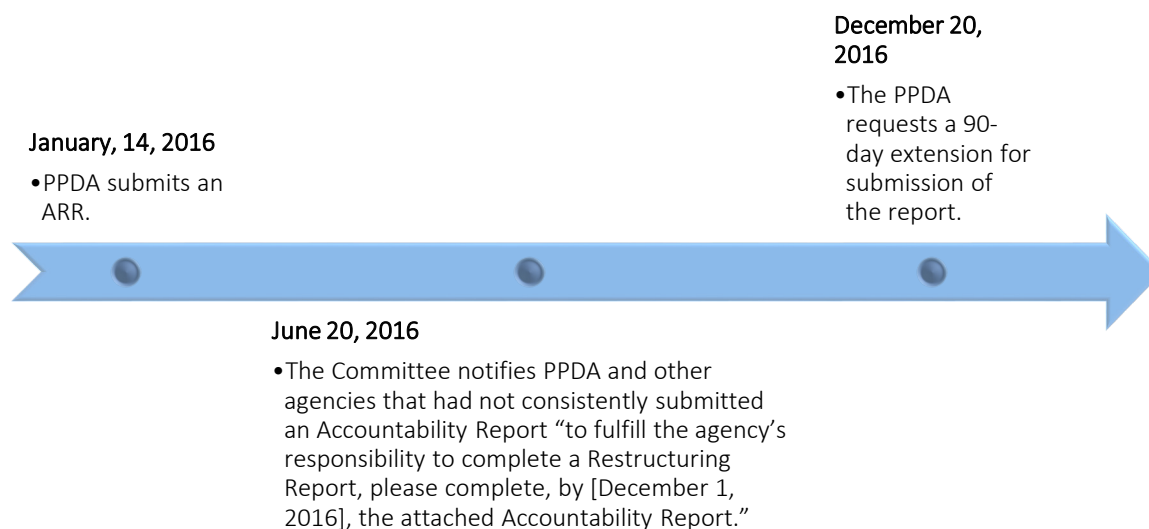
Topic	Recommendations for the Patriots Point Development Authority
Annual Restructuring Report	2. Submit an Annual Restructuring Report, whether it is in the form of a separate report, or the combined Accountability Report.

The **second recommendation** relates to the agency’s submission of an annual restructuring report, in compliance with S.C. Code §1-30-10 (G). SC Code §1-30-10 (G)1 is as follows:

Department and agency governing authorities must, no later than the first day of the 2015 Legislative Session and every twelve months thereafter, submit to the Governor and General Assembly reports giving detailed and comprehensive recommendations for the purposes of merging or eliminating duplicative or unnecessary divisions, programs, or personnel within each department to provide a more efficient administration of government services. If an agency or department has no recommendations for restructuring of divisions, programs, or personnel, its report must contain a statement to that effect.

This report is **a way the House of Representatives detects issues before they become crises**. Beginning in 2015, the Legislative Oversight Committee requests agencies fulfill this requirement through submission of an Annual Restructuring Report (ARR). In response to agency feedback about the similarity of the request to the Executive Budget Office’s Annual Accountability Report (Accountability Report), the Committee seeks to combine the reports. The Executive Budget Office agrees to include inquiries formerly included in the ARR in the Accountability Report. Beginning in 2016, an agency’s submission of the Accountability Report fulfills the requirements of submission of the ARR. Agencies, particularly those historically inconsistent in the submission of the Accountability Report, are notified of the combination of the reports.¹⁰²

The Patriots Point Development Authority (PPDA) submits an Accountability Report from at least FY 99 to FY09.¹⁰³ The agency does not submit a report for FY 10, and there is no evidence of any more recent submissions.¹⁰⁴ Figure 11 provides a timeline of the Committee’s interaction with PPDA regarding the ARR and Accountability Report.



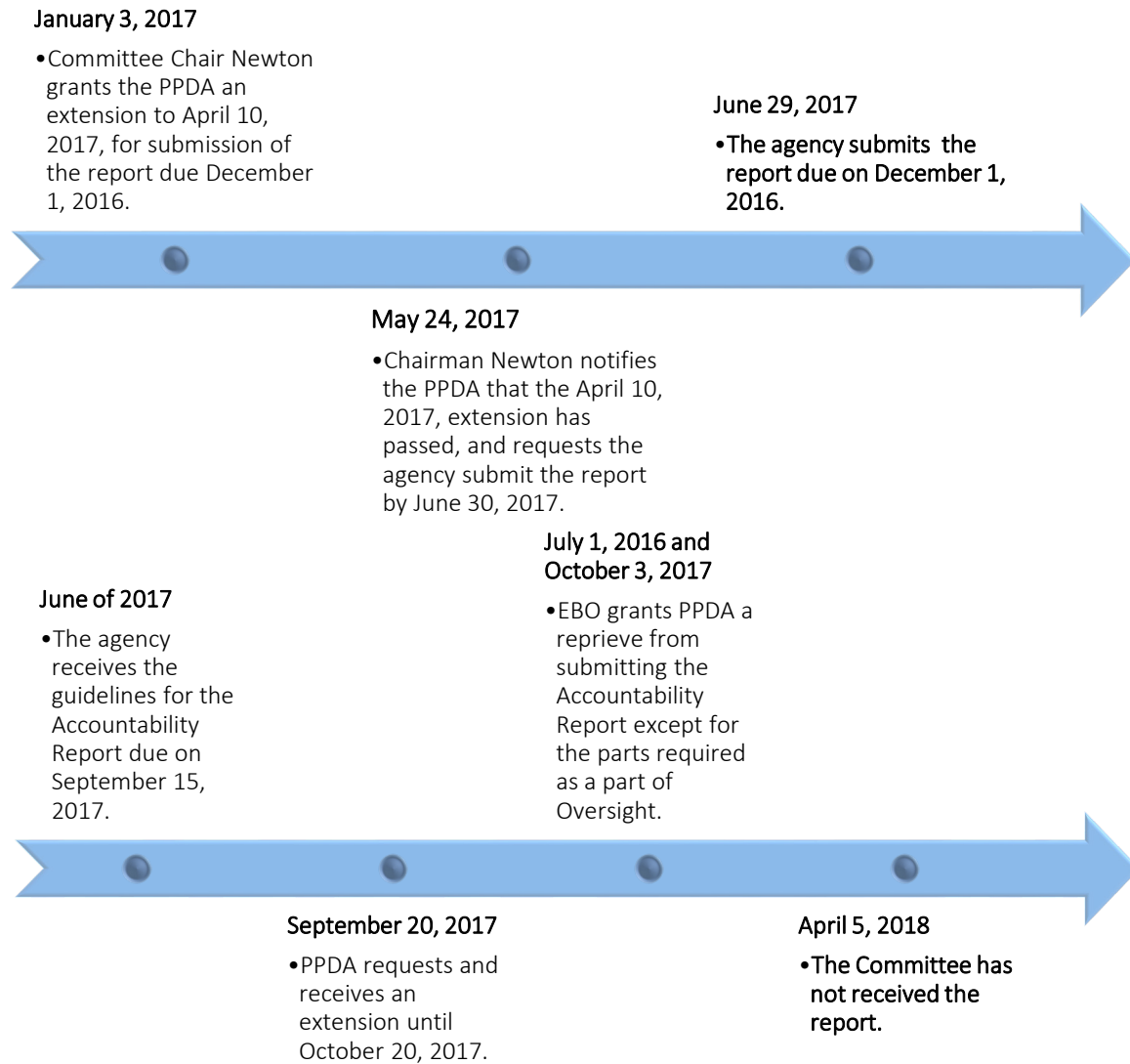


Figure 11. Timeline of Committee efforts to timely obtain Patriots Point Development Authority's annual restructuring report.¹⁰⁵

Recommendations for the General Assembly and/or the State Fiscal Accountability Authority

Table 22. Summary of recommendations for the General Assembly and/or the State Fiscal Accountability Authority.

Topic	Recommendations for the General Assembly and/or the State Fiscal Accountability Authority
Procurement Flexibility	<p>3. Grant Patriots Point procurement flexibility for purchase of services that are specialized, such as talent for major entertainment/history programs, visiting authors, etc.</p> <p>4. Grant Patriots Point an exemption for purchase of new exhibits and improving existing exhibits.</p>

The **third and fourth recommendations** relate to **procurement flexibility**. There are two ways agencies can be exempted from the processes prescribed by the state’s Consolidated Procurement Code: (1) through legislative action (statute or proviso), or (2) through an exemption from the board of the State Fiscal Accountability Authority (SFAA). SFAA provides the vast majority of the specific exemptions. S.C. Code §11-35-710 provides exemptions to the procurement code, and grants authority to the board of the SFAA (formerly the Budget and Control Board) to grant exemptions to the consolidated procurement Code.

In its **third recommendation**, the Committee recommends that the agency be **granted procurement flexibility for purchase of services that are specialized**, such as talent for major entertainment/history programs, visiting authors, etc. This exemption is similar to the Budget and Control Board’s December 17, 1982, grant of an exemption for **professional artists utilized by the South Carolina Arts Commission**, from purchasing procedures.¹⁰⁶

In its **fourth recommendation**, the Committee recommends the agency be granted **additional procurement flexibility**, adding an exemption for **exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits**. This is consistent with an exemption granted to the State Museum regarding funding new exhibits and improving existing exhibits.

S.C. Code §11-35-710 provides exemptions to the procurement code, and grants authority to the board of the SFAA (formerly the Budget and Control Board) to grant exemptions to the procurement code. This statute exempts the South Carolina Arts Commission and South Carolina Museum Commission from the procurement code when the agencies are **purchasing one-of-a-kind items such as paintings, antiques, sculpture, and similar objects**. In addition, Proviso 104.1 (2017-2018 General Appropriations Act) requires any governmental body, other than the South Carolina Museum Commission, the Confederate Relic Room and Military Museum Commission, and the South Carolina Hunley Commission, to obtain approval from the S.C. Arts Commission prior to purchasing art objects such as paintings, antiques, sculptures, or similar objects over \$1,000.

On July 17, 1991, the Budget and Control Board grants the State Museum a further exemption from the Consolidated Procurement Code. The board exempts the State Museum Commission from the purchasing procedures of the Consolidated Procurement Code for the following items:

- **Historical artifacts, to include both current, specific items and objects of future historical significance;**

- Scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world;
- Artworks, to include examples of fine art, decorative art, and folk art;
- Collection disciplines, to include cultural history, science and technology, art and natural history; and
- Exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits.

On August 27, 1985, the Budget and Control Board grants the Confederate Relic Room an exemption from purchasing procedures for the acquisition of **historical artifacts, weapons, flags, firearms, etc., which are rare and reasonably priced** in the judgment of the Confederate Relic Room and Museum staff.¹⁰⁷

On August 14, 2014, the Patriots Point Development Authority requests an exemption from the procurement code for the following items:

- **Historical artifacts, to include both current, specific items and objects of future historical significance;**
- **Artworks, to include examples of fine art related to the mission of the museum; and**
- **Collection disciplines, to include cultural history, science and technology, art and naval maritime history.**¹⁰⁸

During that meeting, PPDA asserts it will use the exemption to acquire military/historical artifacts such as, historic textiles (e.g., uniforms, flags, weapons, etc.), artwork, historical film footage, aircraft, historic ship equipment and components, to provide the representation of authentic and historical scenes and displays; and various U.S. military equipment, necessary to achieve the goals of the museum experience master plan at Patriots Point. With one comment from a member of the Budget and Control Board that the agency's initial request for a procurement exemption was too broad, the board grants PPDA the requested exemption.¹⁰⁹

In a response to the Education and Cultural Subcommittee's inquiries, a PPDA official asserts receipt of the exemption "would expedite the development of new exhibits and allow negotiations with specific exhibits designers and fabricators which would greatly reduce cost of exhibits. Exhibits are usually very design/build oriented to fit the artifacts that are involved."¹¹⁰

INTERNAL CHANGES IMPLEMENTED BY AGENCY RELATED TO STUDY PROCESS

During the study process, the agency implements one internal change directly related to participation in the study process. Patriots Point staff and Department of Archives and History (Archives) staff develop records management processes for the agency.

In a response to the Education and Cultural Subcommittee's inquiries, a PPDA official asserts the PPDA Records Manager and other key staff follow up with Archives regarding records management and transferal. Key staff members from Patriots Point meet with staff from Archives at Patriots Point on November 29, 2017, and discuss records management procedures and recommendations. PPDA submits Reports on Records Destroyed Forms and begin to work with Archives on the creation of agency-specific retention schedules, as well as the future transfer of inactive permanently valuable records. Patriots Point will permanently retain accession records pertaining to collections donations, oral history interviewee consent forms, aircraft donation records, and ship donation records. Agency staff state Patriots Point Development Authority is no longer considered "inactive" and has been removed from their "inactive" agency list as of November 29, 2017.¹¹¹ According to Archives staff, "conveyed to SCDAH a small number of disposition forms and digital records for permanent retention, so they no longer qualify as an inactive agency."¹¹²

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CONTACT INFORMATION

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You may visit the South Carolina General Assembly Home Page (<http://www.scstatehouse.gov>) and click on "Citizens' Interest" then click on "House Legislative Oversight Committee Postings and Reports". This will list the information posted online for the committee; click on the information you would like to review. Also, a direct link to committee information is <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>.

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843-884-2727

Online:

<https://www.patriotspoint.org/>

ENDNOTES

¹ Visual Summary Figure 1 is compiled from information in Patriots Point Development Authority study materials available online under "Citizens' Interest," under "House Legislative Oversight Committee Postings and Reports," and then under "Patriots Point Development Authority" <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/PatriotsPointDevelopmentAuthority.php> (accessed February 26, 2018).

² S.C. Code of Laws § 2-2-20(C).

³ In the section of the S.C. Code of Laws containing the agency's enabling statute, the agency is termed Patriot's Point, while other sections of the Code and materials produced by the agency references Patriots Point. The General Assembly can make the spelling consistent throughout the S.C. Code of laws via several methods, including a joint resolution declaring the preferred spelling, other legislation related to the agency, and proviso in the year the volume containing this section is republished. Throughout the study, the non-possessive spelling is used unless there is a reference to the enabling statute.

⁴ S.C. House of Representatives, House Legislative Oversight Committee, "Thursday, February 8, 2018 at 11:45 (Blatt 321)," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Meetings" <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/PatriotsPointDevelopmentAuthority.php> (accessed April 9, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁵ S.C. House of Representatives, House Legislative Oversight Committee, "Letter from Patriots Point Development Authority to Subcommittee Chair Jefferson (January 10, 2018)," under "Citizens' Interest," under "Patriots Point Development Authority," and under "Correspondence" https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Patriots%20Point%20Letter%20to%20Subcommittee%2012_1.PDF (accessed March 16, 2018).

⁶ The Committee to Study and Investigate the Feasibility of a Naval Museum in South Carolina, *A Report to The Governor, The General Assembly, The United States Congressional Delegation of South Carolina*, January 2, 1973. The State Development Authority was an economic development state agency and a precursor to the present-day Department of Commerce.

⁷ The Committee to Study and Investigate the Feasibility of a Naval Museum in South Carolina is created pursuant to a concurrent resolution, which is adopted July 13, 1972.

⁸ Act 116 of 1973, section 2.

⁹ Act 427 of 1978.

¹⁰ Act 349 of 1990.

¹¹ Act 424 of 1992

¹² Act 281 of 2010

¹³ Act 116 of 1973, section 4.

¹⁴ *Ibid.*, section 6.

¹⁵ *Ibid.*, section 7.

¹⁶ *Ibid.*, section 12 (issued bonds), section 8 (acquisition of property), and section 9 (exchange or purchase property).

¹⁷ Act 115 of 1973, section 15 (taxation exemption).

¹⁸ Act 116 of 1973, section 16. Smartasset, “Inflation Calculator,” <https://smartasset.com/investing/inflation-calculator> (accessed February 26, 2018).

¹⁹ Act 387 of 2000, Part II, Section 18, the General Appropriations Act.

²⁰ *Ibid.*

²¹ *Ibid.*

²² S.C. House of Representatives, House Legislative Oversight Committee, “Letter from Patriots Point Development Authority to Subcommittee Chair Jefferson (December 1, 2017)” at page 9, under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence”
https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Patriots%20Point%20Letter%20to%20Subcommittee%2012_1.PDF (accessed March 16, 2018).

²³ Act 115 of 1973, section 12. Act 349 of 1990 revises the taxation exemption to include taxes, or sums in lieu of taxes, or assessments on the property.

²⁴ S.C. House of Representatives, House Legislative Oversight Committee, “Agency Presentation” at unnumbered slides 8-9, under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Meetings,” under “Monday, November 6, 2017 – Meeting Minutes”
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²⁵ Part VI, Section 9 of Act 289 of 2014 allows members of the USS Laffey Association who are temporarily present at PPDA to perform voluntary maintenance on the USS Laffey may remain onboard the vessel overnight if the executive director approves and has deemed it safe to do so.

²⁶ *Ibid.*, section 1.

²⁷ Act 427 of 1978.

²⁸ *Ibid.*, section 10.

²⁹ S.C. House of Representatives, House Legislative Oversight Committee, “2015 Patriots Point Visitor and Resident Survey” at slide 5, under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence,” under “Patriots Point Development Authority Response to Subcommittee Chair Jefferson (February 6, 2018)”
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³⁰ *Ibid.*, at slide 8.

³¹ S.C. House of Representatives, House Legislative Oversight Committee, “Agency PER,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Oversight Reports and Studies”
<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Comprehensive%20Strategic%20Plan%20Summary.pdf> (accessed March 16, 2018).

³² *Ibid.*

³³ *Ibid.*

³⁴ S.C. Code Ann. § 51-13-710 through 740.

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ http://search.scsos.com/boards_commissions/default.aspx.

³⁸ S.C. House of Representatives, House Legislative Oversight Committee, “Agency PER,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Oversight Reports and Studies”
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⁴¹ S.C. House of Representatives, House Legislative Oversight Committee, “Organization Charts (March 15, 2018),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Structure/Employees,” under “Organization Charts”
https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Organizational%20Charts%203_15_18.pdf (accessed March 15, 2018). Hereinafter, Organization Charts.

⁴² PPDA Department Descriptions (November 5, 2017).

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⁵³ Organization Charts (March 15, 2018).

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⁵⁵ S.C. House of Representatives, House Legislative Oversight Committee, “Letter from Education and Cultural Subcommittee to Patriots Point Development Authority (December 19, 2017)” at page 1, under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence”

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⁵⁶ 2015-16 Accountability Report.

⁵⁷ Kevin Paul, Assistant Director of State Human Resources, Department of Administration, email message to House Oversight Committee Legal Counsel Charles Appleby, May 5, 2017.

⁵⁸ Ibid.

⁵⁹ S.C. Code of Laws, §2-2-10(1).

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<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Subcommittees%20-%202018.pdf> (accessed February 22, 2018).

⁶² S.C. House of representatives, House Legislative Oversight Committee, “Subcommittees – 2017,” under “Citizens’ Interest,” under “Agency Oversight by House Legislative Oversight Committee,” and under “Committee Information”

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⁶³ Subcommittees – 2017.

⁶⁴ S.C. Code §1-30-10(G)(1)

⁶⁵ 2015-16 Agency Accountability Report.

⁶⁶ Ibid.

⁶⁷ S.C. Code of Laws §1-30-10.

⁶⁸ S.C. House of Representatives, House Legislative Oversight Committee, “2016 Annual Restructuring Report,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Oversight Reports and Studies”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/2016%20ARR/2016%20ARR%20-%20Patriots%20Point.pdf> (accessed March 18, 2018).

⁶⁹ A brochure about the House Legislative Oversight’s Committee process is available online. Also, there are ongoing opportunities to request notification when meetings are scheduled and to provide feedback about state agencies under study that can be found online.

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<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/Brochure%20-%20Revised%201.3.18.pdf> (accessed March 16, 2018).

⁷⁰ S.C. House of Representatives, House Legislative Oversight Committee, “Agency Oversight by House Legislative Oversight Committee,” under “Citizens’ Interest”

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⁷¹ S.C. House of Representatives, House Legislative Oversight Committee, “Press Release Announcing Public Survey (June 27, 2017),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Public Survey & Public Input vis LOC webpage”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Media%20Release%20Public%20Survey%20June%202017.PDF> (accessed February 26, 2018).

⁷² S.C. House of Representatives, House Legislative Oversight Committee, “Results of Survey of Adjutant General’s Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Public Survey & Public Input vis LOC webpage”

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⁷³ Ibid.

⁷⁴ Committee Standard Practice 10.4.

⁷⁵ Results of Survey of Adjutant General’s Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017).

⁷⁶ S.C. House of Representatives, House Legislative Oversight Committee, “Submit Public Input,” S.C. House of representatives, House Legislative Oversight Committee, “Read a brochure about the Committee,” under “Citizens’ Interest,” under “Agency Oversight by House Legislative Oversight Committee,” and under “Public Participation”

<http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php> (accessed February 26, 2018).

⁷⁷ Results of Survey of Adjutant General’s Office; Commission for Minority Affairs; Department of Natural Resources; and Patriots Point Development Authority (June 27 - July 28, 2017).

⁷⁸ Ibid.

⁷⁹ Also, the Chair of either the Committee or Education and Cultural Subcommittee has the discretion to allow testimony during meetings.

⁸⁰ S.C. House of Representatives, House Legislative Oversight Committee, “October 16, 2017 – Meeting Minutes,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Meetings”

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⁸¹ S.C. House of Representatives, House Legislative Oversight Committee, Statewide Media Release Inviting the Public to Provide Testimony about Four Agencies Under Study (October 2, 2017),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence”

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⁸² May 10, 2017 Meeting Minutes.

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FullCommitteeMinutes/May%2010,%202017%20Meeting%20Minutes.pdf> (assessed February 16, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁸³ October 16, 2017 – Meeting Minutes.

⁸⁴ S.C. House of Representatives, House Legislative Oversight Committee, “Monday, November 6, 2017 – Meeting Minutes,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Meetings”

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⁸⁶ S.C. House of Representatives, House Legislative Oversight Committee, “Thursday, January 11, 2018 - Meeting Minutes,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Meetings”

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⁸⁷ S.C. House of Representatives, House Legislative Oversight Committee, “Thursday, February 8, 2018 - Meeting Minutes,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Meetings”

<https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/PatriotsPointDevelopmentAuthority.php> (assessed April 9, 2018). A video of the meeting is available at <http://www.scstatehouse.gov/video/videofeed.php>.

⁸⁸ All motions for study recommendations are made at this meeting, and the next meeting (April 5, 2018).

⁸⁹ S.C. House of Representatives, House Legislative Oversight Committee, “Thursday, April 5, 2018 - Meeting Minutes,” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Meetings”

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⁹⁰ All motions for study recommendations are made at this meeting, and the last meeting (February 8, 2018).

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⁹³ South Carolina Department of Education, “South Carolina Social Studies Standards,” <https://ed.sc.gov/scdoe/assets/file/agency/ccr/Standards-Learning/documents/FINALAPPROVEDSSStandardsAugust182011.pdf> (accessed April 9, 2018).

⁹⁴ Patriots Point Blended Learning, “Standards in Harry, I Was!” <https://www.patriotspointblendedlearning.com/content-by-standards-history.html> (accessed April 9, 2018).

⁹⁵ South Carolina Department of Education, “South Carolina Academic Standards and Performance Indicators for Science,”

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⁹⁸ Merriam-Webster Dictionary, <https://www.merriam-webster.com/dictionary/augmented%20reality> (accessed April 9, 2018). February 6, 2018, response.

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¹⁰¹ Patriots Point Naval and Maritime Museum Foundation, “2017 Form 990” <http://www.guidestar.org/FinDocuments/2017/510/195/2017-510195240-0e50db61-Z.pdf> (accessed March 23, 2018).

¹⁰² S.C. House of Representatives, House Legislative Oversight Committee, “2017-ARR Guidelines (June 20, 2016),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Oversight Reports and Studies” [https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FilesforAllAgenciesNewWebsite/2017%20%20ARR%20Guidelines%20\(June%202020,%202016\)%20-%20Agencies%20not%20typically%20required%20to%20complete%20Accountability%20Report.pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/FilesforAllAgenciesNewWebsite/2017%20%20ARR%20Guidelines%20(June%202020,%202016)%20-%20Agencies%20not%20typically%20required%20to%20complete%20Accountability%20Report.pdf) (accessed April 6, 2018)

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¹⁰⁴ Ibid.

¹⁰⁵ Figure 12 is compiled from information in Patriots Point Development Authority study materials available online under “Citizens’ Interest,” under “House Legislative Oversight Committee Postings and Reports,” and then under “Patriots Point Development Authority” <https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyPHPFiles/PatriotsPointDevelopmentAuthority.php> (accessed February 26, 2018). Ms. Allison Hunt, PPDA Administrative Coordinator/Grants Manager email message to House Oversight Committee Auditor/Research Analyst Carmen J.M. Simon, January 8, 2018.

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¹¹⁰ S.C. House of Representatives, House Legislative Oversight Committee, “Patriots Point Development Authority Response to Subcommittee Chair Jefferson (February 6, 2018),” under “Citizens’ Interest,” under “Patriots Point Development Authority,” and under “Correspondence” https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/PatriotsPointDevelopmentAuthority/Patriots%20Point%20Response%20to%20LOC%202_6_18.PDF (accessed March 16, 2018).

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¹¹² Dr. Eric Emerson, Director of the Department of Archives and History, and State Preservation Officer email message to House Oversight Committee Auditor/Research Analyst Carmen J.M. Simon, April 13, 2018.