

**AMENDMENT # 2**

**Rep. Cobb-Hunter SUBMITS THE FOLLOWING:**

**General Provision**

**89.hsp. (GP: Transfer Health Statistics Program to DHEC) For the current fiscal year, effective July 1, 2011, the duties, functions, responsibilities, personnel, funding, and physical assets of the Health and Demographic Statistics Program located within the Budget and Control Board Office of Statistics are transferred to the Department of Health and Environmental Control. The funds must be administered separately from other programs within the department and must be expended for the exclusive use of the Health Statistics Program.**

**AMENDMENT # 3**

**Rep. Cobb-Hunter SUBMITS THE FOLLOWING:**

**Commission on Indigent Defense**

*47. pi (Private Investigators) In addition to certifying persons as private investigators for use by the public defenders, the agency must adopt a policy that will lead to the monitoring of the selection of private investigators to ensure that the selection process is fair and equitable.*

AMENDMENT # 5

REP. MERRILL SUBMITS THE FOLLOWING:

AGENCY NAME

89.pr. (GP: Transfer Procurement Review Panel to ALC) For the current fiscal year, effective July 1, 2011, the duties, functions, and responsibilities, personnel, funding, and physical assets of the Procurement Review Panel are transferred to the Administrative Law Court.

AMENDMENT # 6

REP. WHITE SUBMITS THE FOLLOWING:

AGENCY NAME

89.gal. (GP: Transfer DAODAS to DMH) For the current fiscal year, effective July 1, 2011, the duties, functions, responsibilities, personnel, funding, and physical assets of the Department of Alcohol and Other Drug Abuse Services are transferred to the Department of Mental Health.

REP. WHITE SUBMITS THE FOLLOWING:

**General Provisions**

89.MT. (GP: Means Test) All agencies providing Healthcare Services are directed to identify standards and criteria for means testing on all waivers and programs provided, where allowed by Federal guidelines. Once a consistent criteria has been established within an agency, they shall implement their respective plans. Each agency shall report all criteria and fiscal data to the Chairman of the Senate Finance Committee and to the Chairman of the Ways and Means Committee no later than January 1, 2012.

REP. WHITE SUBMITS THE FOLLOWING:

**Department of Health and Environmental Control**

*24.II (DHEC: Immunizations and Inspections). Of the funds authorized to the department for smoking cessation, \$4,000,000 may be used for Immunizations and Water and Environmental Inspections.*

REP. Bingham SUBMITS THE FOLLOWING:

## State Department of Education

1.3. (SDE: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for 100 percent of full implementation of the Education Finance Act to include an inflation factor projected by the Division of Budget and Analyses to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year has been determined to be ~~\$1,630~~ \$1,617. In Fiscal Year ~~2010-11~~ 2011-12, the total pupil count is projected to be ~~694,303~~ 694,850. The average per pupil funding is projected to be ~~\$4,485~~ \$4,778 state, ~~\$1,633~~ \$1,206 federal, and ~~\$5,254~~ \$5,666 local. This is an average total funding level of ~~\$11,372~~ \$11,651 excluding revenues of local bond issues. For Fiscal Year ~~2010-11~~ 2011-12 the South Carolina Public Charter School District shall receive and distribute state funds to the charter school as determined by the current year's base student cost, as funded by the General Assembly, ~~plus an additional \$700, multiplied by the weighted students enrolled in the charter school, which must be subject to adjustment for student attendance and must not be reduced for state budget allocations.~~ *Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District shall receive an additional \$2,500 per pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District shall receive an additional \$4,000 per pupil.*

~~In Fiscal Year 2010-11, the Abbeville School District total pupil count is projected to be 2,963. The per pupil funding is projected to be \$5,892 state, \$1,878 federal, and \$3,286 local. This is a total projected funding level of \$11,057 excluding revenues of local bond issues.~~

~~In Fiscal Year 2010-11, the Aiken School District total pupil count is projected to be 23,756. The per pupil funding is projected to be \$4,237 state, \$1,578 federal, and \$3,177 local. This is a total projected funding level of \$8,992 excluding revenues of local bond issues.~~

~~In Fiscal Year 2010-11, the Allendale School District total pupil count is projected to be 1,590. The per pupil funding is projected to be \$5,388 state, \$2,736 federal, and \$3,452 local. This is a total projected funding level of \$11,576 excluding revenues of local bond issues.~~

~~In Fiscal Year 2010-11, the Anderson School District 1 total pupil count is projected to be 9,042. The per pupil funding is projected to be \$4,267 state, \$922 federal, and \$3,060 local. This is a total projected funding level of \$8,249 excluding revenues of local bond issues.~~

~~In Fiscal Year 2010-11, the Anderson School District 2 total pupil count is projected to be 3,600. The per pupil funding is projected to be \$4,440 state, \$1,432 federal, and \$3,368 local. This is a total projected funding level of \$9,240 excluding revenues of local bond issues.~~

~~In Fiscal Year 2010-11, the Anderson School District 3 total pupil count is projected to be 2,588. The per pupil funding is projected to be \$4,534 state, \$1,578 federal, and \$3,571~~

**REP. Bingham SUBMITS THE FOLLOWING:**

**State Department of Education**

*1. bus (SDE: Transportation) In Fiscal Year 2011-12 the Ways and Means Committee, Senate Finance Committee, the Department and the Governor's Office will work together explore privatization of all or part of the state transportation system while ensuring that all students are served and there are long term cost savings.*



REP. Allison SUBMITS THE FOLLOWING:

**State Department of Education**

**1. emp** *(SDE - District Employees) An employee of a school district may have representation of their choice present and able to participate in any meeting, hearing or appeal related to a formal grievance.*

REP. Bingham SUBMITS THE FOLLOWING:

**State Department of Education**

1A.35. (SDE-EIA: Students at Risk of School Failure) For ~~Fiscal Year 2010-11~~ *current fiscal year*, EIA funds appropriated for students at academic risk of school failure, which include funds for Act 135 Academic Assistance, summer school, reduce class size, alternative schools, parent support and family literacy, must be allocated to school districts based two factors: (1) the poverty index of the district as documented on the most recent district report card, which measures student eligibility for the free or reduced price lunch program and Medicaid; and (2) the number of students not in poverty or eligible for Medicaid but who fail to meet state standards on state standards-based assessments in either reading or mathematics. At least eighty-five percent of the funds allocated for students classified as at academic risk must be spent on instruction and instructional support for these students who generated the funds. Instructional support may include family literacy and parenting programs to students at-risk for school failure and their families. Students at academic risk are defined as students who are at risk of not graduating from high school because they failed either the English language arts or mathematics portion of the High School Assessment Program on first attempt and who score not met on grades three through eight in reading and mathematics state assessments. Public charter schools, the Palmetto Unified School District, and the Department of Juvenile Justice must also receive a proportionate per pupil allocation based on the number of students at academic risk of school failure served.

~~Of the funds appropriated for students at academic risk of school failure, \$350,000 must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand statewide training for individuals who teach children of poverty through weekend college, non-traditional or alternative learning opportunities. The Center also is charged with developing a sequence of knowledge and skills and program of study for add-on certification for teachers specializing in teaching children of poverty.~~

**REP. WHITE SUBMITS THE FOLLOWING:**

**Department of Social Services**

26.DCV. (DSS: Day Care Vouchers) The Department is prohibited from using the ABC Child Care vouchers on Day Care providers that are not either licensed or registered. All Child Care Providers receiving these vouchers must be either licensed or registered by DSS Child Care Licensing following State approved regulations.

REP. MERRILL SUBMITS THE FOLLOWING SUBSTITUTE FOR 89.MSG:

**University of South Carolina - Greenville Medical School**

**89.msg. (GP: USC Medical School Greenville Study Committee) There is created a study committee to assess the fiscal sustainability of the new medical school at the University of South Carolina in Greenville. The committee shall be comprised of three Senate members and three House of Representative members. Of the Senate appointees, one member shall be appointed by the President Pro Tempore of the Senate, one member shall be appointed by the Chairman of the Senate Finance Committee, and one member shall be appointed by the Chairman of the Senate Education Committee. Of the House of Representatives appointees, one member shall be appointed by the Speaker of the House of Representatives, one shall be appointed by the Chairman of the Ways and Means Committee, and one shall be appointed by the Chairman of the Education and Public Works Committee. The committee shall review, but is not limited to, the current higher education mission and goals as set forth in Section 59-103-15 of the 1976 Code, taking into consideration: 1) institutional missions and academic programs and planning; 2) funding and institutional cost; 3) buildings and facilities; and 4) organization and plan implementation. A report shall be provided to the General Assembly by September 1, 2011.**

REP. LOFTIS SUBMITS THE FOLLOWING:

**DEPARTMENT OF PARKS, RECREATION, AND TOURISM**

**39. AED (PRT: Agricultural Economic Development) of the funds authorized for Palmetto Pride in Subfund 3219, \$500,000 shall be transferred to the Department of Agriculture to be used for Agricultural Economic Development.**

**REP. Loftis SUBMITS THE FOLLOWING:****State Department of Education**

**1.40.** (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds required for debt service or bonded indebtedness *or Career and Technology Education*. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy percent of the school district's per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and non-instruction pupil services. No portion of the seventy percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and non-instruction pupil services for the *current* school year ending June 30, 2011. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to public charter schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the ~~2010-11~~ *current* fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or non-essential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be posted on the internet website maintained by the school district.

For ~~Fiscal Year 2010-11~~ the current fiscal year, Section 59-21-1030 is suspended. Writing assessments in grades three, four, six, and seven, formative assessments for grades one, two, and nine, the foreign language program assessment, financial literacy, and the physical education assessment must be suspended. Textbook purchases beyond that required for replacement of instructional material currently on the state adopted textbook list ~~must~~ may be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For ~~Fiscal Year 2010-11~~ the current fiscal year, savings generated from the suspension of the writing assessments and the suspension of new textbooks adoptions enumerated above must be allocated to school districts based on the ~~Education Finance Act formula~~ number of weighted pupil units in each district.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The Comptroller General shall distribute to the districts a methodology and resources for compliance. If a district complies with the methodology, it shall be reimbursed for any documented expenses incurred as a result of compliance. Reimbursement must be from the budget of the Comptroller General.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.

**REP. Loftis SUBMITS THE FOLLOWING:****State Department of Education**

**1A.22. (SDE-EIA: School Districts and Special Schools Flexibility)** All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds required for debt service or bonded indebtedness *or Career and Technology Education*. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy percent of the school district's per pupil expenditures must be utilized within the InSite categories of instruction, instructional support, and non-instruction pupil services. No portion of the seventy percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by InSite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and non-instruction pupil services for the *current* school year ending June 30, 2011. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"InSite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to public charter schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the ~~2010-11~~ *current* fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or non-essential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board



meeting, and the certification must be posted on the internet website maintained by the school district.

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For ~~Fiscal Year 2010-11~~ *the current fiscal year*, savings generated from the suspension of the writing assessments and the suspension of new textbooks adoptions enumerated above must be allocated to school districts based on the ~~Education Finance Act formula~~ *number of weighted pupil units in each district*.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
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The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The Comptroller General shall distribute to the districts a methodology and resources for compliance. If a district complies with the methodology, it shall be reimbursed for any documented expenses incurred as a result of compliance. Reimbursement must be from the budget of the Comptroller General.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.

**REP. J.R. SMITH SUBMITS THE FOLLOWING:**

**GENERAL PROVISIONS**

68.cf (DOT C-Fund Match) If a County Transportation Committee (CTC) chooses to utilize funds from the allocated C-Fund Program to resurface state roads, the Department of Transportation has the option to match said funds at a minimum of fifty percent.

**REP. Anthony SUBMITS THE FOLLOWING:**

**State Department of Education**

*1. nbc (SDE: National Board Certification) In the current fiscal year teachers retained to grade National Board Certification Exams must themselves hold the certification.*

Sponsors: Aeps. Pitts, G. M. Smith, Cooper

# 47

46. (PCC: Offset Against Appropriations) (A) Every circuit solicitor shall report to the Director of the Office of State Budget of the State Budget and Control Board no later than July fifteen of the current fiscal year the gross amount of any funds received in the prior fiscal year by the solicitor as a result of a civil action brought by the solicitor on behalf of the State pursuant to Section 15-3-570 of the 1976 Code. For purposes of this subparagraph, "funds received" means the gross amount of any settlement amount or judgment paid unreduced by attorney's fees and costs. Upon receipt of this information and notwithstanding the specific amounts appropriated to the Prosecution Coordination Commission in Section 46, Part IA of this act, the Director of the Office of State Budget, as an offset against appropriations in that section, shall reduce proportionately each separate appropriation, not including the appropriation for solicitor salaries, by the total of amounts reported pursuant to this subparagraph.

(B) Every solicitor, within seven days of receipt, shall report to the Director of the Office of State Budget of the State Budget and Control Board, the amount of funds received in the current fiscal year as a result of a civil action brought by the solicitor on behalf of the State pursuant to Section 15-3-570 of the 1976 Code. For purposes of this subparagraph, "funds received" has the meaning provided in subparagraph (A) of this paragraph. Upon receipt of this information, and notwithstanding the specific amounts appropriated to the Prosecution Coordination Commission in Section 46, PART IA of this act, as those amounts may have been reduced pursuant to subparagraph (A) of this paragraph, the Director of the Office of State Budget, as an offset against appropriations in that section, shall reduce proportionately each separate appropriation, not including the appropriation for solicitor salaries, by the total of amounts reported pursuant to this subparagraph.

AMENDMENT # 48

Rep. Cobb-Hunter SUBMITS THE FOLLOWING:

**Legislative Department**

70. ec (Electronic Correspondence) For FY 2011-2012, the House of Representatives may not expend any funds for the printing or mailing of bills, summaries, committee agendas, etc. to committee members. The House of Representatives shall send all relevant information concerning committee meetings to committee members via electronic means.