

Session 105 - (1983-1984)

H*2911 (Rat #0241, Act #0151 of 1983) General Bill, By House Ways and Means

A Bill to make appropriations to meet the ordinary expenses of the state government for the fiscal year beginning July 1, 1983, and for other purposes; to regulate the expenditure of such funds; to further provide for the operation of the state government during the fiscal year; to appropriate funds allotted to the state government under the Public Works Employment Act of 1976 (Federal), to amend the Code of Laws of South Carolina, 1976, as follows: to amend Section 58-23-640, relating to fees and charges of the South Carolina Public Service Commission for registration of interstate authority of carriers of exempt commodities, so as to increase the fee for a stamp issued for vehicles from one dollar to five dollars and to provide that the fee shall be paid to the General Fund of the State; to amend Sections 26-1-30 and 26-1-70, relating to notaries public, so as to increase the fees for issuing or renewing commissions and for change of name; by adding Section 60-11-100, so as to provide for the use of funds by the South Carolina Department of Archives and History from counties and municipal corporations for microfilming records; by adding Section 48-23-85, so as to authorize negotiations with federal agencies for fire protection charges; by adding Section 50-13-1935, so as to authorize the Wildlife and Marine Resources Department to charge a fee for stocking of fish in private nonnavigable waters; to amend Section 40-3-80, as amended, relating to qualifications and examination of applicants for registration as architects, so as to increase the application fee for registration from twenty-five dollars to forty dollars and to increase the maximum fee for examination from one hundred dollars to five hundred dollars; to amend Article 1, Chapter 5, Title 61, relating to the possession, consumption, and sale of alcoholic beverages, by adding Section 61-5-170, so as to authorize the Alcoholic Beverage Control Commission to issue twenty-four hour temporary permits to possess and consume alcoholic liquor and beverages to certain nonprofit organizations, educational foundations, and political parties and their affiliates; to amend Section 9-9-40, as amended, relating to the Retirement System for the members of the General Assembly, so as to provide that certain former members of the system may continue to contribute to the system; to amend Section 9-9-50, as amended, relating to the Retirement System for members of the General Assembly, so as to provide that a member of the Retirement System for members of the General Assembly who rendered service which would have been creditable under a correlated system may establish the other service with the Retirement System for members of the General Assembly; to amend Sections 12-33-410, 12-33-420 and 12-33-460, relating to the taxes on alcoholic liquors, so as to increase the taxes; by adding Section 52-15-215, so as to provide a temporary license for coin-operated devices operated at county and state fairs; to amend Section 9-9-10, as amended, relating to definitions pertaining to the Retirement System of members of the General Assembly, so as to redefine "earnable compensation"; to amend Sections 56-5-4020 and 56-5-4140, both as amended, relating to gross weights of vehicles, so as to provide permissible gross weights for vehicles and combinations of vehicles operating on the interstate highway system in this State, and to impose limitations on exemptions from vehicle, size, weight, and load requirements for certain vehicles, and to provide for a moratorium request on federal bridge law weight requirements; to amend Section 12-7-90, as amended, relating to certain provisions of federal law applicable for State Income Tax purposes which pertain to defined benefit and defined contribution plans, so as to include additional provisions of federal law which shall also apply, to amend Section 12-7-560, as amended, relating to items not included in gross income and exempt from taxation, so as to exempt the gain from the sale of a taxpayer's principal residence to the extent permitted by certain provisions of the Internal Revenue Code, to amend Section 12-7-660, as amended, relating to adjusted gross income, so as to revise the provisions which govern the deductibility from gross income of contributions by self-employed persons to Keogh Plans or to Individual Retirement Accounts, to amend Article 5, Chapter 7 of Title 12, relating to income and deductions by adding Section 12-7-685, so as to provide the manner in which the holding period of property shall be determined, to amend Section 12-7-700, as amended, relating to deductions allowable in computing net income, so as to revise certain deductions and add certain deductions, to amend Section 12-7-920, relating to gain on the sale or exchange of a principal residence, so as to revise the provisions for determining this gain, to amend Article 7 of Title 12, relating to gain and loss and the basis therefor, by adding Section 12-7-975, so as to provide for the manner in which corporations may elect to determine gain or loss with respect to liquidations, and to amend Section 12-7-980, relating to determining gain or loss on compulsory or involuntary conversion of property, so as to revise the manner in which this determination shall be made; to amend Section 9-9-30, as amended, relating to the Retirement System for the members of the General Assembly and Act 150 of 1979, as amended, relating to the Retirement System for Judges and Solicitors, so as to provide for actuary valuation of assets and liabilities of the systems every other year rather than annually; to amend Section 12-35-550, as amended, relating to sales and use tax, so as to provide for an exemption for petroleum asphalt products; to amend Section 8-11-40, as amended, relating to sick leave for state employees, so as to provide for the accumulation of sick leave up to one hundred eighty days and to delete obsolete provisions; to amend Sections 40-11-10, as amended, 40-11-20 and 40-11-160, relating to State Licensing Board for Contractors, so as to provide for the appointment by the Governor of two additional members of the Board to increase the cost of work which must be performed by a mechanical contractor, and to limit financial statement

requirements to Group 1 Level Contractors and to reauthorize the existence of the State Licensing Board for Contractors for six years; to amend Section 52-15-210 and 52-15-250, both as amended, relating to coin-operated machines and devices and other amusements, so as to add mechanical amusement devices and juke boxes to the schedule of machines requiring a twenty-five dollar license and add foosball tables, bowling lane tables, or skeeball tables to the list of amusement machines requiring a license; to amend Section 12-9-390, as amended, relating to taxes withheld, so as to change the reporting requirements of withholding agents; to amend Sections 23-35-50 and 23-35-70, relating to fireworks, so as to transfer licensing and record keeping duties and regulation promulgation authority from the South Carolina Tax Commission and the State Fire Marshal to the State Board of Pyrotechnic Safety; to amend Section 12-35-550, as amended, relating to sales tax exemptions, so as to provide that the gross proceeds of the sale of electricity and supplies, technical equipment, and machinery sold to cable television systems for use in producing programs, broadcasting, or the distribution of programs are exempt from the sales tax; to amend Section 53-5-10, as amended, relating to legal holidays, so as to include the last Monday of May and the day following National Thanksgiving Day as holidays for state employees, and permit employees to select one nonnationally recognized holiday from four such holidays or, in the alternative, any day of their choice; to amend Section 9-1-1140, as amended, relating to the South Carolina Retirement System, so as to authorize retirement service credit for employment with the regional councils of government; to amend Section 23-3-30, as amended, relating to state security personnel being under the supervision of the South Carolina Law Enforcement Division, so as to delete a provision which excepts security personnel at institutions under the supervision of the Department of Mental Health from the above provisions; to amend Section 12-35-570, relating to due dates and reports for payment of sales taxes, so as to require the reporting of gross sales, gross proceeds of sales or gross business receipts by location; to amend Section 58-25-50, relating to powers and duties of regional transportation authorities, so as to allow them to provide transportation services for residents of their service area to destinations outside the service area; to amend Sections 9-1-1790 and 9-11-90, both as amended, relating to the South Carolina Retirement System and the South Carolina Police Officers Retirement System, so as to increase the amount a retired member who returns to covered employment may earn without affecting his benefits; to amend Section 57-5-340, relating to the sale or other disposition of real estate owned by the South Carolina Department of Highways and Public Transportation, so as to require the Department to make an inventory of all its surplus real property, to vigorously pursue the sale of property, and to provide that funds obtained from the sale of the property by the Department above the cost of acquisition shall be distributed among the counties in the same manner as funds distributed to the counties under the provisions of Section 12-27-400, to enact new statutes; to empower the South Carolina Mental Health Commission to acquire capital improvements for institutions and agencies under its jurisdiction; to prescribe the terms and conditions under which such improvements may be acquired; to require all state capital improvement bonds issued for such purpose to be repaid from the revenues derived from paying patients at institutions or agencies under the jurisdiction of the Commission; and to prescribe the terms and conditions of such repayment obligations; to direct the State Budget and Control Board to transfer funds from the Insurance Reserve Fund to the General Fund of the State for fiscal year 1983-84; to require the Tax Commission to transfer funds to the General Fund of the State monthly from the unclaimed property account established by Chapter 17 of Title 27 of the 1976 Code; to provide that any contract entered into prior to July 30, 1981, by a governmental body as defined in Section 11-35-310 of the 1976 Code and which is proposed to be renewed must be renewed in accordance with the South Carolina Consolidated Procurement Code; to levy a tax on low level radioactive waste disposed of in South Carolina and provide for the distribution of the revenues from such tax to the Education Finance Act; to empower the Budget and Control Board to organize its staff; to require a provision in all state agency or institution contracts for legal or consultant services mandating completion of services or a refund of payment under the contract, with interest; to provide that the South Carolina Department of Highways and Public Transportation shall be reimbursed for expenses involved in dedicating a road or bridge in honor of an individual. To amend Acts as follows: to amend Act 163 of 1977, as amended, relating to the South Carolina Education Finance Program, so as to provide that weightings for primary pupils (grades 1 through 3) shall be 1.24 instead of 1.30 and to fix permanently the pupil-teacher ratio in basic skills of reading and mathematics in grades one through three at 21:1; to amend Section 4 of Part II of Act 199 of 1979, relating to exemptions from the sales tax of the gross proceeds of the sale of electricity, natural gas, fuel oil, LP gas, coal, or any other combustible heating material or substance used for residential purposes, so as to delay the exemption of the final one percent of the tax until April 1, 1984; to amend Act 517 of 1980, as amended, the State General Appropriation Act, so as to provide that the provisions of the Act regarding the impact of inflation on income tax revenues shall apply to all taxable years beginning after December 31, 1983 instead of December 31, 1982; to amend Act 651 of 1978, as amended, relating to revising the structure of the contents in the General Appropriation Act, so as to enact "The South Carolina Federal and Other Funds Oversight Act"; to amend Section 38 of Part II of Act 644 of 1978, relating to fiscal impact statements on tax bills, so as to delete the requirement that the statements must be signed by the State Auditor or his designee; to amend Section 21, Part II of Act 466 of 1982, relating to the requirement that the Department of Consumer Affairs maintain a file for

each creditor of all rate schedules filed by the creditor, so as to require an annual instead of a one time fee of ten dollars; to amend Act 165 of 1979, relating to reports of professional and occupational boards, so as to transfer the responsibility for coordination and compilation of the South Carolina Occupational and Professional Licensing Boards' annual report from the State Reorganization Commission and the Legislative Audit Council to the Budget and Control Board; to amend Section 32, Part II, Act 199 of 1979, as amended, relating to the budget format of the General Appropriation Bill, so as to require, beginning with fiscal year 1984-85 and each year thereafter, the italicizing of every proviso appearing in Part I of the Bill which regulates the expenditure of any funds appropriated or deals with related matters but which did not appear as a proviso in Part I of the Bill or State General Appropriation Act for the immediately preceding fiscal year; to amend Act 150 of 1979, as amended, relating to the Retirement System for Judges and Solicitors, so as to extend the retirement qualification date for judges and solicitors from July 1, 1980 to July 1, 1984; to amend Act 436 of 1978 and Section 15, Part II of Act 517 of 1980, relating to hazardous waste management, so as to delete the exclusion for source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954 and to alter the use of the Hazardous Waste Contingency Fund to include remedy for problems at uncontrolled hazardous waste sites; to amend Section 1 of Act 179 of 1981, relating to the Medical University of South Carolina Central Parking Facility; to amend Act 150 of 1979, as amended, relating to a retirement system for judges and solicitors, so as to provide for a member to become vested in the system, to provide for eligibility for monthly benefits beginning at the age of fifty-five, and to provide eligibility for solicitors to retire upon completion of twenty-four years of credited service regardless of age; to amend Act 146 of 1979, relating to mandatory dates for submission of the annual budget report of the State Budget and Control Board to the Ways and Means Committee of the House of Representatives and the mandatory date for sine die adjournment of the General Assembly, so as to extend the date for mandatory adjournment by one statewide day for each statewide day after April fifteenth that the House of Representatives gives third reading to the General Appropriation Bill; to amend Act 365 of 1982, relating to management of the State's underwater archaeological and paleontological resources, so as to provide that archaeological records are not open records and to limit access to them, and to make marking of licensed sites for underwater search and salvage directive instead of mandatory; to amend Act 150 of 1979, relating to the Judicial Retirement System, so as to add Appeals Court Judges in the definition of Judge for purposes of the Act; to amend Section 12, Part II of Act 219 of 1977, as amended, relating to limitations on annual appropriations, so as to delete a provision authorizing recommendations of appropriations to exceed ninety-five percent of the annual approved revenue estimates and adding a provision prohibiting the General Assembly from appropriating in excess of ninety-five percent of the anticipated revenue; to amend Section 44, Part II of Act 466 of 1982, relating to projecting and forecasting state revenues, so as to establish a timetable for issuing economic forecasts and adjusted forecasts, to prescribe information that must be contained in forecasts, to require the Board to compare actual state revenues with forecasts during the first three quarters of a fiscal year, and to prescribe the dissemination of forecasts, adjusted forecasts, and reports; to provide supplemental appropriations from surplus; to repeal Section 37 of Part II of Act 466 of 1982, permitting state employees to use sick leave or annual leave on a pro-rata basis in conjunction with Workers' Compensation; to repeal Act 505 of 1980, relating to one year's compensation and Workers' Compensation benefits for State Law Enforcement and Correctional Institution employees injured by criminal conduct of another and to provide that a person specifically excluded from medical benefits under Act 505 of 1980 or whose case is presently pending shall receive medical benefits under Title 42 of the 1976 Code.-amended title

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| 04/26/83 | House | Introduced, read first time, placed on calendar without reference HJ-2386 |
| 04/26/83 | House | Special order, set for Monday, May 2, 1983 at 12:00 noon HJ-2397 |
| 05/02/83 | House | Amended HJ-2504 |
| 05/02/83 | House | Debate interrupted HJ-2512 |
| 05/03/83 | House | Amended HJ-2519 |
| 05/03/83 | House | Debate interrupted HJ-2548 |
| 05/04/83 | House | Amended HJ-2565 |
| 05/04/83 | House | Debate interrupted HJ-2589 |
| 05/05/83 | House | Amended HJ-2595 |
| 05/05/83 | House | Debate interrupted HJ-2631 |
| 05/06/83 | House | Amended HJ-2648 |
| 05/06/83 | House | Read second time HJ-2730 |
| 05/09/83 | House | Read third time and sent to Senate HJ-2733 |
| 05/10/83 | Senate | Introduced and read first time |
| 05/10/83 | Senate | Referred to Committee on Finance |
| 05/30/83 | Senate | Committee report: Favorable with amendment Finance SJ-1634 |

05/31/83 Senate Amended SJ-1665
05/31/83 Senate Debate interrupted SJ-1669
06/01/83 Senate Amended SJ-1687
06/01/83 Senate Read second time SJ-1727
06/01/83 Senate Ordered to third reading with notice of amendments SJ-1727
06/02/83 Senate Amended SJ-1771
06/02/83 Senate Read third time
06/02/83 Senate Returned
06/02/83 House Non-concurrence in Senate amendment HJ-3506
06/02/83 Senate Senate insists upon amendment and conference committee appointed McConnell, Dennis, Waddell SJ-1841
06/02/83 House Conference committee appointed Mangum, Evatt & McLella HJ-3508
06/09/83 Senate Conference report received SJ-2040
06/10/83 House Free conference powers granted HJ-3770
06/10/83 House Free conference committee appointed Mangum, Evatt & McLellan HJ-3770
06/10/83 House Free conference report received HJ-3772
06/10/83 House Free conference report adopted HJ-3781
06/10/83 Senate Free conference powers granted SJ-2161
06/10/83 Senate Free conference committee appointed Dennis, McConnell, Waddell SJ-2161
06/10/83 Senate Free conference report received SJ-2161
06/10/83 Senate Free conference report adopted SJ-2161
06/10/83 House Ordered enrolled for ratification HJ-3782
06/14/83 Ratified R 241
06/20/83 Signed By Governor
06/20/83 Effective date 06/20/83
06/20/83 Act No. 151
06/20/83 See Act for exceptions to effective date
08/03/83 Copies available