

Session 117 - (2007-2008)

S*0355 (Rat #0171, Act #0114 of 2007) General Bill, By Grooms, Richardson, Verdin, Campsen and Vaughn

Summary: Transportation Department

AN ACT TO AMEND SECTION 1-30-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING BODIES, SO AS TO PROVIDE THAT THE GOVERNING BODY OF THE DEPARTMENT OF TRANSPORTATION IS A SEVEN-MEMBER COMMISSION AND A SECRETARY OF TRANSPORTATION; TO AMEND SECTION 1-30-105, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 1-3-240, AS AMENDED, RELATING TO THE REMOVAL OF CERTAIN OFFICERS BY THE GOVERNOR, SO AS TO PROVIDE THAT DEPARTMENT OF TRANSPORTATION COMMISSIONERS MAY BE REMOVED FROM OFFICE BY THE GOVERNOR UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 8-13-1110, AS AMENDED, RELATING TO PUBLIC OFFICIALS WHO MUST FILE A STATEMENT OF ECONOMIC INTEREST, SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION DISTRICT ENGINEERING ADMINISTRATORS MUST FILE STATEMENTS OF ECONOMIC INTEREST; TO AMEND CHAPTER 1, TITLE 57, RELATING TO THE ESTABLISHMENT AND OPERATION OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO REVISE THE DEFINITION OF THE TERM "COMMISSION", TO SUBSTITUTE THE TERM "SECRETARY OF TRANSPORTATION" FOR THE TERM "DIRECTOR", TO PROVIDE THAT MEMBERS AND EMPLOYEES OF THE DEPARTMENT OF TRANSPORTATION COMMISSION ARE SUBJECT TO THE PROVISIONS CONTAINED IN THE STATE ETHICS ACT AND THE PROVISIONS OF THE SOUTH CAROLINA TORT CLAIMS ACT, TO DELETE THE PROVISION THAT REQUIRES THAT THE GOVERNOR'S APPOINTEE TO THE DEPARTMENT OF TRANSPORTATION COMMISSION BE CONFIRMED BY THE SENATE AND SERVE AS THE CHAIRMAN OF THE COMMISSION, TO PROVIDE THAT CANDIDATES FOR ELECTION AND APPOINTMENT TO THE COMMISSION MUST BE SCREENED BY THE JOINT TRANSPORTATION REVIEW COMMITTEE TO BECOME ELIGIBLE FOR APPOINTMENT OR TO BE ELECTED, TO PROVIDE THAT A COMMISSIONER MUST POSSESS CERTAIN QUALIFICATIONS PRIOR TO SERVING ON THE COMMISSION, TO PROVIDE THE CIRCUMSTANCES IN WHICH A MEMBER OF THE GENERAL ASSEMBLY OR A MEMBER OF HIS IMMEDIATE FAMILY MAY SERVE ON THE COMMISSION, TO DELETE THE PROVISION THAT PROVIDES FOR THE ELECTION OF COMMISSIONERS BY THE LEGISLATIVE DELEGATION OF EACH CONGRESSIONAL DISTRICT, TO DELETE THE PROVISIONS THAT ESTABLISH THE INITIAL TERMS OF THE COMMISSIONERS, TO PROVIDE THAT THE COMMISSIONERS SHALL ELECT A CHAIRMAN OF THE COMMISSION AND ARE ELIGIBLE TO VOTE ON ALL MATTERS THAT COME BEFORE THE COMMISSION, TO PROVIDE THAT THE COMMISSIONERS MUST APPOINT A CHIEF INTERNAL AUDITOR AND HIS STAFF, TO PROVIDE FOR THE TERMS OF OFFICE AND PROCEDURES TO REMOVE THE INTERNAL AUDITOR AND HIS STAFF FROM EMPLOYMENT BY THE COMMISSION, TO PROVIDE FOR THE CONTENT AND DISSIMILATION OF AUDITS PERFORMED BY THE CHIEF INTERNAL AUDITOR, TO PROVIDE THAT THE COMMISSION MUST DEVELOP AND IMPLEMENT THE LONG-RANGE STATEWIDE TRANSPORTATION PLAN WHICH MUST BE DEVELOPED AND IMPLEMENTED USING CERTAIN GUIDELINES AND CRITERIA, TO DELETE THE PROVISION THAT PROVIDES THAT THE COMMISSION SHALL EMPLOY THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION AND PROVIDE THAT THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SECRETARY OF TRANSPORTATION WHO SHALL SERVE AT THE PLEASURE OF THE GOVERNOR, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SECRETARY, TO PROVIDE A DEFINITION FOR THE TERM "ROUTINE OPERATION AND MAINTENANCE" AND THE TERM "EMERGENCY REPAIRS", TO PROVIDE THAT THE STATE BUDGET AND CONTROL BOARD MUST AUDIT ANNUALLY THE DEPARTMENT'S INTERNAL PROCUREMENT OPERATION THAT MUST BE PROVIDED TO CERTAIN PERSONS, TO PROVIDE THAT THE LEGISLATIVE AUDIT COUNCIL SHALL PERFORM AN INDEPENDENT PERFORMANCE AND COMPLIANCE AUDIT OF CERTAIN DIVISIONS OF THE DEPARTMENT THAT MUST BE MADE AVAILABLE TO CERTAIN PERSONS, TO PROVIDE THAT THE SECRETARY MUST PROVIDE WORKSHOPS CONCERNING ETHICS AND THE ADMINISTRATIVE PROCEDURES ACT FOR CERTAIN EMPLOYEES OF THE COMMISSION AND THE DEPARTMENT, TO PROVIDE FOR THE ESTABLISHMENT, COMPOSITION, POWERS AND DUTIES, AND COMPENSATION OF THE MEMBERS OF THE JOINT TRANSPORTATION REVIEW COMMITTEE, TO PROVIDE THAT UNLESS EXTENDED BY SUBSEQUENT ACT OF THE GENERAL ASSEMBLY, THE GOVERNOR'S AUTHORITY TO APPOINT THE SECRETARY TERMINATES AND IS DEVOLVED UPON THE COMMISSION ON JULY 1, 2015, TO PROVIDE THE DEPARTMENT AUTHORITY TO PROMULGATE CERTAIN REGULATIONS, TO MAKE TECHNICAL CHANGES, AND TO AUTHORIZE THE CODE COMMISSIONER TO CHANGE CERTAIN REFERENCES IN THE 1976 CODE TO CONFORM TO THIS ACT. - ratified title

01/30/07 Senate Introduced and read first time SJ-9

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| 01/30/07 | Senate | Referred to Committee on Transportation SJ-9 |
| 02/20/07 | Senate | Committee report: Majority favorable with amend., minority unfavorable Transportation SJ-11 |
| 02/20/07 | Senate | Committed to Committee on Judiciary SJ-11 |
| 02/21/07 | | Scrivener's error corrected |
| 03/07/07 | Senate | Recalled from Committee on Judiciary SJ-4 |
| 03/07/07 | Senate | Debate interrupted SJ-34 |
| 03/14/07 | Senate | Committee Amendment Amended SJ-15 |
| 03/14/07 | Senate | Debate interrupted SJ-15 |
| 03/15/07 | Senate | Committee Amendment Amended SJ-13 |
| 03/15/07 | Senate | Debate interrupted SJ-13 |
| 03/15/07 | | Scrivener's error corrected |
| 03/20/07 | Senate | Debate interrupted SJ-21 |
| 03/21/07 | Senate | Committee Amendment Amended SJ-21 |
| 03/21/07 | Senate | Debate interrupted SJ-21 |
| 03/22/07 | Senate | Debate interrupted SJ-22 |
| 03/28/07 | Senate | Committee Amendment Amended SJ-36 |
| 03/28/07 | Senate | Debate interrupted SJ-36 |
| 03/28/07 | | Scrivener's error corrected |
| 03/29/07 | Senate | Committee Amendment Amended and Adopted SJ-50 |
| 03/29/07 | Senate | Read second time SJ-50 |
| 03/30/07 | | Scrivener's error corrected |
| 04/02/07 | | Scrivener's error corrected |
| 04/05/07 | Senate | Amended |
| 04/05/07 | Senate | Read third time and sent to House |
| 04/09/07 | | Scrivener's error corrected |
| 04/10/07 | House | Introduced and read first time HJ-17 |
| 04/10/07 | House | Referred to Committee on Ways and Means HJ-18 |
| 04/17/07 | House | Committee report: Favorable with amendment Ways and Means HJ-8 |
| 04/18/07 | House | Amended HJ-42 |
| 04/18/07 | House | Debate interrupted HJ-80 |
| 04/18/07 | House | Read second time HJ-83 |
| 04/18/07 | House | Roll call Yeas-97 Nays-0 HJ-86 |
| 04/19/07 | House | Read third time and returned to Senate with amendments HJ-11 |
| 05/02/07 | Senate | Consideration Interrupted SJ-21 |
| 05/03/07 | Senate | Consideration Interrupted SJ-54 |
| 05/08/07 | Senate | Consideration Interrupted SJ-18 |
| 05/09/07 | Senate | Consideration Interrupted SJ-15 |
| 05/15/07 | Senate | Consideration Interrupted SJ-39 |
| 05/16/07 | Senate | House amendment amended SJ-29 |
| 05/16/07 | Senate | Returned to House with amendments SJ-29 |
| 05/17/07 | Senate | Recalled from House SJ-34 |
| 05/17/07 | Senate | Amended SJ-34 |
| 05/17/07 | Senate | Returned to House with amendments SJ-34 |
| 05/18/07 | | Scrivener's error corrected |
| 05/23/07 | House | Non-concurrence in Senate amendment HJ-34 |
| 05/23/07 | Senate | Senate insists upon amendment and conference committee appointed McConnell, Moore, and Ryberg SJ-65 |
| 05/24/07 | House | Conference committee appointed Reps. Young, Merrill, and Anthony HJ-10 |
| 06/07/07 | Senate | Conference committee appointed Grooms appointed in lieu of McConnell SJ-84 |
| 06/07/07 | Senate | Conference committee appointed McConnell reappointed to replace Grooms SJ-155 |
| 06/19/07 | Senate | Free conference powers granted SJ-49 |
| 06/19/07 | Senate | Free conference committee appointed McConnell, Moore, and Ryberg SJ-49 |
| 06/20/07 | House | Free conference powers rejected HJ-125 |

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| 06/21/07 | House | Free conference powers granted HJ-21 |
| 06/21/07 | House | Free conference committee appointed Reps. Young, Merrill, and Anthony HJ-25 |
| 06/21/07 | House | Free conference report adopted HJ-25 |
| 06/21/07 | Senate | Free conference report adopted SJ-33 |
| 06/21/07 | House | Ordered enrolled for ratification HJ-75 |
| 06/21/07 | | Ratified R 171 |
| 06/27/07 | | Signed By Governor |
| 07/11/07 | | Copies available |
| 07/11/07 | | Effective date 06/27/07 |
| 07/11/07 | | Act No. 114 |