

Legislative Updates of Interest for Higher Education Week of April 20 – April 24, 2009

Budget Update –

On Tuesday, the Senate received the Senate Finance Committee report on the budget and the details of the recommendations are available at http://www.scstatehouse.gov/sess118_2009-2010/appropriations2009/sf09ndx.htm. (Last week's summary which provided information on the Senate Finance Committee budget recommendations is also available at http://www.che.sc.gov/CHE_Docs/InfoCntr/Legis/LegisUpdate_Apr13toApr17_09.pdf.)

The Senate began discussing the budget on Wednesday. Most of the discussion centered on the alternative budget proposal that Senators Ryberg and Davis had brought forward earlier last week for consideration of Senate Finance. The alternative proposal was not acted on by the Senate Finance Committee during its deliberations given concerns about the construction of the alternative budget primarily in regard to meeting necessary federal considerations. On Wednesday, Senator Ryberg requested consideration of the alternative budget by the full Senate and debate on the issue ensued. By Thursday, the Senate had adopted the Senate Finance Committee recommendations as the working document for the budget and began considering amendments. The Senate adjourned Thursday and will return to its work on the budget when it convenes on Tuesday (April 28).

It is expected that the alternative budget proposed by Ryberg and Davis will be proposed on Tuesday in the form of an amendment for consideration of the Senate. Under this alternative proposal as advanced last week, higher education institutions would receive the same level of funding as current levels, whereas, CHE and Tuition Grants would receive significant administrative reductions and several higher education programs funded through CHE would be eliminated.

In terms of recurring funds, the proposal would reduce CHE's administration and programs administered directly by CHE by \$934,721 including \$534,047 for EEDA programs, and Tuition Grants would be reduced by \$42,356. Additionally, the proposal would eliminate entirely recurring funding in CHE's budget for the Lowcountry Graduate Center, the SREB Arts Program under which SC students receive funds to attend the conservatory-based NC School of the Arts, the Critical Needs Nursing Initiative, the Charleston Transition Connection College, the Youth Leadership Conference, Think Tec/Fastrac, and the National Foundation of Teaching Entrepreneurship. It would further reduce recurring funding for the Access and Equity program by 38% and would increase recurring funding for the University Center of Greenville by just over \$1.6 million. The proposal also eliminates \$12 million that has been provided to public colleges and universities for technology since the inception of the lottery. Additionally, the proposal does not include lottery funding that would be provided under the Senate Finance proposal for the Technical College System's C.A.T.T. program, the Technical College Allied Health Program, or Critical Needs Nursing Initiative technology and training funds.

In contrast to the alternative proposal that was advanced last week by Senators Ryberg and Davis, Senate Finance Committee recommendations hold higher education funding (including CHE, Tuition Grants, the State Technical College Board, and colleges and universities) level with the current funding levels inclusive of the March 2009 2% statewide reductions with the exception of travel reductions taken for CHE and Tuition Grants of \$24,415 and \$1,746, respectively. The travel reductions for CHE and Tuition Grants were also recommended in the House budget. As mentioned above, the proposal also eliminates funding for several lottery items for higher education that are included in the Senate Finance Committee proposal including technology at \$12 million, C.A.T.T. at \$2

million, Allied Health at \$4 million, and Critical Needs Nursing Initiative technology and training at \$1 million.

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In the House –

The House returned to work on Tuesday. During the week, [H.3872](#), which would provide Greenville Technical College with the authority to establish an Enterprise Campus Authority, was given third reading and sent to the Senate. The House also concurred with Senate amendments to [H.3378](#) relating to mandatory furlough provisions for state agencies, and H.3378 was enrolled for ratification. The House Education and Public Works Committee report on [H.3841](#), the Technical College Administrative Efficiencies Act, was received in the House, and the bill now awaits consideration of the House. The Committee recommends the bill favorably with amendments that were adopted by the Committee. Bills of interest introduced in the House during the week included: [H.3947](#) relating to the powers and duties of the Budget and Control Board's Division of Information Technology and [H.3962](#) relating to the state's acceptance of the federal stimulus funds under the American Recovery and Reinvestment Act.

In the Senate –

As reported above, the focus in the Senate centered on the state's budget. Also during the week, the Senate received Committee reports on [S.700](#), a joint resolution to authorize the University of South Carolina to develop and construct a new facility for the Moore School of Business in the Innovista district on the Columbia Campus, [S.377](#) requiring a public institution of higher learning to develop a credit card marketing and solicitation policy, and [H.3616](#), which as amended, would authorize Enterprise Campus Authority for several of the technical colleges. S.377 and H.3616 await consideration of the Senate. S.700 received second reading after the Senate adopted the Committee amendment.

Bills Enrolled for Ratification –

In addition to H.3378 relating to mandatory furlough provisions for state agencies, [S.97](#) relating to members of the Central Carolina Technical College Board was also enrolled for ratification during the week. Once ratified, these bill will await consideration of the Governor, and if applicable, consideration of any gubernatorial veto by the General Assembly.

Other News –

As reported last week, a lawsuit had been filed by a South Carolina teen asking the S.C. Supreme Court to decide who — Governor Sanford or the Legislature — controls the federal stimulus funds for education that are available for South Carolina under the American Recovery and Reinvestment Act of 2009. On Monday, the State's Attorney General filed a response to the State Supreme Court indicating that the suit filed by the high school student was premature. Related articles regarding his response are available at: *State slams student's suit over stimulus*, <http://www.thesunnews.com/news/local/story/868735.html>
McMaster: Stimulus lawsuit flawed http://nl.newsbank.com/nl-search/we/Archives?p_action=doc&p_docid=127B6A6860254368&p_docnum=3 .

On Wednesday, the State Supreme Court announced that it declined to take up the lawsuit ruling that it would be premature to consider the lawsuit since there had not been action by the legislature. For an article on their decision, see *State Supreme Court declines to hear suit on stimulus funds: Justices find Legislature must act first before decision can be made*, <http://www.greenvilleonline.com/apps/pbcs.dll/article?AID=200990422028> .