

Legislative Updates of Interest for Higher Education Week of May 18 – May 22, 2009

Budget Update –

The FY 2009-10 budget (H.3560, Appropriations Act) was finalized by the end of the session on Thursday. A brief summary of the actions on the budget during the week follow.

The Governor issued his veto message on the Appropriations Act on Tuesday afternoon. A copy of the message is available at <http://www.scgovernor.com/NR/rdonlyres/A0AB7D58-484C-49EC-9DD7-856ED2D5D7C3/25819/H3560GeneralAppropriationsBill.pdf> . The Governor issued 49 vetoes including: a veto of Part 1A of the budget which includes all state spending, a veto of Part III of the budget which includes the federal stimulus stabilization funds, and 47 other vetoes relating to Part 1B Provisos which are temporary instructions included in the Appropriations Act relating to the expenditure of funds. By the end of the week, the House and Senate had considered each of the vetoes, finalizing the FY 2009-10 budget which takes effect on July 1.

On Wednesday, both the House and Senate had overturned the Governor's vetoes of Part 1A funds (House by a vote of 98 to 19 and the Senate by a vote of 34 to 12) and Part III federal funds (House by a vote of 93 to 23 and the Senate by a vote of 34 to 11). In regard to other vetoes of interest for higher education, the Governor vetoed Part 1B Proviso 90.19, which as reported in earlier summaries includes nonrecurring funds for Need-based Grants (\$1,000,000) and the University Center of Greenville (\$135,560) among other projects. The veto of Proviso 90.19, number 45 in the Governor's message, was overridden by the House and Senate. Additionally, House and Senate overrode the Governor's veto (Veto 39) of Proviso 89.96, which relates to flexibility for agencies in the event of budget reductions. In total, the House and Senate overrode 28 of the Governor's 49 vetoes including the following vetoes which are listed by the number as identified in the Governor's veto message that may be accessed at the link provided above: Vetoes 1, 2, 3, 5-8, 11-14, 16, 17, 24, 27-29, 33, 38-40, 43-49. The remaining vetoes which were provisions vetoed by the Governor and not overridden by the General Assembly will not take effect as a result.

Subsequent to the General Assembly's action on Wednesday to override the Governor's vetoes of Part 1A and Part III, the Governor filed a federal lawsuit against the state's Attorney General over the inclusion of the federal stimulus stabilization funds in the budget. A copy of the lawsuit filed is available at <http://www.scgovernor.com/NR/rdonlyres/0AD79F86-DDEC-406A-A6C2-7A9DC96D5C29/0/Lawsuit.pdf>

In the House –

During the week, [H.4089](#), relating to the establishment of the Area Commission for Greenville Technical College, was introduced and placed on the calendar without reference. By Thursday, this bill was amended by the House and given its second reading.

In the Senate –

During the week, a companion to H.4089 relating to the establishment of the Area Commission for Greenville Technical College, [S.862](#), was introduced and placed on the local uncontested calendar. By the end of the week, the Senate had given S.862 its second reading. Also introduced during the week was a joint resolution, [S.869](#), to establish the State Enterprise and Economic Development Strategies Task Force to examine South Carolina's ability to compete in the 21st century global economy. This resolution was referred to the Labor, Commerce, and Industry Committee for consideration. On Thursday, the Senate adopted a resolution, [S.881](#), to memorialize the Congress of the United States to provide thirty million dollars of federal funding for the construction of a new science building at Coastal Carolina University.

Other –

The session ended sine die on Thursday, May 21, under the provisions of the resolution, [H.4000](#), which had been previously adopted by the House and Senate. Upon adjournment of the Senate, it was announced that the House and Senate would return on Tuesday, June 16, for up to three days under the provisions of H.4000.

[H.3616](#), which provides Enterprise Campus Authority for several of the State's technical colleges, was ratified and sent to the Governor on Wednesday. The Governor vetoed the bill on Tuesday. The House voted to override the veto, and the bill now awaits consideration of the Governor's veto by the Senate.

[S.12](#), which would establish a SC Tax Realignment Commission for the purpose of reviewing and making recommendations regarding SC's tax system, was sent to conference committee to work out differences of the House and Senate and remains in conference committee as of the end of the session.

[S.97](#), which makes changes to the Central Carolina Technical College Commission, became law without the Governor's signature on Tuesday.

[S.360](#), which relates to provisions of the imposition and purpose of a one percent capital project sales and use tax by a county governing body, was passed last week and as of the end of the session awaits ratification and consideration of the Governor.

[S.593](#), relating to carrying of guns by concealed weapons permit holders onto school campuses in a locked compartment of a vehicle, was passed during the week after the Senate nonconcurred with the House amendments and the House receded from its amendments. The bill now awaits ratification and consideration of the Governor. .

[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 was also passed last week and enrolled for ratification. As of the end of the session, the bill has not yet been ratified and sent to the Governor for consideration.

NOTE:

**** Bill numbers are linked to the SC General Assembly page. The link should go to the most recent version of the bill.**

The above report is not intended to be all inclusive. For additional information on legislation referenced above and other legislation relating to higher education, see CHE's website at [Legislative Session 2009](#) Session of the General Assembly may be access at www.scstatehouse.gov or from links included on CHE's website.