

Legislative Updates of interest for Higher Education Week of May 26 – May 30, 2008

Budget Update –

The Governor issued his veto message on Wednesday and included a total of 69 vetoes across the Appropriations Bill ([H.4800](#)) and the Capital Reserve Fund Appropriations Bill ([H.4801](#)). For higher education, the Governor vetoed approximately \$15.6 million including \$3.8 in recurring funding directed to higher education and \$11.9 million in non-recurring directed to higher education. The higher education related vetoes are listed below. For a copy of the Governor's veto message for H.4800, see http://www.scstatehouse.net/sess117_2007-2008/appropriations2008/gmbvto08.pdf and for H.4801, see http://www.scstatehouse.net/sess117_2007-2008/appropriations2008/gcrvto08.pdf.

Recurring funding for higher education that was vetoed includes:

- **Veto 2:** \$25,000 SC Student Legislature in SC Tuition Grants budget
- **Veto 3:** \$545,000 for College of Charleston's Hospitality, Tourism, and Management Program
- **Veto 4:** \$1,204,314 College of Charleston's Business-Economic Partnership Initiative
- **Veto 5:** \$901,800 College of Charleston's Effective Teaching and Learning
- **Veto 6:** \$350,000 College of Charleston's Global Trade and Resource Center
- **Veto 7:** \$600,000 Francis Marion's Rural Assistance Initiative
- **Veto 8:** \$75,000 Francis Marion Omega Project
- **Veto 9:** \$100,460 USC Salkehatchie Leadership Center

Non-recurring funding for higher education that was vetoed includes:

- **Veto 25:** Proviso 90.12, \$250,000 for MUSC Rural Dentist Program
- **Veto 41:** Proviso 65.10 which authorized LLR to use \$100,000 for contracting with Clemson and the Citadel in conjunction with the Home Builders Association to establish a research project to determine the validity of wind and seismic residential building requirements for SC.
- **Veto 58:** Proviso 90.12, \$7,000,000 for MUSC (Note: These non-recurring funds for disproportionate share directed to DHHS on behalf of MUSC were being to be transferred to MUSC. \$600,000 of these funds are directed to the Cancer Center with the remaining funds initially used for match for the hospital's disproportionate share and other Medicaid programs as prescribed.)
- **Vetoes 61, 62 and 63:** Part 1B 90.13, \$700,000 directed to each Research Institution for SC LightRail
- **Vetoes 1, 2, and 3 of the Capital Reserve Fund Bill (H4801):** \$800,000 directed to each Research Institution for SC LightRail.

Other Temporary Provisions (Part 1B Provisos) relating to higher education that were vetoed:

- **Veto 19:** Part 1B Proviso 6.29 relating to in-state tuition for those moving to SC but working full time in adjoining GA or SC counties
- **Veto 44:** Part 1B Proviso relating to Compensation – Agency Head Salary which would have removed current required consideration of the Budget and Control Board in determining salary levels and raises as applicable for agency heads.
- **Veto 54:** Part 1B Proviso 89.99 which related to the I-95 study that was authorized last year for SC State and Francis Marion.

The House began consideration of the vetoes on Thursday overriding the four vetoes in H.4801, the Capital Reserve Fund bill. On H.4800, the Appropriations bill, the House sustained the first four vetoes of the Governor and then adjourned. Consideration of the vetoes by the House and Senate will continue next week.

In the House –

By the end of the week, the House returned to the Senate with amendments [S.1115](#) relating to a residency exception for tuition and fee purposes for certain military and dependents from committee, [S.1232](#) relating to local sales and use tax for education capital improvements, and [S.1007](#), Uniform Prudent Management of

Institutional Funds Act. The Senate concurred with the House's amendments and enrolled these bills for ratification.

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The House gave third reading to [S.1022](#), Critical Needs Nursing Initiative, which was ratified and sent to the Governor for consideration on Thursday. It is noted that this same legislation was passed in [S.657](#) during the 2007 session. However, S.657 is under consideration of the Supreme Court due to a lawsuit arguing the bill violates the one subject provision of the state's constitution.

The House approved amendments to [S.530](#), the proviso codification bill, and returned the bill to the Senate. The Senate further amended this bill and it now awaits consideration of the House. (See report from May 19-23 for information regarding higher education provisions included in this bill.)

The House concurred with Senate amendments on [S.950](#) relating to Denmark Technical College and authority to enter into ground lease agreements with private entities. S.950 was ratified and sent to the Governor on Thursday.

The Senate returned [S.1252](#) relating to the Research Centers of Economic Excellence (CoEE) to the House with amendments to the House amendments. The Senate approved House amendments pertaining to the CoEE program and amended the bill to delete a section that had been added to the bill relating to the SC LightRail and also amended the bill to add a section relating to Athletic Facilities Revenue Bond authority for Francis Marion University. The House concurred with the Senate amendments on Thursday and enrolled the bill for ratification.

The issue of immigration reform has been debated throughout the session and, on Thursday, the House agreed with Senate amendments on [H.4400](#), the immigration reform bill. This legislation was ratified on Thursday and now awaits action of the Governor. Included in the immigration reform bill are provisions that would bar public colleges and universities from enrolling anyone who is unlawfully present in the United States (see SECTION 17, Higher education and illegal aliens, of H.4400).

In the Senate –

The Senate Education Committee held its last meeting of the session on Wednesday and gave approval with amendments to [H.4372](#), State Board for Technical and Comprehensive Education Enterprise Campus Authority Act, [H.4451](#) relating to citizenship provisions for state aid for education, and [H.4953](#) relating to the SC LightRail Consortium. These bills were reported to the Senate on Thursday and await further consideration.

The Senate concurred with House amendments to [S.75](#) relating to the closing of the state's tuition prepayment plan and the bill was ratified and sent to the Governor on Thursday.

Other –

As mentioned above S.75, S.950, S.1022, and H.4400 were ratified during the week and await consideration of the Governor. The House and Senate met in joint session again on Wednesday for the purpose of electing successors to Boards of Trustees of State Colleges and Universities for the Citadel, Clemson, Lander, and Winthrop.

The 117th session of the General Assembly ends *sine die* on Thursday, June 5, 2008.

Reminder: The above report is not intended to be all inclusive. Bill numbers are linked to the SC General Assembly page. The link should go to the most recent version of the bill. For additional information on legislation referenced above and other legislation relating to higher education, see http://www.che.sc.gov/CHE_Docs/InfoCntr/Legis/HigherEd_Legis_List.xls. Detailed information on the 2008 Session of the General

Assembly may be access at www.scstatehouse.net or from links included on CHE's website at <http://www.che.sc.gov/Home/CHELegislativeUpdates/LegislativeSession2008.aspx> .