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(R57, S211)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 54 TO TITLE 11 SO AS TO ESTABLISH THE “I95 CORRIDOR AUTHORITY ACT” AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND POWERS OF THE AUTHORITY.

Be it enacted by the General Assembly of the State of South Carolina:

I-95 Corridor Authority Act

SECTION 1. Title 11 of the 1976 Code is amended by adding:

“CHAPTER 54

I95 Corridor Authority Act

Section 11545. This chapter may be cited as the ‘I95 Corridor Authority Act’.

Section 115410. There is established the I95 Corridor Authority. The authority must:

- (1) carry out economic development and educational improvement activities which, in the opinion of the authority, will improve the economic conditions in its member counties and are located:
 - (a) in a member county; or
 - (b) at any point within thirty miles of I95, regardless of the county in which it is located;
- (2) oversee the implementation of the recommendations contained in the I95 Corridor Human Needs Assessment published in December 2009; and
- (3) report to the General Assembly, at least annually, on the progress made related to its charge, any modification of the laws of this State needed to allow the authority to better fulfill its charge, programs, and operations.

Section 115415. The authority is a public body, politic and corporate, and an agency of the State and may:

- (1) adopt bylaws, procedures, and regulations for the directors, officers, and employees and for implementation and operation of the programs authorized by this act;
- (2) sue and be sued in its own name;
- (3) enter into contracts, agreements, and instruments and make offers to contract with persons, partnerships, firms, corporations, agencies, or entities, whether public or private, considered desirable in the furtherance of its purpose;
- (4) acquire by purchase, donation, exchange, or otherwise, hold, improve, mortgage, pledge, or otherwise, encumber, manage, lease, convey, transfer, or dispose of any real or personal property, whether tangible or intangible, together with rights and privileges as may be incidental and appurtenant thereto. To the extent that administrative funds are involved, the authority must comply with the provisions of the South Carolina Consolidated Procurement Code. To the extent that the liability of the authority is limited to program funds, any acquisition or disposition may be pursuant to public or private sale upon terms and conditions as the authority may approve in accordance with prudent business practices;
- (5) appoint officers, agents, employees, and consultants, prescribe their duties, and fix their compensation; and

(6) participate in and cooperate with any agency or instrumentality of the United States and with any agency or political subdivision of this State in the administration of any of the programs authorized by this act.

Section 115420. The member counties of the authority consist of all counties that:

- (1) are contiguous with I95; or
- (2)(a) have some point which is located within thirty miles of I95; and
- (b) have total population of under forty thousand as calculated by the 2010 Census.

Section 115425. (A) The authority is governed by a board of directors that is composed of nineteen members. The members must be appointed as follows:

- (1) three members appointed by the senators whose districts include the member counties;
- (2) three members appointed by the representatives whose districts include the member counties;
- (3) one member, to serve as chairman, appointed by the senators and representatives whose districts include the member counties, with each senator and representative casting a vote weighted to be proportional to the percentage of the member counties' total population they represent;
- (4) one member, appointed by the Senate Finance Committee Chairman;
- (5) one member, appointed by the Chairman of the House Ways and Means Committee;
- (6) the Chairman of the State Board for Technical and Comprehensive Education, or his designee;
- (7) the President of Morris College, or his designee;
- (8) the President of Francis Marion University, or his designee;
- (9) the President of South Carolina State University, or his designee;
- (10) the President of Claflin University, or his designee; and
- (11) six nonvoting members, one appointed by each individual Regional Council of Government that cover the member counties.

No two members designated in items (1) through (5) may reside in the same county. All members designated in items (1) through (5) must have sufficient experience in the fields of education, economic development, or business management to deem them qualified as determined by the appointing senators, representatives, or chairman.

(B) Except as provided in subsection (C), members must serve a fiveyear term. Any vacancy on the authority must be filled in the same manner as the original appointment. Members of the authority shall serve without mileage, per diem, and subsistence.

(C) Initial appointments to the authority shall be made within sixty days of the enactment of this section. Two of the members appointed pursuant to subsection (A)(1), one of the members appointed pursuant to subsection (A)(2), and the members appointed pursuant to subsection (A)(4) and subsection (A)(5) must serve an initial term of two years. The appointing authorities must designate in their initial appointments if the term of the member chosen is to be two or five years.

(D) The initial meeting of the authority shall be convened by the chairman as soon as practical after the initial appointments are made. Business of the authority only may be conducted when a quorum is present. A quorum consists of a majority of the members appointed pursuant to subsection (A)(1)(9).

Section 115430. (A) The authority shall receive state funds as appropriated by the General Assembly.

(B) In addition to funding sources listed in subsection (A), the authority is authorized to solicit and accept private and public donations, grants, gifts, and federal funds. All funds received by the authority, regardless of their source, are to be held and accounted for by the State Treasurer in a separate account to be known as the 'I95 Corridor Authority Fund'. This fund is separate and distinct from all other funds. Earnings and interest on this fund must be credited to it and any balance in this fund at the end of a fiscal year carries forward in the fund in the succeeding fiscal year. Disbursements from the authority fund only must be made upon the signature of the chairmen of the board of directors, or a designee of the board, upon written warrants of the Comptroller General drawn on the State Treasurer to the payee designated in the requisition.

(C) The authority must distribute funds as grants, in a manner which fulfills the charge in Section 115410. The authority must create guidelines to govern the selection of recipients of grants and the distribution of grant funds.

(D) The authority must be audited annually by the State Auditor or by an independent certified public accounting firm approved by the State Auditor.

Section 115435. The authority, in consultation with the South Carolina Research Authority, shall develop a process by which the I95 Corridor Authority may execute recommendations of the I95 Corridor Human Needs Assessment regarding technologybased economic development, including, but not limited to, test and deployment of biotechnology to remediate brownfields, crop and algae development for biofuels, water purification and freshwater aquaculture, and agricultural wastetoenergy applications. The authority may hire the South Carolina Research Authority to execute the recommendations.”

Time effective

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 1st day of June, 2011.

President of the Senate

Speaker of the House of Representatives

Approved the _____ day of _____ 2011.

Governor

XX