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Twelfth Annual Report

Of The

Committee To Conduct

Continuing Studies Of

Public And Private Services,

Programs And Facilities For

The Aging

July 1981

**Twelfth Annual Report
Of The
Committee To Conduct
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The Aging**

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TABLE OF CONTENTS

	PAGE
I. Introductory Statement	1
II. Brief History	3
III. Legislative Priorities and Recommendations, 1981 Session	4
Community Long Term Care Project	4
“Medically Needy”	7
Insurance	7
Patient Commitment Procedures	9
S. C. Probate Code	9
Cost-of-Living Increase for State Retirees	14
Commission on Aging	14
Public Transportation	16
Condominium Conversion	17
Homestead Exemption	21
IV. Status of Legislation Introduced by the Committee on Aging, 1981	23
V. Status of Selected Legislation Related to Aging Interests, 1981	25
VI. Status of Committee Recommendations, General Appropria- tion Bill, 1981-82	30
VII. Activities	31
Public Hearing	31
State Services for Senior South Carolinians	31
Governor’s White House Conference on Aging	32
Committee and Staff Liaison Activities	33
Legislative Intern Program	34
Appendix A—Summary of Issues and Recommendations by Major Topics, Governor’s White House Confer- ence on Aging, May 14-15, 1981	34
Appendix B—Summary of Legislation Enacted through 1981 Recommended by the Study Committee on Aging	44
Appendix C—Act 402, to Create a Permanent Committee	50
Appendix D—Study Committee on Aging Members Since 1959	51

TWELFTH ANNUAL REPORT OF THE COMMITTEE
TO CONDUCT CONTINUING STUDIES OF
PUBLIC AND PRIVATE SERVICES,
PROGRAMS AND FACILITIES
FOR THE AGING

July 1981

I. INTRODUCTORY STATEMENT

*To The Honorable Richard W. Riley, Governor of South Carolina
and Members of the General Assembly of South Carolina:*

The Committee is pleased to transmit the Twelfth Annual Report of the Committee on Aging. While federal cutbacks will cause some hardship with respect to services for the elderly, nevertheless it is gratifying to contemplate that continued progress is being made.

Detailed information concerning legislation sponsored or supported by the Committee is covered in the report.

We are particularly pleased that legislation has been enacted for once-only application for Homestead Exemption. Continued progress in the implementation and monitoring of this program finally made this step feasible and desirable. This tax relief program has made possible tremendous assistance to burdened older citizens. Homestead Exemption now has about 125,000 beneficiaries, a large part of whom are totally freed of homestead taxes. The fine support of the State is evidenced in the fact that \$15,365,760 is budgeted in the 1981-82 Appropriation Bill for rebating to cities and counties.

The Community Long Term Care pilot program in Spartanburg, Cherokee and Union counties is moving along well and will provide excellent information for the future possible expansion of home health care.

Probate Code reform, which the Committee has steadfastly supported over the years, now appears to be approaching success.

Another highlight of the Committee's activities during the year was the development of a report on the activities of state agencies dealing with the elderly. The degree of participation that runs throughout state government is most impressive, and this published report serves as a means of valuable referral for all of the agencies and the needs of many citizens.

The Committee and Ms. Keller H. Bumgardner, Research and Administration Director, attend numerous meetings and seminars in

the field, providing and receiving valuable information. From time to time, Ms. Bumgardner cooperates in the planning of meetings and workshops carried out by numerous groups in behalf of the elderly.

Our office is extremely busy and assists large numbers of individual citizens in guidance for the solution of their problems. We are proud of the amount of individual service thus offered which clarifies many problems that beset a harassed people.

The Committee functions on a minimum budget in that it shares facilities and personnel of the Senate Medical Affairs Committee of which the Committee's Chairman is also Chairman. This mutuality of effort is enhanced by the fact that the committees so frequently relate to similar problems.

Since South Carolina enjoys the reputation of active and effective effort in behalf of the elderly, we receive many inquiries from other states for information on our programs and experiences.

In a democracy it is recognized that anything within reason is attainable if given public support. The momentum in behalf of the elderly is growing throughout private and governmental agencies and tends to assure a better life for our older people in the future. It can be said as a simple statement of fact that our citizens are indeed grateful for the work of this Committee.

We are most appreciative for the cooperation that we receive from the Governor's Office, the Commission on Aging, the Department of Social Services, the Department of Health and Environmental Control, the Tax Commission, the Comptroller General's Office, the Attorney General's Office, the State Housing Authority and numerous private groups.

Respectfully submitted,

/s/ HYMAN RUBIN, *Chairman*
Senator

/s/ PATRICK B. HARRIS, *Vice*
Chairman

Representative

/s/ WILLIAM W. DOAR, JR.
Senator

/s/ PEDEN B. McLEOD
Senator

/s/ HUDSON L. BARKSDALE
Representative

/s/ H. PARKER EVATT
Representative

/s/ DR. C. JULIAN PARRISH
Gubernatorial Appointee

/s/ REV. M. L. MEADORS, JR.
Gubernatorial Appointee

/s/ MRS. GLORIA H. SHOLIN
Gubernatorial Appointee

Keller H. Bumgardner
Director of Research and Administration
S. C. Study Committee on Aging
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II. BRIEF HISTORY

In 1959 the first joint legislative committee "to study the needs and problems relating to the aged citizens in South Carolina," was created. Representative Martha Thomas Fitzgerald of Columbia was the first chairman. This Committee continued its work until 1963. By 1969 the need for a committee to study the problems of the elderly in South Carolina was again evident and the legislature created such a committee under Concurrent Resolution No. 1286. This Committee continued under the authority of continuing resolutions until 1978 when the General Assembly found "the Committee to Study Public and Private Services, Programs and Facilities of the Aging fulfills a necessary and continuing legislative need and that the functions of the Committee can be more properly fulfilled by a permanent Committee." (Act 402, Appendix C.)

The Committee is made up of three members of the Senate, appointed by the President of the Senate, three members of the House, appointed by the Speaker, and three members appointed by the Governor. Governor Richard W. Riley, then Senator from Greenville, served as Chairman from 1969-1976. Since 1977 until the present Senator Hyman Rubin has been Chairman and Representative Patrick B. Harris has served as Vice-Chairman. Other members currently serving are Senator William W. Doar, Jr., Senator Peden B. McLeod, Representative Hudson L. Barksdale, Representative Parker H. Evatt, Reverend M. L. Meadors, Jr., Dr. C. Julian Parish, and Mrs. Gloria H. Sholin. Former members who have contributed their time and talents to the Committee are listed in Appendix D.

A summary of legislation recommended by the Committee and enacted since 1969 and the current status of legislation related to aging interests introduced by the Committee and others during the 1981 session is included in this report.

III. LEGISLATIVE PRIORITIES AND RECOMMENDATIONS, 1981 SESSION

Since its inception, the Study Committee on Aging has held public hearings to receive testimony from individuals, organizations and state agencies regarding the needs of the elderly in our state. Past hearings have been held in Greenville, Charleston and Columbia. The Committee determined this year and last year that in the interest of economy only one hearing would be held. Because of its central location, Columbia was chosen as the site.

On September 12, 1980, thirty-one persons appeared before the Committee, and written testimony was received from five additional persons. These persons represented various state agencies and commissions, organizations, service delivery groups and individual interests.

The record of the hearing is available in the office of the Committee. Copies of the transcription were sent to interested state agencies and upon request to other organizations and individuals.

Following the hearing, the Committee met on November 6, 1980 to review the testimony and plan the outlook for work for the coming legislative session. Some recommendations, though considered meritorious, tended to rule themselves out because of cost and the requirement of additional personnel.

The Committee's legislative priorities for the 1981 session as announced follow:

Community Long Term Care Project

Community Long Term Care (CLTC) is a demonstration program of service and research that was developed to evaluate a community-based approach to long term health care. The project was initiated by the Study Committee on Aging and established by the 1978 General Assembly in order to provide information for planning state policies and programs to meet the needs of the aged and disabled. Community Long Term Care serves disabled adults who are Medicaid-eligible and live in Cherokee, Union, or Spartanburg Counties. A service management system and innovative community services are being tested as ways of helping disabled persons to remain at home. These services are provided as Medicaid benefits under waivers to Medicaid regulations in the project area.

The project began its experimental phase in July, 1980, after a year of preoperational activities. The CLTC demonstration involves a longitudinal experimental design to examine the effects of project

services over time. Research questions focus on the impact of the project on clients' health and well-being; on the utilization of community, hospital, and nursing home services; and on Medicaid and other public costs of client care. A control group of clients who receive standard services under present programs is being compared with an experimental group who are eligible for project services. Random assignment is used to insure that all clients have an equal probability of assignment to each group.

Potential clients are referred to the project by hospital discharge planners, social service agencies, family members and other sources. To be accepted for initial assessment, clients must be age 18 or older, live in the project area, and have functional impairments that result in long term care needs. All persons who seek Medicaid benefits for nursing home care in the project area are assessed as part of the nursing home application process. This mandatory preadmission assessment controls access to nursing home and community services. The service management system of the CLTC program involves periodic assessment, service planning, service authorization, case management and utilization review. Although assessments and reassessments are performed for all project participants, only experimental clients receive all service management functions.

In addition to service management activities that provide access to community services, the Community Long Term Care project offers experimental clients a variety of new community services under Medicaid waivers. Services available through the project include medical day care; personal care; respite care; home-delivered meals; medical social services, expanded therapies and mental health counseling. Another feature is that clients who are eligible for Medical Assistance Only in nursing homes under current regulations may receive regular Medicaid services through the project.

From July, 1980 to May, 1981, a total of 1442 persons were referred to the project. Project staff accomplished 1089 initial assessments during this period. Assignments to the experimental group totalled 485, and 521 for the control group. At the end of May, there were 266 experimental clients who had been determined Medicaid eligible.

For the 266 Medicaid-eligible experimental clients who were in the project as of May, 1981, 208 or 75% remained in the community. Among skilled and intermediate care patients (n=202), 67% were in the community, 29% were in nursing homes, and 4% were hospitalized. All 64 clients at less than intermediate care were in the community.

Data were available from the initial assessments and 90-day reassessments of 178 experimental and 151 control clients. Preliminary analyses suggest that the program has had an impact on client's location of care. Findings from these data must be regarded as tentative; additional data over longer time periods are needed for an adequate comparison. A comparison of the locations of experimental and control clients showed that a greater proportion of experimental clients at skilled and intermediate care levels (n=140) remained in the community: 64% compared to 54% of controls (n=133). More control clients were hospitalized, 16%, than experimental clients, 11%, and more controls were in nursing homes, 30% to 25%. The greatest difference between the groups was that more experimental clients at an intermediate level of care remained in the community, 66% compared to 55% of controls. The percentages of skilled clients who remained in the community were similar for both groups; 58% for experimentals and 52% for controls. More control clients at a skilled nursing level of care were hospitalized, 26%, than were experimentals, 17%. An examination of changes in level of care over the 90-day period showed that more experimental clients changed to a lower level of care. Among experimentals, 24% were certified at a lower level of care at the 90-day reassessment, compared with 17% of controls. Similar proportions of both groups changed to higher levels of care: 11% of experimentals and 9% of controls. In the experimental group, 64% were at the same level of care at both assessments, compared with 74% in the control group.

More definitive analyses will be conducted when sufficient number of clients have been participating in the project for periods of 90 days, six months, one year, and longer duration. By July, 1982, data from a year of project participation will be available for about 600 experimental and control clients. Plans for data analyses focus on testing research hypotheses regarding the impact of the project on hospital, nursing home and community service utilization and costs, and the effectiveness of community-based long term care. Policy issues under study include mandatory preadmission screening; control of access to and utilization of community and nursing home services; and control of costs for long term care.

A modification of the project, to include Section 222 waivers to Medicare regulations in the project area, has been requested. This proposal, if approved by the Health Care Financing Administration, will permit a more comprehensive examination of public expenditures of health care for dually-eligible clients. Another project activity has been to begin planning for implementation of the pread-

mission screening and service management system on a statewide basis.

“Medically Needy”

At present, anyone with an income of more than \$714.00 a month is ineligible for Medicaid assistance for nursing home care. Current nursing home fees are in excess of \$40.00 a day and approaching \$45.00—47.00 a day; therefore, nursing home care alone not including physician fees, runs in excess of \$1,300 a month. People over the \$714.00 cap still need approximately \$600.00 more to meet the cost. A “Medically Needy” program would make up the difference between what the individual could pay and the actual cost. Mr. Bill Bradley, the Ombudsman, explains that under such a program the income cap would be removed and whether a person’s income was \$200 or \$800 the state would pay the difference. One of the benefits of such a program would be that since the federal government matches state funds 70% to 30%, if the average income of people included in the program rises, the state will be paying less. For example, now the state is paying 30% of the difference between \$1300 and \$200 for a person with a \$200 income. However, if there were people in the program with an \$800 income, the State would only be paying 30% of \$500 instead of 30% of \$1100.

The Committee recognizes the need for a program to reduce the escalating burden of health care for those who are not indigent. Approximately 32 states already have such a program. The Department of Social Services requested \$2.5 million for a “Medically Needy” program for FY81-22. However, due to the present fiscal situation, any such expansion runs into the reality of the present Medicaid deficit and lack of funds for new programs. Although the Budget and Control Board supports the concept, the request was turned down.

The Committee continues to support the “Medically Needy” concept and will work cooperatively with the Governor’s Office and DSS to keep abreast of the new developments and opportunities in this area.

Insurance

Mandated coverage by health insurance policies of home health care without prior hospitalization was recognized by the Committee as facilitating home health care as an alternative to institutionalization. The Department of Insurance agreed to work with the Committee on developing such legislation. However, Public Law 96-499

passed in December 1980, to take effect July 1981, eliminated the need for such policy coverage, and therefore for state legislation by amending Medicare and Medicaid legislation to provide coverage for unlimited home health visits, to eliminate the 3-day prior hospital stay and \$60-deductible and to make occupational therapy a primary benefit. During the federal budget debate repeal of these new provisions was suggested. Implementation must be monitored.

Following up on passage in 1980 of regulations which seek to protect the consumer from Medicare Supplement Insurance solicitation and replacement sales abuses, it was agreed that the Committee would work with the Department of Insurance in support of state legislation to require that group Medicare Supplement Insurance meet federal minimum standards. Legislation (H. 2990) was introduced by Representative John D. Bradley, III to provide that accident and health insurance designed to supplement Medicare should equal or exceed the following minimum standards:

- (a) coverage of Part A Medicare eligible expenses for hospitalization to the extent not covered by Medicare from the sixty-first day through the ninetieth day in the Medicare benefit period;
- (b) coverage of Part A Medicare eligible expenses for hospitalization to the extent not covered by Medicare during use of Medicare's lifetime hospital inpatient reserve days;
- (c) upon exhaustion of all Medicare hospital inpatient coverage of ninety percent of all Medicare Part A eligible expenses for hospitalization not covered by Medicare subject to a lifetime maximum benefit of an additional three hundred sixty-five days;
- (d) coverage of twenty percent of the amount of Medicare eligible expenses under Part B regardless of hospital confinement, subject to a maximum calendar year out-of-pocket deductible of two hundred dollars of such expenses and to a maximum benefit of at least five thousand dollars per calendar year;
- (e) the premiums for such policy or coverage must be such that the policy can be expected to return to policyholders in the form of aggregate benefits provided under the policy at least seventy-five percent of the aggregate amount of premiums collected.

This legislation, H.2990, is currently in the House Labor, Commerce and Industry Committee.

Patient Commitment Procedures

Under present procedures, patients involuntarily committed to psychiatric hospitals must be transported to their home counties for commitment examinations and hearings before the local Probate Judge. This requirement causes undue hardship on the patient transported and other patients on the wards who are left without the full complement of staff because some staff must accompany the patient.

The Committee agreed to cooperate with the Department of Mental Health and the Joint Committee on Mental Health and Mental Retardation in efforts to resolve this complex problem.

Recommendations from the Department of Mental Health have been reviewed and approved by the Chief Justice of the Supreme Court. Introduction of legislation is pending.

S. C. Probate Code

The Committee has worked for several years to accelerate revision of the Probate Code. In the Spring of 1980 a Joint Sub-Committee of the House and Senate Judiciary Committees was appointed. The text of the report of this committee made to the Senate Judiciary Committee by Senator Heyward McDonald on March 17, 1981, follows:

South Carolina Probate Law Revision

Report of the Joint Subcommittee of the Judiciary Committees

Since 1976 the Estate Practices Committee of the South Carolina Bar has been meeting monthly to undertake a complete updating of South Carolina probate and probate related laws. The Committee's work product is essentially a combination of the best features of existing law, of the Uniform Probate Code adopted in 11 states and under consideration in 12 others, and the Legge Probate Code sponsored by the South Carolina Judicial Council in 1965. For many years lawyers practicing probate law have recognized the need for modernization of the present Code.

The proposal of the Committee has received the endorsement of the Bar's Board of Governors and, after several amendments, by its House of Delegates. Particular interest in the proposal has been shown by the State Probate Judges Association and organizations representing the elderly. Its enactment in principle has been endorsed by the Joint Study Committee on Aging and by Governor Riley in his State of the State Message.

Since last July a joint subcommittee of the Senate and House Judiciary Committees (Senator Heyward McDonald, Chairman; Senators Donald Holland and John Martin; and Representatives Bob Sheheen, D. Malloy McEachin, and John Rucker) has held twelve half-day meetings during which a line by line, section by section, study of the proposal has been undertaken and still further amendments and refinements have been made. Representatives of the Probate Judges Association and of the South Carolina Bar participating in these meetings have included:

Hon. Betty Curtis, Probate Judge, Chesterfield County;
 Hon. Lee Alford, Probate Judge, York County;
 Hon. John Land Johnson, Probate Judge, Lexington County;
 Hon. Archie Beatty, Probate Judge, Lee County;
 Mr. Philip Wilmeth, Hartsville, S. C.;
 Mr. Ray Seigler, Columbia, S. C.;
 Mr. Jim Drennan, Spartanburg, S. C.;
 Mr. Jim C. Hardin, III, Rock Hill, S. C.;
 Mr. Ray Dennis, Spartanburg, S. C.;
 Mr. David Massey, Greenville, S. C.;
 Mr. Al Moses, Columbia, S. C.;
 Mr. Billy Grimball, Jr., Charleston, S. C.

In addition, each meeting was attended by Mrs. Keller Bumgardner, Research Director of the Committee on Aging and by several officials of organizations representing the elderly and retired.

During the course of the subcommittee's study, an opinion of the Attorney General was sought and received which concluded that (1) the South Carolina law concerning dower is probably violative of the U. S. Constitution, Amendment 14, and (2) the proposed elective share provisions for the surviving spouse are also probably violative of Article 17, Section 9 of the South Carolina Constitution. The subcommittee believes that the elective share proposal is sound and should ultimately be enacted and is therefore submitting for consideration (1) a constitutional amendment neuterizing Article 17, Section 9 of the South Carolina Constitution, and empowering the General Assembly to enact an elective share concept (follows report) and (2) a Bill eliminating the statutory provision for dower if the amendment is finally enacted.

The most salient features of the proposed Code are as follows:

Article I—Definitions and Jurisdiction

In this Article the jurisdiction of the Probate Court is expanded to the full extent permitted by the Constitution, including jurisdiction to construe wills, protect minors and incapacitated persons, and supervision of trusts. A jury trial may be had in Probate Court where there is an issue of fact involving recovery of money or property. Appeals are to the Circuit Court but either party may move to transfer, or the Court on its own motion may transfer, the matter initially to the Circuit Court. Where there is an appeal it is on the record, not *de novo*.

Article II—Intestate Succession and Wills

The most notable changes in intestate succession are:

- (1) if no issue survive, the surviving spouse takes the whole estate;
- (2) if issue survive, the surviving spouse takes the first \$50,000 plus one-half of the balance;
- (3) heirs of the same degree (other than the surviving spouse) take per capita rather than per stirpes. Absent a surviving spouse, parents take rather than brothers and sisters;
- (4) an heir must survive the decedent by 120 hours in order to take;
- (5) illegitimate children can inherit from the father under certain circumstances;
- (6) a surviving spouse or children are entitled to \$5,000 worth of equity in personal property exempt from claims of creditors.

The number of witnesses to a will is reduced to two. Separate writings, made even after the will is executed, are authorized for bequests of personal property.

Article III—Probate of Wills and Administration

The major changes here concern what is called (1) Informal Probate and (2) Unsupervised Administration. Informal Probate simply means that in certain circumstances the Court may appoint the personal representative, either in testate or intestacy situations, *ex parte* and without hearing (so as to simplify proceedings in small estates especially). Unsupervised Administration refers to administration undertaken by the personal representative so as to settle and distribute the decedent's estate without direction or order of the

Court unless objection is raised by an heir or any interested person and the Court thereafter orders Supervised Administration. The closing of estates is simplified.

Provisions for Formal Probate and Supervised Administration are retained. Estates of less than \$5,000 have a special summary procedure for expeditious handling and closing by the personal representative.

Article IV—Estates with property in two or more states

This Article doesn't really greatly change the present law of ancillary administration except to simplify it somewhat and change certain terms and titles. It would conform our law in this area with the Uniform Probate Code in use in many other states.

Article V—Protection of Persons under Disability

This Article clarifies the handling of guardianships for incapacitated persons (minors and mentally ill). Conservators rather than Committees are appointed. Certain problems with the durable power of attorney are corrected.

Article VI—Non-Probate Transfers

This Article gathers together and simplifies all the law regarding joint or multiple party accounts including the questions of who owns what in a joint account however it is set up; to whom the financial institutions may disburse both prior to and after death of a party.

Article VIII—Trust Administration

This Article deals with the jurisdiction of the Court concerning trusts and the duties and liabilities of trustees.

A complete file of the minutes of the meetings and the correspondence of the subcommittee is available to interested persons in Room 604 of the Gressette Building. The subcommittee wishes to acknowledge the invaluable assistance of Mrs. Joyce Reid who acted as Recorder.

By a vote of 5-0 the subcommittee recommends adoption and enactment of the proposed code.

Respectfully submitted,

/s/ HEYWARD McDONALD

Chairman

/s/ DONALD HOLLAND

/s/ JOHN MARTIN

/s/ ROBERT J. SHEHEEN

/s/ D. MALLOY McEACHIN, JR.

A Joint Resolution

Proposing an Amendment to Section 9 of Article XVII of the Constitution of South Carolina, 1895, Relating to Property of Married Women, so as to Provide that the Right of any Person to Dispose of his or her Property shall not be Abridged because of Sex.

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

SECTION 1. It is proposed that Section 9 of Article XVII of the Constitution of this State be amended to read :

“Section 9. The real and personal property of every person of this State shall be his or her separate property and the right to dispose of such property by gift, grant, inheritance, devise or otherwise, shall not be abridged by reason of sex.”

SECTION 2. The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon :

“Shall Section 9 of Article XVII of the Constitution of this State, relating to the property of married women be amended, so as to provide that the right of any person to dispose of his or her property shall not be abridged because of sex ?

In favor of the amendment

Opposed to the amendment

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of the amendment’ and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment’.”

Following the presentation of the report, the Senate Judiciary Committee amended the Bill as proposed by the Sub-Committee to include revisions proposed by the Probate Judges Association. The Bill was introduced (S. 351) in the Senate March 19, 1981. Copies were printed and are available from the Legislative Bill Room, Ground Floor, State House. The Bill was recommitted to the Senate Judiciary Committee (Companion Bill, H. 2587).

A Reporter, Professor James LeBlanc, U.S.C. School of Law, has been engaged by the Senate Judiciary Committee to annotate the Bill

as it relates to existing statutory and case law. Following this analysis, it is expected that reconsideration of the Bill will be undertaken when the Legislature reconvenes in January, 1982.

Cost of Living Increase for State Retirees

Recognizing the effect of inflation on fixed incomes, the Committee has supported consistently the cost-of-living increases for State retirees. The State Retirement System will give a 4% cost-of-living increase on July 1, as it has in recent years. This year the State Budget and Control Board included a 2% cost-of-living increase from the General fund in their recommendations. This was sustained through the House. However the Senate Finance Committee recommended in a proviso that the total amount be given November 1, not prorated throughout the year. The amount of money would be the same for FY 1981-82 but this procedure would result in the 2% not being added to the base on which future cost-of-living increases would be determined.

Commission on Aging

The Committee works cooperatively with the Commission on Aging. Joint activities are detailed throughout this report.

The following information was prepared by the Commission in May for the "State of the State" briefing by the State Planning Division to the Budget and Control Board.

The primary goal of the Commission on Aging (and its funded projects) is to insure that all older persons are afforded the opportunity to live with independence and dignity in their own homes or communities for as long as possible. Services provided with State and Federal funds include local and regional planning, information and referral, transportation, daily congregate and home-delivered meals, legal services, nutrition education, part-time employment, senior center development, training, nursing home ombudsman service, homemaker, and other services deemed necessary and appropriate for the particular region involved. The target group for service are the economically and socially deprived with the frail elderly constituting the top priority for service.

The 1970 census showed South Carolina having 286,272 persons age 60 and over ; the 1980 projections from the Census Bureau indicate that this number has grown to 409,303. If the census projection is accurate, this population has grown at a phenomenal rate of 42.9%

in the ten year period while the rate of growth for the total population was 20.4%. The most rapid growth rate has been in the age 75+ group—the group most in need of services and most likely to be candidates for institutional care.

Federal funding for Older Americans programs is not expected to be decreased, but increases to keep up with inflation are not expected either. Furthermore, aging programs are being drastically affected by cuts in other programs. Many aging services are provided under Title XX of the Social Security Act; many of the workers in Aging Programs across the State are CETA workers; many vans were purchased with UMTA money; many Senior Centers were built or renovated with Community Development money. Aging money cannot supplant losses in these programs.

Inflation is continuing to take a heavy toll in aging services. The cost of meals alone has risen 26% in the last two years. The increase in minimum wages and Social Security tax will diminish the number of older workers who can be hired and maintained under the Senior Employment Program. The cost of automobiles, upkeep, insurance and fuel has virtually eliminated volunteers in the program since most of them were used to transport clients or to deliver meals to the homebound elderly.

The expected cap on Medicaid funds will drastically limit the number of older persons who can be cared for in institutions while community services cannot be expanded because of inflation and cuts in the programs upon which the Aging Programs have relied so heavily. These facts along with the unprecedented growth in the client population will present the State with a dilemma for which there is no quick and easy solution.

The Committee agreed to assist the Commission on Aging in any way possible in its efforts to secure adequate funding. As a result of a federal ruling which prohibits collection of administrative costs from private, non-profit agencies, the Department of Social Services increased the fee charged public agencies for Title XX contracts from 3% to 6.2%. The Committee introduced a proviso to allow the Commission on Aging to withhold, from the \$500,000 of state funds which is distributed equally among the regional planning districts, each districts share of the fee prorated according to their new Title XX contracts. This proviso is a part of the permanent provisions of the FY 81-82 Appropriation Act.

Public Transportation

South Carolina is one of only seven states which prohibits use of school buses by non-pupils. Currently of the forty-three states which permit school bus use by non-pupils, twenty-three of them permit general use and the other twenty restrict use to elderly or handicapped. North Carolina permitted restricted use in 1977 and since 1978 five other states which previously prohibited use have changed their laws: Illinois and Wisconsin to general use and New Jersey, Georgia and Florida to restricted use. This information was obtained through a survey conducted in February by the Committee with assistance from the Legislative Intern, Lisa Morgan.

The Governor's Office, Division of Transportation, provided the Committee with "The South Carolina School Bus Inventory of Vehicles Most Appropriate to Serve The Elderly". The introduction to this Inventory follows:

This report is a listing of state-owned vehicles, owned by the South Carolina Department of Education, deemed the most suitable for transporting elderly and handicapped citizens to various beneficiary activities.

The data is broken down by planning regions and their respective counties. The vehicles are identified by model, make, state serial number, seating capacity, model year, and whether or not they are handicapped-equipped.

It is hoped that the information contained will aid in a better understanding of the available vehicle resources operated by the State which may be used to satisfy the need for elderly and handicapped transportation services, and spur discussion on how best to apply such resources.

It was concluded that each county had appropriate buses available, with a statewide total of over 500.

Legislation (S. 236, H. 2343) was introduced in February by Committee members to provide for the use of state-owned school buses by agencies and associations serving the handicapped and the elderly. Presently some districts allow district-owned buses to be used. Senators Lourie and Heyward McDonald signed as co-sponsors for the Transportation Study Committee and the Handicapped Committee, respectively. The Interagency Council on Public Transportation, the Division of Transportation, Governor's Office and the Commission on Aging indicated their support. S. 236 was reported out of the Senate Education Committee as a Committee

bill and passed the Senate in early March. It was amended in the House Education and Public Works Committee and reported out, majority favorable, minority unfavorable and remains on the contested calendar.

The provisions of S. 236 as amended by the House Education and Public Works Committee are as follows:

- (a) school districts at the discretion of their boards may allow restricted use of buses owned by the district or the state only on non-school days;
- (b) use is restricted to handicapped and elderly persons (55 and older) and may be entered into only by public or private, non-profit nonsectarian agencies or associations whose purpose is to provide services to handicapped or elderly persons;
- (c) the State Board of Education will promulgate the regulations governing use;
- (d) each school district will be reimbursed in full for fixed and operating costs attributable to use under the agreement.

Condominium Conversion

The Committee agreed to work to protect the elderly caught in the transition of condominium conversion and to study legislation pending and enacted in other states.

Numerous meetings were held with parties representing various interests. Participating were:

Conversion Committee, S. C. Federation of Older Americans,
 Ray Baer, Chairman, Former Real Estate Commissioner;
 Alfred Rawlinson
 Homer Schmitt
 Herb Weisberg
 Wayne Koempl, Central Midlands Regional Council;

Commission on Aging,
 Harry Bryan, Director
 Mary Heriot, State Services Division Director
 Mary Spencer, Legal Services Developer;

State Housing Authority,
 George Lusk, Administrator of Housing Subsidy
 Lewis Levy, Attorney;

S. C. Real Estate Commissioners,
 David Martin, Attorney;
 Consumer Affairs,
 Nancie Quick, Attorney

As a result of these discussions a basic Bill (S. 289, H. 2517) which amends the Horizontal Property Act (Title 27, Chapter 31) was introduced by the Committee. S. 289 was amended in the Senate Labor, Commerce and Industry Committee and by the Committee on Aging on second reading. It is on the Calendar for further consideration by the Senate.

S. 289 is a basic bill which amends the Horizontal Property Act in order to protect the rights of tenants at the time of a conversion of rental units to condominium ownership. For the developer it provides an orderly procedure by which a building can be vacated and investment protection by requiring disclosure of the physical condition of the building at the time of conversion.

The basic provisions are:

1. *Due notice of conversion*

The tenant must receive written notice of the planned conversion. Failure to give notice of conversion shall be a defense for the tenant in the event of eviction action within the 180 days he is allowed to remain from the time of notice, unless the terms of the lease are violated (Sec. 27-31-420).

2. *Right to remain in possession*

The tenant will not be required to vacate for 180 days from the time of the notice of conversion, or until the expiration of his current lease, whichever is greater (Sec. 27-31-420 A).

3. *Right of first refusal to buy*

The tenant must be offered first refusal at the first price within 60 days (additional 60 days to consider). The unit may not be offered at a better price for an additional 50 days, unless first to tenant (10 days to consider). The tenant has the right to recover damages if these provisions are violated. (Sec. 27-31-420 B).

4. *Disclosure of physical condition of building*

The tenant must receive along with the conversion notice a written report of the physical condition of the building, the cost of curing any building violations and a good faith estimate of the useful life of common elements. This estimate shall not

constitute a warranty, nor shall it be deemed a representation of fact or inducement to purchase, or be used in action against the architect or engineer (Sec. 27-31-430). Failure to make such disclosure as required will violate the S. C. Uniform Trade Practice Act (Sec. 27-31-430).

5. *Promotional Marketing*

Prior to recordation of the master deed or lease the owner may inform the tenant(s) of the planned conversion and submit the disclosure items. This allows for promotional marketing and contractual presales before recordation. (Sec. 27-31-420 A).

6. *Termination of a lease*

“Nothing in this section shall prevent termination of a lease according to law for violation of its terms.” (Sec. 27-31-420 D).

7. *Termination of planned conversion*

The owner is not required to convert if, after giving the required notices, he cannot meet presale requirements or no longer wishes to convert (Sec. 3).

A question was raised as to whether the provision of S. 289, Section 27-31-420 unconstitutionally impairs the contract (lease) between landlord and tenant and/or whether this provision will result in a denial of due process to the owner or lessee of the building to be converted.

The portion of Section 27-31-420 to which the above question is addressed, is as follows:

. . . The tenant shall not be required to vacate the apartment until expiration of his lease or for one hundred eighty days following delivery of the notice, whichever is longer, and the terms of the tenancy shall not be altered during the one hundred eighty day period; . . .

This Section was adapted from a similar provision (4-110) in the Uniform Condominium Act, drafted by the National Conference of Commissioners on Uniform State Laws and by it approved and recommended for enactment in all the states, 1977. The Uniform Condominium Act was approved by the American Bar Association, 1978.

An opinion on this matter was requested from the Attorney General. An excerpt from his letter of June 17, 1981, follows. The full text may be obtained from the Committee office.

“From review of that section of Senate Bill 289 about which you have inquired, it is the conclusion of this office that the proposed legislation is not constitutionally flawed as either impairing the obligation of contracts or as depriving the owner of his property without due process of law. This conclusion is based upon our opinion that the enactment of a regulatory scheme governing the condominium conversion is a valid and proper exercise of the police power of the State.

Further, the limited restrictions placed on the property owner who is seeking to convert to condominium ownership does not constitute a ‘taking’ of property within the meaning of the state and federal constitutional prohibitions against the taking of property without due process of law.”

Efforts were made in 1980 to pass federal legislation to regulate condominium conversion. The Housing and Community Development Act of 1980, Public Law 96-399 (Oct. 8, 1980), as passed was much weaker than originally drawn.

U.S. Senate Bill S. 2719 attempted to establish minimum national rights and disclosure standards for the tenants of rental properties undergoing conversion. Much of this bill was deleted in conference. Portions regarding Federal Housing Administration Insurance, Optional Termination of Self-dealing Contracts and Civil Action; and Unconscionable Leases were retained. The section entitled “Condominium and Cooperative Conversions” addresses adequate notice and right of first refusal as a state and local government responsibility as follows:

Section 606, PL 96-399:—

Sec. 606. It is the sense of the Congress that, when multifamily rental housing projects are converted to condominium or cooperative use, tenants in those projects are entitled to adequate notice of the pending conversion and to receive the first opportunity to purchase units in the converted projects and that State and local governments which have not already provided for such notice and opportunity for purchase should move toward that end. The Congress believes it is the responsibility of State and local governments to provide for such notice and opportunity to purchase in a prompt manner. The Congress has decided not to intervene and therefore leaves this responsibility to State and local governments to be carried out.

S. 289 and the companion Bill H. 2517 were offered by the Committee to fulfill this congressional mandate.

In the meantime initiatives are continuing on the federal level. On June 8, 1981, Representative Benjamin S. Rosenthal (D-NY) introduced the Condominium Cooperative Tax Adjustment Act. This bill would change tax law to reduce speculative buying of condominiums. It would reverse tax incentives that now encourage landlords to sell their rental building to developers, instead of converting the buildings themselves. Under current tax law, building owners' profits are taxed as ordinary income if they convert and sell the units to individual tenants. But building owners receive the more favorable capital gains treatment if they sell their buildings to developers.

He also introduced the Residential Rental Unit Conversion Moratorium Act of 1981. The Moratorium would prohibit conversions for two years, allowing study of the crisis in rental housing in preparation of formal guidelines for conversions.

The Committee will continue to pursue State legislation and monitor the progress of federal legislation.

Homestead Exemption

The \$15,000 exemption of the homestead from property taxes for persons 65 or over, blind or permanently disabled, has helped to fight the devastating effects of the spirally inflation rate on persons with fixed incomes. The cost to the state for the rebate to the local governments for taxes exempted is estimated at over 15 million for FY 81-82.

Since implementation of the Homestead Exemption law the Committee has worked in cooperation with the Tax Commission and the Comptroller General's Office to legislate various adjustments to improve the procedure, alleviate hardship and to equalize the benefits among eligible persons.

The attention of the Committee was called to the fact that some eligible persons lost their exemption because they failed to reapply. It was determined that the rolls could be kept up-to-date without the necessity for re-application. Companion bills were introduced "to delete the provision requiring reapplication for such exemptions each year or at some other prescribed time and to impose a penalty or lien for failure to notify the county auditor when the conditions for eligibility for such exemptions are changed" (H. 2091, S. 13). Each bill passed its respective House. H. 2091 was accepted by the Senate and signed into law by the Governor June 3.

Under present law if the spouse of an eligible person is fifty years of age or over that person retains the exemption under certain condi-

tions. One of these conditions is that she or he remains in the previously exempted house. Legislation was introduced by Committee members to provide that the exemption would follow the spouse and not the house, that the exemption could be transferred to a newly acquired dwelling place (H. 2723, S. 439). Thus the purpose of the exemption is better served because the spouse continues to benefit regardless of whether or not she or he remains in the previously exempted residence. S. 439 passed the Senate and action is pending in the House Ways and Means Committee.

IV. STATUS OF LEGISLATION INTRODUCED BY THE COMMITTEE ON AGING, 1981

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
CONDOMINIUM CONVERSION:			
To establish rights and duties of owners, landlords and tenants when rental units are converted to condominium ownership.		S. 289	Referred to Senate Labor, Commerce and Industry 3/5/81. Reported out fav. 4/16/81. Pending third reading with notice of amendments, 6/10/81. Referred to House Labor, Commerce & Industry 3/5/81.
	H. 2517		
HOMESTEAD EXEMPTION:			
To delete the provision requiring reapplication for such exemptions each year or at some other prescribed time and impose a penalty or lien for failure to notify the county auditor when the conditions for eligibility for such exemptions are changed.		S. 13	Referred to Senate Finance, reported out favorably. <i>Passed Senate</i> 1/29/81. Referred to House Ways and Means 2/3/81. Referred to House Ways and Means 1/13/81. <i>Passed House</i> 5/12/81, 2nd reading in Senate 5/20/81. <i>Passed Senate</i> 5/27/81. Signed by Governor June 4, 1981. Act 93, R. 138.
	<u>H. 2091</u>		

IV. STATUS OF LEGISLATION INTRODUCED BY THE COMMITTEE ON AGING, 1981—
(Continued)

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
To provide for a surviving spouse to transfer such exemption to a newly acquired dwelling place.	H. 2723	S. 439	<i>Passed Senate</i> 4/20/81. Referred to House Ways and Means Committee 4/2/81. Referred to House Ways and Means Committee 4/14/81.
SCHOOL BUSES:			
To provide for the use of school buses by agencies and associations serving the handicapped and elderly.	H. 2343	S. 155—S. 236	Referred to Senate Education Comm., reported out fav. as a Committee bill. <i>Passed Senate</i> 3/4/81. Referred to House Education and Public Works 3/10/81. Reported out majority fav., minority unfav. 4/23/81 on contested calendar. Tabled by House Educ. and Pub. Works 5/12/81.

V. STATUS OF SELECTED LEGISLATION RELATED TO AGING INTERESTS, 1981

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
CONSUMER			
<i>Consumer Representation:</i>			
To reauthorize these licensing boards . . . to provide for lay representation and method of election, etc.			
State Board of Dentists		<u>S. 192</u>	Signed by Governor 6/25/81 R. 168
State Board of Nursing		<u>S. 193</u>	Signed by Governor 6/4/81 R. 133
State Board of Medical Examiners		<u>S. 194</u>	Signed by Governor 6/25/81 R. 167
State Board of Pharmacists		<u>S. 195</u>	Signed by Governor 6/23/81 R. 171
State Board of Chiropractors		<u>S. 196</u>	Signed by Governor 6/12/81 R. 147

V. STATUS OF SELECTED LEGISLATION RELATED TO AGING INTERESTS, 1981—(Continued)

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
FOOD			
<i>Food Bank:</i>			
To exempt certain donors of food to nonprofit organizations for free distribution to the elderly and needy from civil and criminal liability resulting from such donations under prescribed circumstances.	<u>H. 2679</u>		Signed by Governor 6/3/81 R. 140
HOUSING			
<i>Tenants:</i>			
To provide for the S. C. Residential Landlord Tenant Act to protect tenants and landlords.	H. 2539		Referred to House Labor, Commerce and Industry Committee 3/11/81
INSURANCE:			
To require that group Medicare Supplement Insurance meet federal minimum standards, including a seventy-five percent loss ratio.	H. 2990		Referred to House Labor, Commerce and Industry Committee 6/2/81

LEGAL

S. C. Probate Code:

To provide for the S. C. Probate Code which consolidates and revises aspects of law in this state relating to the general probate jurisdiction intestate succession and wills, probate of wills and will administration, local and foreign personal representatives, protection of persons under disability and their property, non-probate transfers, and trusts and trust administration.

H. 2587

S. 351

Reported out 3/19/81 as Senate Judiciary Committee bill. Recommitted 3/25/81 Referred to House Judiciary Committee 3/18/81

Natural Death Act:

To authorize an adult with a terminal condition to make a written directive instructing his physician to withhold or withdraw life-sustaining procedures and to provide a penalty.

H. 2320

Referred to House Judiciary Committee 2/3/81. Reported out fav. by subcommittee. Lost for this session by move to continue, 12-10. Will not be reported out by Committee this year.

Death With Dignity:

To authorize an adult to make a written directive instructing his physician to withhold or withdraw life-sustaining procedures in the event of a terminal condition.

H. 2659

Referred to House Medical, Military, Public and Municipal Affairs Committee 4/2/81

V. STATUS OF SELECTED LEGISLATION RELATED TO AGING INTERESTS, 1981—(Continued)

<i>Description</i>	<i>House No.</i>	<i>Senate No.</i>	<i>Status</i>
<i>Optional Jury Service:</i>			
To permit persons who are legally blind or over the age of 65 to serve as jurors if they so elect.		S. 145	<i>Passed Senate 3/5/81. Passed House returned to Senate with Amendment 5/14/81. 2nd Conference Report rejected House 7/9/81.</i>
	H. 2242		<i>Referred to House Judiciary Committee 1/27/81</i>
RECREATION:			
<i>Hunting and Fishing Licenses:</i>			
To provide that any resident aged 65 or over may hunt and fish without a license.	H. 2100		<i>Passed House 4/29/81. Passed Senate. Returned to House with Amendments 7/17/81.</i>
TAX			
<i>Homestead Tax Exemption:</i>			
To increase the exemption from the first \$15,000 of the fair market value of the dwelling place to the first \$20,000 beginning with the 1982 tax year.	H. 2210		<i>Referred to House Judiciary Committee 1/21/81. Reported out fav. 3/11/81. Referred to House Ways and Means 4/8/81.</i>

TRANSPORTATION

Regional Transportation Authority:

To provide for membership on the governing bodies of authorities; to provide for the addition of members; to provide for funding the operations of authorities; to provide that authorities shall be non-profit and shall exist for public purposes and exempt them from taxation; to provide for continuance of existing authorities; and to provide for the use of state funds.

S. 290

Passed Senate 5/5/81. Referred House Education and Public Works 5/6/81.

School Boats:

To provide that boats operated by the State Dept. of Education for the transportation of school children from islands to mainland schools may also be used, on a space available basis, to transport state residents who are over age 65 or who are disabled or blind.

S. 168

Amended to lower age to 55 and require reimbursement for trips not at school times.
Signed by Governor 5/5/81, R. 88.

School Buses:

To provide for agreements between school districts and other public agencies for the use of public school buses for public purposes, including transportation of the elderly.

H. 2235

Referred to House Education and Public Works Committee 1/22/81.

VI. Status of Committee Recommendations, General Appropriation Bill, 1981-82

Description	Budget and Control Board		House Passed		Approved by Senate Finance		Senate Passed-Conference Report Approved	
	State Funds	Total Funds	State Funds	Total Funds	State Funds	Total Funds	State Funds	Total Funds
Community Long Term Care Project, DHEC (sect. 37), Proviso, Alternatives to Institutionalization	574,275	574,275	574,275	574,275	574,275	574,275	574,275	574,275
Commission on Aging (sect. 47), Proviso, Administrative Fees, Title XX	1,251,011	11,176,443	1,305,548	11,507,139	1,296,561	11,498,152	1,296,561	11,498,152
Homestead Exemption (sect. 120), Aid to Counties	12,004,500	12,004,500	12,004,500	12,004,500	12,004,500	12,004,500	12,004,500	12,004,500
Aid to Municipalities	3,361,260	3,361,260	3,361,260	3,361,260	3,361,260	3,361,260	3,361,260	3,361,260
Total	15,365,760	15,365,760	15,365,760	15,365,760	15,365,760	15,365,760	15,365,760	15,365,760
Proviso, Application to County Auditor (Pt. 2 sect. 21)								
Committee to Study Public and Private Services, Programs and Facilities for the Aging (sect. 118)	30,143	30,143	30,143	30,143	30,143	30,143	30,143	30,143
World War I Veterans Organization (sect. 119)					4,715	4,715	2,358	2,358
Medical Assistance Payments, DSS (sect. 41)	65,456,699	218,192,212	65,456,699	218,192,212	68,956,699	236,053,591	67,956,699	232,653,591
Pre-Retirement Education, incl. Retirement Newsletter (sect. 14G)	25,989	49,062	25,989	49,062		49,062		49,602
Retired State, Public School Employees Supplement 2% cost of living increase (sect. 14J)	11,600,000	11,600,000	11,600,000	11,600,000	11,600,000	11,600,000	11,600,000	11,600,000
Health Insurance Benefits for State Retirees (sect. 14J)	10,336,000	10,336,000	10,336,000	10,336,000	8,469,224	8,469,224	8,019,224	8,019,224

VII. Activities

Public Hearing

The Committee conducted a public hearing in Columbia on September 12, 1980 in the Senate Chamber. Thirty-one persons presented oral testimony and five statements were submitted in writing.

Minutes of the hearing are available for review at the office of the Committee, 305 Gressette Building, Columbia, SC.

The facts and opinions presented by interested parties at the public hearing are considered by the Committee in determining its legislative priorities and recommendations and are discussed in Section III.

State Services for Senior South Carolinians

During the interim between the close of the 1980 legislative session and the beginning of the 1981 session, the Committee conducted a survey of all state agencies to determine the services that are provided to older persons in South Carolina.

A number of state agencies have programs established specifically for older persons. They are active participants in many other general state services; in some instances they represent the majority of the recipients. The survey also revealed several ancillary programs helpful to the aging.

The digest of these reports, entitled *State Services for Senior South Carolinians*, contains information from forty agencies listing one hundred and twenty programs, and includes the address of the agency, agency head, program title and description, estimated number of persons 60 and older served, the percentage of the total number of recipients represented by persons 60 and older and an estimate of the total funding and the sources of funding.

The booklet was designed and printed by the S. C. Commission on Aging. Copies were distributed to all of the state agencies, members of the General Assembly, county libraries, Area Agencies on Aging, County Councils on Aging, daily newspapers, national aging contacts and interested citizens. Additional copies may be ordered from the S. C. Commission on Aging, 915 Main Street, Columbia, SC 29202.

Governor's White House Conference on Aging

The Governor's White House Conference on Aging was held May 14-15, 1981, at Columbia College. Four-hundred and sixty-eight persons attended.

Governor Richard W. Riley was the banquet speaker. Distinguished Elder Statesman Awards were presented to Senator Strom Thurmond, Senator Marion Gressette and Representative Sol. Blatt. Awards for Outstanding Legislative Achievement on Behalf of Older South Carolinians were presented to Senator Hyman Rubin and Representative Patrick Harris. Committee members Mrs. Gloria H. Sholin and Dr. C. Julian Parrish attended the Conference. Mrs. Bumgardner served on the Issues Committee and as a workshop facilitator.

Delegates to the White House Conference to be held November 30-December 4, 1981, were announced. They are:

Representative Dill B. Blackwell—Travelers Rest, Mrs. Eugenia H. Evans—Hodges, Mrs. Nellie-Claire Brown—Rock Hill, Mrs. Birdie T. Pompey—Columbia, Dr. Ernest A. Finney—Orangeburg, Mrs. Helen Edwards Propst—Sumter, Mrs. Dorothy M. Blackwell—Florence, Rev. Percy C. Carter—Kingstree, Mrs. Harold G. Dye—Charleston, Dr. Sue L. Scally—Ridgeland, Mrs. Vashti J. Smith—Florence.

There were eleven observers named by the Governor. They are:

Mr. Tom Brown—Spartanburg, Mr. J. W. Lawrence—Landrum, Mrs. Alleen Wood—Edisto Island, Mrs. Willie Saleeby—Hartsville, Mr. Arthur Sandburg—Pawleys Island, Ms. Suzanne Lewis—Columbia, Mr. George Dick—Columbia, Mrs. Barbara Jones—Columbia, Mrs. Carrie Crawford Washington—Columbia, Mr. Sam Waldrep—Columbia, Mrs. Elizabeth Ellis—Hilton Head.

Delegates appointed by South Carolina's Congressional delegation are:

Ms. Queen Johnson—Columbia, Mrs. Helen Brawley—Rock Hill, Mr. Lee Blackburn—Florence, Mrs. Jean B. Brading—Sumter, Mr. Leroy Fyall—Charleston, Mrs. Phyllis Pellarin—Aiken, Dr. Edward Rushton—Orangeburg, Mrs. Louise Helms—Greenville.

In preparation for the White House Conference on Aging and the Governor's Conference on Aging, community forums were held throughout the state. More than 10,000 persons participated in 405 forums. Thirty-five percent of the forums were held in urban areas

and 61% were held in rural areas. The issues of concern identified by the community forum participants formed the basis for workshops at the Governor's Conference.

Workshop participants discussed these issues and presented recommendations for adoption by the delegate body. A summary of these issues and recommendations by major topics submitted by the S. C. Commission on Aging in the format requested by the White House Conference is contained in Appendix A of this report.

Committee and Staff Liaison Activities

Members of the Committee and/or its staff worked cooperatively throughout the year with the Governor's Office of Health and Human Services, Commission on Aging, Tax Commission, Comptroller General's Office, State Housing Authority, Department of Insurance, State Retirement System, Department of Social Services, State Library, Commission on Alcohol and Drug Abuse, Department of Education, Interagency Council on Public Transportation, Public Transportation Study Committee; Educational Referral Services, Department of Religious Studies, Social Problems Research Institute, College of Nursing, College of Social Work, and the College of Health of the University of South Carolina and the Clemson Extension Service, Clemson University.

Committee representatives on other committees are as follows: Vice-Chairman, Patrick Harris, Health Care Planning and Oversight Committee; Dr. Julian Parrish, Churches and the Aging Committee of the Commission on Aging, and the Advisory Council of the S. C. Federation of Older Americans; Ms. Bumgardner, Health Impaired Elderly Project of Community Care, Inc.

"Health Promotion and Disease Prevention for the 80's" was the theme of the 58th Annual Meeting of the S. C. Public Health Association, June 1981. Mrs. Sara C. Shuptrine, Director, Division of Health and Human Services, Office of the Governor was the keynote speaker. Ms. Bumgardner was invited to organize a workshop on "Prevention for the Aging Population." The purpose of the workshop was to identify the health concerns of the elderly population in S. C. and to indicate strategies to deal with the needs of the elderly in a prevention context. Speakers were: Dr. Hilda Ross, Department of Mental Health, Ms. Eleanor Blumberg, Yoga Instructor and Dr. Myrtle Irene Brown, former USC Professor, College of Nursing. The course was approved by USC for continuing education credit.

The Senior Forums for Progress project of the S. C. Federation of Older Americans will serve as a follow-up to the White House Conference on Aging. This project will sponsor also the Senior Citizens Day with the Legislature to be held March 3, 1982. Dr. J. Obert Kempson is Chairman of this day and Mary Charlotte Pierce is Project Director. A steering committee of volunteers and legislative assistants will develop plans for the event. Dr. Parrish is Vice-Chairman of the Day and Mrs. Bumgardner Co-Chairs the Program Committee with Ms. Estellene Walker.

Committee members and staff regularly attend sessions of the following organizations interested in aging: American Association of Retired Persons/National Retired Teachers Association, South Carolina Advisory Committee to the U. S. Commission on Civil Rights, S. C. Federation of Older Americans, S. C. Gerontological Society, and the Christian Action Council.

Regular contact is maintained with committees and agencies in other states as well as with the Senate Special Committee on Aging and the House Select Committee on Aging of the U. S. Congress, to which 3rd District Congressman Butler Derrick was recently appointed.

Public presentations are made frequently by the Committee and staff to large and small community and church groups, conferences and workshops. Information about aging issues and legislative action are frequently distributed upon request to members and staff of the S. C. Legislature and other state legislatures, state agency personnel, national and state organizations and interested citizens.

Legislative Intern Program

The Social Work Department of Columbia College placed a senior student, Lisa Morgan, with the Committee for the Winter quarter. Last year was the first time the College had used the Committee as a field placement for a social work student. Because of the mutual benefits of these placements, the College and the Committee determined that such an internship would be regularly offered.

Appendix A

Summary of Issues and Recommendations by Major Topics, Governor's White House Conference on Aging, May 14-15, 1981.

ALTERNATIVES TO INSTITUTIONAL CARE

A. *Issue*

1. Lack of in-home services frequently results in premature institutionalization and creates major psychological problems.

B. *Policy Recommendations*

1. Resolve that in-home services be provided, including but not limited to homemaker, home health services, nutrition services, adult day care, home repair, weatherization and counseling.

C. *Action Recommendations*

1. Resolve that when appropriate, cooperative housing, congregate housing, shared housing, retirement villages and boarding homes be considered before institution.
2. Resolve that the Medicare and Medicaid programs provide increased in-home services.
3. Resolve that living arrangements not be a consideration for Supplemental Security Income payments.
4. Resolve that tax incentives be provided to families who care for older household members in their homes.
5. Resolve that administrative costs of home-delivered meals be decreased.
6. Resolve that special emphasis be placed on home-delivered meals to the rural elderly and on bringing the rural elderly to congregate sites.
7. Resolve that "red tape" be cut at the Area Agency level to accommodate emergency situations in all services.
8. Resolve that third party reimbursement for homemaker services be continued and that standardized training be available to homemakers in the areas of home management and personal care.
9. Resolve that homemaker standards and regulations be established for all homemaker service providers.
10. Resolve that a sliding fee schedule be developed for persons whose income exceeds eligibility guidelines for the home repair/weatherization program.
11. Resolve that churches and technical and high schools be explored as possible funding and labor sources for the home repair/weatherization program.
12. Resolve that public and private organizations be utilized to the fullest extent to prolong independent living.

13. Resolve that all in-home services be coordinated with information and referral centers and a comprehensive needs assessments service.

PHYSICAL AND MENTAL HEALTH CARE COSTS

A. *Issue*

1. Health care costs have exceeded the average person's ability to pay for medical care.

B. *Policy Recommendations*

1. Resolve that adequate medical care be within reach of all older persons.

C. *Action Recommendations*

1. Resolve that Medicare and Medicaid cover the costs of prescription drugs, and hearing, dental, eye and foot care and their prosthetic and corrective devices.
2. Resolve that medical practitioners' fee schedules be available to the public.
3. Resolve that incentives be developed to motivate medical practitioners to accept assignment of Medicare and Medicaid clients.

A. *Issue*

1. The current practice of crisis intervention in treating unwellness is costly and unsatisfactory.

B. *Policy Recommendations*

1. Resolve that emphasis be placed on planning for preventive health care.

C. *Action Recommendations*

1. Resolve that third party payments be made available for preventive health care services.
2. Resolve that health and nutrition education programs, health screening and holistic health clinics be increased.

ADULT DAY CARE AND PHYSICAL AND MENTAL
HOME HEALTH CARE

A. *Issue*

1. There is a need for comprehensive health services and day care for older Americans.

B. *Policy Recommendations*

1. Resolve that state-wide, community-based structures be established to provide coordinated, comprehensive home health and day care services for older Americans.

C. *Action Recommendations*

1. Resolve that incentives be provided for the development of state-wide, community coalitions of lay and professional people to coordinate adult day care and home health services, including preventive/maintenance health care.
2. Resolve that funding be sought from private industry for community-based services in adult day care and home health care.
3. Resolve that efforts to educate the public and influence policy makers as to the humaneness and cost effectiveness of community-based adult day care and comprehensive health services be made.
4. Resolve that adult day care services be developed in existing facilities such as senior citizen centers, churches, extended care facilities, hospitals and community mental health centers.

A. *Issue*

1. There is a need to develop uniform, unbiased, and equitable regulations governing programs affecting health care services for the elderly.

B. *Policy Recommendations*

1. Resolve that regulations be reviewed for possible conflicts, bias, and inequities.

C. *Action Recommendations*

1. Resolve that the current bias toward institutional health care in the regulations be eliminated.
2. Resolve that the administration and regulation of the Medicare and Medicaid programs affecting the elderly be combined.

EMPLOYMENT

A. *Issue*

1. Employment in later life can contribute significantly to the psychological and economic well-being of older persons.

B. *Policy Recommendations*

1. Resolve that emphasis be placed on developing employment opportunities for the older worker.

C. *Action Recommendations*

1. Resolve that specialized training programs for older workers be expanded and improved and include outreach and recruitment components.
2. Resolve that federal, state and local governments provide tax incentives to private industry to recruit train and employ older persons.
3. Resolve that the federal government continue to provide and increase the funding for subsidized employment for older workers.
4. Resolve that both state and federal governments should set positive examples in the recruiting and hiring of older workers.

A. *Issue*

1. Despite the passage of the Age Discrimination in Employment Act, many middle-aged and older persons are still confronted with age discrimination.

B. *Policy Recommendations*

1. Resolve that mandatory retirement should be abolished altogether.

C. *Action Recommendations*

1. Resolve that retirement be based on an employee's performance and preference rather than on chronological age.

TRANSPORTATION

A. *Issue*

1. There is a need for more transportation services for the elderly.

B. *Policy Recommendations*

1. Resolve that private and public resources be better used for transportation for the elderly.

C. *Action Recommendations*

1. Resolve that funding for transportation for the elderly from private and public resources be encouraged by:
 - a. reducing the number of federal and state regulations governing transportation;
 - b. simplifying funding patterns;
 - c. granting monies from Older Americans Act and human services block grant funds to support existing transportation programs for the elderly and for manpower programs (CETA, Title V, etc.) which support transportation;
 - d. eliminating those rules and regulations which prohibit voluntary contributions toward transportation services by recipients.
2. Resolve that more transportation services be made available by encouraging volunteer transportation programs through development of mechanisms for coordination of such pools and reimbursement of costs for fuels, insurance and the like.
3. Resolve that access to transportation for the elderly be improved by:
 - a. developing area-wide coordination of all transportation providers;
 - b. emphasizing services for rural and underserved areas.

RETIREMENT INCOME

A. *Issue*

1. Many older retired persons have insufficient income to maintain an acceptable standard of living.

B. *Policy Recommendations*

1. Resolve that steps be taken to assist retirees to maintain an acceptable standard of living.
2. Resolve that steps be taken to assist pre-retirees to plan for their retirement.

C. *Action Recommendations*

1. Resolve that the earnings limitation of Social Security recipients be eliminated.
2. Resolve that Social Security withholding on earned income of Social Security recipients be abolished.

3. Resolve that persons who have earned retirement credits under more than one government retirement system, including Social Security, not be referred to as "double dipping."
4. Resolve that a tax credit be given to employers who establish private retirement plans for their employees.
5. Resolve that a tax deduction be given to employees who contribute to a private retirement plan.
6. Resolve that the age limit for Supplemental Security Income recipients be lowered from 65 to 62.
7. Resolve that a federal law be enacted to ensure vesting rights to any governmental employee who has contributed to that system for at least five (5) years.

HOUSING

A. *Issue*

1. Many older persons are physically and financially unable to maintain their homes.

B. *Policy Recommendations*

1. Resolve that low interest loans or shared costs programs be made available to older persons enabling them to acquire, renovate, and/or maintain their own homes.

C. *Action Recommendations*

1. Resolve that state and federal government sponsor low interest loans for the acquisition, renovation or maintenance of older persons' homes.
2. Resolve that tax credit incentives be made available to private investors to build and/or convert unused buildings to provide housing for tenants 60 years of age or older.
3. Resolve that federal legislation be enacted to protect older persons living in apartments which are being converted to condominiums.
4. Resolve that emphasis be given to providing more congregate housing for the elderly which shall include the services needed by the residents.
5. Resolve that all federally funded specialized housing for the elderly be regulated by a single standard-setting agency.

OLDER AMERICANS IN A CHANGING ECONOMY

A. *Issue*

1. Under current economic trends, Older Americans, as a group, suffer more financial hardships than any other segment of our population.

B. *Policy Recommendations*

1. Resolve that low interest loans or shared costs programs be used to ease the economic burden experienced by the elderly.

C. *Action Recommendations*

1. Resolve that energy expenses be reduced by increased weatherization of homes occupied by the elderly.
2. Resolve that food costs of the elderly be reduced by education in nutrition and budget management.
3. Resolve that the inflation rate be curbed by controlling waste and fraud in government transfer programs.
4. Resolve that up to \$2000 of unearned income (dividends and interest) per person be tax exempt, both state and federal.

SOCIAL WELL-BEING

A. *Issue*

1. There is an insufficient number of senior centers and under-utilization of existing senior centers.

B. *Policy Recommendations*

1. Resolve that the number of senior centers and use of existing centers be increased.

C. *Action Recommendations*

1. Resolve that incentives be developed to attract private enterprise and communities to construct senior centers.
2. Resolve that the delivery of services be coordinated by senior center personnel.
3. Resolve that activities be developed for all hours of operation of senior centers.

A. *Issue*

1. Federal regulations governing the nutrition program constrain its further development.

B. *Policy Recommendations*

1. Resolve that the Congress and the Administration on Aging re-examine the regulations governing the nutrition program.

C. *Action Recommendations*

1. Resolve that tax credits and other incentives be established to promote private sector involvement.
2. Resolve that the nutrition program receive increased funding.
3. Resolve that new techniques be explored for marketing inexpensive nutritional foods designed especially for the elderly.
4. Resolve that the possibility for fees for services in relation to income be explored.
5. Resolve that schools, churches, civic clubs and other community resources be an integral part of the planning process.

A. *Issue*

1. Many older persons fail to develop meaningful activities in later years and lack opportunities for fellowship with others.

B. *Policy Recommendations*

1. Resolve that locally based organizations be established to promote volunteerism and formal and informal relationships with all segments of the community.

A. *Issue*

1. Older persons suffer age discrimination in many areas other than employment.

B. *Policy Recommendations*

1. Resolve that age discrimination be eliminated in all areas of life experiences.

C. *Action Recommendations*

1. Resolve that the Age Discrimination Act of 1975 be enforced.
2. Resolve that government assisted programs be restructured to serve an age-integrated clientele.
3. Resolve that public education curricula and the mass media be utilized to promote positive concepts of aging and enhancement of self-concept.
4. Resolve that in areas where large numbers of senior adults reside, security measures be increased.

INSTITUTIONAL CARE

A. *Issue*

1. Whether older Americans are institutionalized through choice, design or otherwise, there is a societal obligation to assure quality of care.

B. *Policy Recommendations*

1. Resolve that attention be directed toward the development of public policies that will affect *how* long term care facilities provide care to older persons.

C. *Action Recommendations*

1. Resolve to provide for social interaction between the institutionalized elderly and the community at large.
2. Resolve that there be a required minimal level of training (with provisions for inservice training) for all personnel who work directly with the institutionalized elderly.
3. Resolve that individualized plans of care be developed for each institutionalized aged person.

A. *Issue*

1. There is a need for an organized continuum of long term care.

B. *Policy Recommendations*

1. Resolve that efforts be made to determine the most appropriate level of long term care for older persons to avoid unnecessary or premature institutionalization.

C. *Action Recommendations*

1. Resolve that a national policy on long term care services be developed.
2. Resolve that a statewide community long term care project be implemented for the purpose of defining service options and enlisting and expanding community based services.
3. Resolve that state mental health commitment laws be strengthened to prevent inappropriate institutionalization.
4. Resolve that long term care facilities be required to implement a comprehensive needs assessment for elderly clients/patients.
5. Resolve that families of institutionalized older persons be educated regarding their rights, responsibilities, resources and recourses.

Appendix B

Summary of Legislation Enacted Through 1981 Recommended by
the Study Committee on Aging

AGING COMMITTEE

Establishment of Permanent Committee

The Committee to Study Public and Private Service, Programs and Facilities for the Aging has been continued as a permanent legislative study committee (Code 2-51-10, 1978).

COMMISSION ON AGING

Establishment of State Agency

The Interagency Council on Aging has been reorganized and designated the South Carolina Commission on Aging (Code 43-21-10, 1971).

EDUCATION

Establishment of the Community Education Advisory Council

The Community Education Advisory Council has been established to promote and coordinate the utilization of school and other community facilities to meet the needs of the community (Code 59-44-50, 1976).

Free Tuition at State Educational Institutions

State-supported colleges, universities and technical schools may permit South Carolina residents at least 60 years of age to attend classes on a space available basis without payment of tuition. Effective January 1981, this program was implemented at the University of South Carolina in the "Short Courses" division (Code 59-111-320, 1974, 1978).

HEALTH

Adult Abuse and Protection Act

Abuse, neglect or exploitation of a senile or developmentally disabled person has been prohibited. Protective services are provided (Code 43-29-40, 1974, 1976).

Community Long-Term Care Project

The Community Long Term Project located in Spartanburg, Cherokee and Union Counties, was approved by the General Assem-

bly in June 1978. The purpose of the project is to gather information about the client impact, cost and utilization of new expanded community services and a case management system. The DHEC budget for 81-82 includes \$594,464 of State funds appropriated in support of this project.

Creation of a Long-Term Care Division

The Long-Term Care Division has been established within the S. C. Department of Mental Health and is under the direction of a deputy commissioner (Code 44-9-50, 1976).

Establishment of Licensing Authority for Adult Day Care Centers.

The licensing authority for adult day care facilities has been established under the Department of Health and Environmental Control (Code 44-65-10, 1976).

Establishment of Hypertension Screening Clinic

The Department of Health and Environmental Control has established a network of Hypertension Screening and Treatment Clinics throughout the state to detect and treat hypertension (high blood pressure). This condition, often symptomless, occurs more than twice as often among people aged 65-80 than in the population as a whole (Appropriation Act, 1974 1975).

Establishment of a Monetary Penalty System for Health Care Facilities

A monetary penalty system has been established for the violation of licensing standards in hospitals, nursing homes, and intermediate care facilities (Code 44-7-360, 1976).

Exemption from Sales Tax on Prescription Drugs and Prosthetic Devices

In 1973, the General Assembly passed legislation to exempt those persons 65 years of age and older from paying sales tax on prescription drugs and prosthetic devices. This law was amended in 1974 to reduce the age to 50 (Code 12-35-560, 1973, 1974). In 1976, the sales tax on prescription drugs was repealed (Act 709).

Home Health Agency Licensure

Public, nonprofit and proprietary home health agencies have been required to be licensed by DHEC, (Code 44-69-10, 1978) and to obtain a Certificate of Need prior to licensure (Code 44-69-75).

Itemized Billing

Skilled nursing homes, intermediate care facilities and residential care facilities have been required to provide an item-by-item billing of all charges for all services to the patient or person paying the bill, on request (Code 43-27-40, 1975).

Medicaid Income Limitations

The state limitation on the maximum income a person may receive and be eligible for skilled and intermediate nursing care has been increased to be in line with the federal limitation (Appropriation Act, 1979-1980).

Nursing Home Administrators

The composition and qualification of the members of the Board of Nursing Home Administrators have been changed to establish licensure, educational and experience requirements. Continuing education has been mandated (Code 40-35-20, 1980).

Ombudsman

A Nursing Home Ombudsman who receives complains or reports concerning patient care and who investigates and seek to resolve complaints has been established in the Governor's office (Code 43-37-10, 43-37-20, 1977).

In 1980 these code sections were repealed, the title changed to the Ombudsman and the duties and responsibilities broadened (Code 43-38-10, 43-38-50, 1980).

Regulation of Fitting and Selling of Hearing Aids

South Carolina statutes have been enacted which govern the licensing of persons who fit and sell hearing aids, and regulate the manner in which they conduct their business (Code 40-25-40, 1971, 1972, 1978). A representative of the general public has been added to the Hearing Aid Dealers and Fitters Commission within DHEC (Code 40-25-40, 1978).

HOMESTEAD TAX EXEMPTION

Homeowners who are 65 or older and have resided in the state for at least one year receive the benefits of a homestead tax exemption which provides that the first \$15,000 of the fair market value of the dwelling place shall be exempt from municipal, county, school and special assessment real estate property taxes (Code 12-37-250, \$15,000—commencing July 1980, \$12,000—1978, \$10,000—1971).

Counties and municipalities are reimbursed by the state for losses they incur by reason of granting the exemption (Code 12-37-270, 280, 1971).

Applications for homestead exemption are purchased and distributed to the counties by the Comptroller General's office (Code 12-37-250, 1979).

The requirement for annual reapplication has been repealed. However, if a person's eligibility changes and the County Auditor is not notified, a lien or penalty may be imposed (Act 93, 1981).

Exemption is provided for a surviving spouse 50 years of age or older. This exemption allows the surviving spouse nine months in which to obtain complete fee simple title to the homestead if spouse died intestate and to continue the exemption if the dwelling place is on leased land (Code 12-37-250, 1979).

The Homestead Exemption shall apply to eligible persons who own a dwelling in part in fee or in part for life and also to a dwelling when the legal title is held by a trustee (Code 12-37-250, 1980).

The classification of property qualifying for the Homestead Exemption shall be residential and taxed on an assessment equal to 4% of the property's fair market value (Code 12-37-250, 1980).

Payment of real property taxes on or before March 15 following the year for which Homestead Exemption is claimed shall not be a condition to qualify for the exemption (Code 12-37-250, 1980).

Life estates shall qualify for Homestead Exemption when the person entitled to the exemption creates such an estate by conveying the remainder to the homestead in fee reserving to himself a life estate (Code 12-37-250, 1980).

Homestead Exemption shall apply to life estates created other than by will and on or before December 31, 1979 instead of December 31, 1971 (Code 12-37-250, 1980).

HOUSING

Establishment of State Housing Authority

A State Housing Authority has been established. Its purpose among others, is to encourage the growth of specialized housing for the elderly (Code 31-3-110, 1971).

Tax Exemption for Nonprofit Housing for the Elderly

Private, nonprofit organizations have been exempted from real estate taxes on property used as specialized housing for the elderly (Code 12-37-220, 1971).

INSURANCE

Standards of Readability

Department of Insurance regulations have been enacted to provide for minimum standards of readability of commonly purchased insurance policies (Code 38-3-61, 1979).

Medicare Supplement Insurance Regulations

Department of Insurance regulations have been enacted to eliminate unfair and deceptive practices in the promotion, solicitation, sale and replacement of individual accident and health insurance policies to persons who are qualified for Medicare by reason of age and to persons who have a current Medicaid eligibility card (Vol. 25—Rule 69-34.1.2, 1980).

JURY SERVICE

Age Discrimination Eliminated

The maximum age of 65 has been eliminated as a qualification for jury service (Code 14-7-140, 1974).

LEGAL AFFAIRS

Power of Attorney Extended

Whenever a person designates another his attorney by a power of attorney, this power has been extended, if the principal so desires in writing, so that it is not affected if he becomes incapable of managing his own estate due to physical disability or mental incompetence (Code 32-13-10, 1978).

RECREATION

Free Hunting and Fishing Licenses

Residents of South Carolina for at least one year who are 65 or older have been made eligible for free hunting and fishing licenses from the Department of Wildlife and Marine Resources. (Code 50-9-840, 1978).

Free Admission to Certain State Park Facilities

South Carolinians aged 65 or older have been granted free admission to state park facilities for which a charge is customarily made (except overnight lodging, and recreation buildings) and are granted half-price admission to campsites (Code 51-3-60, 1973, 1975, 1979).

RETIREMENT

Reciprocal Agreements

The State has been allowed to enter into a reciprocal agreement with another state to refrain from taxing retirement income (Code 12-7-565,1976).

Cost-of-Living Increases in Retirement Benefits

Teachers, state employees and other public workers covered by the South Carolina Retirement System have been granted increased benefits from the system, not to exceed four percent, when the cost of living rises (Code 9-11-310, 1974).

Five percent increases in retirement benefits for state employees and teachers who retired prior to July, 1972 were included in the 1977 Appropriation Act.

A special fund has been created to administer the cost of living increase for retired members and beneficiaries of the system and to increase the employer rate of contribution (Code 9-1-100, 1980).

Establishment of Retirement and Pre-Retirement Advisory Board

A Retirement and Pre-Retirement Advisory Board has been established to review retirement and pre-retirement programs and policies, propose recommendations and identify major issues for consideration. Two of the members of the eight-member Board shall be retired (Code 9-2-10, 1976).

Medical Insurance

The cost of medical insurance for retired state employees and teachers on the same basis as active employees, beginning July 1, 1980 has been assumed by the State (Appropriation Act, 1979-80).

Pre-Retirement Education

A Pre-Retirement Education program for state employees, administered by the State Retirement System, has been established (Appropriation Act, 1979-80).

Forty-six seminars for state agencies, educational institutions, and local governments have been held since March, 1980. Seventy percent of the 1400 participants were 55 or older.

The Newsletter, *Systems Update*, is published semi-annually and circulated to 150,000 active members and retirees. Of this number 44,300 individuals are 55 and older, representing approximately 30% of all active and retired members of the S. C. Retirement System.

Retirement After 30 Years of Service

Members of the South Carolina State Retirement System may retire at 65 years of age or after 30 years of service (Code 9-1-1510, 1975).

TRANSPORTATION

Interagency Council

The Interagency Council on Transportation has been established to give advice and make recommendations to the Department of Highways and Public Transportation and to the General Assembly on all matters related to public transportation in the State. Member agencies and offices are:

Office of the Governor, Officer of the Lieutenant Governor, Regional Transportation Authorities, S. C. Association of Counties, S. C. Assn. of Regional Planning Councils, S. C. Commission on Aging, S. C. Department of Education, S. C. Dept. of Hwy. & Publ. Trans., S. C. Parks, Recreation and Tourism, S. C. Dept. of Social Services, S. C. Dept. of Vocational Rehabil., S. C. Division of Energy Resources, S. C. House of Representatives, S. C. Motor Vehicle Management Off., S. C. Senate (Code 57-3-1010, 1978).

Appendix C

No. 402

(R420, H3247)

An Act to create a Permanent Committee to Conduct Continuing Studies of Public and Private Services, Programs and Facilities for the Aging.

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

Findings

Section 1. The General Assembly finds that the Committee to Study Public and Private Services, Programs and Facilities for the Aging, originally created by H. 1286 of 1969 and continued by concurrent resolution through 1977, fulfills a necessary and continuing legislative need and that the functions of the committee can be more properly fulfilled by a permanent committee.

Committee Created

Section 2. There is created a permanent committee to conduct continuing studies of public and private services, programs and fa-

cilities for the aging in South Carolina and report its findings and recommendations annually to the General Assembly. Three members shall be appointed from the Senate by the President thereof, three members shall be appointed from the House of Representatives by the Speaker and three members shall be appointed by the Governor. Terms of legislative members shall be coterminous with their terms as members of the General Assembly and terms of members appointed by the Governor shall be coterminous with the term of the appointing Governor. Members of the committee shall receive mileage, per diem and subsistence as provided by law for members of boards, committees and commissions. Expenses of the committee shall be provided by an annual appropriation in the general appropriation act. The Legislative Council shall provide such legal services as the committee may require in the performance of its duties.

Time Effective

Section 3. This act shall take effect upon approval by the Governor.

Approved the 14th day of February, 1978.

Appendix D

Study Committee on Aging Members Since 1959

- 1959-60 Representative Martha Fitzgerald, Columbia, Chairman
 Senator Wilbur G. Grant, Chester
 Senator John D. Long, Union
 Representative E. Forte Wolfe, Gaffney
 Gubernatorial Appointees:
 Dr. Wil Lou Gray, Columbia
 Mr. O. T. Wallace, Charleston
 Miss Nell Watson, Easley
- 1960 Representative Martha Fitzgerald, Columbia, Chairman
 Senator Wilbur G. Grant, Chester
 Senator John D. Long, Union
 Representative T. Ed. Garrison, Anderson
 Gubernatorial Appointees:
 Dr. Wil Lou Gray, Columbia
 Mr. O. T. Wallace, Charleston
 Miss Nell Watson, Easley

- 1961 Representative Martha Fitzgerald, Columbia, Chairman
 Senator Wilbur G. Grant, Chester
 Senator John D. Long, Union
 Representative T. Ed. Garrison, Anderson
 Gubernatorial Appointees:
 Dr. Wil Lou Gray, Columbia
 Mr. O. T. Wallace, Charleston
 Miss Nell Watson, Easley
- 1962 Senator Wilbur G. Grant, Chester
 Senator John D. Long, Union
 Representative E. Windell McCrackin, Myrtle Beach
 Representative T. Ed Garrison, Anderson
 Gubernatorial Appointees:
 Dr. Wil Lou Gray, Columbia
 Mr. O. T. Wallace, Charleston
 Miss Nell Watson, Greenville
- 1969 Senator Richard W. Riley, Chairman
 Representative Isadore Lourie, Vice-Chairman
 Representative James E. Moore, Secretary
 Senator J. Kenneth Rentiers
 Senator Hyman Rubin
 Representative Patrick B. Harris
 Gubernatorial Appointees:
 Mr. Harry R. Bryan
 Rev. I. DeQuincey Newman
 Mr. R. Carl Woodle
- 1971 Senator Richard W. Riley, Chairman
 Representative Isadore Lourie, Vice-Chairman
 Representative James E. Moore, Secretary
 Senator J. Kenneth Rentiers
 Senator Hyman Rubin
 Gubernatorial Appointees:
 Mr. Harry R. Bryan
 Rev. I. DeQuincey Newman
 Mr. R. Carl Woodle
- 1972 Senator Richard W. Riley, Chairman
 Representative Isadore Lourie, Vice-Chairman
 Representative James E. Moore, Secretary
 Senator J. Kenneth Rentiers

- Senator Hyman Rubin
 Representative Patrick B. Harris
 Gubernatorial Appointees:
 Father William Pentis
 Rev. I. DeQuincey Newman
 Mr. James Richmond Driggs
- 1973 Senator Richard W. Riley, Chairman
 Representative James E. Moore, Vice-Chairman
 Representative Patrick B. Harris, Secretary
 Senator Hyman Rubin
 Senator Edward Saleeby
 Representative Giles P. Cleveland
 Gubernatorial Appointees:
 Father William Pentis
 Rev. I. DeQuincey Newman
 Mrs. B. J. Blackwell
- 1974 Senator Richard W. Riley, Chairman
 Representative James E. Moore, Vice-Chairman
 Representative Patrick B. Harris, Secretary
 Senator Hyman Rubin
 Senator Edward Saleeby
 Representative Giles P. Cleveland
 Gubernatorial Appointees:
 Father William Pentis
 Rev. I. DeQuincey Newman
 Mrs. B. J. Blackwell
- 1975 Senator Richard W. Riley, Chairman
 Representative James E. Moore, Vice-Chairman
 Representative Patrick B. Harris, Secretary
 Senator Hyman Rubin
 Senator Edward Saleeby
 Representative Eugene S. Blease
 Gubernatorial Appointees:
 Father William Pentis
 Rev. I. DeQuincey Newman
 Ms. Dorothy M. Blackwell
- 1976 Senator Richard W. Riley, Chairman
 Representative James E. Moore, Vice-Chairman
 Representative Patrick B. Harris, Secretary

Senator Hyman Rubin
 Senator Edward E. Saleeby
 Representative Eugene S. Blease
 Gubernatorial Appointees:
 Rev. James E. Alewine
 Mr. George E. Carlton
 Mrs. June B. Furman

1977 Senator Hyman Rubin, Chairman
 Representative Patrick B. Harris, Vice-Chairman
 Senator T. Dewey Wise
 Senator John H. Waller, Jr.
 Representative Eugene S. Blease
 Representative H. Parker Evatt
 Gubernatorial Appointees:
 Mr. George E. Carlton, Secretary
 Rev. James E. Alewine
 Mrs. June B. Furman

1978 Senator Hyman Rubin, Chairman
 Representative Patrick B. Harris, Vice-Chairman
 Senator T. Dewey Wise
 Senator John H. Waller, Jr.
 Representative Eugene S. Blease
 Representative H. Parker Evatt
 Gubernatorial Appointees:
 Rev. James E. Alewine
 Mrs. June B. Furman
 Dr. C. Julian Parrish

1979 Senator Hyman Rubin, Chairman
 Representative Patrick B. Harris, Vice-Chairman
 Senator T. Dewey Wise
 Senator John H. Waller, Jr.
 Representative Hudson L. Barksdale
 Representative H. Parker Evatt
 Gubernatorial Appointees:
 Rev. James E. Alewine
 Mrs. June B. Furman
 Dr. C. Julian Parrish

- 1980 Senator Hyman Rubin, Chairman
 Representative Patrick B. Harris, Vice-Chairman
 Senator William W. Doar, Jr.
 Senator John H. Waller
 Representative Hudson L. Barksdale
 Representative H. Parker Evatt
 Gubernatorial Appointees:
 Rev. M. L. Meadors, Jr.
 Dr. C. Julian Parrish
 Mrs. Gloria H. Trowell
- 1981 Senator Hyman Rubin, Chairman
 Representative Patrick B. Harris, Vice-Chairman
 Senator William W. Doar, Jr.
 Senator Peden B. McLeod
 Representative Hudson L. Barksdale
 Representative H. Parker Evatt
 Gubernatorial Appointees:
 Rev. M. L. Meadors, Jr.
 Dr. C. Julian Parrish
 Mrs. Gloria H. Sholin