

ALERTS

South Carolina Legislative Report - May 4, 2012

April 30 - May 4, 2012

On the Floor

SC Restructuring Act - Department of Administration

This week the House took up consideration of Senate amendments to H. 3066, the legislation effectively eliminating the Budget & Control Board (B&CB) in favor of a new cabinet-level Department of Administration. The House further amended the bill and returned it to the Senate. It is expected that the restructuring bill will ultimately go to conference committee. At issue has been the division of authority previously vested in the B&CB and how it would be divided after its elimination.

Demolishers Bill

S. 1031 was given a second reading by the House of Representatives this week and a motion to reconsider the vote on second reading will be debated next week. An effort to attach a copper theft amendment was ruled out of order this week as well. The legislation proposes to increase the eight-year title provision to twelve years. In addition, the bill increases penalties for violations, makes it a felony for falsifying ownership of a vehicle, and requires the demolisher to hold a vehicle for three days prior to shredding the vehicle.

Nursing Permits for Medicaid Facilities

This week the House concurred with a Senate amendment to H. 5028, which is a one-year joint resolution dealing with the Medicaid nursing home permit law. It was ordered enrolled for ratification. The resolution directs DHEC to temporarily suspend enforcement of certain provisions of the Medicaid nursing home permit law relating to penalties for providing fewer Medicaid bed days, allows for the transfer of allotted bed days across county lines and directs apportionment of bed days by the agency. The resolution is in response to a Horry County facility that currently participates in the Medicaid program but is transitioning from a Medicaid facility to an assisted living facility.

Relocation of Water and Sewer Lines

H. 4487 was passed by the House this week and sent to the Senate for consideration. The bill would have required the Department of Transportation to bear the cost of moving all publicly owned water and sewer lines located in the right of way for state transportation improvement projects; however, the adopted amendment establishes a committee to study the issue.

Tax Credits for Plug-in Hybrid Cars

SOUTH CAROLINA LEGISLATIVE REPORT - MAY 4, 2012

The House concurred with Senate amendments to H. 3059 and ordered it enrolled for ratification. The bill extends an income tax credit to consumers who purchase plug-in hybrid vehicles. The total amount authorized for all claims is \$200,000 and is determined on a first come, first served basis. In addition, several clarifications were made during the process to ensure the definition of the vehicle excluded golf carts and certain other recreational plug-in vehicles.

Governor/Lieutenant Governor - Joint Ballot

The Senate passed H. 3152 with amendments and returned it to the House for consideration this week. The joint resolution proposes amending the Constitution of South Carolina to authorize the governor and lieutenant governor to run on the same ballot. The Senate amended the bill to take effect in the 2018 elections. Governor Haley has decried the amendment as a personal attack, robbing her of selecting a running mate during her next reelection.

*In Committee***SC Retirement System Reform**

This week the Senate Finance Special Retirement Committee approved H. 4967, a plan to reform the current retirement system that would reduce the state's \$14 billion retirement fund deficit. The plan would put an end to the state's TERI system by 2018. The TERI program allows state workers to retire but continue to work for up to five years while receiving their retirement benefits in a separate account.

In addition to ending the TERI program, the plan raises retirement from 25 to 27 years for full benefits, increases employee contribution from 6.5% to 7.46%, implements the Public Employee Benefit Board, and increases the number of years used to calculate the average final compensation from 3 to 5 highest years.

Unemployment Benefits

The House Labor, Commerce and Industry Subcommittee on Business and Commerce gave a favorable report, as amended, to S. 1125. The bill would disqualify a person from receiving unemployment benefits for twenty weeks if they were terminated for willful or wanton misconduct.

Right to Work

H. 4652 was given favorable report as amended by a Senate Labor, Commerce and Industry subcommittee this week. The strike all and insert amendment removed definitions, dues provisions and other filing requirements. The amendment will require a labor union to additionally file with the South Carolina Department of Labor, License and Regulation any regularly required U.S. Secretary of Labor documents, and maintains provisions regarding posting of information on right to work and fines and fees.

In the News

SC Supreme Court Ruling

On Wednesday the South Carolina Supreme Court ruled that candidates who did not file statements of economic interest on time could not be placed on the ballot for election. It is estimated that the ruling could affect up to 100 candidates across 30 counties running for state and local office. The court ordered the Republican and Democratic Parties to submit complete lists of certified candidates by the end of the week. The move has cleared the way for a number of incumbent legislators to face no opposition in their reelection efforts this year. Incumbent officials are already required to file economic disclosures and are not subject to the same reporting requirements when filing for election.

The state Republican Party signaled that they would possibly seek relief from the federal courts as the state Supreme Court rejected a motion for rehearing on Thursday.

[Click here for the SCGOP list.](#)

Haley Cleared of Ethics Charges

This week the House Ethics Committee revealed that it has cleared Governor Haley of accusations of improper lobbying stemming from her time as a member of the House of Representatives. Originally, the committee voted that there was probable cause, but ultimately cleared her on a 5-1 partisan vote. The committee said that the state law is vague on what constitutes illegal lobbying vs. legal consulting; leaving room for interpretation on what is appropriate. They further said that legislation would be introduced to make the law more clear.