

# ALERTS

## South Carolina Legislative Update - March 30, 2015

March 30, 2015

Both the Senate Finance Committee and the House Ways and Means Committee were busy last week discussing various infrastructure plans. The House of Representatives met and adopted several pieces of legislation, including, but not limited to: the prohibition of a public entity to enter into a contract with a business boycotting a jurisdiction South Carolina enjoys open trade with; and a measure prolonging the enforcement date of the 2012 International Residential Code regarding automatic residential sprinklers to July 1, 2016. The Senate debated several procedural and substantive measures and adopted legislation: authorizing counties to provide property tax bills by email; and expanding the options for mental health courts. The House is not scheduled to meet this week and the Senate will only be in session on Tuesday and Wednesday. Both chambers will not meet next week and will reconvene on April 14.

### *Introductions*

To view this week's introductions in the Senate, please click [here](#), and [here](#) for the House.

### *In The News*

#### **SC Gov. Haley takes aim at House, Senate road proposals**

Gov. Nikki Haley said Tuesday she would veto both the House and Senate proposals to repair South Carolina's battered roads. Undeterred, a House panel passed a proposal that would increase the state's gas tax by the equivalent of 10 cents a gallon. It also proposes increasing the state's current cap on its sales tax on vehicles to \$500 from \$300. In letters that she sent to [House](#) and [Senate](#) leaders, Republican Haley said both the House and Senate proposals amounted to "a massive tax increase" on S.C. residents. House Ways and Means chairman Brian White, R-Anderson, said he hoped the governor would rethink her veto threat. "I would hope that the governor would reconsider vetoing what the folks of the state are saying they want - which is their roads fixed." The Senate's roads proposal, sponsored by state Sen. Ray Cleary, R-Georgetown, likely will include a 12-cent-a-gallon gas-tax hike and increasing the fees on driver's licenses, bought every 10 years, to \$50 from \$25. Cleary also proposes levying a \$60-a-year fee on hybrid vehicles, a \$120-a-year fee on alternative-fuel vehicles and increasing the cap on the state's sales taxes on vehicles to \$600. Senators plan to continue debating that proposal Wednesday. Read more [here](#).

#### **SC House takes middle lane on trip to road-repair plan**

An S.C. House committee combined an income-tax cut proposal Thursday with a plan to raise money to fix the state's crumbling roads, giving South Carolina three road-repair plans. The House plan could emerge as the "just right" porridge as lawmakers try to stir up a road deal. Another plan — Gov. Nikki Haley's tax-swap proposal — is too hot, legislators say, adding the state can't afford the income-tax cut that the Republican governor wants. The third plan — the Senate's — is too cold, without enough support to survive a Haley veto. That leaves the House proposal as possibly the middle ground. The three proposals have been offered as

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solutions to the \$1.5 billion-a-year shortfall in the money needed to maintain, repair and expand the state's road, bridge and mass transit system, according to the state Transportation Department. Just to pay for maintenance and preservation of the state's existing roads and bridges would require an extra \$1 billion a year. The House plan, sponsored by state Rep. Gary Simrill, R-York, would raise roughly \$427 million a year. Read more [here](#).

**SC Senators advance bill that raises \$800 million for roads**

The Senate Finance Committee advanced a bill Wednesday that raises roughly \$800 million yearly for road and bridge work, a day after Gov. Nikki Haley pledged to veto it. A 16-7 vote sent to the Senate floor a bill that increases the state's gas tax by 12 cents over three years — to 28 cents per gallon on July 1, 2017 — and allows it to increase further with inflation starting in 2018. Sen. Ray Cleary, the bill's sponsor, said it's the fair way to fund roads since those who drive on them will pay. "How do you get more fair than that?" asked Cleary, R-Murrells Inlet, who calls it a user fee, rather than a tax. "I think if you're using the roads, you pay for the roads." The proposal also raises the sales tax cap on automobile purchases from \$300 to \$600. It increases the fees on driver's licenses and vehicle registration fees. It also creates a fee for drivers of hybrid vehicles, since they use less gas, of \$60 every two years. After the vote, a senator placed an objection on the bill in an attempt to block debate on the floor.

**SC Senate votes to expand state mental health courts**

The Senate gave key approval Thursday to a bill to expand the state's mental health courts. The 40-0 vote came after no debate. Mental health courts divert mentally ill offenders away from the criminal justice system and into treatment programs, much as drug courts do for drug offenders. Currently, three mental health courts operate in Greenville, Columbia and Charleston. Grants for their operation ran out years ago but they have continued to operate. Two other courts have closed in recent years due to lack of funding. Read more [here](#).

**Gov. Nikki Haley's 'shower' comment upsets SC lawmakers**

Gov. Nikki Haley told a trade group on Tuesday that they needed to bathe after meeting with state lawmakers later in the day — a comment that upset some legislators. "Because I know many of you are going to the State House, which I love, just make sure you take a good shower when you leave," Haley told the S.C. Realtors on a recording of her speech posted on the governor's YouTube page. Some in the crowd laugh. Haley continues, "We've got some things changing over at the State House. The issue that I have is that we work hard to build the business climate. And legislators don't feel the burn like we do. Legislators don't remember what it was like when you go through days without a sale. Legislators don't remember the complaints that we hear from business owners and from property owners. Legislators don't remember what it means to truly live day to day." The governor then starts talking about her debate over differing road-repair plans with lawmakers. She sent letters to House and Senate leaders on Tuesday promising to veto any roads bill with a state gas tax increase. Haley's comments upset some legislators even some in her own Republican party. Read more [here](#).

**House approves Uber bill, but company concerned about proposed regulations**

The ridesharing app Uber would be permanently allowed to operate across South Carolina under a bill that cleared the state House Thursday.

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The bill, which passed the House of Representatives in a 96-13 vote on Wednesday, creates a new category of "transportation network companies" that would cover Uber and other similar companies. But Uber and its allies in the legislature had issues with the final draft, saying it treated the service too much like a cab company. The state Public Service Commission is allowing Uber to operate through July after initially issuing cease-and-desist orders against the company. However, the stay is based upon lawmakers crafting new regulations that would cover the ridesharing company. Uber maintains it is not a taxi service but only uses a smartphone app to connect customers with potential drivers. Read more [here](#).

**Governor may oppose snow-day forgiveness**

Upstate legislators are meeting with resistance from Gov. Nikki Haley in their attempts to waive the requirement that school districts make up all the days they missed during last month's snowstorms. A House bill initiated by Greenville County's delegation was amended this week to cover any district in the state, according to Rep. Neal Collins, a member of the House subcommittee on K-12 education. But, the Easley Republican added, "We received word that the Governor's Office has issue with our and other counties' resolutions to waive school days." Four bills have been introduced requesting 1-5 makeup days be forgiven. Read more [here](#).

**SC tax probe targets private school choice group**

The state's tax agency is investigating the nonprofit that dominates the state's \$8 million-a-year private school choice program. That nonprofit, Palmetto Kids First Scholarship Program, is refusing to reveal the names of families that it has given tuition grants to and has asked a judge to weigh in. The S.C. Department of Revenue requested those names from Palmetto Kids after hearing complaints, which The State reported on exclusively in May, about the nonprofit, which raises money to help children with disabilities pay for private school.

**SC House Speaker fires back at Gov. Haley on roads**

S.C. House Speaker Jay Lucas fired back at Gov. Nikki Haley a day after she threatened to veto both House and Senate road repair bills. "Rather than issuing a preemptive veto threat, I invite you to continue to engage in open discussions with the House to craft mutually agreeable legislation," Lucas wrote in a letter to Haley. Lucas said the House is moving forward with the bill that emerged from a special committee he appointed to address the state's road needs. The house is not moving forward with a bill sponsored by Rep. Tommy Stringer, R-Greenville, that is Haley's plan - to increase the gas tax by 10 cents and cut the income tax by 2 percentage points. Read more [here](#).

## *Meeting Schedule*

**Monday, March 30**

No Meetings Scheduled.

**Tuesday, March 31**

- **9:00 am** -- Gressette Room 308 -- Banking and Insurance Subcommittee on Regulations and on S.314

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- I. S. 314 - Healthcare Sharing Ministries
  - **9:30 am** -- Gressette Room 207 -- Transportation Subcommittee
- I. S. 79 - Motor Vehicles and Motorcycle Definitions
- II. S. 152 - Mopeds
- III. S. 296 - Mopeds on State Roads
- IV. H. 3142 - Operation of Mopeds
- V. H. 3165 - Mopeds
  - **12:00 pm** -- State House, Senate Chamber -- Senate
  - **2:00 pm** -- State House, 3rd Floor Conference Room -- Corrections and Penology Subcommittee on S.338
- I. S. 338 - Prisoners
  - **2:00 pm** -- Gressette Room 209 -- Judiciary Subcommittee on S.590
- I. S. 590 - Ignition Interlock Devices
  - **3:00 pm** -- Gressette Room 105 -- Finance K-12 Education Budget Hearing
- I. Proviso Review
  - **3:00 pm** -- Gressette Room 308 -- Judiciary Committee on S.16, S.31, S.84, S.165, S.250, S.500, S.590 and H.3266
- I. S. 16 - Workers Compensation Exemption
- II. S. 31 - Amendment to US Constitution
- III. S. 84 - Reckless Vehicular Homicide
- IV. S. 165 - Administrative Law Court
- V. S. 250 - Release of Child's Medical Records
- VI. S. 500 - Uniform Interstate Family Support Act
- VII. S. 590 - Ignition Interlock Devices

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VIII. H. 3266 - Trespasser Responsibility Act

- **3:45 pm** -- Gressette Room 207 -- Special Subcommittee to Review Recommendations for Agency Restructuring Conforming Changes to the SC Code on S.435 and S.563

I. S. 435 - State Fiscal Accountability Authority

II. S. 563 - Board of Economic Advisors & Revenue & Fiscal Affairs

### Wednesday, April 1

- **9:00 am** -- Gressette Room 307 -- Education K-12 Subcommittee on S.508

I. S. 508 - Comprehensive Health Education Program

- **9:00 am** -- Gressette Room 407 -- Finance Health and Human Services Subcommittee Budget Hearings

I. Proviso Review

- **9:00 am** -- Gressette Room 207 -- Medical Affairs Subcommittee on S.25, S.28, S.130 and H.3114

I. S. 25 - SC Pain Capable Unborn Child Protection Act

II. S. 28 - SC Pain Capable Unborn Child Protection Act

III. S. 130 - SC Pain Capable Unborn Child Protection Act

IV. H. 3114 - SC Pain Capable Unborn Child Protection Act

- **9:15 am** -- Gressette Room 408 -- Finance Natural Resources and Economic Development Subcommittee Budget Hearing

I. Proviso Review

- **9:30 am** -- Gressette Room 105 -- Finance K-12 Education Budget Hearing

I. Proviso Review

- **9:30 am** -- Gressette Room 308 -- Senate General DSS Oversight Subcommittee

I. Michelle Dhunjishah, Director & General Counsel of the SC Foster Care Review Board

II. Carl Brown, Executive Director of the SC Foster Parent Association

III. Susan Alford, State Director of the SC Department of Social Services

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- **10:00 am** -- Gressette Room 407 -- Agriculture and Natural Resources Environmental Subcommittee
  - I. [S. 139](#) - Coastal Zone Critical Areas
  - II. [S. 522](#) - Coastal Tidelands and Wetlands
  - III. [S. 578](#) - Coastal Tidelands and Wetlands
- **10:00 am** -- Gressette Room 307 -- Finance Transportation and Regulatory Subcommittee Budget Hearing
  - I. Proviso Review
- **10:00 am** -- Gressette Room 209 -- Fish, Game and Forestry Subcommittee on S.592, H.3393, H.3668 and H.3762
  - I. [S. 592](#) - Hunting of Feral Hog, Coyote, and Armadillos
  - II. [H. 3393](#) - Migratory Hunt and Conservation Stamp
  - III. [H. 3668](#) - Deer Hunting
  - IV. [H. 3762](#) - Animal Traps
- **10:00 am** -- Gressette Room 207 -- Higher Education Subcommittee
  - I. [S. 171](#) - College Athletes
  - II. [S. 185](#) - Higher Education Excellence Enhancement Program
- **11:00 am** -- Gressette Room 408 -- Finance Constitutional Subcommittee Budget Hearing
  - I. Proviso Review
- **11:00 am** -- Gressette Room 407 -- Judiciary Subcommittee on R.4524
  - I. R. 4524 - Suspension of Certification Due to Criminal Charges and/or Indictment
- **11:00 am** -- Gressette Room 308 -- Judiciary Subcommittee on S.586
  - I. [S. 586](#) - Fiscal Accountability Authority
- **11:00 am** -- Gressette Room 209 -- Transportation Committee
  - I. [S. 561](#) - Inspector General

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II. S. 409 - SC Transportation Companies Act

**Thursday, April 2**

No Meetings Scheduled.

**Friday, April 3**

No Meetings Scheduled.