

ALERTS

South Carolina Legislative Report - May 10, 2013

May 10, 2013

On the Floor

House of Representative Returns and Senate Begins Budget Debate

The House of Representatives will return from furlough next week on Tuesday, May 14th at noon. The Senate will meet on Monday, May 13th at 2:00 pm to begin budget deliberations.

Unemployment

H. 3571 was recalled from the Senate Labor, Commerce and Industry Committee and placed on the Senate calendar for consideration. Trade Adjustment Assistance Extension Act of 2011 imposed three mandatory integrity requirements on the unemployment insurance program of each state - a monetary penalty on claimants whose fraudulent acts resulted in overpayments, prohibit states from providing relief from charges to an employer's unemployment insurance account when the actions of an employer or an agent of an employer have led to an improper payment, and requires employers to report to a State Directory of New Hires information on employees the employer has rehired after at least a sixty-day separation.

Infrastructure

As reported last week, the Senate Finance Committee approved and amended H. 3412, which is on the Senate floor for debate. The bill includes the following provisions: provides for a motor vehicle registration fee (capped at \$300) instead of a sales tax, with the revenue dedicated the first year to the Educational Improvement Act (EIA) Fund (20%), the General Fund (40%), and Interstate and Bridge Improvement Fund (40%) - for subsequent years the revenue is allocated to the EIA (20%) and Interstate and Bridge Improvement Fund (80%); authorizes transportation infrastructure bonds; provides that the Department of Revenue shall adjust the fuel user fee and road tax based off of the Consumer Price Index; increases the driver's license fee, biennial vehicle registration fee, the biennial Highway Infrastructure Improvement Fee for self-propelled property carrying vehicles, farm truck registration fee, and motor fuel user fee for alternative vehicles and dedicates any of the proposed increases to the Local Government Transportation Fund; revamps the commercial motor vehicle assessment process and calculation and moves from DOR to DMV; and establishes the Transportation Infrastructure Sales Tax Act - county governing body may impose a one percent sales and use tax by ordinance, subject to a referendum, within the county area for transportation infrastructure project.

Encourage Energy Efficiency in Schools

S. 642 was recalled from the Senate Education Committee, adopted by the Senate and sent to the House. Senator Cleary's resolution encourages school districts to utilize all available energy efficiency incentives and rebates provided by local utilities.

Energy Efficiency Certification – State Procurement and Major Projects

S. 635 was recalled from the Senate Fish, Game and Forestry Committee and given second reading in the Senate this week. The legislation requires a major facility project as defined in Section 48-52-810(10) requesting third-party certification not be allowed to seek a rating point that would discriminate against wood products of this State derived from forest lands certified by the Sustainable Forestry Initiative or the American Tree Farm System.

EMS Immunity

S. 380 was amended and given second reading by the Senate this week. The legislation gives an operator or driver of an emergency medical vehicle, while providing emergency services, an exception to the waiver of immunity unless the vehicle is operated or driven in a grossly negligent manner.

In Committee**Ethics Reform**

The Senate Judiciary Committee gave a favorable report, as amended to H. 3945 – the ethics reform package recently passed the House of Representatives. There is also a minority report on the committee report. The measure calls for more income disclosure, reporting of pre-election political donations and disclosure of business ties between elected officials and state government. Some of the amendments adopted on Thursday would require former elected officials to wait 8 years before becoming a lobbyist and requiring organizations affiliated with candidates to file disclosures with the state ethics commission. The bill will be placed on the senate calendar for debate on the floor.

Save Access to Vital Epinephrine Act

The Senate Education Committee approved with amendment H. 3725 and the bill is before the Senate for consideration. The bill allows the state's public and private schools to maintain supplies of epinephrine auto-injectors, also known as EpiPens, in stock and affords schools greater authority to administer this potentially life-saving medication to those who are experiencing severe allergic reactions.

In The News

SC Supreme Court upholds sales and use tax exemptions

The South Carolina Supreme Court disagreed with Mr. Bodman's position that the entire exemption and cap scheme violates our State constitution's equal protection guarantee and the prohibition against special legislation in their opinion published Wednesday. Of particular interest, the Court's opinion and Chief Justice Toal's concurring opinion provide clear guidance that the Court's ruling does not preclude challenges based on the content of individual exemptions and caps.

South Carolina ethics debate, race for governor mix

The 2014 governor's race took a test drive Thursday during a marathon meeting of the state Senate Judiciary Committee.

S.C. lieutenant governor's race could heat up soon

Lt. Gov. Glenn McConnell is preparing to run for re-election while a pair of potential challengers weigh bids to unseat the Charleston Republican.

Meetings

Tuesday, May 14

- 11:00 am -- Blatt Room 112 -- Majority Caucus
- 11:00 am -- Blatt Room 305 -- Minority Caucus
- Upon adjournment of the House -- Blatt Room 112 -- Majority Caucus
- Upon adjournment of the House -- Blatt Room 305 -- Minority Caucus
- 2:30 pm or 1 hours after the House adjourns -- Blatt Room 403 -- L.C.I. Health Insurance Subcommittee
- Upon adjournment of the Health Insurance Subcommittee -- Blatt Room 403 -- L.C.I. Business and Commerce Subcommittee
- 2:30 pm or 1 hours after the House adjourns -- Blatt Room 427 -- Full Medical, Military, Public and Municipal Affairs Committee
- Upon adjournment of the Full 3-M Committee -- Blatt Room 427 -- 3-M Subcommittee II, Medical Occupational Regulation and Licensing Boards
- 2:30 pm or 1 hours after the House adjourns -- Blatt Room 516 -- Full Judiciary Committee

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- 3:00 pm -- Blatt Room 433 -- E.P.W. Transportation Subcommittee on S.151
- 4:30 pm -- Blatt Room 427 -- Legislative Black Caucus

Wednesday, May 15

- 8:30 am -- Blatt Room 433 -- E.P.W. K-12 Subcommittee on H.3601 and H.3994
- 9:00 am -- Blatt Room 403 -- L.C.I. Banking and Consumer Affairs Subcommittee
- 9:00 am -- Gressette Room 308 -- K-12 Education Subcommittee on H.3853, S.599 and S.556
- Upon adjournment of the Joint Assembly -- State House, 3rd Floor Conference Room -- Joint Legislative Committee to Screen Candidates for College and University Boards of Trustees
- Upon adjournment of the Banking and Consumer Affairs Subcommittee -- Blatt Room 403 -- L.C.I. Insurance Subcommittee
- 9:00 am -- Blatt Room 430 -- Higher Education Subcommittee on H.3572
- 9:00 am -- Blatt Room 516 -- Judiciary Family and Probate Laws Subcommittee
- 12:00 noon -- Blatt Room 112 -- Legislative Luncheon for SC Democratic Women
- 1 hour after the House adjourns -- Blatt Room 427 -- 3-M Subcommittee I, Health and Environmental Affairs

Thursday, May 16

- 9:00 am -- Gressette Room 209 -- Corrections and Penology Committee
- 9:00 am -- Gressette Room 308 -- Medical Affairs Committee