

# ALERTS

## South Carolina Legislative Report - May 17, 2013

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### *On the Floor*

#### **Appropriations Bill**

The Senate began to debate H. 3710 this week and will continue the debate next Tuesday. The state airplane, paying for infrastructure, state appropriations to non-profits, family planning and other topics highlighted the dialogue. Below are a few of the actions taken on the budget this week:

*Proviso 78.4 (Department of Insurance High-Cost Medicine Cost Sharing Support Program)* was ruled out of order based on point of order raised questioning if the proviso was germane.

*Proviso 33.34 (Medicaid Accountability and Quality Improvement Initiative)* was amended to update the Community Residential Care Optional State Supplement to clarify the facility rate shall increase a minimum of \$100 per month per eligible beneficiary and the proviso may not conflict with or limit existing regulations.

*Proviso 117 (Sale of State Aircraft)* was adopted to sell the two state aircraft and use the proceeds to purchase charter flights.

#### **Department of Administration**

The House of Representatives passed its version of government restructuring, S. 22. The legislation specifically deals with the creation of a new Department of Administration that would effectively eliminate the state's Budget & Control Board. The House and Senate have different plans on how to break up the responsibilities of the B&CB. A major difference between the Senate and the House plans revolves around the office of procurement. The House passed plan places this under the Department of Administration that is effectively control by the Governor. The Senate version creates a new entity called the Contracts and Accountability Authority.

#### **Unemployment**

H. 3571 was amended by the Senate this week and returned to the House with amendments that increased penalty amounts and clarification. The 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.

**Energy Efficiency Certification – State Procurement and Major Projects**

S. 635 was sent to the House this week and will be before the House Agriculture, Natural Resources and Environmental Affairs Committee next 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 approved by the Senate this week and referred to the House Judiciary Committee. 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.

**Save Access to Vital Epinephrine Act**

H. 3725 was enrolled this week after the House concurred in the Senate amendments. 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.

3098 was approved by the House this week and referred to Senate Medical Affairs. The legislation provides for a 14-day notice requirement for voluntary relocation to the residential care facility from a resident for a voluntary relocation.

**Introductions of Note**

S. 705 - Joint Resolution authorizing the continuing authority for expenses of state government

S. 695 - Certificate of Need exemptions - a change in the existing bed complement of a general hospital through the addition of one or more beds to be used exclusively for mental health services

***In Committee*****Project Labor Agreement Bill Advances**

The House Labor, Commerce, & Industry Committee approved S.438. The legislation provides that a state or local entity awarding a contract for construction, repair, remodeling, or demolition of a public building may not require or prohibit a bidder, offeror, contractor, or subcontractor from entering into or adhering to an agreement with a labor organization. The bill will be on the House calendar for consideration next week.

### Closed Health Insurance Plans

S. 530 was approved by the House Labor, Commerce and Industry Committee as amended. The bill proposes to remove the requirement that certain employers that offer closed health insurance plans must also offer point-of-service options and increases the allowable difference for coinsurance percentages for covered services under a point-of-service option. The House companion bill, H. 3818, is on the House floor for consideration.

### E-Cigarette Taxation

This week the Ways and Means Sales and Income Tax Subcommittee passed H. 4074, a proposal to tax and regulate electronic cigarettes, nicotine vapor products and other tobacco derived products. As written the legislation would create a regulatory framework for product retailers and assess and levy a tax on consumable material that is a tobacco-derived product. The measure will be up for consideration at the full Ways & Means committee hearing in two weeks.

## *In The News*

### SC Senate to take up controversial school-choice proposal

The S.C. Senate is poised to vote on a controversial school-choice proposal next week that the upper house's leader says "could be very close." [Read more here.](#)

### Consultant warns state not ready for cyber-security changes lawmakers want

As South Carolina legislators consider reforms to the state's computer security network, a top consultant is warning them to not do too much at once. [Read more here.](#)

## *Meetings*

### Monday, May 20th

- 9:30 am -- Blatt Room 201 -- Education Oversight Committee Special Reading Subcommittee
- 10:30 am -- Blatt Room 201 -- Education Oversight Committee Academic Standards and Assessments Subcommittee
- 1:30 pm -- Blatt Room 201 -- Education Oversight Committee Public Awareness Subcommittee

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### Tuesday, May 21st

- 2:00 pm -- State House, 3rd Floor Conference Room -- Judiciary Subcommittee on H.3184
- 2:30 pm or 1.5 hours after the House adjourns -- Blatt Room 427 -- Full Medical, Military, Public and Municipal Affairs Committee
- 1.5 hours after the House adjourns -- Blatt Room 521 -- Full Ways and Means Committee
- 2:30 pm -- Blatt Room 410 -- Agriculture Subcommittee
- 2:30 pm or 1.5 hours after the House adjourns -- Blatt Room 403 -- L.C.I. Insurance Subcommittee
- Upon adjournment of the Insurance Subcommittee -- Blatt Room 403 -- L.C.I. Business and Commerce Subcommittee
- 3:00 pm -- Blatt Room 433 -- Full Education and Public Works Committee on S.620, H.3365 and H.3383

### Wednesday, May 22nd

- 8:30 am -- Blatt Room 410 -- Agriculture Wildlife Subcommittee
- 9:00 am -- Blatt Room 403 -- L.C.I. Health Insurance Subcommittee
- 9:00 am -- Blatt Room 516 -- Judiciary General Laws Subcommittee
- 9:00 am -- Blatt Room 433 -- E.P.W. Transportation Subcommittee on S.151 and H.3995
- 9:00 am -- Gressette Room 207 -- Judiciary Subcommittee on S.18
- 11:00 am -- State House, 3rd Floor Conference Room -- State Regulation of Public Utilities Review Committee
- 11:00 am -- Gressette Room 308 -- Banking and Insurance Committee on H.3797 and H.3960
- 1:00 pm -- Gressette Room 207 -- L.C.I. Labor and Employment Subcommittee
- 2:00 pm -- State House, 3rd Floor Conference Room -- L.C.I. Commerce Subcommittee
- 3:00 pm -- State House, 3rd Floor Conference Room -- Judiciary Subcommittee on S.343 and S.376

### Thursday, May 23rd

- 8:30 am -- Blatt Room 410 -- Full Agriculture, Natural Resources and Environmental Affairs Committee
- 9:00 am -- Blatt Room 403 -- Full Labor, Commerce and Industry Committee
- 9:00 am -- Blatt Room 521 -- Ways and Means K-16 Building Need and Utilization Study Committee
- 9:00 am -- Gressette Room 308 -- Labor, Commerce and Industry Committee
- 9:00 am -- Gressette Room 209 -- Joint Legislative Committee to Screen Candidates for College and University Boards of Trustees
- 9:30 am -- Gressette Room 207 -- Judiciary Subcommittee on S.658
- 9:30 am -- Blatt Room 516 -- Judiciary Special Laws Subcommittee