

ALERTS

South Carolina Legislative Report - May 18, 2012

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On the Floor

SC Restructuring Act - Department of Administration

This week both the Senate and the House appointed their conferees to negotiate differences in H. 3066, the Department of Administration legislation. The House conferees are: Representatives Jay Lucas, Brian White and Jim Harrison. The Senate conferees are: Senators Larry Martin, Shane Massey and Vince Sheheen.

As previously reported, the legislation effectively eliminates the Budget & Control Board (B&CB) in favor of a new cabinet-level Department of Administration. At issue has been the division of authority previously vested in the B&CB and how it would be divided after its elimination.

State Budget

The Senate will continue to debate the state's \$6.7 billion budget next week. This week, Senators gave H. 4813 second reading, but carried over amendments for consideration to third reading. During debate, Senators clashed over providing more relief to taxpayers, providing for abortion on the state health plan under certain exceptions, and the addition of 6 family court judges and 3 circuit court judges.

SC Retirement System Reform

This week the Senate approved H. 4967 its plan to reform the current retirement system that would reduce the state's \$14 billion retirement fund deficit. The bill was returned to the House for consideration of Senate amendments. 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.

Governor/Lieutenant Governor - Joint Ballot

The House concurred with Senate amendments to H. 3152 this week which will place the question before the voters in a statewide referendum this November. 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 had decried the amendment as a personal attack, robbing her of selecting a running mate during her reelection in 2014, but ultimately asked

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House lawmakers to agree to the change.

Filing for election

The Senate gave third reading this week to S. 1516, a bill to correct the filing issue that led to almost 200 candidates being removed from this year's ballot. The legislation provides that candidates would file with their county election commissions rather than county parties. Before they are certified, candidates also would have to prove they filed a current statement of economic interest. If passed, the legislation would apply to candidates filing for office in future elections and would not affect candidates that were removed this year.

Capital Project Sales Tax Act

H. 4033, a bill to authorize dredging, dewatering, construction of spoil sites, and the disposal of spoil material for funding by county capital projects was passed by the Senate this week as amended and sent back to the House for consideration of Senate amendments.

Assessment of undeveloped acreage subdivided into lots

The Senate returned H. 3934 to the House with amendments this week. The legislation provides for certain discounts to assessments of undeveloped land that is divided into lots and to provides the dates in which the owner may receive discounted rates.

In Committee**State Health Care Exchanges - Abortion**

This week the House Labor, Commerce and Industry Committee gave a favorable report to S. 102, a bill that would prohibit qualified health plans, participating in health care exchanges under the federal Affordable Care Act, from offering abortion as a covered procedure. The legislation has passed the Senate and will be up for debate on the House floor next week.

Pharmacy Rights - Audits

S. 1269 was approved, as amended, by the House Labor, Commerce and Industry Committee this week and will be up for debate next week. The bill provides a pharmacy rights during various audits, provides an appeal process, and the process for the recoupment of fees.

In the News**Certification of Candidates for Office**

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This week, the South Carolina Republican Party heard appeals from a number of candidates requesting to be officially certified as candidates for elective office. These candidates were not a part of the original list of certified candidates that the Party submitted to the Supreme Court after its ruling on the filing of statements of economic interest.

Only one of the candidates appearing before the State Republican Executive Committee was certified after their appeal. The Party reinstated Katrina Shealy, who is running against Lexington Senator Jake Knotts, after hearing a personal plea from Governor Haley. The race between Knotts and Shealy has been at the center of the election storm since Knotts narrowly defeated Shealy four years ago.

However, on Thursday the State Election Commission said it is adhering to the May 4 deadline set by a state Supreme Court ruling for determining which candidates submitted written statements of economic interest when they filed for office. The Commission said that they did not have the authority to add any more candidates and that voting had already begun.

Haley Ethics Case

The South Carolina House Ethics Committee heard from Rep. James Smith (D-Richland) regarding a resolution to reopen an investigation into the claim that then Representative Nikki Haley engaged in illegal lobbying while serving as a state representative. Last month, the committee voted that there was probable cause to investigate, but immediately dismissed the charges. During the hearing on Friday morning, the committee voted to gather more information as it relates to Haley's work with the Lexington Medical Center Foundation. They have requested work related documents such as, W-2s and documents showing the separation between the Lexington Medical Center and the Lexington Medical Center Foundation. The documents are due to the committee by May 25, 2012.