

# ALERTS

## South Carolina Legislative Update - March 2, 2015

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March 2, 2015

Due to last week's extreme weather, the South Carolina General Assembly met only on Tuesday and Wednesday. The Senate gave second reading to the criminal domestic violence bill and the House passed legislation regarding electric arc furnace slag, passive-soil based on-site disposal systems, and adopted a Senate bill regarding the authority of the Department of Insurance to investigate insurance holding companies, which was enrolled. In addition, the General Assembly met in Joint Assembly for Chief Justice Toal's State of the Judiciary last Wednesday. To view Chief Justice Toal's remarks, please click [here](#).

### *Introductions*

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

### *In The News*

#### **Former Congressional candidate wins SC House race**

A Florence attorney active in regional politics has won a special GOP primary for an open seat in the South Carolina House of Representatives. Jay Jordan's 55 percent of the roughly 3,520 votes cast was enough to avoid a runoff against Florence City Councilman Robby Hill and Timmonsville property manager Elijah Jones. Since there is no Democratic candidate in the race, Jordan will almost certainly take the seat in April. He will replace former State Rep. Kris Crawford, R-Florence, who resigned in December shortly after his reelection. Crawford said his time in the House was "disruptive" to his career as an emergency room doctor and for his family. While Jordan has never held elective office before, he is hardly a newcomer to politics. He unsuccessfully ran for a new seat in Congress three years ago, finishing third in the GOP primary with roughly 21 percent of the vote. Then-Horry County Council chairman Tom Rice would end up winning the nomination and eventually the seat in the U.S. House. Jordan serves on the Florence City Planning Commission and is the former chairman of the Florence County Election Commission and Voter Registration Board. Hill received 30 percent of the vote while Jones picked up just 10 percent. Read more [here](#).

#### **SC roads compromise begins to take shape**

Republican Gov. Nikki Haley has been meeting with some GOP House members — as recently as Tuesday at the Governor's Mansion — in an effort to merge two competing road repair proposals. Haley's plan to fix S.C. roads and a proposal by state representatives had appeared to be on course for a head-on crash. But the two bills soon may become one vehicle, aimed at repairing and maintaining the state's roads. In meetings with House GOP caucus members, Haley has indicated a willingness to compromise on gas tax hikes, the size of a cut in the state's income tax and how to restructure the state Transportation Department.

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**Reopening SC nuke dump in Barnwell on table**

Seven years after South Carolina's leaking nuclear waste dump closed to the nation, lawmakers have been approached about reopening the Barnwell County site to help pay for managing the landfill near the Savannah River. Sen. Brad Hutto, D-Orangeburg, said he has been in discussions with landfill operator Energy Solutions about bringing in waste from states that are not now allowed to use the 44-year-old site. A bill could be introduced soon, perhaps as early as next week, Hutto said. Democratic Sens. Thomas McElveen, of Sumter, and Nikki Setzler, of Lexington, said they also had been approached. An Energy Solutions spokesman acknowledged the plan Friday night. Read more [here](#).

**2006 tax swap dug state into \$866 million hole**

Lawmakers crafted a plan in 2006 that slashed property taxes by roughly half for the owners of owner-occupied homes across the state. Those homeowners would see the line for school operating funds vanish from their tax bills. School districts would get that money, instead, from Columbia by way of a new penny sales tax. In the eight years since implementation of Act 388, the penny sales tax has never generated the amount of money needed to reimburse school districts for the lost tax revenue, according to revenue figures obtained by *The Greenville News*. Read more [here](#).

**Eleanor Kitzman withdraws her name as DHEC agency head candidate**

The search for a new S.C. Department of Health and Environmental Control director will be reopened now that Eleanor Kitzman has chosen not to seek the position. Kitzman withdrew her name Sunday from consideration as DHEC director, just three days after being grilled by Democratic state senators about her lack of experience and conflicting statements they said she had made. The Senate, which was to continue hearings this week, must confirm nominees for DHEC director. Kitzman, a Texas native, has no background in environmental and health matters. A former insurance department chief in South Carolina and Texas, she is a friend and campaign donor to Republican Gov. Nikki Haley.

**DHEC changes tactics, will advertise for director's job**

South Carolina's environmental and health agency board will conduct a national search for the vacant department director's job after encountering an avalanche of criticism over the way it handled the last selection for a director. The Department of Health and Environmental Control board agreed Wednesday to advertise the vacant position and work through the spring to find a nominee to replace Eleanor Kitzman. She quit Sunday as a furor was erupting in the state Senate, where her confirmation hearings were under way. Read more [here](#).

**SC House bill would prod Senate toward ethics reforms**

House Speaker Jay Lucas did not criticize the Senate Tuesday for failing, again, this month to OK updating the state's 20-year-old ethics law. Instead, he said help is on the way. A new ethics reform bill that Lucas, R-Darlington, plans to introduce Wednesday - with the signatures of at least 100 of the House's 124 members - would nudge the Senate toward considering, again, ways to toughen state laws that say how candidates must run campaigns and public officials must behave in office.

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### **A whale of a fight is brewing over Carolina, Georgia coastal drilling**

Oil and gas companies hoping to drill in the Atlantic Ocean will have to contend with a new federal proposal to declare waters off the Carolinas and Georgia as critical for endangered whales. The National Oceanic and Atmospheric Administration is proposing a huge expansion in the critical habitat area for endangered North Atlantic right whales. The new area would include coastal waters from Georgia to Cape Fear, N.C. The proposal comes as nine companies have applied to use seismic cannons to start exploring for oil and gas in the Atlantic, including in areas that would be deemed critical habitat for the endangered whales. Read more [here](#).

### **Senate rejects attempts to weaken domestic violence gun ban**

The state's lone female senator delivered an impassioned plea Tuesday for lawmakers to take away batterer's gun rights, revealing for the first time publicly her sister narrowly escaped being killed by her then husband. After Katrina Shealy's emotional retelling of her family's experience, senators fended off several amendments that would have weakened the proposed ban on anyone convicted of domestic violence from possessing a firearm. The bill's proponents said they hope to wrap up debate and vote on the bill this week. Read more [here](#).

### **Will people who criticize SC judges go to jail?**

It could get downright risky to criticize a state judge. If a bill before the S.C. Senate becomes law, some people who file formal complaints against a state judge could be sent to prison for up to a year. Specifically, the bill, which was passed by the S.C. House and is now in the Senate, says that anyone who "wilfully" files "a groundless complaint" against a judge could be convicted of a misdemeanor and face a \$1,000 fine and up to a year behind bars. And if officials really wanted to punish someone who filed a "groundless" complaint against a judge, they could also assess a civil penalty against the person of up to \$1,000. Read more [here](#).

## *Calendar*

### Monday, March 2

- **1:00 pm** -- Blatt Room 433 -- Education Oversight Committee Academic Standards and Assessments Subcommittee

### Tuesday, March 3

- **10:00 am** -- Blatt Room 427 -- SC Legislative Black Caucus
- **10:30 am** -- Blatt Room 110 -- O&M Personnel Subcommittee
- **11:00 am** -- Blatt Room 305 -- Minority Caucus
- **11:00 am** -- Blatt Room 112 -- Majority Caucus
- **12:00 pm** -- State House, House Chamber -- House of Representatives
- **12:00 pm** -- State House, Senate Chamber -- Senate
- **Upon adjournment of the House** -- Blatt Room 112 -- Minority Caucus

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- **2:30 pm** -- Gressette Room 209 -- Judiciary Subcommittee on S.374 and S.436
  - I. S. 374 - Non-Judicial Candidates
  - II. S. 436 - JMSC Report
- **2:30 pm or 1 hours after the House adjourns** -- Blatt Room 403 -- L.C.I. Insurance Subcommittee on H.3396
  - I. H. 3396 - Workers Compensation
- **1 hours after the House adjourns** -- Blatt Room 433 -- Education K-12 Subcommittee
- **2:30 pm** -- Blatt Room 427 -- 3-M Subcommittee II, Occupational Regulation and Licensing Boards
  - I. H. 3348 - Prescription Drugs
  - II. H. 3349 - Pharmacy Practices Act
- **2:30 pm or 1 hours after the House adjourns** -- Blatt Room 516 -- Judiciary Committee
  - I. H. 3099 - Failure to Report Child Abuse
  - II. H. 3014 - Session of General Assembly
  - III. H. 3093 - Obtaining Personal Information
  - IV. H. 3583 - Proposals
  - V. H. 3305 - Unemployment Benefits
  - VI. H. 3039 - Dilapidated Building Act
- **3:00 pm** -- Gressette Room 105 -- Judiciary Committee
  - I. S. 255 - Destruction of Criminal Records
- **3:00 pm** -- Gressette Room 209 -- Finance K-12 Education Subcommittee Budget Hearing
  - I. Governor's School for Arts and Humanities
  - II. Governor's School for Science and Math
  - III. School for Deaf and Blind
  - IV. Archives and History

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- **3:00 pm** -- Gressette Room 207 -- Finance Retirement and Employee Benefits Subcommittee on S.381

I. S. 381 – Leave and Lump-sum Payments

- **3:00 pm** -- Gressette Room 308 -- Finance Sales and Income Taxation Subcommittee

I. S.444 – Job Tax Credits

II. S.453 – Criminal Justice Academy

- **3:30 pm** -- Gressette Room 308 -- Finance Transportation Funding Special Subcommittee on S.2, S.23, S.27, S.142, S.244 and S.406

I. S. 2 – Interstate Lane Expansion Fund

II. S. 23 – Motor Fuel User Fees

III. S. 27 – Tax Rates for Individuals

IV. S. 142 – Highway Fund

V. S. 244 – Local Option Motor Fuel User Fee Act

VI. S. 406 – Motor Fuels

- **1 hours after the House adjourns** -- Blatt Room 521 -- Ways and Means General Government, Personnel and Benefits Subcommittee

I. H. 3663 – SCSU Joint Resolution

### Wednesday, March 4

- **8:00 am - 10:00 am** -- Blatt Room 112 -- Legislative Breakfast - AARP South Carolina

- **8:30 am** -- Blatt Room 305 -- SC General Assembly Women's Caucus

- **9:00 am** -- Gressette Room 207 -- Finance Health and Human Services Subcommittee

I. Lieutenant Governor's Office

II. Department of Alcohol & Other Drug Abuse Services

III. Department of Health & Environmental Control

- **9:00 am** -- Blatt Room 403 -- L.C.I. Real Estate Subcommittee on H.3662

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I. H. 3662 - Automatic Fire Sprinklers for Homes

- **9:00 am** -- Blatt Room 516 -- Judiciary Constitutional Laws Subcommittee

I. H. 3177 - Convention of the States

II. H. 3096 - Balanced Budget

- **9:00 am** -- Blatt Room 511 -- Law Enforcement and Criminal Justice Subcommittee of the Legislative Oversight Committee
- **9:00 am** -- Gressette Room 105 -- Judiciary Subcommittee on S.29, S.30, S.31 and S.198

I. S. 29 - Amendment to US Constitution

II. S. 30 - Amendment to US Constitution

III. S. 31 - Amendment to US Constitution

IV. S. 198 - Convention of States

- **9:00 am** -- Gressette Room 407 -- Judiciary Subcommittee on S.47

I. S. 47 - Body Worn Cameras for Law Enforcement

- **9:15 am** -- Gressette Room 308 -- Finance Natural Resources and Economic Development Subcommittee Budget Hearing

I. Department of Agriculture

II. Forestry Commission

III. Santee Cooper

IV. South Carolina Research Authority

- **9:15 am** -- Blatt Room 403 -- L.C.I. Administration and Regulations Subcommittee
- **9:30 am** -- Gressette Room 209 -- Finance Criminal Justice Subcommittee

I. South Carolina Judicial Department

II. South Carolina Commission on Indigent Defense

III. South Carolina Department of Revenue

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### IV. South Carolina Department of Corrections

- **9:30 am** -- Gressette Room 307 -- Finance Subcommittee on K-12 Education, Budget Hearings

#### I. ETV

#### II. State Library

#### III. John De la Howe

#### IV. Wil Lou Gray Opportunity School

#### V. State Museum

#### VI. Confederate Relic Room

- **10:00 am** -- Gressette Room 105 -- Finance Transportation and Regulatory Subcommittee Budget Hearing

#### I. Department of Motor Vehicles

#### II. Office of Regulatory Staff

#### III. Public Service Commission

#### IV. State Accident Fund

#### V. Human Affairs Commission

- **10:00 am** -- Gressette Room 408 -- Fish, Game and Forestry Committee

#### I. S. 463 - Harvesting Game Study

#### II. S. 334 - Boating Safety Study

#### III. H. 3035 - Take Palmetto Pride Where You Live Act

#### IV. S. 454 - Deer Tagging

- **10:00 am** -- Gressette Room 407 -- Finance Higher Education Subcommittee Budget Hearings

#### I. Francis Marion University

#### II. The Citadel

#### III. Technical College System

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### IV. Commission on Higher Education

- **11:00 am** -- Gressette Room 209 -- Transportation Committee

#### I. State of the DMV Hearing

- **11:00 am** -- Gressette Room 408 -- Finance Constitutional Subcommittee Budget Hearing

#### I. Secretary of State, Mark Hammond, Secretary of State

#### II. Curtis M. Loftis, Jr., Treasurer of the State of South Carolina

#### III. Richard H. Gilbert, Jr., Interim State Auditor

- **11:00 am** -- Gressette Room 207 -- L.C.I. Regulatory Subcommittee

#### I. S. 458 - Automatic Fire Sprinklers for Houses

- **11:30 am - 1:30 pm** -- State House Grounds -- Legislative Luncheon - Carolinas Healthcare Systems

### Thursday, March 5

- **8:00 am - 10:00 am** -- Blatt Room 112 -- Legislative Breakfast - South Carolina Academy of Physician Assistants

- **8:30 am** -- Blatt Room 110 -- South Carolina Chapter of National Association of Social Workers

- **9:00 am** -- Blatt Room 433 -- E.P.W. Transportation Subcommittee on H.3440 and H.3659

#### I. H. 3440 - Mopeds

#### II. H. 3659 - Vehicular Requirements

- **9:00 am** -- Blatt Room 516 -- Judiciary Criminal Laws Subcommittee

#### I. H. 3545 - Arson

#### II. H. 3433 - Domestic Violence Reform Act

- **9:00 am** -- Blatt Room 427 -- 3-M Subcommittee I, Health and Environmental Affairs

#### I. H. 3443 - Optometrists

- **9:00 am** -- Gressette Room 209 -- Corrections and Penology Committee

- **9:00 am** -- Gressette Room 308 -- Medical Affairs Legislative Oversight Subcommittee

- **9:30 am** -- Gressette Room 308 -- Medical Affairs Committee on Regulations and on S.167, S.168, S.228, S.229, S.278, S.339, S.357, S.413 and S.466



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I. S. 167 - Hearing Aids

II. S. 168 - Mesothelioma Awareness Day

III. S. 228 - DHEC

IV. S. 229 - Pollution of the Environment

V. S. 278 - Cervical Cancer Prevention Act

VI. S. 339 - Hope's Law

VII. S. 357 - Immunity from Liability for Performing Free Healthcare Services

VIII. S. 413 - Pharmacists

IX. S. 466 - Optometrists

- **9:30 am** -- Gressette Room 307 -- Judiciary Subcommittee on S.16

I. S. 16 - Workers Compensation Exemptions

- **10:00 am** -- Gressette Room 407 -- L.C.I. Labor and Employment Subcommittee

I. S. 407 - Corporate Officers

- **10:00 am** -- Gressette Room 207 -- Judiciary Subcommittee on S.141, S.156 and S.216

I. S. 141 - Bureau of Vital Statistics and State Election Commission

II. S. 156 - Election Commission

III. S. 216 - County Boards Registration and Election

- **10:00 am** -- Gressette Room 408 -- Higher Education Subcommittee

I. S. 391 - Instate Tuition for Military Veterans

- **Upon adjournment of the Senate** -- Gressette Room 209 -- Finance Natural Resources and Economic Development Subcommittee Budget Hearing

I. Department of Commerce

II. Rural Infrastructure Authority

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III. South Carolina Conservation Bank

IV. South Carolina Housing Authority

- **Upon adjournment of the House** -- Blatt Room 516 -- Judiciary General Laws Subcommittee

I. H. 3115 - Firearms and Ammunition

II. H. 3116 - Transferring a Firearm

III. H. 3119 - Firearm Theft

IV. H. 3521 - Enforcement of Foreign Law

V. H. 3025 - Concealed Weapons Permit

VI. H. 3306 - Storing Firearms

- **12:00 noon** -- Gressette Room 207 -- Leadership York County
- **2:00 pm** -- Blatt Room 403 -- South Carolina Joint Citizens and Legislative Committee on Children

### Friday, March 6

No Meetings Scheduled.