

Subject:

FW: Weekly Update from the State House - January 25, 2013

STATE HOUSE *Update*

January 25, 2013

What's New



Last week's Weekly Update was unfortunately delivered to everyone's spambox. If you are interested in reading the Update, you will have to release the document from your personal quarantine. We have worked with our Technology Department to correct this mistake, so subsequent Updates should be delivered normally.

Details from Each Chamber



Legislators primarily focused on Election Laws, Healthcare, and Government Restructuring this week.

The Senate debated and passed [S. 2](#), the Equal Access to the Ballot Act. This bill addresses some candidate filing problems from the last election that resulted in candidates being removed from the ballot. The bill was amended to require candidates to file with the Elections Commission rather than the state political parties. However, candidates must be certified by their respective state parties. The bill also clarifies the process for electronically filing candidate statements of economic interests which was the primary source of contention in the last election.

The House Judiciary committee debated on [H. 3298](#), another bill in response to the

election debacle last year. A number of amendments were filed and will be addressed at the next committee meeting. The House Judiciary Election and Ethics Law subcommittee met and gave a favorable as amended report to [H. 3197](#), a bill creating the Division of Elections within the Office of Secretary of State.

The Senate Judiciary committee met on Tuesday and gave a favorable as amended report to [S. 22](#), a government restructuring. This bill would essentially create a Department of Administration under the Governor's Office to take responsibilities currently designated to the Budget and Control Board. This bill is similar to one that Governor Haley pushed for last year that failed to get a vote in the Senate on the last day of the Session. Senate Judiciary Chairman, Senator Larry Martin, has indicated that this bill is a priority and that he hopes to get it to the Senate floor immediately.

Senator Malloy introduced [S. 278](#) Wednesday, requiring physicians to be a member of the South Carolina Medical Association to practice medicine in South Carolina. He said "The state has said we will not have unions. But we do - the South Carolina Bar Association. The doctors need to be members of the medical association just like lawyers have to be members of the bar." The bill is not expected to get far, but has caused significant debate.

The House of Representatives approved the [H. 3101](#), the State Health Care Freedom Act, after significant debate and fury from Democrats. The measure follows Governor Nikki Haley's refusal to embrace President Obama's federal health-care legislation, particularly the insurance exchange problem. Tony Keck, director of the state Department of Health and Human Services, told legislators this week that if the state opts out of the program, federal officials will create an insurance exchange where South Carolina residents can choose from competing health-coverage plans. Democrats complain that the bill prevents hundreds of thousands of uninsured South Carolinians from getting access to healthcare.

Legislators will return next Tuesday where they are expected to continue debates on these matters and will also elect state judges on Wednesday afternoon.

The Governor's Office

Governor Haley held a press conference this week with **Michelin North America** announcing that they will expand its existing rubber production operations in Anderson County. The \$200 million investment is expected to generate 100 new jobs. is the second expansion announcement in South Carolina for the company in less than a year. Last April, Michelin announced expansion plans and committed to invest \$750 million and create 500 new jobs in Anderson and Lexington counties.



The Governor also announced that **Lap Tech Industries**, a manufacturer of precision components, will expand its existing operations in York County. The \$4.5 million investment is expected to generate 60 new jobs.

Governor Haley released the names of the following **Statewide Appointments** this week. These appointments will still require Senate approval.

SC Department of Health and Environmental Control - 3rd Congressional District: Charles M. Joye II

Jobs Economic Development Authority, 1st Congressional District: Sean McLernon

Jobs Economic Development Authority: Michael W. Nix

Jobs Economic Development Authority, 7th Congressional District: Henry M. Swink

Jobs Economic Development Authority, 5th Congressional District: Gregory A. Thompson

Jobs Economic Development Authority, 2nd Congressional District: Kenneth B. Wingate

Newly Introduced Legislation



CONSTRUCTION

[H. 3409](#) Sandifer: TO PROHIBIT CERTAIN ACTS BY RESIDENTIAL BUILDERS OR CONTRACTORS RELATING TO ROOFING SYSTEMS - Referred to Committee on Labor, Commerce and Industry.

ECONOMIC DEVELOPMENT/TAX:

[H. 3390](#) Sottile: TO ENACT THE "BEACH PRESERVATION ACT" - Referred to Committee on Ways and Means.

[H. 3410](#) Forrester: TO TRANSFER THE REGIONAL EDUCATION CENTERS ESTABLISHED BY THE EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL TO THE DEPARTMENT OF COMMERCE - Referred to Committee on Ways and Means.

[H. 3412](#) Harrell: TO PROVIDE THAT THE SALES, USE, AND CASUAL EXCISE TAX REVENUES IN A FISCAL YEAR FROM THE SALE, USE, OR TITLING OF A VEHICLE REQUIRED TO BE REGISTERED AND LICENSED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES MUST BE CREDITED TO THE STATE NON-FEDERAL AID HIGHWAY FUND - Referred to Committee on Ways and Means.

[S. 292](#) Peeler: RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT ONE PRIVATE PASSENGER MOTOR VEHICLE OWNED OR LEASED BY AN INDIVIDUAL WHO IS BLIND OR WHO HAS A SEVERE VISUAL DISABILITY - Referred to the Committee on Finance.

[S. 294](#) Cleary: RELATING TO THE EXPENDITURE OF LOCAL ACCOMMODATION TAX REVENUES, SO AS TO CLARIFY THAT IN CERTAIN SITUATIONS, FUNDS MAY BE USED FOR BEACH RENOURISHMENT - Referred to the Committee on Finance.

[S. 295](#) Fair: SO AS TO ALLOW THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, WHICH PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO VOLUNTARILY DISSOLVE ITSELF AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY IF ACCEPTED BY RESOLUTION OF ITS GOVERNING BODY - Referred

to the Committee on Judiciary.

EDUCATION:

[H. 3381](#) Atwater: RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR INDIVIDUALS LICENSED BY THE STATE BOARD OF COSMETOLOGY - Referred to Committee on Medical, Military, Public and Municipal Affairs.

[S. 266](#) Gregory: TO PROVIDE THAT UNTIL JUNE 30, 2016, THE COMMISSION ON HIGHER EDUCATION AND THE PRESIDENTS OF PUBLIC COLLEGES AND UNIVERSITIES SHALL SUPPORT THE EFFORTS OF THE GENERAL ASSEMBLY TO ESTABLISH ACCOUNTABILITY-BASED FUNDING FOR PUBLIC COLLEGES AND UNIVERSITIES. - Read the first time and referred to the Committee on Education.

ENERGY:

[H. 3425](#) J. E. Smith: TO ENACT THE "ENERGY SYSTEM FREEDOM OF OWNERSHIP ACT" - Referred to Committee on Labor, Commerce and Industry.

[H. 3432](#) R. L. Brown: TO PROVIDE THAT THE STATE SUPERINTENDENT OF EDUCATION SHALL CREATE A PILOT PROJECT TO STUDY THE USE OF BIOFUEL AND OTHER ALTERNATIVE FUELS TO POWER THE STATE'S PUBLIC SCHOOL BUSES - Referred to Committee on Education and Public Works.

ENVIRONMENTAL:

[H. 3425](#) J. E. Smith: TO ENACT THE "ENERGY SYSTEM FREEDOM OF OWNERSHIP ACT" - Referred to Committee on Labor, Commerce and Industry.

HEALTHCARE:

[H. 3372](#) Sandifer: RELATING TO THE ISSUANCE OF PARKING PLACARDS TO PROVIDE THAT A PERSON WHO SUBMITS AN APPLICATION FOR A PLACARD TO THE DEPARTMENT MAY SUBMIT A CERTIFICATE FROM A LICENSED ADVANCED PRACTICE REGISTERED NURSE OR A LICENSED PHYSICIAN ASSISTANT THAT CERTIFIES HE IS HANDICAPPED - Referred to Committee on Education and Public Works.

[H. 3413](#) Bales: TO REQUIRE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE MEDICAID COVERAGE TO CERTAIN INDIVIDUALS FROM JANUARY 1, 2014 THROUGH DECEMBER 31, 2016. - Referred to Committee on Ways and Means.

[H. 3416](#) Putnam: TO PROVIDE THAT A HEALTH CARE PROVIDER MUST NOT INQUIRE OF A PATIENT ABOUT THE PATIENT'S FIREARM OWNERSHIP OR FIREARM POSSESSION AND TO PROVIDE EXCEPTIONS WHEN TREATING A PATIENT WITH A GUNSHOT WOUND - Referred to Committee on Judiciary.

[H. 3431](#) R. L. Brown: RELATING TO CASES OF MEDICAID ABUSE OR MEDICAID FRAUD REPORTED ON THE MEDICAID ABUSE OR FRAUD REPORTING HOTLINES - Referred to Committee on Medical, Military, Public and Municipal Affairs.

[S. 278](#) Malloy: RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTHCARE PROFESSIONALS - Referred to the Committee on Labor, Commerce and Industry.

[S. 290](#) Cleary: SO AS TO ENACT THE "SOUTH CAROLINA TELEMEDICINE INSURANCE REIMBURSEMENT ACT" - Referred to the Committee on Banking and Insurance.

JUDICIAL:

[H. 3371](#) Clemmons: RELATING TO MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT - Referred to Committee on Judiciary.

[H. 3396](#) Rutherford: RELATING TO PAYMENTS THAT MAY BE MADE TO A MAGISTRATE - Referred to Committee on Judiciary.

[H. 3398](#) Bales: RELATING TO THE SOLICITATION OF CHARITABLE FUNDS AND THE REQUIREMENT THAT CHARITABLE ORGANIZATIONS WHICH SOLICIT FUNDS PAY A FILING FEE TO THE SECRETARY OF STATE - Referred to Committee on Judiciary.

[H. 3399](#) Huggins: TO NULLIFY IN SOUTH CAROLINA ANY PRESIDENTIAL EXECUTIVE ORDER RESTRICTING, ABRIDGING, OR OTHERWISE INFRINGING UPON A CITIZEN'S SECOND AMENDMENT RIGHT TO KEEP AND BEAR ARMS. - Referred to Committee on Judiciary.

[S. 267](#) L. Martin: SO AS TO CREATE THE OFFENSES OF MAIL FRAUD AND WIRE FRAUD AND TO PROVIDE PENALTIES FOR THE OFFENSES. - Referred to the Committee on Judiciary.

[S. 268](#) L. Martin: SO AS TO PROVIDE A PROCEDURE FOR THE CERTIFICATION OF DOMESTIC AND FOREIGN RECORDS OF REGULARLY CONDUCTED ACTIVITY, OR BUSINESS RECORDS - Referred to the Committee on Judiciary.

[S. 269](#) L. Martin: RELATING TO THE PROHIBITION AGAINST THE TESTIMONY OF A DEFENDANT BEING USED AGAINST HIM IN ANOTHER CRIMINAL CASE. - Referred to the Committee on Judiciary.

[S. 270](#) L. Martin: RELATING TO PEREMPTORY CHALLENGES, SO AS TO EQUALIZE THE NUMBER OF PEREMPTORY CHALLENGES FOR THE DEFENDANT AND THE STATE IN A CRIMINAL CASE. - Referred to the Committee on Judiciary.

[S. 271](#) L. Martin: RELATING TO THE OFFENSE OF ATTEMPTED MURDER, SO AS TO REMOVE THE INTENT TO KILL REQUIREMENT FROM THE PURVIEW OF THE OFFENSE. - Referred to the Committee on Judiciary.

[S. 272](#) L. Martin: RELATING TO PUNISHMENT AND SENTENCING FOR MURDER - Referred to the Committee on Judiciary.

[S. 273](#) L. Martin: RELATING TO ASSAULT AND BATTERY OFFENSES - Referred to the Committee on Judiciary.

[S. 274](#) L. Martin: RELATING TO ALTERING, TAMPERING WITH, OR BYPASSING ELECTRIC, GAS, OR WATER METERS - Referred to the Committee on Judiciary.

[S. 285](#) Grooms: TO ENACT THE "SOUTH CAROLINA FIREARMS LIBERTY ACT" - Referred to the Committee on Judiciary.

REGULATION:

[H. 3411](#) R. L. Brown: RELATING TO THE DEFINITION OF "HAIR BRAIDING" ASSOCIATED WITH THE LICENSURE AND REGULATION OF BARBERS - Referred to Committee on Medical, Military, Public and Municipal Affairs.

[H. 3423](#) Sandifer: SO AS TO PROVIDE THE MANUFACTURED HOUSING BOARD SHALL ADOPT CERTAIN FINANCIAL RESPONSIBILITY GUIDELINES FOR ITS LICENSEES - Referred to Committee on Labor, Commerce and Industry.



In the Media

S.C. Department of Revenue says e-filing safe for taxpayers (1/22/13)

The interim director of the state's tax agency that suffered a massive data breach last year says electronic filing is safe and security now is his top priority. [Read more.](#)

State Supreme Court Hearing State Health Premium Suit (1/23/13)

South Carolina highest court is taking up a lawsuit over increases in public workers' health insurance premiums. [Read more.](#)

AT&T Buying Alltel Operations In South Carolina, 5 Other States, For About \$780M (1/23/13)

AT&T Inc. said Tuesday that it has reached a deal to buy remnants of the Alltel wireless network for about \$780 million to boost its spectrum holdings in rural areas. [Read more.](#)

Government Defends Stance On Boeing (1/24/13)

Obama administration officials struggled Wednesday to defend their initial statements that the Boeing 787 is safe while promising a transparent probe of mishaps involving the aircraft's batteries. [Read more.](#)

Michelin Creating 100 More Jobs In Anderson County (1/24/13)

Michelin North America will invest \$200 million to expand its existing rubber-processing plant in Starr. [Read more.](#)

Michelin Expansion To Create 100 New Jobs (1/24/13)

Michelin North America today announced a \$200 million expansion of its plant in Starr and officials said more than 100 new jobs will be created. [Read more.](#)

Fight over healthcare costs divides governor, legislature, state workers in SC (1/24/13)

The S.C. Legislature decided state workers would not pay more for their health insurance this year. Then, the State Budget and Control Board, led by Gov. Nikki Haley, said they would. [Read more.](#)

SC Political Briefs : Preventing Another Debacle E-Mail (1/24/13)

The S.C. Senate passed a bill Wednesday that supporters say will prevent another election debacle like last year's, when 250 candidates statewide were tossed off the ballot for improperly filed paperwork. [Read more.](#)

SC House Votes To Move Elections To Secretary Of State (1/24/13)

The S.C. secretary of state again would run state elections if a state House bill becomes law. [Read more.](#)

Meetings and Events



Tuesday, January 29th

5:45 SC Republican Party Annual Legislative Reception - Clarion Town House Hotel

6:00 Legislative Reception - SC Chamber of Commerce - Marriott Hotel

7:00 Legislative Reception - by Dept of Natural Resources - Ellison Bldg/Fair Grounds

Wednesday, January 30th

8:00 Legislative Breakfast - by SC Association of Christian Schools - Blatt 112

Noon Legislative Luncheon - by SC Consortium for Gifted Education - Blatt 112

6:00 Legislative Frogmore Stew Reception - by Clarion Hotel - Clarion Town House Hotel

Thursday, January 31st

8:00 Legislative Breakfast - SC Association of Health Underwriters - Blatt 211

Firm clients who wish to receive individualized legislative updates, bill monitoring, or lobbying services may discuss options with Bob Coble. He can be reached at 803-253-8211 or bcoble@nexsenpruet.com.

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