

STATE HOUSE *Update*

April 23, 2013

Details from Each Chamber



The Senate and House of Representatives spent the week in committee and subcommittee meetings, attempting to get bills on the House and Senate calendars before the May 1st crossover deadline. Bills that do not pass one body before May 1st will require a 2/3 vote to be considered by the other body.

SENATE

Senate Budget Update

As a result of the recent Senate furlough, the Finance Committee rescheduled its work on the state budget until Tuesday, April 30. Subcommittees will continue to meet to discuss funding and proviso recommendations until that date.

Beach Renourishment

The Senate Agriculture and Natural Resources Environmental Subcommittee met on Wednesday and gave a favorable report to [S.121](#), a bill that allows property owners to protect their property from waters of the Atlantic Ocean. Property owners and officials have said that since Hurricane Irene, sand dunes and beach fronts have been destroyed, leaving many homes in an emergency state with water under the homes and on the verge of collapse. The property owners are asking for assistance and a solution to delayed DHEC permits in order to build protective walls.

The Senate Finance Sales and Income Taxation subcommittee also reported favorably on [S. 503](#), a bill that allows qualified coastal municipalities to impose a new beach

preservation fee, to be derived from the rental or charges for accommodations. The fee will be in addition to the local accommodations taxes, used only for beach renourishment purposes, and would require approval by referendum.

Telemedicine

The Senate Medical Affairs Committee met Thursday and gave a favorable as amended report to [S.290](#). The bill now goes to the Senate floor.

Certificate of Need

The Senate Medical Affairs Committee gave a favorable report Thursday to [S. 568](#), the Certificate of Need and Health Facility Licensure Act. The committee discussed the CON Panel recommendations that need statutory changes such as adding a definition of new and emerging technology, changing the capital threshold, and amending the definition of non-ionizing radiation to include radio frequency.

Alcohol and Breweries

The Senate Judiciary Committee gave a favorable as amended report to [H. 3554](#) and [S. 423](#), bills that would expand the sale of beer at craft breweries. Currently craft brewers can sell or give one or two ounce samples, capped at 8 ounces, of beer for on-premise consumption and allow up to 288 ounces for off-premise sales - in conjunction with a tour of the facility. The amendment allows the craft brewer to sell up to 48 ounces for on premise consumption of beer. There is a limit of 16 ounces, of the 48 ounces, if the alcohol content of the beer is over 8% alcohol by weight.

Clemson University

A Senate Finance Subcommittee carried over [S. 535](#), the Clemson University Enterprise Act. The bill would essentially, exempt the University from state oversight for big construction projects and land purchases. The Presidents of the College of Charleston, The Citadel, Coastal Carolina, Francis Marion, S.C. State, Winthrop and Lander universities asked the Legislature to include the other state institutions in the bill, and said that the Clemson bill ultimately gave one public institution an economic development advantage over the others.

Clemson President, Jim Barker, also announced his retirement after 14 years at the helm of the University. Barker told the University family that he intends to remain as President until his successor is named and will return to teaching in the University's Architecture School.

HOUSE

Boeing Charleston

The House of Representatives passed [S. 578](#), the bond bill that provides \$120M on infrastructure to help with Boeing's expansion. Speaker Bobby Harrell introduced the bill and said that since coming to South Carolina, Boeing had under promised and over delivered. The bill passed the House by 115 to 2. Representatives Norman (R-York) and Chumley (R-Spartanburg) were the only two to oppose the bill. The bill now goes to Governor Haley's desk for her approval.

Guns and Mentally Ill

The House of Representatives passed [H. 3560](#), a bill prohibiting the possession or purchase of a gun by a person with mental illness. The bill was referred to the Senate Judiciary Committee.

Alternative Education

The House Education and Public Works Committee gave a favorable as amended report on [H. 3853](#). The bill would authorize an alternative education campus to serve a specific student population, provide criteria for a charter school to be designated as an AEC, adopt industry standards for the school, and address the closure of low performing schools. Chairman Phil Owens (R-Pickens) said that the bill tightens accountability of charter schools in South Carolina.

LEED Certification

The House of Representatives debated [H. 3592](#), to change certification standards which major facility projects must comply and eliminate references to LEED and Green Globes certification. After continuous debate, the House the bill was placed on the House contested calendar.

Motion Picture Tax Rebate

The House Ways & Means Committee gave a favorable as amended report to [H.3357](#), a bill that would expand the motion picture production rebate for movies and television programs filmed in the state. Rep. Allison (R-Spartanburg) offered an amendment to ensure only films that portray South Carolina in a positive manner can receive rebates.

Pollution Control Act

The House Agriculture Environmental Affairs Subcommittee met and gave a favorable report to [H. 3925](#), a bill related to private causes of action under the Pollution Control Act. This bill would clarify persons who can file a petition. The bill also provides that the Savings Clause of Act 198 of 2012 only applies to cases filed before June 6, 2012.

Physician Assistants Practice Act

[S. 448](#), relating to the Physician Assistants Practice Act, was read across the Senate desk on April 18. The Senate Medical Affairs Committee reported it favorably with a substitute amendment. Similarly, [H. 3618](#), the House bill, was read across the House desk the same day, also with a subcommittee amendment. Stakeholders are still working on language regarding authority to prescribe Schedule II drugs.

Department of Health and Environmental Control

The House Agriculture, Natural Resources, and Environmental Affairs Committee gave a favorable as amended report to [H.3827](#), a bill that streamlines the DHEC permit appeals process. The adopted amendment allows the option to appeal to the SC Administrative Law Court or DHEC so that the agency is not taken out of the process completely.

Electronics Recycling

The House Agriculture, Natural Resources, and Environmental Affairs Committee also

gave a favorable as amended report to [H. 3847](#), the Electronic Waste Recycling Revisions bill. The bill makes revisions to the E-Waste legislation passed in 2012 and limits the ability of local governments to charge certain fees regarding the disposal of electronic equipment such as televisions and computer monitors.



Newly Introduced Legislation

BANKING AND FINANCE:

[S. 615](#) Coleman: TO PROVIDE THAT A FEDERALLY CHARTERED OR STATE-CHARTERED BANKING INSTITUTION DOING BUSINESS IN THIS STATE AND IN AT LEAST ONE OTHER STATE - Referred to the Committee on Banking and Insurance.

ECONOMIC DEVELOPMENT/TAX:

[S. 616](#) Leatherman: RELATING TO LOCAL SALES AND USE TAXES, TO ENACT THE "TRANSPORTATION INFRASTRUCTURE SALES TAX ACT" - Referred to the Committee on Finance.

[S. 617](#) Alexander: RELATING TO THE DISCLOSURE OF RECORDS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE - Referred to the Committee on Finance.

[H. 3974](#) Loftis: RELATING TO THE DISCLOSURE OF RECORDS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE - Referred to Committee on Judiciary.

[H. 3975](#) Herbkersman: ENACTING THE "LOCAL OPTION SCHOOL OPERATING MILLAGE PROPERTY TAX CREDIT ACT" - Referred to Committee on Ways and Means.

[H. 3986](#) Rivers: RELATING TO THE POWERS OF A MUNICIPALITY - Referred to Committee on Ways and Means.

HEALTHCARE:

[S. 625](#) Bright: RELATING TO VOLUNTEER HEALTH CARE PROVIDERS - Referred to the Committee on Judiciary.

[S. 626](#) Bright: RELATING TO ABORTIONS, TO ENACT THE "SOUTH CAROLINA PAIN-CAPABLE UNBORN CHILD PROTECTION ACT" - Referred to the Committee on Medical Affairs.

[H. 3960](#) Sandifer: SO AS TO REQUIRE EMPLOYERS PARTICIPATING IN A MULTIPLE EMPLOYER SELF-INSURED HEALTH PLAN TO EXECUTE HOLD HARMLESS AGREEMENTS IN WHICH THE EMPLOYER AGREES TO PAY ALL UNPAID PORTIONS OF INSURED CLAIMS - Referred to Committee on Labor, Commerce and Industry.

[H. 3983](#) Sellers: TO PROVIDE RURAL COUNTIES WITH ACCESS TO FREE EMERGENCY HOSPITAL CARE AND ALLOW RELICENSURE OF CLOSED RURAL HOSPITALS AS FREESTANDING EMERGENCY HEALTH CARE FACILITIES UNDER CERTAIN CIRCUMSTANCES. - Referred to Committee on Ways and Means.

[H. 3978](#) White: RELATING TO MEDICAID NURSING HOME PERMITS - Referred to Committee on Ways and Means.

JUDICIAL:

[H. 3948](#) Brannon: SO AS TO ENACT THE "DILAPIDATED BUILDINGS ACT" - Referred to

Committee on Judiciary.

INSURANCE:

[S. 618](#) Bright: RELATING TO STATE EMPLOYEES AND RETIREES INSURANCE - Read the first time and referred to the Committee on Finance.

[S. 631](#) Cleary: RELATING TO COVERAGE THAT MAY BE WRITTEN BY A LICENSED ACCIDENT AND HEALTH INSURER - Referred to the Committee on Banking and Insurance.

In the Media



Clemson bids for independence from state oversight (4/14/13)

As the Clemson Tiger mascot paraded around the State House promoting the state's second-biggest college last week, Clemson president James Barker told a S.C. Senate panel that his university needs independence from state oversight for big construction projects and land purchases. [Read more.](#)

Nexsen Pruet creates communications subsidiary (4/15/13)

Columbia-based Nexsen Pruet, one of South Carolina's largest law firms, has established a subsidiary to offer communications and crisis management services. [Read more.](#)

MUSC, College of Charleston officials discuss potential merger (4/16/13)

Charleston Mayor Joe Riley held a series of three meetings last week attended by top administrators of both the College of Charleston and the Medical University of South Carolina about potentially merging the two centuries-old institutions. [Read more.](#)

SC House moves to ensure mentally ill can't buy guns (4/16/13)

A House bill aimed at improving the state's reporting of the mentally ill to a national database used to conduct background checks for gun purchases won a key vote Tuesday. [Read more.](#)

SC House to take its 4th week off this year (4/16/13)

South Carolina representatives are taking another week off next month. [Read more.](#)

Supreme Court dismisses lawsuit against state Treasurer (4/17/13)

The S.C. Supreme Court has sided with state Treasurer Curtis Loftis in a lawsuit brought by the Retirement System Investment Commission. [Read more.](#)

Winthrop poll: SC Gov. Haley rising, Sen. Graham falling (updated) (4/17/13)

Opinions of a pair of major S.C. candidates who will be on the 2014 ballot are going in different directions, according to a new poll released Wednesday. [Read more.](#)

SC officials agree to Savannah port expansion deal (4/17/13)

The long-delayed Savannah River port expansion is back on track as Georgia officials have agreed to pay South Carolina entities millions of dollars and provide environmental safeguards that could once again scuttle the project. [Read more.](#)

SC House approves Boeing incentives (4/17/13)

The state House of Representatives overwhelmingly agreed Wednesday to borrow \$120 million and give it to Boeing to help the aircraft maker expand its manufacturing facility in North Charleston and hire up to 2,000 additional people. [Read more.](#)

Bill targets 'dark period' before S.C. elections (4/17/13)

Businesses, interest groups, citizens and others are free to make large contributions in the final days before South Carolina elections, with the public left in the dark about the cash until months after the contests. [Read more.](#)

Three more companies being courted by Anderson County (4/17/13)

Just days after Anderson County officials announced that two new companies have chosen to come to this part of the Upstate, a committee will get its first look at three more businesses that economic development officials are courting. [Read more.](#)

MUSC, College of Charleston in 'very preliminary' talks on possible merger (4/17/13)

City and university officials have begun preliminary discussions exploring the possibility of combining the Medical University of South Carolina and the College of Charleston. [Read more.](#)

SC House panel OKs ethics reform (4/18/13)

House lawmakers spent hours Wednesday debating and approving an ethics bill that was drafted in secret and, as of Wednesday night, unavailable for public review. [Read more.](#)

S.C. Sen. Robert Ford's attorney: Accidental errors led to ethics charges (4/18/13)

The attorney for Sen. Robert Ford says the ethics charges against the 64-year-old Charleston Democrat stem from bookkeeping errors. [Read more.](#)

Poll: S.C. favors 'path to citizenship' (4/18/13)

Three out of four South Carolinians support immigration reforms that include giving undocumented immigrants a path to citizenship, according to a Winthrop University poll released Wednesday. [Read more.](#)

S.C. likely to be among contenders for Infiniti plant (4/18/13)

Nissan Motor Co. said it is considering a new manufacturing location in North America, and economists said South Carolina should be in the running for the new plant that reportedly will produce at least 100,000 of its premium Infiniti vehicles a year. [Read more.](#)

Meetings and Events



Tuesday, April 23rd

5:30 Legislative Reception for Senator John Matthews - The Inn at USC

6:00 Palmetto Leadership Council Spring Reception with Representative Harrell - Palmetto Club

Wednesday, April 24th

9:00 Joint Bond Review Committee - Gressette 105

5:30 Fundraiser Reception for Senators Ford and Hutto - The Inn at USC

Fundraiser Reception for Representative Leon Howard, hosted by Representatives Harrell, White, Sandifer, Rutherford, Mack, Finlay and Senator Jackson - 1215 Hampton Street

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Contact: Bob Coble, SC Public Policy & Governmental Affairs Chair
1230 Main Street, Columbia, SC | 803.771.8900



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Nexsen Pruet, LLC | 1230 Main Street, Suite 700 | Columbia | SC | 29201