

STATE HOUSE *Update*

February 22, 2013

What's New



State of the Judiciary

Chief Justice Jean H. Toal delivered her State of the Judiciary address to the General Assembly this week. To view the speech, please click [here](#). You can also read the Chief Justice's speech [here](#).

Want to send Weekly Updates to clients?

If you would like your clients added to the distribution list, please send them to Courtney Belton at cbelton@nexsenpruet.com. Also, please let us know if you have any suggestions for improving the Update. There are a number of issues being discussed at the State House that directly impact our clients, and we want to make sure they get the most relevant information possible.

Details from Each Chamber



House Ways and Means Budget Week

The House Ways and Means Committee met this week for budget and proviso deliberations, and finalized their budget on Thursday. The full House will begin debating the budget on the week of March 12th. The House budget information can be found [here](#).

The House Ways and Means Committee gave a favorable report to [H.3501](#) to suspend the

requirement that the local government fund receive 4.5% of the previous year's revenue. The Committee also gave a favorable as amended report to [H.3412](#) to redirect the \$300 sales cap on motor vehicles to the State non-federal aid highway fund.

Concealed Weapons

The Senate Judiciary Committee gave a favorable as amended report to [S.308](#), to allow concealed weapons permit holders to carry firearms into restaurants and bars. The bill will be placed on the Senate calendar with a minority report until clarification language is reached on the definition of bars and restaurants, which was a point of contention during the meeting. Senator Gregory (R-Lancaster) introduced [S.413](#), a bill that would prohibit mentally ill people from possessing and acquiring a gun, and would require better reporting and monitoring. The bill was referred to the Judiciary Committee. Senator Grooms (R-Berkeley) discussed the recent shooting attempt at Ashley Hall in Charleston and mentioned South Carolina was not sending names of the clinically verified mentally ill to SLED to go into the database.

State Infrastructure

Senate Minority Leader Nikki Setzler (D-Lexington) introduced [S.411](#), a bill that would allow the State to borrow \$500 million to fund road projects across the State. The bill was referred to the Senate Finance Committee. Setzler said there had not been a bond bill since 1999 and that this is an ideal time to borrow money for fixing the State's roads because of the low interest rates.

The House Ways and Means Committee passed legislation that would set aside \$82.8 million in sales tax revenue from the purchases of cars and trucks during the next two years for repairing roads and bridges. Governor Nikki Haley has proposed spending an extra \$90 million on transportation projects next year.

Government Restructuring

The Senate debated and passed [S.22](#), a bill that would eliminate the State Budget and Control Board in favor of giving the Governor direct control of state administrative functions and lawmakers more oversight of state agencies. The bill is now before the House Judiciary Committee.

Affordable Care Act Alternative

This week, South Carolina Republican legislators announced their alternative to the Affordable Care Act, commonly referred to as Obamacare. Details of the Republican plan can be found [here](#).

The Governor's Office



Governor Nikki Haley along with officials from Recleim, a start-up recycler of appliances and e-waste materials, announced this week that the company will establish its first recycling plant in Aiken County. Recleim committed to a \$40.6 million investment that is expected to generate 200 new jobs. To learn more about Recleim, visit www.recleim.com.

The Governor also announced this week that Germany-based in-tech Automotive Engineering will establish its inaugural North American facility at the Clemson University International Center for Automotive Research (CU-ICAR) in Greenville. For more information about in-tech Automotive Engineering, please visit the company's website at www.in-tech.us.

On Tuesday, Governor Haley was awarded the Motor & Equipment Manufacturers Association's (MEMA) Inaugural State Leadership Award. The award is given for outstanding assistance to the motor vehicle supplier industry by an elected state official. According to the Governor's website, since January 2011, South Carolina has recruited more than \$5 billion in capital investment and more than 8,000 jobs in the automotive-related sector.

Newly Introduced Legislation



ECONOMIC DEVELOPMENT/TAX:

[H. 3557](#) Cobb-Hunter: RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE - Referred to Committee on Ways and Means.

[H. 3561](#) RELATING TO TAX ON ACCOMMODATIONS, SO AS TO DELETE CERTAIN ITEMS SUBJECT TO THE FIVE PERCENT TAX ON ADDITIONAL SURCHARGES. - Referred to Committee on Ways and Means.

[H. 3605](#) Hamilton: RELATING TO TAX CREDITS ALLOWABLE FOR A PORTION OF THE EXPENSES INCURRED BY A TAXPAYER IN THE REHABILITATION, RENOVATION, OR REDEVELOPMENT OF A TEXTILE MILL SITE - Referred to Committee on Ways and Means.

[S. 402](#) Peeler: RELATING TO TAX CREDITS FOR CERTAIN VEHICLES - Referred to the Committee on Finance.

EDUCATION:

[S. 394](#) TO PROVIDE THAT A STUDENT WITH AN INTELLECTUAL DISABILITY MAY BE ELIGIBLE FOR A LIFE SCHOLARSHIP AND TO DEFINE THE TERM INTELLECTUAL DISABILITY - Referred to the Committee on Education.

[S. 417](#) Alexander: TO ENACT THE "MILITARY SERVICE OCCUPATION, EDUCATION, AND CREDENTIALING ACT" - Referred to the Committee on Labor, Commerce and Industry.

[H. 3572](#) Barfield: RELATING TO THE BOARDS OF TRUSTEES OF CERTAIN FOUR-YEAR STATE-SUPPORTED INSTITUTIONS OF HIGHER LEARNING - Referred to Committee on Education and Public Works.

ENERGY

[H. 3592](#) Sandifer: RELATING TO THE "ENERGY INDEPENDENCE AND SUSTAINABLE CONSTRUCTION ACT OF 2007" - Referred to Committee on Labor, Commerce and Industry.

[S. 403](#) Campbell: RELATING TO PURCHASE AND INSTALLATION OF EQUIPMENT TO PRODUCE ENERGY FROM BIOMASS RESOURCES - Referred to the Committee on Finance.

GOVERNMENT:

[S. 395](#) Davis: TO PROHIBIT ANY STATE AGENCY, GOVERNMENTAL ENTITY, OR POLITICAL SUBDIVISION, INCLUDING ANY LAW ENFORCEMENT AGENCY, TO UTILIZE, CONTRACT FOR, OR OTHERWISE OBTAIN ANY SERVICES FROM AN UNMANNED AERIAL VEHICLE CONTAINING AN ANTIPERSONNEL DEVICE - Referred to the Committee on Judiciary.

HEALTHCARE:

[S. 400](#) Peeler: TO ESTABLISH CERTAIN REQUIREMENTS FOR ISSUING MEDICARE

SUPPLEMENT POLICIES - Referred to the Committee on Banking and Insurance.

[S. 407](#) Peeler: TO PROVIDE THE STATE BOARD OF DENTISTRY MAY RANDOMLY CONDUCT ANNOUNCED INSPECTIONS OF DENTAL OFFICES AFTER GIVING APPROPRIATE NOTICE - Referred to the Committee on Medical Affairs.

JUDICIAL:

[H. 3537](#) Whipper: RELATING TO WHEN AND WHERE TO COMMENCE AN ACTION AND THE REQUIREMENT OF A SPECIAL VERDICT TO SPECIFY PROPORTIONATE LIABILITY UPON MULTIPLE DEFENDANTS - Referred to Committee on Judiciary.

[H. 3538](#) Bannister: RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS FOR MINORS - Referred to Committee on Judiciary.

[H. 3539](#) Rutherford: RELATING TO THE PROHIBITION ON THE SALE OF ALCOHOLIC LIQUORS ON CERTAIN DAYS, SO AS TO ALLOW THE SALE OF ALCOHOLIC LIQUORS ON STATEWIDE ELECTION DAYS. - Referred to Committee on Judiciary.

[H. 3560](#) Tallon: RELATING TO, AMONG OTHER THINGS, INDIVIDUALS WHO ARE PROHIBITED FROM POSSESSING OR ACQUIRING A HANDGUN - Referred to Committee on Judiciary.

[H. 3564](#) M. S. McLeod: RELATING TO, AMONG OTHER THINGS, INDIVIDUALS WHO ARE PROHIBITED FROM POSSESSING OR ACQUIRING A HANDGUN - Referred to Committee on Judiciary.

[H. 3566](#) Brannon: RELATING TO THE SEX OFFENDER REGISTRY - Referred to Committee on Judiciary.

[H. 3569](#) Bannister: RELATING TO THE CHAPTER TITLE "UNIFORM COMMERCIAL CODE - SECURED TRANSACTIONS" - Referred to Committee on Judiciary.

[H. 3589](#) Whipper: TO PROVIDE PENALTIES FOR A PERSON CONVICTED OF A CRIME CONTAINED IN THIS CHAPTER WITH THE INTENT TO ASSAULT, INTIMIDATE, OR THREATEN A PERSON BECAUSE OF HIS RACE, RELIGION, COLOR, SEX, AGE, NATIONAL ORIGIN, OR SEXUAL ORIENTATION - Referred to Committee on Judiciary.

[S. 396](#) Hayes: RELATING TO THE ALLOCATION BY A FIDUCIARY OF RECEIPTS AND DISBURSEMENTS BETWEEN PRINCIPAL AND INCOME FOR PURPOSES OF THE SOUTH CAROLINA UNIFORM PRINCIPAL AND INCOME ACT - Referred to the Committee on Judiciary.

[S. 405](#) L. Martin: RELATING TO THE APPLICATION OF THE CODE OF JUDICIAL CONDUCT TO ADMINISTRATIVE LAW JUDGES AND THE ENFORCEMENT AND ADMINISTRATION OF THESE RULES BY THE STATE ETHICS COMMISSION - Referred to the Committee on Judiciary.

[S. 413](#) Gregory: RELATING TO, AMONG OTHER THINGS, INDIVIDUALS WHO ARE PROHIBITED FROM POSSESSING OR ACQUIRING A HANDGUN - Referred to the Committee on Judiciary.

[S. 416](#) Alexander: TO PROVIDE THAT A PERSON MAY NOT OPERATE A MOTOR VEHICLE ON A PUBLIC ROAD, STREET, OR HIGHWAY IN THIS STATE WHILE USING A WIRELESS TELECOMMUNICATION DEVICE - Referred to the Committee on Judiciary.

REAL ESTATE:

[H. 3595](#) Herbkersman: TO PROVIDE THAT IF AN APARTMENT IS CONVERTED INTO A CONDOMINIUM, THE PROTECTIONS AND WARRANTIES GRANTED TO A PURCHASER OF A RESIDENTIAL PROPERTY IS EXTENDED TO THE PURCHASER OF A CONVERTED APARTMENT - Referred to Committee on Judiciary.

REGULATORY:

[H. 3574](#) Medical, Military, Public and Municipal Affairs Committee: TO APPROVE

REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS - Placed on calendar without reference.

[H. 3591](#) Sandifer: TO ENACT THE "CERTIFICATE OF INSURANCE ACT" - Referred to Committee on Labor, Commerce and Industry.

[H. 3604](#) Patrick: RELATING TO POWERS CONFERRED UPON MUNICIPALITIES - Referred to Committee on Labor, Commerce and Industry.

[S. 397](#) Labor, Commerce and Industry Committee: TO APPROVE REGULATIONS OF THE BUILDING CODES COUNCIL - Placed on the Calendar without reference.

[S. 398](#) Labor, Commerce and Industry Committee: TO APPROVE REGULATIONS OF THE MANUFACTURED HOUSING BOARD - Placed on the Calendar without reference.

[S. 399](#) Labor, Commerce and Industry Committee: TO APPROVE REGULATIONS OF THE BOARD OF EXAMINERS FOR THE LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS - Placed on the Calendar without reference.

[S. 404](#) Gregory: RELATED TO THE NUMBER OF RETAIL LIQUOR STORE LICENSES - Referred to the Committee on Judiciary.

TRANSPORTATION:

[S. 411](#) Setzler: TO ENACT THE "STATE BONDS FOR COUNTY TRANSPORTATION INFRASTRUCTURE ACT" - Referred to the Committee on Finance.

In the Media



Senate panel votes to allow guns in SC restaurants, bars (2/19/13)

Twenty years ago, Columbia resident Patten Watson was eating at a restaurant with his wife when three gunmen stormed in and robbed the patrons. [Read more.](#)

Legislature begins 2013 budget debate: 5 things to watch (2/19/13)

South Carolina House budget writers meet today to begin crafting the state's \$23 billion spending plan for the fiscal year that begins July 1. [Read more.](#)

SC House to consider proposal to make lawmakers' records public (2/19/13)

The S.C. House will consider ending part of the exemption that lawmakers have from the state's sunshine laws. [Read more.](#)

Drilling off state's coast called crucial step to developing natural resources (2/19/13)

U.S. Rep. Jeff Duncan has introduced the South Carolina Offshore Drilling Act, which he said would add the state to the nation's five-year plan for offshore exploration and production. [Read more.](#)

Top prosecutor to discuss guns, mental health (2/19/13)

South Carolina Attorney General Alan Wilson and law enforcement leaders are unveiling a legislative package aimed at addressing gun violence and mental health. [Read more.](#)

SC bill would require reporting of mental health records to database (2/19/13)

Since a national database for background checks was created nearly 15 years ago, South Carolina

has submitted records for 34 people banned from buying a firearm because of a mental illness. [Read more.](#)

SC attorney general proposes bill to keep guns from the mentally ill (2/19/13)

Attorney General Alan Wilson announced Tuesday a bill he said would go a long way to restrict the ability of dangerously mentally ill people to purchase firearms in South Carolina. [Read more.](#)

House budget committee approves ban on colleges using state planes for athletic recruiting (2/19/13)

Saying it is "stupid" and "makes us look silly," the state House Ways and Means Committee approved a ban on universities using the state's airplanes for athletic recruiting. [Read more.](#)

SC GOP kills attempt to expand Medicaid (2/19/13)

House Republicans killed the first of several expected attempts to expand Medicaid in South Carolina Tuesday but promised to reveal their "Plan B" today. [Read more.](#)

Haley says SC doesn't need Washington's help to create good manufacturing climate (2/19/13)

Gov. Nikki Haley says South Carolina has acted on its own to create a good climate for manufacturing and doesn't need help from Washington, D.C. [Read more.](#)

Gov. Haley's SC poll numbers improve, while Graham gets support (2/20/13)

Gov. Nikki Haley's approval rating rose over the past 2 1/2 months and surpassed her disapproval mark for the first time in a publicly released survey in more than a year, while U.S. Sen. Lindsey Graham seems to have support in his 2014 re-election bid, according to a new poll from Winthrop University on Wednesday. [Read more.](#)

SC Chief Justice touts online court system in annual speech to lawmakers (2/20/13)

South Carolina's judicial department is fast moving toward a vast electronic filing system for all court documents - civil and criminal - similar to that in federal courts, S.C. Supreme Court Chief Justice Jean Toal said Wednesday in her annual State of the Judiciary address. [Read more.](#)

SC Republicans offer alternative to Obamacare (2/20/13)

Instead of paying for more poor people to have health insurance, S.C. Republicans on Wednesday offered to pay hospitals more to keep poor people out of emergency rooms. [Read more.](#)

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Toal says court system secure from hackers (2/20/13)

COLUMBIA - In the wake of a massive cyberattack on the Department of Revenue, South Carolina's top judge assured lawmakers Wednesday that the state's court system was secure from hackers. [Read more.](#)

SC Senate bill would borrow \$500 million for state roads (2/20/13)

Counties will have \$500 million in transportation dollars to spend on roads if a bill introduced in the state Senate Wednesday becomes law. [Read more.](#)

Poll: Optimism rising about SC economy (2/20/13)

Economic optimism continues to rise notably in South Carolina, with more than half of those surveyed in the latest Winthrop Poll saying economic conditions are getting better for the state. [Read more.](#)

Haley, Graham make gains in new poll (2/20/13)

New poll results are giving U.S. Sen. Lindsey Graham reasons to smile and showing some improvement for Gov. Nikki Haley, but Democrats still believe the governor is vulnerable in any re-election bid. [Read more.](#)

SC hospitals divided over GOP's alternative to Obamacare (2/21/13)

South Carolina's proposed Republican alternative to Obamacare - paying hospitals to keep poor people out of emergency rooms - "is not a solution to our crisis," the chief executive of the Midlands' largest hospital said Thursday. [Read more.](#)

Haley pushes to limit food stamp purchases to healthy items (2/21/13)

South Carolina, long at the back of the line in health care, wants to take the lead among states in the battle against obesity by allowing only healthy foods to be purchased with food stamps. [Read more.](#)

Fluor CEO sees domestic growth in infrastructure, gas (2/22/13)

Fluor Corp. CEO and Chairman David Seaton said he believes the U.S. is on the cusp of growth again - if the regulatory stars align. [Read more.](#)

Meetings and Events



Tuesday, February 26th

6:00 Legislative Reception, SC Association of Conservation Districts - Seawells

7:00 Legislative Reception, SC Association of Technical College Commissioners - The Clarion

Wednesday, February 27th

8:00 Legislative Breakfast, SC Association of School Administrators - 112 Blatt

8:30 Womens' Caucus Breakfast, Girls Scouts of SC and Nurse Family Partnership - 305 Blatt

6:00 Legislative Reception and Staff, SC Hospital Association - Palmetto Club

Legislative Reception and Staff, Associated Builders and Contractors

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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