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Subject: FW: The State: SC House Republicans move to abolish ethics committees

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By JAMIE SELF

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<http://www.thestate.com/2013/01/25/v-print/2603857/sc-house-republicans-move-to-abolish.html>

House and state Senate members should no longer sit in judgment of their fellow legislators, a group of House Republicans says.

A committee of House Republicans is drafting ethics-reform legislation to abolish the state House and Senate ethics committees, ending the practice of lawmakers determining whether their peers have violated ethics laws and punishing them.

The move would require two-thirds approval of the House and Senate and, then, approval by voters in a statewide referendum in 2014, said state Rep. Murrell Smith, R-Sumter, chairman of the committee.

"This is what the public is asking for – for us to change the way we're handling the system, and I think we're being responsive," Smith said.

The Republican committee hopes to have legislation drafted in the next two weeks for the full GOP caucus to consider, Smith said.

House and Senate committees and a task force appointed by Gov. Nikki Haley are studying the state's ethics laws after several high-profile complaints drew attention to the state's lax ethics rules. Those complaints included one against Haley, who was twice cleared by the House Ethics Committee of charges that she used her post as a state representative for financial gain.

The governor's committee is expected to release its recommendations by Monday, lawmakers say.

Also, on Wednesday, freshman state Rep. Beth Bernstein, a Richland County Democrat, filed a bill – her first – calling for a constitutional amendment to eliminate the House and Senate ethics committees.

Bernstein also proposes:

- Banning political action committees affiliated with legislative leaders;
- Increasing the waiting period for lawmakers before they can become lobbyists;

Requiring candidates to keep receipts for their campaign expenses; and

- Requiring candidates to report, within five days, contributions that they receive in the month before a general election.

Until a constitutional amendment passes, the legislative ethics committees will continue to play a role in sanctioning members. But Rep. Smith said a bill is being drafted that would eliminate the ethics committees from hearing complaints and determining whether they are valid.

Under that plan, all ethics complaints would go to the S.C. Ethics Commission to determine whether there is enough evidence to investigate whether a violation occurred.

If the Ethics Commission finds there is probable cause that a law has been violated, it would forward the case to the state's newly formed Public Integrity Unit – a division of the S.C. Attorney General's Office, which also includes SLED, the Department of Revenue and the Inspector General. That unit would investigate and report the findings to the appropriate oversight body.

For House and Senate members, the findings would go to the Senate and House ethics committees which would hold hearings and impose sanctions. In the case of a criminal offense, the case would be prosecuted by the attorney general.

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