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# Fix the roads now, with no strings attached

**G**ov. Nikki Haley has changed her mind about raising South Carolina's low gas tax.

Finally. Shockingly.

In the State of the State speech that she delivered Wednesday, Haley proposed an increase of 10 cents per gallon over the next three years, but. ...

It's a big "but."

She made it clear that her support will come only conditionally.

Really?

We strongly disapprove of the strings she is attaching. It's a political agenda. And we don't think 10 cents is enough. We would need another 10 cents next year, considering the shameful extent of the road problem.

Haley's conditions are a drop in the state's income tax and an overhaul of the S.C. Department of Transportation. No wonder she didn't reveal this lame, "three-part package deal" before her re-election in November.

Eventually restructuring the DOT might not be a bad idea. Haley wants to get rid of the agency's commissioners.

"The current system, with commissioners representing congressional districts and selected by local delegations, is the ultimate exercise in parochialism," Haley said. "Instead of fighting for the needs of South Carolina at large, they fight for the needs of their districts, which means they fight each other. I don't necessarily blame them. ... The problem is it is not in South Carolina's best interest."

Here's what is in South Carolina's best interest: Fix the roads. Now.



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A DOT overhaul ultimately could save money that could go toward fixing state roads and bridges that have decayed to a point of embarrassment.

So far Haley has spoken on how not to run the agency.

But how does she propose it should be run? Who will look out for each district to make sure funds are being distributed fairly?

Haley would balance a higher gas tax with a lower income tax, and — sounding like someone with national aspirations — she said the result would be an overall tax decrease. She wants to lower the income tax from 7 percent to 5 percent over 10 years.

But her proposed decrease would only target the state's top income tax bracket.

So the wealthy get a break and therefore can afford to pay a little more at the pump. The rest would suffer. That would be unacceptable.

Why not a 2 percent cut across the board? The General Fund couldn't take such a hit? Haley probably thinks it could, because last June she proposed eliminating the state income tax completely as a way of promoting economic development in South Carolina. States such as Florida and Texas don't have income tax. They bring money in by other means.

South Carolina is expected to collect approximately \$3.3 billion in income taxes this year. A 10-cent raise in the gas tax would generate roughly \$340 million more. Haley is wise to suggest a reduction instead of an elimination, but the reduction should be for all taxpayers in the state.

In theory, reducing the income tax can pay dividends. More people might want to live, work and retire in a state with lower taxes. If the population grows to a certain extent, a 5 percent tax might generate more revenue than a 7 percent rate would now.

In theory, businesses might want to come to a state with a lower income tax. But theory doesn't always become reality.

Reality could be quite a headache for Senate President Pro Tempore Hugh K. Leatherman Sr., R-Florence, and the finance committee that he chairs. We hope education and other important line items in the state's budget wouldn't suffer.

Crumbling roads are a big hindrance to economic development. Fixing them with an unconditional increase in the gas tax is the only answer.

Haley continues to make it clear that she would veto a straight-up increase.

We think most legislators understand the scope and urgency of the roads problem. Would enough of them have the courage to override a veto? Let's find out.

Later, the legislature can discuss restructuring the DOT and reducing state income taxes — for all South Carolinians.

Unsigned editorials represent the views of this newspaper. Editorial board members are Stephen Wade (regional publisher), Don Kausler Jr. (regional editor), Kimberly Brauss (online editor), John Rains (news editor) and David Johnson (regional circulation director).

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148 **Haley Gas-Tax Condition**  
**Stipulation creates 'roadblock'**

Income-tax reduction would eventually cut SC revenue \$1.8B yearly

The Associated Press

COLUMBIA — Gov. Nikki Haley's conditional support of a gas-tax hike may provide legislators more leeway in crafting an infrastructure funding plan. But even in a state where the Republican-controlled legislature frequently cuts taxes, the stipulation of eliminating nearly \$9 billion of revenue over the next decade presents its own roadblock.

Haley said in her State of the State address Wednesday she'd support raising the gas tax by 10 cents, to 26 cents per gallon, to pay for road and bridge work. But the offer came with two conditions: The legislature must cut the top income-tax bracket by 2 percentage points



**Haley**

and get rid of the Department of Transportation's legislatively elected commissioners. For years, she promised to veto any infrastructure plan with a gas-tax increase.

"I'm encouraged" by the new premise, Rep. Gary Simrill, who

leads the committee crafting the House plan, said Thursday. "Before, we were stymied by what she's said. It opens up more opportunities as we search for a

remedy for roads."

Simrill, R-Rock Hill, said his panel's plan, likely out next week, won't be bound by Haley's 10-cent-hike-over-three-years idea, but it will address DOT restructuring and provide "revenue neutral" road funding.

The income-tax piece of Haley's three-pronged plan would be taken up by a separate committee — if at all.

According to state economic

advisers, it would reduce revenue by \$1.8 billion yearly once fully phased in, saving tax filers an average of nearly \$700. The projected 46 percent of filers who would pay no state income taxes anyway, due to previous cuts, would see no change.

The \$1.8 billion figure represents 25 percent of Haley's 2015-16 spending proposal, released

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## Roadblock

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last week, and half of all personal income taxes expected to come into the general fund next fiscal year.

In the first year of a 10-year phase-in, \$119 million less would come into state coffers. Haley's \$6.9 billion budget plan makes no cuts to account for that.

House Majority Leader Bruce Bannister, R-Greenville, said it's unclear if the GOP caucus will back Haley's tax-cut proposal.

"We're trying to see if it's doable," he said.

House Minority Leader Todd Rutherford, D-Columbia, said the idea makes no sense.

"We know we've got a hole to fill. According to her plan, she'd only make the hole deeper," he said. The tax-cut stipulation is "an impossible roadblock, and I have to believe she intended it as such."

The DOT has said it needs an additional \$1.5 billion yearly for the next two decades to bring South Carolina's roads into good condition.

Director Janet Oakley said last week the agency needs an additional \$400 million yearly just to stop the decline and maintain the system at its current condition.

That's roughly what Haley's plan would provide after the 10 cents is fully phased in, when paired with the \$61 million her budget proposes diverting from the state sales tax on vehicles to the DOT.

Haley has proposed tax cuts before, just not as large.

Her previous two budget proposals called for cutting personal income taxes by \$27 million. In 2012, she toured the state lambasting legislators for not following her plan to cut personal and corporate income taxes by \$140 million. Instead, the legislature provided small businesses \$60 million in tax relief.

That's among a host of tax cuts the legislature has approved in the past decade. Those include eliminating the state's lowest income-tax bracket in 2007, which lowered the state's effective tax rate.

In 2006, lawmakers approved increasing the state sales tax by a penny, to 6 cents on the dollar, to remove school operating expenses from the tax bills of owner-occupied homes, while eliminating the sales tax on groceries.



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148 BOEING  
**Haley takes anti-union  
message to workers**  
NORTH CHARLESTON — A  
new radio ad featuring Gov.  
Nikki Haley is urging factory  
workers at South Carolina's Boe-  
ing aircraft plant to reject efforts  
to establish a labor union.  
The Post and Courier of  
Charleston reports the spot is  
scheduled to start airing on sta-  
tions in the Charleston region  
Monday.  
The International Association  
of Machinists union has been  
ramping up efforts to organize  
the company's North Charles-  
ton operations, where Boeing  
makes the 787 Dreamliner. The  
union represents thousands of  
Boeing production workers in  
Washington state.



Title: What if the GOP gets its Obamacare wish?

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## COURT CHALLENGE

# What if the GOP gets its Obamacare wish?

Be careful what you wish for, runs the old adage, for you just might get it.

Which describes the situation congressional Republicans find themselves in when it comes to the Affordable Care Act.

For years now, they've looked for ways to undermine the law. Every glitch is ammunition in an ideological crusade whose battle cry has effectively been: "End, don't mend."

**SCOT LEHIGH**

The House has voted any number of times to repeal, defund, or delay the law. Senate Majority Leader Mitch McConnell has vowed to extirpate it "root and branch."

Because they can't overcome a presidential veto, that's currently sound and fury signifying little beyond political positioning. But now comes *King v. Burwell*, a court challenge that could torpedo a key provision of the ACA: the federal subsidies that make health coverage affordable for millions.

That lawsuit asserts that since the ACA mentions subsidies only for those who buy health insurance on state exchanges, subsidies shouldn't go to those who purchase policies through the websites the federal government set up in states that didn't establish their own.

Now, it's fairly obvious that was a drafting oversight and not a conscious attempt to exclude those who use a federal exchange. Still, if the Supreme Court adheres to the letter of the law rather than the intent of Congress, it could invalidate subsidies for insur-

ance-buyers in as many as 37 states. Logic would suggest that, having used a broad interpretative approach to save the ACA in 2012, Chief Justice John Roberts would also do so now and thus help preserve the subsidies.

That would nix subsidies for an estimated 6 million people – projected to be 13 million by 2016 – effectively gutting the law.

So what would happen next? It would be one thing if the GOP had a plausible alternative to the ACA, but half a decade later, the conservative party still doesn't.

According to a new poll by the Kaiser Family Foundation, 64 percent of Americans say if the court strikes down the subsidies in question, Congress should pass legislation making that federal financial help available in all states. A majority of Democrats and independents favor that course, as do 40 percent of Republicans. Overall, only 27 percent are opposed.

But given the stances that House Speaker John Boehner and Senate Majority Leader McConnell have taken, that would require an embarrassing about-face – a reversal that would be further complicated by the way several Republican senators have lashed themselves to the mast on the matter.

One is putative presidential hopeful Ted Cruz. Just a week or so ago, the Texas Tea Partier told Iowa Republicans that they should demand of all the GOP's presidential candidates exactly what they had done to battle Obamacare. Now, Cruz is the pied piper of pointless political pageantry. But though his grandstanding annoys

his congressional colleagues, it plays well with to-the-ramparts conservatives – and limits the latitude of congressional Republicans.

Republican governors whose citizens rely on those subsidies would face even more difficult crosscurrents. The Kaiser poll found that if the high court does deep-six the subsidies for federal exchange users, residents of those states would want their policymakers to set up state exchanges. Fully 59 percent would favor that, with just 29 percent opposed. Half of Republicans said they'd back such action.

So if GOP congressional leaders stood in the way of fixing the law – or if prominent Republican presidential candidates blocked the effort – it would cast the GOP into high relief as a party that's uncompromising and out of touch. Further, there could be an illuminating divide between the GOP's federal officeholders and its more pragmatic governors.

Although Americans continue to have doubts about the ACA's individual mandate, overall they want the health care law to work. And if *King v. Burwell* blows a hole in the law, they want it fixed.

The GOP would ignore that message at its political peril. And yet, could a party that has made dismantling Obamacare its holy grail really respond reasonably if that wish suddenly comes true?

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## DOMESTIC VIOLENCE OFFENDERS

# *No slam dunk for getting tougher penalties*

In South Carolina, we breed men who kill women. There's something wicked in our culture that says it's OK to hit, abuse and, yes, kill our wives, girlfriends and ex-lovers.

It's sinful. Reprehensible. Intolerable. Yet for years we've failed to do enough to purge this evil element from among us.

Which is why it's been encouraging to see so many people – from politicians to law enforcement officers to prosecutors and oodles of others – join victims' advocates over the past couple years to demand change.

The effort reached a fever pitch on the first day of this year's legislative session, when Attorney General Alan Wilson stood in the second-floor State House lobby between the House and Senate chambers with lawmakers, law enforcement officers, victims' advocates, prosecutors and others to call for a law aimed at increasing penalties for domestic violence. State Law Enforcement Division chief Mark Keel and S.C. Coalition Against Domestic Violence and Sexual Assault executive director

Sara Barber were there. So

**WARREN  
BOLTON**

were House Speaker Jay Lucas, Lt. Gov. Henry McMaster and Senate Judiciary Chairman Larry Martin.

With the session just getting underway, "There's not a single bill on our agenda," Sen. Martin said, vowing to quickly move the legislation out of Judiciary and on to the full Senate's calendar. Things seemed to be headed in the right direction; reform would come quickly.

Then reality set in.

As the crowd dispersed, one lobbyist mused, "I hope they don't gut that bill." Others nodded in agreement.

As I talked with Mr. Wilson, it was clear that he was elated about the overwhelming support the legislation was getting from Democrats and Republicans in the House and the Senate. But he noted that not everyone was on board.

When I asked what was the likelihood of getting the strong, tiered penalties he and others had proposed, he said he was hopeful. Then he reminded me that the democratic process can be messy sometimes and you don't always

come out with what you went in to get. He's hoping lawmakers give prosecutors, law enforcement and the courts adequate tools to make a difference and keep people alive.

You'd think that passing stiffer domestic violence penalties would be a no-brainer, a slam dunk, a breeze. But nothing's a slam dunk in the S.C. Legislature, not even legislation aimed at keeping women alive.

Even under the best of circumstances, this legislation could face significant opposition. But add in the fact that it calls for taking away the guns of offenders for 10 years – frankly it could be a single day – and you're sure to have a brawl. Look for pro-gun forces to try to strip out the gun provision or kill the legislation altogether.

I know. Second Amendment rights. What about women's rights to live?

An analysis by *The Post and Courier* of Charleston found that guns were used in 64 percent of all domestic violence killings of women in South Carolina over the past 10 years. How can we not take guns out of abusers' hands?

Turning such grim statistics around and changing our violent culture will take years and many

different methods, including the kind of intervention and education that Gov. Nikki Haley promises with the Domestic Violence Task Force she announced last week. It will search for solutions in the areas of criminal justice, community outreach and victim and offender services.

By passing tougher domestic violence laws, our elected representatives send a clear, collective message on South Carolinians' behalf that says that we value women and will punish those who would harm them.

To that end, Sen. Martin kept his promise: He ushered a bill through Judiciary that calls for a tiered system of penalties based on the severity of the crime. The most severe offense would be domestic violence of a high and aggravated nature, a serious, violent felony that would carry a penalty of up to 20 years in prison.

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Title: **Gov. Haley's latest non-stop campaign**

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# Gov. Haley's latest non-stop campaign

**COLUMBIA** | Gov. **Nikki Haley** is back in campaign mode, trying to win over skeptics of her hybrid income-tax cut and roads-funding plan. But can she legally spend money raised for her successful re-election bid last year to push the first major initiative of her second term?

Haley's campaign had \$539,493 in campaign money left over on Jan. 1 after raising a record \$8.4 million to win the Republican a second four-year term.

Three months after defeating Democrat **Vincent Sheheen** (again), "Nikki Haley for Governor" is paying for online and social media ads to promote her proposed swap of a 10-cent-a-gallon gas tax hike for a 29 percent income-tax cut.

To push that effort, Haley's campaign website has undergone a makeover. Gone are her bio and campaign positions, replaced by summaries, Q&As and quotes from supporters on her roads-and-tax proposal.

After an election, state law says candidates can use any leftover campaign money "to defray ordinary and necessary expenses incurred in connection" with their duties in public office.

There's the rub.

No one is quite sure of the meaning of "ordinary and necessary expenses."

"The commission has never issued a formal opinion containing a definition of either term," S.C. Ethics Commission director **Herb Hayden** said. "Therefore, it would be inappropriate for me to offer a personal opinion on this matter."

The Haley campaign took a pass on answering questions about the governor's post-election ad blitz.

That blitz highlights the income-tax cut first. Second-billing goes to roads.

That leads some lawmakers to think Haley is more interested in getting attention from a proposed tax cut – that could drain billions in future state revenues, critics say –

when South Carolinians care more about money to fix potholes and road cracks that are damaging their cars.

It also has fueled speculation (again) about Haley's 2016 aspirations.

"What else could it be?" one lawmaker sighed to The Buzz.

The governor has denied repeatedly any interest in joining a possible Republican administration despite receiving attention from would-be GOP White House nominees, lavished because of the Palmetto State's primary pole position in the South.

Maybe Haley's campaign could buy some ads to bring home that point.

## Come to our party, guv

Haley's tax cut-and-roads ads aren't aimed at the one group of folks who can turn her ideas into reality – the Republicans who make up a majority of the S.C. House and state Senate.

GOP House members want to avoid having two competing roads bills – one from the House and one from the governor. And they would like to hear Haley, their party leader, speak to them on what is becoming the session's most divisive issue. (Ethics reform?

That's going nowhere in the state Senate.)

House Republicans have invited Haley to attend their caucus meeting Tuesday – a day before a House roads bill, under development for months, is set to be introduced.

Haley's office said she is considering the invite but has not made a final decision.

However, some House members say Haley has declined that invitation. (All House Speaker **Jay Lucas**, R-Darlington, would say is that Haley has an open invitation to speak to the caucus anytime.)

The governor certainly would face complaints that her tax-swap plan – merging a massive income-tax cut with a gas-tax hike, an idea some GOP lawmakers loathe – could doom getting more money for roads this year.

Haley also could hear complaints about alleged threats from her office against legislators who fail to back her proposal.

Governor, the RSVP is waiting.

## Nearly a clean slate for S.C. State

The makeover of S.C. State University's board of trustees should have been completed by July.

But it won't.

Lawmakers have not re-elected S.C. trustees since 2013 in reaction to the school's financial mess, which landed it on probation with accreditors.

S.C. State has received \$18 million in emergency loans and funding after revelations that South Carolina's only

historically black public college had a \$14 million deficit from years of borrowing to pay its bills.

The next round of board elections this year was supposed to compete the replacement of 12 of the 13 trustees chosen by the General Assembly.

But lawmakers will fall one trustee short.

The path was cleared. Incumbents have stopped trying to win back their seats – including three whose terms expired this year: **John Corbitt**, **Gail Joyner-Fleming** and **Tony Grant**.

Grant, a Columbia businessman, said lawmakers suggested alumni not seek re-election. He and Corbitt are the only remaining S.C. State grads on the current board.

But there's not total excitement about the task of joining the S.C. State board to rescue the 3,000-student school.

It took two elections in the past year to find a successor for **Patricia Lott**, a spot filled by **Tammy Kelly** of Sumter last week after Lott stayed on the trustee board for an extra eight months as she awaited a replacement.

This time, no candidates filed to assume Corbitt's seat, representing the 4th congressional district.

That means Corbitt, the longest-serving member of the S.C. State board at 14 years, will remain a trustee.

In all, five board seats are open at S.C. State, including a pair vacated by trustees who resigned.

The Buzz is a weekly look back at state politics by reporters at The Columbia State.



Title: **Lawmakers debate changes to elections**  
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# Lawmakers debate changes to elections

By JAMIE SELF  
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The day before S.C. lawmakers voted to elect judges last week, some received advice on the importance of letting the public know that legislators take that exclusive power seriously.

House Majority Leader

## JUDGES

From Page 1C

changed to avoid conflicts of interest – whether real or perceived.

Advocates of changing that system say Wednesday's judicial controversy is just one of several examples of why South Carolina should end lawmakers' exclusive authority over nominating and electing judges.

They note:

- Legislators' spouses have run before and won posts, putting everyone involved in uncomfortable situations.
- The independence of S.C. courts has been questioned, given the way the General Assembly picks judges and sets their budgets. That system has judges, elected by legislators, ruling on the laws made by those same legislators, who will decide if those judges stay in office.

But advocates of the current system say other options for electing judges could be worse, turning judicial elections into fund-raising contests or giving the governor too much power.

### One branch controlling another

The way South Carolina conducts elects judges is rare.

Bruce Bannister of Greenville told fellow Republicans Tuesday morning to give "serious, thoughtful answers" if asked why they support a candidate.

Don't just respond with, "Well, I knew them in kinder-

garden,' or something," he said. The next day, lawmakers elected more than 20 judges, including deciding a contentious judicial race between a lawmaker's spouse and a 16-year incumbent.

That race drew cries of nepotism from Gov. Nikki Haley. It also re-launched a debate among lawmakers about whether S.C. law needed to be

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Virginia is the only other state where legislators control the nomination and election of judges. Lawmakers should share that power with the public or the governor to create checks and balances, some say.

"We don't need one branch of government basically controlling everything about another branch of government," said Lynn Teague with the League of Women Voters.

But even as lawmakers debate ethics-related legislation, a 2-year-old effort to tighten the rules on legislators' activities, only a small chorus of lawmakers is talking about changing the way judges are elected.

Their proposals lack consensus on whether lawmakers should give up nominating or electing judges – or both.

In defense of the how lawmakers now pick judges, some say South Carolina's system could be worse. The public could elect judges in partisan races "where judicial candidates have to raise hundreds of thousands of dollars for political campaigns and run as Republicans or Democrats," said Tyler Jones, a House Democratic Caucus

spokesman who says the state's current process is much better. He's not alone in that concern about even more politicization of the judiciary.

"The politics of the next popular election and who contributed money should not come into play as a factor" in a judge's decision, said state Sen. Chip Campsen, R-Charleston.

**Politics at play**

Some lawmakers were repelled by the negative politics that they said were at play in Wednesday's judicial election between Bill Funderburk of Camden and 16-year-incumbent Carolyn Matthews of Columbia.

The revulsion was so extreme that about two dozen lawmakers, who had voted in another competitive race just minutes before, either did not vote for Funderburk or Matthews or voted "present" in protest.

Gov. Haley also weighed in, posting the vote on Facebook and calling out lawmakers who backed Funderburk, accusing them of supporting nepotism. The political back-and-forth continued Friday.

House Minority Leader Todd

Rutherford, D-Richland, accused Republican Haley of seeking "political payback" against Democratic Rep. Funderburk of Camden.

In 2012, Funderburk was the only member of the House Ethics Committee who did not want to dismiss a complaint that Haley had violated state ethics laws by failing to disclose her work as a consultant for a Columbia engineering firm.

Funderburk also was the panel's only Democrat.

Rutherford also noted Haley, too, cast a vote that helped the spouse of a lawmaker become a judge.

Haley press secretary Chaney Adams, in turn, accused Rutherford of mudslinging, adding Haley gladly would join both parties in an effort to ban state lawmakers "from appointing their spouses as judges."

**'They know my Aunt May'**

State Sen. Larry Martin, the Pickens Republican who is head of the Senate Judiciary Committee, already is pushing a proposal that would ban the spouses of legislators from running for judge.

Sen. Campsen says he would

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like to dial back the political influence on lawmakers by giving them more time to consider candidates.

Candidates must wait 48 hours after the Judicial Merit Selection Commission releases its list of nominees to ask lawmakers for their support.

Now, lawmakers seldom have time to review the nominees and the selection commission's report on their qualifications – usually released on a Thursday at noon – before candidates start asking legislators their vote the following Tuesday, Campsen said.

Sometimes judicial races are decided that first day that legislators are back in Columbia for their three-day work week, long before election day in the General Assembly.

"You fire the gun, and the race is over," Campsen said. "It's supposed to be a 5-K (race), but, instead, it's a 4-yard dash."

Campsen also said his proposal would encourage lawmakers to put in more thought before they pledge to vote for candidates.

Sometimes lawmakers choose candidates who live near them, go to their Rotary Club or "know (their) Aunt May," he said.

Then, Campsen added, lawmakers sometimes regret their commitments after learning more about the candidates from talking to other lawmakers, and say, "I wish you would have told me that before."

### **'Almost impossible' to avoid conflicts**

At least five other bills introduced in the House and Senate this year seek to change the way lawmakers nominate and elect judges.

Two proposals would remove lawmakers from the process of nominating judges, while allowing them still to elect them.

Under one of Martin's proposals, the governor would re-nominate the incumbent or nominate three candidates who would face an election in the General Assembly.

Another Senate proposal, by Tom Corbin, R-Greenville, would remove lawmakers from the screening process, replacing them with members of the public, who would be nominated by lawmakers and appointed by the governor.

The governor would pick a chairman from the public members of the judicial screening panel.

Teague said the League of Women Voters would support members of the public controlling the screening process for judges – a move that would curb suspicion that lawmakers were favoring candidates with ties to them.

"There's nothing unethical about anybody running because they're married to a legislator," Teague said, referring to Wednesday's race where Rep. Funderburk's husband defeated incumbent Matthews, 87-50.

"The question is: How do you

evaluate whether extra influence is brought to bear?"

### **Politics of one or 170?**

Three other bills would end altogether the process of lawmakers electing and nominating judges.

Sen. Lee Bright, R-Spartanburg, and three House Republicans have filed bills that would allow the governor to nominate judges. Lawmakers would confirm the governor's appointees through a formal screening process and could reject nominees.

State Sen. Tom Davis, R-Beaufort, supports having the governor nominate judges – and having lawmakers confirm them. Doing so would lead to higher-quality judges who are more independent from the legislative branch, he said.

Davis said politics now drags down the process of legislators electing judges, leading, as it did in Wednesday's race, to a limited discussion on the "pros and cons based on (the candidates') merits."

S.C. Attorney General Alan Wilson, R-Lexington, also strongly supports changing the way the judges are elected to include the executive and legislative branches of government, he said in an email Friday.

"The current method omits any involvement by the executive (branch, meaning the governor)," Wilson wrote. "We greatly need the participation of both the executive and legislative branches in this process. Full participation by all branch-

es of government works best."

Letting the governor choose judges for lawmakers to vet and approve would ensure South Carolinians know who to hold accountable for judicial conduct, said Ashley Landess, president of the S.C. Policy Council, a limited-government think tank.

The buck would stop with the governor who would be responsible for selecting qualified judges, she said. That system is similar to what happens on the federal level, where the president nominates judges and the U.S. Senate confirms them, she added.

Thus far, however, none of the judicial reform proposals has gained any traction. Combined, they have only seven sponsors out of the 170 members of the General Assembly.

Despite the slow start, support for change is building, Landess said.

"This is a very old system. It's going to take a long time to force lawmakers to give up power."

But Campsen sees danger in following the federal model and consolidating the power to nominate judges in the governor's office.

Legislators should continue electing judges, he said. That diffuses power over the judiciary over the 170 members of the General Assembly, not one person, he said, adding, either way, the process will be political.

"The question is: Whose politics do you want involved?"

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By TIM DOMINICK [tdominick@thestate.com](mailto:tdominick@thestate.com)

**S.C. Supreme Court Chief Justice Jean Toal talks with Rep. Gilda Cobb-Hunter, D-Orangeburg, before the General Assembly elected 22 judges during a joint session Wednesday at noon. One race for an administrative law court seat pitted Bill Funderburk, the husband of Rep. Laurie Funderburk, D-Camden, against a 16-year incumbent judge, Carolyn Matthews of Columbia. Funderburk was elected to the seat.**

Title: **Votersto decide district's future**  
 Author: BYCHARLESD. PERRY [cperry@thesunnews.com](mailto:cperry@thesunnews.com)  
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## MURRELLS INLET-GARDEN CITY

# Voters to decide district's future

BY CHARLES D. PERRY  
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South Strand voters will decide the future of their fire service next month.

In a March 17 referendum, residents of the Murrells Inlet-Garden City Fire District will be asked if the district's taxing capacity should be increased by 4 mills. That means the maximum property tax hike would be \$37.20 on an owner-occupied home worth \$232,500 (the median value in the area), according to the district's calculations.

But supporters say that's a

small price tag compared to the hundreds or thousands more per year that residents could pay if the fire service deteriorates and insurance premiums rise.

"People realize it's a good deal to be able to save on their insurance rates," said Al Hitchcock, who chairs the fire district's board. "What we're asking is not unreasonable."

District officials say the extra money would assist in paying for a fourth fire station

and maintain the department's level of fire protection. A no vote, they contend, could mean a change in the district's strong ISO rate (3), which many insurance companies use in setting homeowners' premiums.

District officials have been requesting an increase in the millage rate for more than two years.

Under state law, the district's board members, who are appointed, have the authority to raise taxes, but the

law caps the district's taxing rate, meaning any expansion beyond the 10-mill limit would have to be approved by legislators.

State lawmakers signed off on an increase last year, but the measure was vetoed by Gov. Nikki Haley, who objected to an unelected board raising taxes with no voter input.

The compromise was the

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## DISTRICT

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referendum, which will allow the voters to have their say in the matter. District officials insist they need a special election because the situation is urgent.

"We're doing exactly what she wanted us to do," Hitchcock said of Haley. "We hate that we have to have a special election for this – a single issue, single ballot question – but we as a board didn't feel we could wait until 2016."

The district, which includes parts of Horry and Georgetown counties, was created in 1966 and has seen just one cap

increase in the decades since. That was in 1992.

Meanwhile, the area has grown and in 2000 the district began providing EMS services along with fire protection.

In the last three years, the agency's call volume has increased by 42 percent.

The district has been making plans for a fourth station for years, but the recession caused delays and in recent years the department has been dipping into reserve funds to cover deficits.

The most recent budget had a deficit of \$177,000, Hitchcock

said.

"That is unsustainable," he said. "We just can't provide the services that we're providing now for much longer without a tax increase."

So far, proponents of the tax hike say they've seen little, if any, opposition. However, they're concerned about the timing of the referendum.

"Most people will support the public safety aspects of county government," Hitchcock said. "What we're afraid of is everybody's going to say, 'Well, that's a no-brainer. Ev-

erybody will vote for that.' But we've got to get our voters, our supporters, out to the polls."

One group leading that charge has been the Friends of Murrells Inlet-Garden City Fire and Rescue.

Organized by former Georgetown County Republican Party Chairman Tom Swatzel, the group set up a website and a Facebook page aimed at persuading voters to back the tax hike.

"I'm one of the strongest opponents of tax increases that you will find," Swatzel said in a recent news release.



Title: **Votersto decide district's future**  
 Author: BYCHARLESD. PERRY [cperry@thesunnews.com](mailto:cperry@thesunnews.com)  
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"However, the evidence is now clear. If the millage cap is not raised, fire protection will eventually suffer, risking lives, property, and the low fire insurance rates achieved by the district's excellent ISO classification. In the long run, the slight increase in taxes will be offset by avoiding substantial increases in fire insurance premiums."

On Thursday, the group

posted a message on its Facebook page asking for volunteers to go door to door and run phone banks.

"This is likely to be a very low turnout election," Swatzel said. "It will be important to reach out to voters with volunteers going door to door and with direct mail, signs and fliers."

So far, the message seems to be resonating with area residents.

idents.

"Our board of directors thinks it's a really important thing for the community," said Al Jordan, president of the Greater Burgess Community Association. The fourth fire station is slated to be built in the Burgess area.

Jordan said the association is holding a meeting at the South Strand Recreation Center on Feb. 19 to explain why the tax hike is needed.

"Frankly, my experience is people don't understand the fire service as much as you might think they would," he said. "It just sounds so simple. A guy jumps in the truck and comes over and puts out your fire. ... [This] was the goal of the meeting: to give people an opportunity to ask questions."

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THE SUN NEWS FILE PHOTO BY JANET BLACKMON MORGAN [jblackmon@thesunnews.com](mailto:jblackmon@thesunnews.com)

**Murrells Inlet-Garden City Fire Department Station 1 has been serving from the Surfside Beach limits through Garden City Beach and Murrells Inlet since 1966. In a March 17 referendum, residents of the Murrells Inlet-Garden City Fire District will be asked if the district's taxing capacity should be increased by 4 mills. That means the maximum property tax hike would be \$37.20 on an owner-occupied home worth \$232,500 (the median value in the area), according to the district's calculations.**

Title: **Haley tax plan**  
Author:  
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## Haley tax plan

Grover Norquist's seal of approval for Gov. Nikki Haley's gas-tax-hike plan might provide some relief to those 20-plus state legislators who unwisely signed Mr. Norquist's no-new-tax pledge.

But South Carolinians should be asking themselves: Who elected Grover Norquist to determine our state's tax policy? And why are some S.C. state legislators marching in lockstep with his Washington-based Americans for Tax Reform? ...

The governor's plan to lower one tax to raise another needlessly complicates what ought to be an essential and simple task for the Legislature this session.

Raise the gas tax and fix the roads. Let the people who drive on the highways pay for the improvements, to the extent reasonably possible.

*Post & Courier*  
Charleston



Title: **Lanfill cleanup**  
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## Lanfill cleanup

To its credit, DHEC, under the leadership of Catherine Templeton, came forth to rekindle bad memories and tell South Carolinians they will have to pay to be sure the landfill does not damage the environment. The money paid by Safety-Kleen and trust funds are not going to be enough to ensure the continued safety of the Pine-wood site.

But a year later, uncertainty remains over what South Carolina leaders will do.

Republican Gov. Nikki Haley has a new choice to lead DHEC after Templeton resigned, and the governor is lessening emphasis on the landfill. ... It will be up to lawmakers to see that the money for the landfill is adequate, sustaining a Haley veto if necessary. Being sure the landfill does not begin contaminating the lake and groundwater is an absolute obligation of the state.

*Times & Democrat*  
Orangeburg