

**Philpott, Katie**

---

**From:** Philpott, Katie  
**Sent:** Tuesday, December 30, 2014 1:48 PM  
**To:** 'dbriggman@northcharleston.org'  
**Subject:** Building Codes Council  
**Attachments:** Governor's Office Application.pdf

Mr. Briggman,

Thank you for your time on the phone this afternoon. AS we discussed, the Governor would like to nominate you for reappointment on the Building Codes Council in the Code Enforcement Officer seat.

If you can complete the attached application and send it back to me at your earliest convenience, I will begin processing your appointment. Please don't hesitate to contact me if you have any questions or concerns. Thank you for your willingness to continue serving the Palmetto State in this position.

Have a happy New Year!

Kindest regards,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)



**Office of the Governor  
State of South Carolina**

**Application for Boards, Commissions, and Committees**

Your nomination **will not** be complete until this application is filed. Please return the application to:  
Office of the Governor, Attn: Katie Philpott, 1205 Pendleton Street, Columbia, South Carolina 29201.

1] Your Name:

Dr./Mr./Mrs./Ms. \_\_\_\_\_  
Last First Middle

2] Name of Board, Commission, or Committee you are being considered for:

3] Your Current Address, City, Zip Code and County: \_\_\_\_\_ Your Congressional District: \_\_\_\_\_

4] Home Telephone: \_\_\_\_\_ 5] Office Telephone: \_\_\_\_\_ 6] Fax: \_\_\_\_\_

7] Mobile Telephone: \_\_\_\_\_ 8] Email Address: \_\_\_\_\_

9] Drivers License # \_\_\_\_\_ 10] Social Security #: \_\_\_\_\_

11] Voter Registration # \_\_\_\_\_ 12] Date of Birth: \_\_\_\_\_

13] Race: \_\_\_\_\_ 14] Sex: Male / Female

15] Level of Educational Background Completed:

Some High School \_\_\_\_\_

High School graduate or equivalence (G.E.D.) \_\_\_\_\_

Some College \_\_\_\_\_

College graduate \_\_\_\_\_

Professional degree (please specify) \_\_\_\_\_

16] Present Employer \_\_\_\_\_

Address \_\_\_\_\_

Current Position \_\_\_\_\_

17] Years of residence in South Carolina: \_\_\_\_\_

18] Have you ever been arrested for a crime other than a minor traffic violation? \_\_\_\_\_ If so, give details.\*

19] Have you filed state and federal income tax returns for the past five years? \_\_\_\_\_ If not, give details.\*

20] Are you or any company in which you have a controlling interest delinquent in any local, state or federal taxes? \_\_\_\_\_ If so, give details.\*

21] Have you ever defaulted on any state or federal student loan? \_\_\_\_\_ If so, give details.\*

22] Have you been treated for any alcohol, drug addiction, or substance abuse for the preceding five years? \_\_\_\_\_  
If so, give details.\*

23] Have you been party (plaintiff or defendant) in any state or federal litigation for the preceding five years? \_\_\_\_\_  
If so, give details.\*

24] Have you ever served in the military? \_\_\_\_\_  
Were you honorably discharged? \_\_\_\_\_ If not, give details.\*

25] Have you ever been terminated from employment for cause? \_\_\_\_\_ If so, give details.\*

26] Have you or any employer in the preceding ten years been investigated, reprimanded, fined, or suspended for doing business with any state or federal agency? \_\_\_\_\_ If so, give details.\*

27] Have you ever been disciplined or fined by the State Ethics Commission? \_\_\_\_\_ If so, give details.\*

28] Have you ever been disciplined or fined by any professional or regulatory agency? \_\_\_\_\_ If so, give details.\*

29] Do you serve on any local or state board, commission, committee, or elected office? \_\_\_\_\_ If so, list.\*

30] Are you a registered lobbyist in the State of South Carolina? \_\_\_\_\_

31] Do you or any member of your immediate family receive any income, compensation or benefits from state and local agencies in South Carolina? \_\_\_\_\_ If so, give details.\*

32] Do you or any member of your immediate family have any interest in any business that has, is, or will do business with the State of South Carolina or the entity for which you are applying? \_\_\_\_\_ If so, give details.\*

33] Are you or any member of your immediate family associated with any business regulated by the entity to which you are applying? \_\_\_\_\_ If yes, give details.\*

34] Have you or any member of your immediate family sold, leased, or rented personal property to any state or local public agency in South Carolina? \_\_\_\_\_ If so, please identify \*:

- a) the type of property,
- b) the name of the agency(s) involved,
- c) the value of the transaction(s).

35] Do you or any member of your immediate family owe a debt in excess of \$500 to any creditor regulated by the entity to which you are applying? \_\_\_\_\_ If so, give details.\* (Do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution.)

36] Do you or any member of your immediate family owe a debt in excess of \$500 to any creditor seeking a business relationship with the entity for which you are applying? \_\_\_\_\_ If so, give details.\* (Do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution.)

37] Do you or any member of your immediate family receive compensation from any individual or business that contracts with the entity for which you are applying? \_\_\_\_\_ If yes, please identify \*:

- a) the individual or business,
- b) the amount of compensation paid to you,
- c) the nature and amount of the contract,
- d) the governmental entity involved.

38] I, \_\_\_\_\_, agree that, if I am appointed to the \_\_\_\_\_, I will attend all stated or called meetings of this entity. If I am absent from three consecutive meetings, or if I am absent from half of the meetings within a six-month period, then I will resign my appointment. However, if the Chairperson excuses my absence prior to the meeting, in recognition of circumstances beyond my control (illness, family emergency, etc.), then I am entitled to retain my position.

\*Use extra sheet if necessary.

#### CERTIFICATION OF APPLICANT

Personally appeared before me, the applicant, who being duly sworn, disposed, and says that all his/her statements are true, accurate and complete; and that he/she knows and agrees that any misrepresentation or omission of the facts may result in his/her being disqualified or being discharged should he/she already be appointed by the Governor. He/she authorizes the State Law Enforcement Division to conduct a background investigation including, but not limited to, a criminal history, driving record and credit check. He/she also authorizes the Governor's Office to provide the nominating authorities with copies of this application, the criminal history and credit report and any other information gathered in processing this appointment.

\_\_\_\_\_  
Applicant's Signature

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, Two Thousand and \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for South Carolina

My commission expires \_\_\_\_\_

## Philpott, Katie

---

**From:** Philpott, Katie  
**Sent:** Monday, January 05, 2015 1:15 PM  
**To:** 'Grant Gillespie'  
**Subject:** RE: Follow up on Board of Pyrotechnic Safety Member Reappointment  
**Attachments:** DOC.PDF

BCC'ed you on some correspondence to the SOS.

The correction letter was distributed on December 17, 2014.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Grant Gillespie [<mailto:Grant.Gillespie@llr.sc.gov>]  
**Sent:** Monday, January 05, 2015 9:35 AM  
**To:** Philpott, Katie  
**Subject:** FW: Follow up on Board of Pyrotechnic Safety Member Reappointment

Katie: Sorry, just following up on this for Ray. Thx.

Grant Gillespie  
Director of Business and Government Affairs  
SC Department of Labor, Licensing & Regulation,  
110 Centerview Drive; Columbia, SC 29210  
Office: 803.896.4440  
Cell: 803. [REDACTED]  
Fax: 803.896.4393  
Email: [gillespieg@llr.sc.gov](mailto:gillespieg@llr.sc.gov)  
Website: [www.llr.state.sc.us](http://www.llr.state.sc.us)

---

**From:** Ray Hoshall  
**Sent:** Friday, January 02, 2015 10:17 AM  
**To:** Grant Gillespie  
**Subject:** Follow up on Board of Pyrotechnic Safety Member Reappointment

Good morning Grant,

Hope you had a great New Years and are anxiously looking forward to the opportunities 2015 has to offer.

Quick question to follow up on the reappointment of John Armstrong as a GP member of the Board of Pyrotechnic Safety. As a reminder of the situation, Mr. Armstrong was accidentally dropped from the Board when Josh Spencer was added. Spencer was to replace Lipscomb, not Armstrong.

Last I knew, Katie Philpott was working on the issue. Has there been any resolution on the reappointment as of yet.

Thanks,

Ray

Ray Hoshall  
Chief of Licensing and Permitting  
Office of State Fire Marshal  
Division of Fire & Life Safety  
S. C. Department of Labor, Licensing and Regulation  
141 Monticello Trail  
Columbia, SC 29203  
Telephone: 803-896-9913  
Fax: 803-896-9806  
Email: [ray.hoshall@lir.sc.gov](mailto:ray.hoshall@lir.sc.gov)  
Web site: <http://www.scfiremarshal.lironline.com>

Please note that you can sign up to receive automatic information on SC Division of Fire and Life Safety current events, policies, laws and procedures by visiting our Web site at: <http://www.scfiremarshal.lironline.com>



**State of South Carolina**  
**Office of the Governor**

**NIKKI R. HALEY**  
**GOVERNOR**

**1205 PENOLETON STREET**  
**COLUMBIA 29201**

December 17, 2014

The Honorable Mark Hammond  
Secretary of State  
Columbia, South Carolina 29201

Dear Secretary Hammond,

I have appointed Mr. Joshua D. Spencer to the State Board of Pyrotechnic Safety pursuant to Section 40-56-10 of the South Carolina Code of Laws.

**CORRECTION OF VICE AND TERM**

**STATEWIDE APPOINTMENT:**

Term Commencing: 11/1/2013

Term Expiring: 11/1/2017

Seat: General Public

Vice: Charles A. Lipscomb

**Home Information:**

Mr. Joshua D. Spencer  
22 Port Tack Drive  
Salem, South Carolina 29676  
864 [REDACTED]

My very best,

  
Nikki R. Haley

NRH/krp

**Philpott, Katie**

---

**From:** Philpott, Katie  
**Sent:** Thursday, January 08, 2015 12:01 PM  
**To:** 'Ray Hoshall'  
**Subject:** RE: Need contact info for Fire Chief Ann Graham

Great. Thanks,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Ray Hoshall [<mailto:ray.hoshall@lir.sc.gov>]  
**Sent:** Thursday, January 08, 2015 11:52 AM  
**To:** Philpott, Katie  
**Subject:** Re: Need contact info for Fire Chief Ann Graham

Hi Katie,

Her cell number is (843) [REDACTED] Her office is (843) 886-4410.

She is still interested in serving on the Board.

Respectfully,

Ray

Ray Hoshall  
Chief of Licensing & Permitting  
Office of State Fire Marshal  
Sent from my mobile device  
(Please excuse spelling)

On Jan 8, 2015, at 11:26 AM, Philpott, Katie <[KatiePhilpott@gov.sc.gov](mailto:KatiePhilpott@gov.sc.gov)> wrote:

Can you send me her cell number?

Thanks!

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)



## Philpott, Katie

---

**From:** Ray Hoshall <ray.hoshall@llr.sc.gov>  
**Sent:** Friday, January 09, 2015 9:31 AM  
**To:** Philpott, Katie  
**Subject:** Re: Need contact info for Fire Chief Ann Graham

Thanks for all your help.

Ray Hoshall  
Chief of Licensing & Permitting  
Office of State Fire Marshal  
Sent from my mobile device  
(Please excuse spelling)

On Jan 9, 2015, at 9:30 AM, Philpott, Katie <[KatiePhilpott@gov.sc.gov](mailto:KatiePhilpott@gov.sc.gov)> wrote:

Thanks, Ray. I hope to reach out to her soon...things are pretty crazy right now so may take a few weeks.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Ray Hoshall [<mailto:ray.hoshall@llr.sc.gov>]  
**Sent:** Thursday, January 08, 2015 11:52 AM  
**To:** Philpott, Katie  
**Subject:** Re: Need contact info for Fire Chief Ann Graham

Hi Katie,

Her cell number is (843) [REDACTED] Her office is (843) 886-4410.  
She is still interested in serving on the Board.  
Respectfully,  
Ray

Ray Hoshall  
Chief of Licensing & Permitting  
Office of State Fire Marshal  
Sent from my mobile device  
(Please excuse spelling)

On Jan 8, 2015, at 11:26 AM, Philpott, Katie <[KatiePhilpott@gov.sc.gov](mailto:KatiePhilpott@gov.sc.gov)> wrote:

Can you send me her cell number?

Thanks!

Katie R. Philpott

Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

## Philpott, Katie

---

**From:** Philpott, Katie  
**Sent:** Friday, January 09, 2015 1:54 PM  
**To:** 'Ray Hoshall'  
**Subject:** RE: Appointment Letter: Pyrotechnic Safety

No problem at all. Have a good weekend.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

-----Original Message-----

**From:** Ray Hoshall [<mailto:ray.hoshall@llr.sc.gov>]  
**Sent:** Friday, January 09, 2015 1:42 PM  
**To:** Philpott, Katie  
**Subject:** Re: Appointment Letter: Pyrotechnic Safety

Thanks Katie. I owe you one.  
Ray

Ray Hoshall  
Chief of Licensing & Permitting  
Office of State Fire Marshal  
Sent from my mobile device  
(Please excuse spelling)

> On Jan 9, 2015, at 1:10 PM, Philpott, Katie <[KatiePhilpott@gov.sc.gov](mailto:KatiePhilpott@gov.sc.gov)> wrote:

>

> No problem. I don't have an appointment letter for him, but he was in my old records database. I've included a screenshot of what was in our system. Let me know if this is sufficient for you.

>

> Katie R. Philpott  
> Director of Boards and Commissions  
> Office of Governor Nikki R. Haley  
> 1205 Pendleton Street  
> Columbia, South Carolina 29201  
> 803.734.5086 (office)  
> 803.201.3423 (cell)

>

>

> -----Original Message-----

> **From:** Ray Hoshall [<mailto:ray.hoshall@llr.sc.gov>]  
> **Sent:** Friday, January 09, 2015 10:23 AM

> To: Philpott, Katie  
 > Subject: RE: Appointment Letter: Pyrotechnic Safety  
 >  
 > Thanks Katie.  
 >  
 > I have had staff searching our Board Members filed (even the ancient ones) looking for a George Martin on the Board, all to no avail. Would you mind, if and when you have a spare minute, scanning and emailing what you have in your files on him so we can complete our files? Let's just say that Ms. Foster's recordkeeping system left much to be desired.....  
 >  
 > Respectfully,  
 >  
 > Ray  
 >  
 > Ray Hoshall  
 > Chief of Licensing and Permitting  
 > Office of State Fire Marshal  
 > Division of Fire & Life Safety  
 > S. C. Department of Labor, Licensing and Regulation  
 > 141 Monticello Trail  
 > Columbia, SC 29203  
 > Telephone: 803-896-9913  
 > Fax: 803-896-9806  
 > Email: [ray.hoshall@llr.sc.gov](mailto:ray.hoshall@llr.sc.gov)  
 > Web site: <http://www.scfiremarshal.llronline.com>  
 >  
 > Please note that you can sign up to receive automatic information on  
 > SC Division of Fire and Life Safety current events, policies, laws and  
 > procedures by visiting our Web site at:  
 > <http://www.scfiremarshal.llronline.com>  
 >  
 >  
 > -----Original Message-----  
 > From: Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
 > Sent: Friday, January 09, 2015 8:53 AM  
 > To: Ray Hoshall  
 > Cc: Grant Gillespie  
 > Subject: Appointment Letter: Pyrotechnic Safety  
 >  
 > Ray,  
 >  
 > Please see attached the appointment for the vacant GP slot on the Pyrotechnic Board. Let me know if you have any questions or concerns.  
 >  
 > Thanks,  
 >  
 > Katie R. Philpott  
 > Director of Boards and Commissions  
 > Office of Governor Nikki R. Haley  
 > 1205 Pendleton Street  
 > Columbia, South Carolina 29201  
 > 803.734.5086 (office)  
 > 803.201.3423 (cell)

>  
>  
> -----Original Message-----  
> From: [Xerox@oepp.sc.gov](mailto:Xerox@oepp.sc.gov) (<mailto:Xerox@oepp.sc.gov>)  
> Sent: Friday, January 09, 2015 9:03 AM  
> To: Philpott, Katie  
> Subject: Scan from a Xerox WorkCentre  
>  
> Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.  
>  
> Sent by: Guest [Xerox@oepp.sc.gov]  
> Attachment File Type: PDF, Multi-Page  
>  
> WorkCentre Location: machine location not set  
> Device Name: ECOS-SH119-WC5755  
>  
>  
> For more information on Xerox products and solutions, please visit  
> <http://www.xerox.com> <Pyrotechnic Safety-George Martin.docx>

**Philpott, Katie**

---

**From:** Mark Nix <mnix@hbaofsc.com>  
**Sent:** Tuesday, January 20, 2015 1:10 PM  
**To:** Philpott, Katie  
**Subject:** SC Residential Builders Commission

Katie,

I hope you are doing well. I saw that the LCI committee will be considering statewide appointments at the full committee meeting 9:00 a.m. Thursday, January 29, 2015 in room #308. I saw three of the candidates, but did not

See the appointment of Andy Barber in District 1. Is this an oversight or was there an issue with the application?

Thanks,

Mark Nix  
Executive Director  
Home Builders Association of South Carolina  
625 Taylor Street, Suite A  
Columbia, SC 29201  
(803) 771-7408  
Mobile (803) [REDACTED]  
Fax (803) 254-5762

**NAHB Member Advantage Discount Program**  
(GM, UPS, FTD, Office Dept, Wyndham Hotel, Hertz discounts & more)  
Get all of the details online at [www.nahb.org/MA](http://www.nahb.org/MA).

**Philpott, Katie**

---

**From:** Philpott, Katie  
**Sent:** Tuesday, January 27, 2015 3:19 PM  
**To:** 'roger.lowe@llr.sc.gov'  
**Cc:** Grant Gillespie; 'dbriggman@northcharleston.org'  
**Subject:** Building Codes Council Reappointment  
**Attachments:** DOC.PDF

Roger,

Please see Mr. Briggman's reappointment to the Building Codes Council attached. Let me know if you have any questions or concerns.

Thanks,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

-----Original Message-----

**From:** [Xerox@oepp.sc.gov](mailto:Xerox@oepp.sc.gov) [<mailto:Xerox@oepp.sc.gov>]  
**Sent:** Tuesday, January 27, 2015 1:59 PM  
**To:** Philpott, Katie  
**Subject:** Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Sent by: Guest [Xerox@oepp.sc.gov]  
Attachment File Type: PDF, Multi-Page

WorkCentre Location: machine location not set  
Device Name: ECOS-SH119-WC5755

For more information on Xerox products and solutions, please visit <http://www.xerox.com>



**State of South Carolina**  
**Office of the Governor**

NIKKI R. HALEY  
GOVERNOR

1205 PENDLETON STREET  
COLUMBIA 29201

January 27, 2015

The Honorable Mark Hammond  
Secretary of State  
Columbia, South Carolina 29201

Dear Secretary Hammond,

I have reappointed Mr. Darbis L. Briggman to the South Carolina Building Codes Council pursuant to Section 6-9-63 of the South Carolina Code of Laws.

**STATEWIDE REAPPOINTMENT:**

Term Commencing: 1/1/2014

Term Expiring: 1/1/2018

Seat: Code Enforcement Officer

**Home Information:**

Mr. Darbis L. Briggman  
2900 Shadow Lane  
North Charleston, South Carolina 29406  
843 [REDACTED]

My very best,

A handwritten signature in black ink, appearing to read "Nikki R. Haley".

Nikki R. Haley

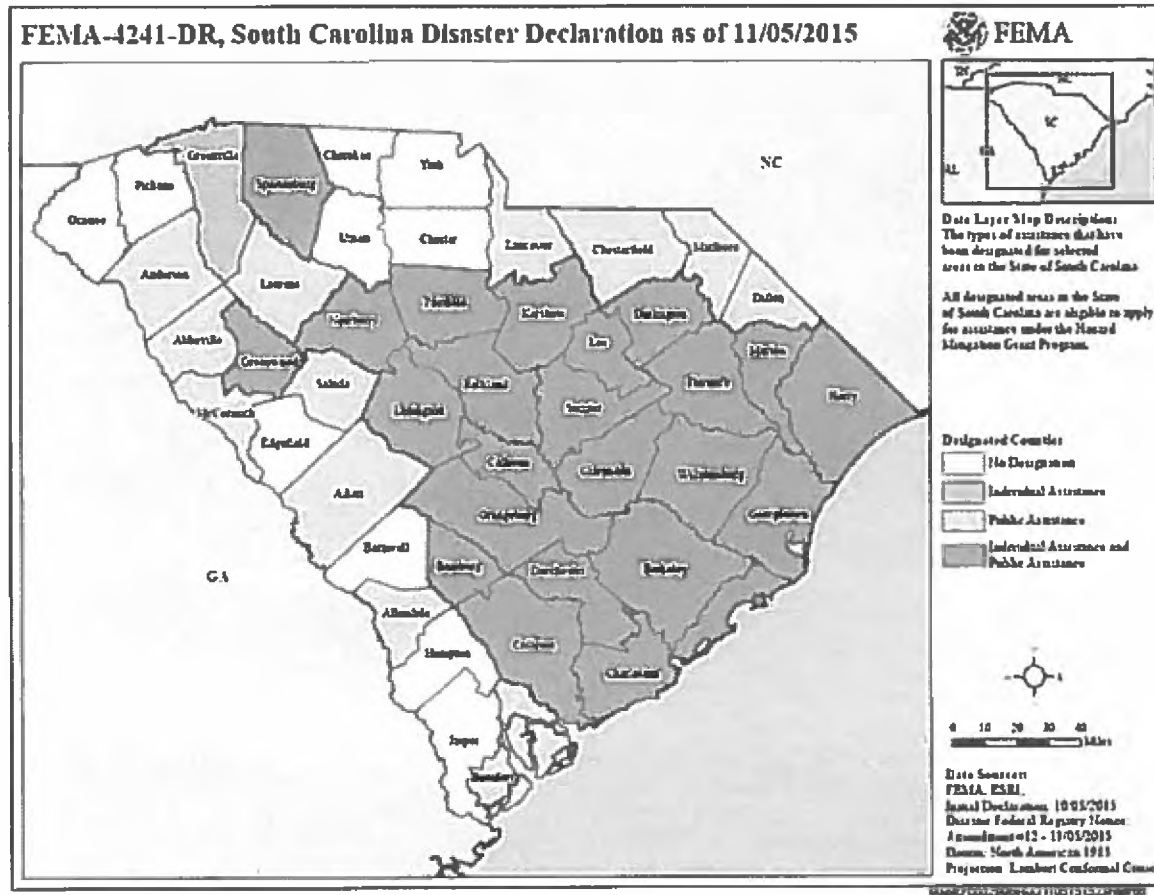
NRH/krp



# SC Flood Costs for Facility Repair

- We are requesting \$ 12 million (\$9 million federal and \$3 million state) to repair facilities damaged by the flood.
  - Roof replacement
  - Floor replacement due to water damage
  - Ceiling tile replacement
  - Window replacement and improvement
  - Drainage restoration and improvement
  - Site repair
- 23 Readiness Centers effected
  - Assessments ongoing
- Projects conducted as a result of heavy rains and flooding damage will be funded 75% Federal and 25% State

# FEMA Disaster Declaration



# ACT OF NATURE AMORIES

COUNTY	ARMORY
AIKEN	GRANITEVILLE
BERKELEY	MONCK'S CORNER
CHARLESTON	MOUNT PLEASANT, NORTH CHARLESTON
COLLENTON	WALTERBORO
FLORENCE	FLORENCE
GEORGETOWN	ANDREWS, GEORGETOWN
GREENWOOD	GREENWOOD
HORRY	CONWAY, MYRTLE BEACH
KERSHAW	CAMDEN
LANCASTER	LANCASTER
LAURENS	LAURENS
LEXINGTON	BATESBURG
MARION	MARION, MULLINS
NEWBERRY	NEWBERRY
ORANGEBURG	ORANGEBURG
RICHLAND	COLUMBIA
SPARTANBURG	WELLFORD
SUMTER	SUMTER
WILLIAMSBURG	HEMINGWAY, KINGSTREE

**Philpott, Katie**

---

**From:** Philpott, Katie  
**Sent:** Thursday, January 29, 2015 8:37 AM  
**To:** 'Tim Hance'  
**Subject:** RE: Building Codes Council

Thanks, Tim. I'll keep you posted as we move through the process.

Have a good one,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Tim Hance [<mailto:tim@timhancearchitect.com>]  
**Sent:** Wednesday, January 28, 2015 5:35 PM  
**To:** Philpott, Katie  
**Subject:** Building Codes Council

Hey Katie,

I have attached the application. Please let me know if I missed anything.

Thanks,  
Tim

On Dec 30, 2014, at 1:57 PM, Philpott, Katie wrote:

Mr. Hance,

Thank you for your time on the phone this afternoon. As we discussed, the Governor would like to nominate you for reappointment on the Building Codes Council in the Architect seat.

If you can complete the attached application and send it back to me at your earliest convenience, I will begin processing your appointment. Please don't hesitate to contact me if you have any questions or concerns. Thank you for your willingness to continue serving the Palmetto State in this position.

Have a happy New Year!

Kindest regards,

Katie R. Philpott

Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

<Governor's Office Application.pdf>

**J. Timothy Hance, AIA**  
President

**J. Timothy Hance, Architect, P.A.**  
1314 Lincoln Street, Suite 212  
Columbia, South Carolina 29201

803-933-0600 w  
803-933-0400 f  
803- m  
email: [tim@timhancearchitect.com](mailto:tim@timhancearchitect.com)  
website: [www.timhancearchitect.com](http://www.timhancearchitect.com)



**Philpott, Katie**

---

**From:** Lisa M. Widener <LisaWidener@scsenate.gov>  
**Sent:** Thursday, January 29, 2015 1:46 PM  
**To:** Philpott, Katie  
**Subject:** FW: Addendum  
**Attachments:** James Barber Addendum001.pdf

This is the "amended" paperwork for Andy Barber, Residential Home Builders. I need to know if it is OK to switch out the paperwork for his amended version.



Lisa Manini Widener  
Director of Research  
Senate Labor, Commerce & Industry Committee  
Office of Senator Thomas Alexander, Chairman  
Post Office Box 142  
Columbia, South Carolina 29202  
Telephone: (803) 212-6220  
Fax: (803) 212-6299  
Email: [lisawidener@scsenate.gov](mailto:lisawidener@scsenate.gov)

**From:** [REDACTED]@gmail.com [mailto:[REDACTED]@gmail.com]  
**Sent:** Tuesday, January 27, 2015 5:18 PM  
**To:** Lisa M. Widener  
**Cc:** [mnix@hbaofsc.com](mailto:mnix@hbaofsc.com)  
**Subject:** Addendum

Lisa,

Please see attached Addendum to the SC Senate Confirmation Questionnaire. This addendum is meant to add more detail to questions 10, 15 and 17. Also attached as part of the document is page one of the Application changing the answer and explaining question 18.

Please do not hesitate to contact me with any questions,

Andy Barber  
Daniel Is., S.C.  
843-[REDACTED]

Sent from Windows Mail



Office of the Governor  
State of South Carolina

Application for Boards, Commissions, and Committees

Your nomination **will not** be complete until this application is filed. Please return the application to:  
Office of the Governor, Attn: Katie Philpott, 1205 Pendleton Street, Columbia, South Carolina 29201

1) Your Name:

Dr. Mr./Mrs./Ms. BARBER JAMES ANDREW  
Last First Middle

2) Name of Board, Commission, or Committee you are being considered for:

RESIDENTIAL BUILDERS COMMISSION

3) Your Current Address, City, Zip Code and County:

Your Congressional District: C1

720 TALSON AVE. #100  
CHARLESTON SC 29442

4) Home Telephone: NONE 5) Office Telephone: NONE 6) Fax: NONE

7) Mobile Telephone: 843 [REDACTED] 8) Email Address: [REDACTED]@GMAIL.COM

9) Drivers License # [REDACTED] 10) Social Security #: [REDACTED]

11) Voter Registration # [REDACTED] 12) Date of Birth: FEB 21 1963

13) Race: WHITE 14) Sex: Male // Female

15) Level of Educational Background Completed:

Some High School  
High School graduate or equivalence (G.E.D.) TALSON POST SC  
Some College TRIDENT TECH  
College graduate NO  
Professional degree (please specify) NONE

16) Present Employer ATLANTIC BUILDING COMPANIES

Address 1948 LANS GUNT RD MUMFORDS CROSSLAND SC 29461

Current Position SALES

17) Years of residence in South Carolina: 51

18) Have you ever been arrested for a crime other than a minor traffic violation? YES If so, give details.\*

[REDACTED]  
[REDACTED]  
[REDACTED]

- (c) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child. **NONE**

6. Have you ever served in the military? If so, give the dates, branch of service, highest rank attained, serial number, present status, and the character of your discharge or release.

**NO**

7. List each college and graduate or professional school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.

**TRIDENT Tech College Sept. 1981 until Dec. 1982, no Degree  
Return Full Time US**

8. List the states in which you have been licensed and/or admitted to a professional practice and the year of each license and/or admission. Also, list any states in which you took a professional license exam, but were never admitted to the practice. If you took an exam more than once in any of the states listed please indicate the number of times you took the exam in each state.

**SC Residential Builder; RLB 23802  
SC Real Estate Commission; SALESMAN # 87889**

9. List the significant activities in which you took part during your attendance at college, graduate, and/or professional school. Give the dates you were involved in these activities and list any leadership positions you held.

**NONE**

10. Briefly describe any continuing education during the past five years.

**~~SEE~~ SEE ATTACHED**



**Philpott, Katie**

---

**From:** Philpott, Katie  
**Sent:** Monday, February 02, 2015 11:18 AM  
**To:** Schimsa, Rebecca  
**Subject:** RE: Fire Marshal

Bert Polk [Bert.Polk@llr.sc.gov](mailto:Bert.Polk@llr.sc.gov)  
803 [REDACTED]

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Schimsa, Rebecca  
**Sent:** Monday, February 02, 2015 10:50 AM  
**To:** Philpott, Katie  
**Subject:** Fire Marshal

Can you please send me our Fire Marshal's email address and cell number? Thank you!

**Philpott, Katie**

---

**From:** Mark Nix <mnix@hbaofsc.com>  
**Sent:** Wednesday, February 04, 2015 10:25 AM  
**To:** Philpott, Katie  
**Subject:** HBASC

Katie,

I hope you are doing well. When you have a few minutes could you give me a call. I have a question about the Housing Authority you might be able to help with.

Thanks,

Mark Nix  
Executive Director  
Home Builders Association of South Carolina  
625 Taylor Street, Suite A  
Columbia, SC 29201  
(803) 771-7408  
Mobile (803) [REDACTED]  
Fax (803) 254-5762

**NAHB Member Advantage Discount Program**  
(GM, UPS, FTD, Office Dept, Wyndham Hotel, Hertz discounts & more)  
Get all of the details online at [www.nahb.org/MA](http://www.nahb.org/MA).

## Philpott, Katie

---

**From:** Ray Hoshall <ray.hoshall@llr.sc.gov>  
**Sent:** Thursday, February 12, 2015 4:12 PM  
**To:** Philpott, Katie  
**Subject:** RE: Board of Pyrotechnic Safety - Fire Service Member

I figured so. Have a great rest of the week.

Ray

---

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Thursday, February 12, 2015 4:11 PM  
**To:** Ray Hoshall  
**Subject:** RE: Board of Pyrotechnic Safety - Fire Service Member

Of course. We are very thankful for his years of service.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Ray Hoshall [<mailto:ray.hoshall@llr.sc.gov>]  
**Sent:** Thursday, February 12, 2015 4:08 PM  
**To:** Philpott, Katie  
**Subject:** Re: Board of Pyrotechnic Safety - Fire Service Member

No a problem.

I do hope that somewhere in the letter it has all of those PC niceties and thank you stuff.... LOL

Ray Hoshall  
Chief of Licensing & Permitting  
Office of State Fire Marshal  
Sent from my mobile device  
(Please excuse spelling)

On Feb 12, 2015, at 4:00 PM, Philpott, Katie <[KatiePhilpott@gov.sc.gov](mailto:KatiePhilpott@gov.sc.gov)> wrote:

Thanks, Ray.

I will be sending Mr. Godfrey a letter indicating that due to his no longer meeting the statutory requirements for his seat, he will be replaced in the near future on the board.

Appreciate you getting me all of this information.

Regards,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

**From:** Ray Hoshall [<mailto:ray.hoshall@llr.sc.gov>]  
**Sent:** Thursday, February 12, 2015 2:54 PM  
**To:** Philpott, Katie  
**Cc:** Bert Polk  
**Subject:** Board of Pyrotechnic Safety - Fire Service Member

Hi Katie,

It was a pleasure getting to talk with you today. I appreciate all of your help in getting the vacancies on our Pyro Board filled. It is great to be able to have a meeting with all 7 seats filled.

With regard to the question regarding Fire Service Member Larry H. Godfrey, the qualification of the member filling this seat, as prescribed by Section 40-56-10, is that the member "must be employed by a local fire authority". At the time of Mr. Godfrey's appointment, he was employed by the City of Greenville Fire Department as a Fire Marshal. Subsequent to his appointment, Mr. Godfrey retired from the Fire Department in October 2011, as evidenced by the below excerpt for the Division of Fire & Life Safety Fire Portal:

<image001.jpg>

In a telephone conversation on January 22, 2015, I asked Mr. Godfrey what he was doing now that he retired and his reply was that he was just working around the house "catching up" on deferred projects. As shown in the excerpt above, there has been no additional activity on his Portal account (in other words, he has not returned to the fire service since his retirement, even as a volunteer). A review of his Fire Marshal Certification in our licensing database shows that certification expired on 2012. The database also shows that Mr. Godfrey was a licensed Pyrotechnic Operator for Commercial Outdoor Displays, however, that license expired on March 31, 2012.

During his time as a member of the Board, there were no known problems with his actions, the only issue now is his failure to meet the statutory requirements of being "employed by a local fire authority".

Respectfully,

Ray

Ray Hoshall  
Chief of Licensing and Permitting  
Division of Fire and Life Safety  
S. C. Department of Labor, Licensing and Regulation  
141 Monticello Trail  
Columbia, SC 29203  
Telephone: 803-896-9913  
Fax: 803-896-9806  
Email: [ray.hoshall@llr.sc.gov](mailto:ray.hoshall@llr.sc.gov)  
Web site: <http://www.scfiremarshal.llronline.com>

Please note that you can sign up to receive automatic information on SC Division of Fire and Life Safety current events, policies, laws and procedures by visiting our Web site at: <http://www.scfiremarshal.llronline.com>

## Philpott, Katie

---

**From:** Ray Hoshall <ray.hoshall@llr.sc.gov>  
**Sent:** Thursday, February 12, 2015 4:12 PM  
**To:** Philpott, Katie  
**Subject:** RE: Board of Pyrotechnic Safety - Fire Service Member

I figured so. Have a great rest of the week.

Ray

---

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Thursday, February 12, 2015 4:11 PM  
**To:** Ray Hoshall  
**Subject:** RE: Board of Pyrotechnic Safety - Fire Service Member

Of course. We are very thankful for his years of service.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Ray Hoshall [<mailto:ray.hoshall@llr.sc.gov>]  
**Sent:** Thursday, February 12, 2015 4:08 PM  
**To:** Philpott, Katie  
**Subject:** Re: Board of Pyrotechnic Safety - Fire Service Member

No a problem.  
I do hope that somewhere in the letter it has all of those PC niceties and thank you stuff.... LOL

Ray Hoshall  
Chief of Licensing & Permitting  
Office of State Fire Marshal  
Sent from my mobile device  
(Please excuse spelling)

On Feb 12, 2015, at 4:00 PM, Philpott, Katie <[KatiePhilpott@gov.sc.gov](mailto:KatiePhilpott@gov.sc.gov)> wrote:

Thanks, Ray.

I will be sending Mr. Godfrey a letter indicating that due to his no longer meeting the statutory requirements for his seat, he will be replaced in the near future on the board.

Appreciate you getting me all of this information.

Regards,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Ray Hoshall [<mailto:ray.hoshall@llr.sc.gov>]  
**Sent:** Thursday, February 12, 2015 2:54 PM  
**To:** Philpott, Katie  
**Cc:** Bert Polk  
**Subject:** Board of Pyrotechnic Safety - Fire Service Member

Hi Katie,

It was a pleasure getting to talk with you today. I appreciate all of your help in getting the vacancies on our Pyro Board filled. It is great to be able to have a meeting with all 7 seats filled.

With regard to the question regarding Fire Service Member Larry H. Godfrey, the qualification of the member filling this seat, as prescribed by Section 40-56-10, is that the member "must be employed by a local fire authority". At the time of Mr. Godfrey's appointment, he was employed by the City of Greenville Fire Department as a Fire Marshal. Subsequent to his appointment, Mr. Godfrey retired from the Fire Department in October 2011, as evidenced by the below excerpt for the Division of Fire & Life Safety Fire Portal:

<image001.jpg>

In a telephone conversation on January 22, 2015, I asked Mr. Godfrey what he was doing now that he retired and his reply was that he was just working around the house "catching up" on deferred projects. As shown in the excerpt above, there has been no additional activity on his Portal account (in other words, he has not returned to the fire service since his retirement, even as a volunteer). A review of his Fire Marshal Certification in our licensing database shows that certification expired on 2012. The database also shows that Mr. Godfrey was a licensed Pyrotechnic Operator for Commercial Outdoor Displays, however, that license expired on March 31, 2012.

During his time as a member of the Board, there were no known problems with his actions, the only issue now is his failure to meet the statutory requirements of being "employed by a local fire authority".

Respectfully,

Ray

Ray Hoshall  
Chief of Licensing and Permitting  
Division of Fire and Life Safety  
S. C. Department of Labor, Licensing and Regulation  
141 Monticello Trail  
Columbia, SC 29203  
Telephone: 803-896-9913  
Fax: 803-896-9806  
Email: [ray.hoshall@llr.sc.gov](mailto:ray.hoshall@llr.sc.gov)  
Web site: <http://www.scfiremarshal.llronline.com>

Please note that you can sign up to receive automatic information on SC Division of Fire and Life Safety current events, policies, laws and procedures by visiting our Web site at: <http://www.scfiremarshal.llronline.com>

## Philpott, Katie

---

**From:** Philpott, Katie  
**Sent:** Friday, February 20, 2015 11:13 AM  
**To:** Mark Nix  
**Subject:** Re: HBASC

Okay yes I will do anything I can to help them with it. Hopefully we can get it back by the first week in March.

I'll be in touch.

Sent from my iPhone

> On Feb 20, 2015, at 10:53 AM, Mark Nix <[mnix@hbaofsc.com](mailto:mnix@hbaofsc.com)> wrote:

>

> No problem. I told both of them to fill out the paperwork ASAP when they receive it.

>

> Thanks,

>

> Mark Nix

> Executive Director

> Home Builders Association of South Carolina

> 625 Taylor Street, Suite A

> Columbia, SC 29201

> (803) 771-7408

> Mobile (803) [REDACTED]

> Fax (803) 254-5762

>

> NAHB Member Advantage Discount Program (GM, UPS, FTD, Office Dept,

> Wyndham Hotel, Hertz discounts & more) Get all of the details online

> at [www.nahb.org/MA](http://www.nahb.org/MA).

>

>

>

> -----Original Message-----

> From: Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]

> Sent: Friday, February 20, 2015 10:50 AM

> To: Mark Nix

> Subject: RE: HBASC

>

> Thanks. I'll contact them both and send them the paperwork.

>

> I'll also rescind Andy Barber's appointment. Appreciate your help.

>

> Katie R. Philpott

> Director of Boards and Commissions

> Office of Governor Nikki R. Haley

> 1205 Pendleton Street

> Columbia, South Carolina 29201

> 803.734.5086 (office)

> 803.201.3423 (cell)

>

>

> -----Original Message-----

> From: Mark Nix [<mailto:mnix@hbaofsc.com>]

> Sent: Friday, February 20, 2015 10:34 AM

> To: Philpott, Katie

> Subject: RE: HBASC

>

>

> Jay Michel

> 843 [REDACTED]

> [jmichel@blitchplumbing.com](mailto:jmichel@blitchplumbing.com)

> Jay has a specialty contractor's license in plumbing (license number 1431) and his company, Blitch Plumbing, Inc., is out of Charleston. His license is in good standing and I can't find any judgments against him or his company. He has also been recommended from the local building official and I believe he is a Captain with the local volunteer fire department.

>

> Frank Clark

> [frank@clarkspet.com](mailto:frank@clarkspet.com)

> (803) [REDACTED]

> Frank has been retired for several years and will relinquish his builders license since he doesn't use it.

>

> Thanks for all your help!

>

>

> Mark Nix

> Executive Director

> Home Builders Association of South Carolina

> 625 Taylor Street, Suite A

> Columbia, SC 29201

> (803) 771-7408

> Mobile (803) [REDACTED]

> Fax (803)254-5762

>

> NAHB Member Advantage Discount Program (GM, UPS, FTD, Office Dept,

> Wyndham Hotel, Hertz discounts & more) Get all of the details online at [www.nahb.org/MA](http://www.nahb.org/MA).

>

>

>

> -----Original Message-----

> From: Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]

> Sent: Friday, February 20, 2015 9:58 AM

> To: Mark Nix

> Subject: RE: HBASC

>

> Did you call me yesterday? Call my cell if you will-803.201.3423

>

> Thanks,

>

> Katie R. Philpott

> Director of Boards and Commissions

> Office of Governor Nikki R. Haley



> 1205 Pendleton Street  
> Columbia, South Carolina 29201  
> 803.734.5086 (office)  
> 803.201.3423 (cell)  
>  
>  
> -----Original Message-----  
> From: Mark Nix (<mailto:mnix@hbaofsc.com>)  
> Sent: Thursday, February 19, 2015 10:41 AM  
> To: Philpott, Katie  
> Subject: HBASC  
>  
> I have new info. For you on comm. Will call later.  
>  
> Thanks  
>  
> Mark Nix  
> Home Builders Association of SC  
>  
> Sent from my iPad

## **Philpott, Katie**

---

**From:** Philpott, Katie  
**Sent:** Friday, February 20, 2015 4:25 PM  
**To:** 'jrmichel@blitchplumbing.com'  
**Cc:** Mark Nix (mnix@hbaofsc.com)  
**Subject:** Residential Builders Commission  
**Attachments:** 1 Governor's Office Application KRP.docx; 2 Senate Confidential Personal Data Questionnaire (PDQ).doc; 3 Senate Confidential Financial Statement (CFS).doc; 4 Senate - State Ethics Commission Statement of Economic Interest Form (WORD).doc

Jay,

I'm please to inform you that you have been nominated for the South Carolina Residential Builders Commission in a specialty contractor seat. I've attached the application documents you will need to complete for your consideration by the Senate. Please complete the paperwork at your earliest convenience and no later than Monday, March 6, if possible.

The first attachment is the Governor's Office application. It is three pages and requires a notarized signature.

The second attachment is the Senate application. It is a total of 8 pages with one additional page of instructions. Please fill out all questions to the best of your ability. If the question does not apply to you, please write N/A or NO rather than leaving the question blank. This application requires that you include 5 letters of recommendation, including one from your bank. Please be sure to write out the names, addresses, and telephone numbers of the individuals who will be submitting letters on your behalf on the 7th page of the application. Also, do not forget to include your place of birth when answering question number 2.

The third attachment is the Senate Confidential Personal Financial Statement. This document is 3 pages long. Please be sure to complete this to the best of your ability and ensure that you sign and date the third page.

The last attachment is the State Ethics Commission Statement of Economic Interest Form. This document includes several pages of detailed instructions, but there are 4 total pages you will need to fill out. Please complete the paper version of this document even if you have filed your SEI online. For the question which asks for Date of Hire or Appointment, please just write 2015.

It would be best if you can scan and email me a copy of the completed forms as well as send the original in the mail to the address listed below in my signature block.

Feel free to call or email me with any questions you have as you go through this process. Thank you for your willingness to serve the Palmetto State in this position!

Kindest regards,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)



**Office of the Governor  
State of South Carolina**

**Application for Boards, Commissions, and Committees**

Your nomination will not be complete until this application is filed. Please return the application to:  
Office of the Governor, Attn: Katie Philpott, 1205 Pendleton Street, Columbia, South Carolina 29201.

1] Your Name:

Dr./Mr./Mrs./Ms. \_\_\_\_\_  
Last First Middle

2] Name of Board, Commission, or Committee you are being considered for:

3] Your Current Address, City, Zip Code and County: \_\_\_\_\_ Your Congressional District: \_\_\_\_\_

4] Home Telephone: \_\_\_\_\_ 5] Office Telephone: \_\_\_\_\_ 6] Fax: \_\_\_\_\_

7] Mobile Telephone: \_\_\_\_\_ 8] Email Address: \_\_\_\_\_

9] Drivers License # \_\_\_\_\_ 10] Social Security #: \_\_\_\_\_

11] Voter Registration # \_\_\_\_\_ 12] Date of Birth: \_\_\_\_\_

13] Race: \_\_\_\_\_ 14] Sex: Male / Female

15] Level of Educational Background Completed:

Some High School \_\_\_\_\_

High School graduate or equivalence (G.E.D.) \_\_\_\_\_

Some College \_\_\_\_\_

College graduate \_\_\_\_\_

Professional degree (please specify) \_\_\_\_\_

16] Present Employer \_\_\_\_\_

Address \_\_\_\_\_

Current Position \_\_\_\_\_

17] Years of residence in South Carolina: \_\_\_\_\_

18] Have you ever been arrested for a crime other than a minor traffic violation? \_\_\_\_\_ If so, give details.\*

- 19] Have you filed state and federal income tax returns for the past five years? \_\_\_\_\_ If not, give details.\*
- 20] Are you or any company in which you have a controlling interest delinquent in any local, state or federal taxes? \_\_\_\_\_ If so, give details.\*
- 21] Have you ever defaulted on any state or federal student loan? \_\_\_\_\_ If so, give details.\*
- 22] Have you been treated for any alcohol, drug addiction, or substance abuse for the preceding five years? \_\_\_\_\_  
If so, give details.\*
- 23] Have you been party (plaintiff or defendant) in any state or federal litigation for the preceding five years? \_\_\_\_\_  
If so, give details.\*
- 24] Have you ever served in the military? \_\_\_\_\_  
Were you honorably discharged? \_\_\_\_\_ If not, give details.\*
- 25] Have you ever been terminated from employment for cause? \_\_\_\_\_ If so, give details.\*
- 26] Have you or any employer in the preceding ten years been investigated, reprimanded, fined, or suspended for doing business with any state or federal agency? \_\_\_\_\_ If so, give details.\*
- 27] Have you ever been disciplined or fined by the State Ethics Commission? \_\_\_\_\_ If so, give details.\*
- 28] Have you ever been disciplined or fined by any professional or regulatory agency? \_\_\_\_\_ If so, give details.\*
- 29] Do you serve on any local or state board, commission, committee, or elected office? \_\_\_\_\_ If so, list.\*
- 30] Are you a registered lobbyist in the State of South Carolina? \_\_\_\_\_
- 31] Do you or any member of your immediate family receive any income, compensation or benefits from state and local agencies in South Carolina? \_\_\_\_\_ If so, give details.\*
- 32] Do you or any member of your immediate family have any interest in any business that has, is, or will do business with the State of South Carolina or the entity for which you are applying? \_\_\_\_\_ If so, give details.\*
- 33] Are you or any member of your immediate family associated with any business regulated by the entity to which you are applying? \_\_\_\_\_ If yes, give details.\*
-

34] Have you or any member of your immediate family sold, leased, or rented personal property to any state or local public agency in South Carolina? \_\_\_\_\_ If so, please identify \*:

- a) the type of property,
- b) the name of the agency(s) involved,
- c) the value of the transaction(s).

35] Do you or any member of your immediate family owe a debt in excess of \$500 to any creditor regulated by the entity to which you are applying? \_\_\_\_\_ If so, give details.\* (Do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution.)

36] Do you or any member of your immediate family owe a debt in excess of \$500 to any creditor seeking a business relationship with the entity for which you are applying? \_\_\_\_\_ If so, give details.\* (Do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution.)

37] Do you or any member of your immediate family receive compensation from any individual or business that contracts with the entity for which you are applying? \_\_\_\_\_ If yes, please identify \*:

- a) the individual or business,
- b) the amount of compensation paid to you,
- c) the nature and amount of the contract,
- d) the governmental entity involved.

38] I, \_\_\_\_\_, agree that, if I am appointed to the \_\_\_\_\_, I will attend all stated or called meetings of this entity. If I am absent from three consecutive meetings, or if I am absent from half of the meetings within a six-month period, then I will resign my appointment. However, if the Chairperson excuses my absence prior to the meeting, in recognition of circumstances beyond my control (illness, family emergency, etc.), then I am entitled to retain my position.

\*Use extra sheet if necessary.

#### **CERTIFICATION OF APPLICANT**

Personally appeared before me, the applicant, who being duly sworn, disposed, and says that all his/her statements are true, accurate and complete: and that he/she knows and agrees that any misrepresentation or omission of the facts may result in his/her being disqualified or being discharged should he/she already be appointed by the Governor. He/she authorizes the State Law Enforcement Division to conduct a background investigation including, but not limited to, a criminal history, driving record and credit check. He/she also authorizes the Governor's Office to provide the nominating authorities with copies of this application, the criminal history and credit report and any other information gathered in processing this appointment.

\_\_\_\_\_  
**Applicant's Signature**

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, Two Thousand and \_\_\_\_\_.

\_\_\_\_\_  
**Notary Public for South Carolina**

My commission expires \_\_\_\_\_

**SENATE CONFIRMATION  
CONFIDENTIAL PERSONAL DATA QUESTIONNAIRE**

---

**NOTICE:** The information requested herein is needed to assist the Senate in its screening of candidates. This document is made available to and used by the appropriate Committee of jurisdiction and is not made public. Since this questionnaire is the initial step in the appointment and confirmation process, it should be returned to the Governor's Office as soon as possible. Please use additional sheets as necessary to complete this document.

---

Office or Seat to which you are being appointed:

---

1. NAME: Mr.  
Ms.

HOME ADDRESS:

BUSINESS ADDRESS:

TELEPHONE NUMBER: (home):  
(office):

RESIDE IN SENATE DISTRICT#: \_\_\_\_\_ CONGRESSIONAL DISTRICT#: \_\_\_\_\_

2. Date and Place of Birth: Social Security #:

3. Are you a citizen of South Carolina? Have you been a resident of this state for at least the immediate past 5 years?

4. SCDL# or SCHD#: Voter Registration Number:

5. Family Status: Are you  
single ( );  
married ( );  
widowed ( ); or  
divorced ( )?

(a) If married, state the date of your marriage and your spouse's full name.

(b) If you have ever been divorced, state the date, name of the moving party, court, and grounds.

- (c) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.
6. Have you ever served in the military? If so, give the dates, branch of service, highest rank attained, serial number, present status, and the character of your discharge or release.
7. List each college and graduate or professional school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
8. List the states in which you have been licensed and/or admitted to a professional practice and the year of each license and/or admission. Also, list any states in which you took a professional license exam, but were never admitted to the practice. If you took an exam more than once in any of the states listed please indicate the number of times you took the exam in each state.
9. List the significant activities in which you took part during your attendance at college, graduate, and/or professional school. Give the dates you were involved in these activities and list any leadership positions you held.
10. Briefly describe any continuing education during the past five years.

11. List all published books and articles you have written and give citations and dates of publication for each.
12. If an attorney, list all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies which require a special admission to practice.
13. Have you ever held public office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed.
14. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
15. Since completing your education, list any occupation, business, or profession in which you have been engaged other than holding public office. Give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.
16. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.



**17. Provide a complete, current financial net worth statement that itemizes in detail:**

**a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, trusts, investments, and other financial holdings**

**b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.**

**A sample net worth statement is provided with this questionnaire for your convenience. You may use any other comparable form if it was prepared within the past six months.**

**18. Describe any financial arrangements or business relationships which you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.**

**19. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation or county or municipal law, regulation or ordinance? If so give details but do not include traffic violations for which a fine of \$125 or less was imposed.**

20. Have federal, state, or local authorities ever instituted a tax lien or other collection procedure against you? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details.
21. Have you ever been sued, personally or professionally? If so, give details.
22. Have you ever been disciplined or sited for unprofessional conduct or a breach of ethics by any court, administrative agency, bar association, disciplinary committee, or other professional group? Have you ever been the subject of a formal complaint, or is there a complaint pending against you before such a group? If so, give the details and describe any final disposition.
23. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code §2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.
24. Since being notified of your possible appointment, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code §2-17-10(1) from a lobbyist or lobbyist's principal? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.
25. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf, in furtherance of your candidacy for the position you seek.

26. List the amount and recipient of all contributions made by you or on your behalf to the appointing authority or members of the General Assembly within six months of the filing of this questionnaire.
27. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your confirmation for the position for which you are being appointed?
28. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? If so, give details.
29. Have you or has anyone on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.
30. List all professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
31. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.

32. List any local, county or statewide board, commission, council or other body on which you currently serve which constitutes the holding of an office under the provisions of Article VI, Section 3 of the South Carolina Constitution, to wit:

No person may hold two offices of honor or profit at the same time. This limitation does not apply to officers in the militia, notaries public, members of lawfully and regularly organized fire departments, constables, or delegates to a constitutional convention.

33. Provide any other information which may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of appointment to the position that you seek.

34. List the **names**, **addresses** and **telephone numbers** of five persons, including your banker, who will provide letters of reference. Letters should be *addressed* the South Carolina Senate and **must be mailed with your completed application to: Office of the Governor, ATTN: Katie Philpott, 1205 Pendleton Street, Columbia, SC 29201.**

(a)

(b)

(c)

(d)

(e)

---

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE  
CONFIDENTIALITY OF ANY PROCEEDING BEFORE ANY PROFESSIONAL GRIEVANCE  
COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY  
KNOWLEDGE.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## Addendum to Question 34 of the Senate Personal Data Questionnaire

Question 34 asks for a list of five individuals willing to provide letters of reference. These letters are required by the Senate before they will consider a nomination. It is the responsibility of the nominee to contact and request a letter of reference from each individual and include the letters with the application materials when they are mailed.

### Tips and Guidelines for Letters of Reference:

1. *It is required by the Senate that one letter come from your banker.* This requirement is somewhat outdated in that, in an era of ATM's and online banking, a good number of people do not have a direct personal relationship with a bank employee anymore. A letter from a branch manager or account manager stating that the banking relationship is sound and that accounts are in good standing will suffice.

2. *Try to get letters from as many different perspectives as possible.* Avoid requesting letters from the same type of individual. For example, letters from a colleague from work, a pastor or fellow church member, a fellow member of a civic or community organization, and a longtime neighbor would give a well rounded perspective of a nominee's involvement in the community. Letters from a nominee's attorney, insurance agent, doctor, or personal friends are also acceptable— anyone with whom the nominee has a longstanding relationship. It is even better if they are a prominent member of the community.

3. *Letters should be addressed to the South Carolina Senate in the following manner:*

South Carolina Senate  
State House  
Columbia, South Carolina

Dear Ladies and Gentlemen of the Senate,

4. *Length and content.* Letters should be brief – one page or shorter. Letters should let the Senate know who the author is, the author's relationship with the nominee, how long the author has known the nominee, and any other relevant information necessary to provide a good reference.

5. *Nominees are responsible for collecting letters of reference.* Nominees should ask that letters of reference be mailed or delivered directly to them. Once all letters are collected, they should be mailed to the Governor's Office with the rest of the application materials.

**\*\*\*Please note: Letters need to be included in your complete application packet, which is returned to the Governor's office. \*\*\***

**Confidential Financial Statement  
Net Worth**

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) and all liabilities (including debts, mortgages, loans, and other financial obligations).

**ASSETS**

Cash on hand in banks

U. S. Government securities—add schedule

Listed securities—add schedule

Accounts and notes receivable:

Due from relatives and friends

Due from others

Doubtful

Real estate owned—add schedule

Real estate mortgages receivable

Cash value—life insurance

Other assets—itemize:

---

---

---

---

---

**Total assets**

## LIABILITIES

Notes payable to banks—secured  
Notes payable to banks—unsecured  
Notes payable to relatives  
Notes payable to others  
Accounts and bills due  
Unpaid income tax  
Other unpaid tax and interest  
Real estate mortgages payable—add schedule  
Chattel mortgages and other liens payable  
Other debts—itemize:

---

---

---

---

---

Total liabilities  
Net worth

## CONTINGENT LIABILITIES

As endorser, comaker or guarantor  
    On leases or contracts  
Legal claims  
    Provision for Federal Income Tax  
    Other special debt



**GENERAL INFORMATION**

**Are any assets pledged?**

**(Add schedule)**

**Are you defendant in any suits or legal actions?**

**Have you ever taken bankruptcy?**

**I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE  
BEST OF MY KNOWLEDGE.**

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

---

**STATE ETHICS COMMISSION**  
**STATEMENT OF ECONOMIC INTERESTS FORM**

**PLEASE READ ALL INSTRUCTIONS BEFORE COMPLETING THIS FORM**

THE STATEMENT OF ECONOMIC INTERESTS FORM IS TO BE FILED:

- (1) PRIOR TO TAKING THE OATH OF OFFICE OR ENTERING UPON THE RESPONSIBILITIES OF THE POSITION
- (2) CANDIDATES FILE AT THE TIME OF BECOMING A CANDIDATE
- (3) ANNUALLY, THEREAFTER, PRIOR TO APRIL 15

STATE SENATORS AND CANDIDATES FOR STATE SENATE

SENATE ETHICS COMMITTEE  
P. O. Box 142  
Columbia, SC 29202

STATE REPRESENTATIVES AND CANDIDATES FOR STATE REPRESENTATIVE

HOUSE ETHICS COMMITTEE  
P. O. Box 11867  
Columbia, SC 29211

ALL OTHER ELECTED OFFICIALS (including Probate Judges)  
PUBLIC MEMBERS AND PUBLIC EMPLOYEES

STATE ETHICS COMMISSION  
5000 Thurmond Mall, Suite 250  
Columbia, SC 29201

CANDIDATES FOR PUBLIC OFFICE

**NOTE:** All Candidates must also file a  
Campaign Disclosure Form.

With the party official or other  
designated official authorized to receive  
a notice of candidacy or petition to  
appear on the election ballot

THE FOLLOWING DESIGNATED OFFICIALS, MEMBERS OR EMPLOYEES, BY WHATEVER TITLE:

1. A person appointed to fill the unexpired term of an elective office;
2. Employees of regulatory agencies who are associated with a regulated business;
3. A member of a state board, commission, or agency;
4. A compensated member of a local board, commission, or agency;
5. The chief administrative official or employee and deputy or assistant administrative official or employee or director of a division, institution, or facility of any agency or department of state government;
6. The city administrator, city manager, or chief municipal administrative official or employee, by whatever title;
7. The county manager, county administrator, county supervisor, or chief county administrative official or employee, by whatever title;
8. The chief administrative official or employee of each political subdivision including, but not limited to, school districts, libraries, regional councils, airport commissions, hospitals, community action agencies, water and sewer districts, and development commissions;
9. A school district and county superintendent of education;
10. A school district board member and a county board of education member;
11. The chief finance official or employee and the chief purchasing official or employee of each agency, institution, or facility of state government, and of each county, municipality, or other political subdivision including, but not limited to, those named in Item (7).
12. All Public Officials.

**NOTE: KEEP A COPY OF THIS FORM FOR FOUR (4) YEARS.**

**\$100 PER DAY PENALTY IF  
FILED LATE**

## STATEMENT OF ECONOMIC INTERESTS GENERAL INSTRUCTIONS

**ADDITIONAL INFORMATION** - Candidates must provide the completed form to the election official, or other person designated to receive the declaration of candidacy or petition to appear on the election ballot. Within five (5) days after the filing books close, the election official must send an original and one copy, along with a candidate's roster, to the appropriate supervisory office. Upon receipt of the copies, the appropriate supervisory office will certify to the election official that the candidate has met the filing requirement and may properly have his name appear on the election ballot.

Annual reports must be filed with the appropriate supervisory office.

A copy of the completed form is provided by the supervisory office to the Clerk of Court in the county of the candidate's residence. In the Clerk of Court's office, as well as in the supervisory office, the filing becomes a matter of public record, open to public inspection upon request.

Faxed copies of this form will not be accepted. The originals must be received no later than 5:00 p.m. on the date of the established deadline.

Keep a copy of this form for four (4) years. A late filing penalty of \$100 per day **WILL** be assessed if the form is not received within five (5) days of the established deadline.

If more than one category in the filing information chart applies, a completed Statement of Economic Interests Form must be filed with each appropriate filing office.

Please type or print all responses. Incomplete or illegible statements may be returned for resubmission. Additional information concerning any section of this statement may be included by attaching supplemental sheets. Number and date all supplemental attachments. Each statement requires information to be reported for the prior calendar year, regardless of when the form is completed. All disclosure statements are a matter of public record, open to public inspection upon request.

### **CANDIDATES ONLY:**

#### **NOTE: ALL CANDIDATES MUST ALSO FILE A CAMPAIGN DISCLOSURE FORM.**

**A CAMPAIGN DISCLOSURE FORM MUST BE FILED AT LEAST FIFTEEN DAYS BEFORE EACH ELECTION, EVEN IF NO MONEY IS RAISED OR SPENT. AN INITIAL REPORT MUST ALSO BE FILED WITHIN TEN DAYS AFTER SPENDING OR RECEIVING \$500, EVEN IF THE MONEY PROVIDED IS SOLELY THE CANDIDATE'S OWN FUNDS. AFTER THE CANDIDATE FILES THE INITIAL FORM, A CAMPAIGN DISCLOSURE FORM MUST BE FILED WITHIN 10 DAYS AFTER THE END OF EACH CALENDAR QUARTER. THE QUARTERLY REPORTS MUST BE FILED UNTIL A FINAL REPORT IS FILED (i.e., NO MONEY IN THE CAMPAIGN ACCOUNT AND NO UNPAID DEBTS).**

**IF THE REPORTS ARE NOT FILED OR IF THE FORMS ARE LATE, A LATE FILING PENALTY, OF \$100 PER DAY, WILL BE LEVIED.**

**ALL CANDIDATES MUST OPEN A SEPARATE CHECKING OR SAVINGS ACCOUNT, UNLESS THE FILING FEE IS THE ONLY EXPENSE AND IT IS PAID FROM PERSONAL FUNDS.**

**INSTRUCTIONS FOR PAGE 1**

**SOCIAL SECURITY NUMBER** - This information is required for administrative purposes, only for positive identification of the filer, and will not be released to the public.



**STATEMENT OF ECONOMIC INTERESTS  
INSTRUCTIONS FOR PAGE 2**

1. Indicate whether you have ever filed a Statement of Economic Interests Form: yes or no
2. NAME - Indicate your full name. If you are commonly known by some other name, please indicate the name or nickname.
3. COUNTY OF RESIDENCE - Identify the name of the county where you legally reside. A copy of this form will be provided to the Clerk of Court in the county of residence.
4. ADDRESS - Indicate your full mailing address.
5. PHONE - Indicate a daytime telephone number where you can be reached.
- 6 & 7 - STATUS - Current and sought - Enter as many status numbers as apply to all position(s) currently held or sought.  
POSITION TITLE(S) AND AGENCY(S) - Identify the title of each position which you presently hold with public agencies in South Carolina at the time of filing. Incumbent officeholders indicate the name of the position and agency on line (a). If a second position is held, indicate that position and agency on line (b). Candidates indicate the name of the position and agency which is being sought.  
TERM(S) OF OFFICE - Enter the month and year of both the beginning and ending dates of the term if you are presently elected. Enter the month and year of the beginning and ending of the term that you are seeking if you are a candidate for elective office. Complete both sections if you are both an elected official and a candidate, whether for the same or a different office.
8. DATE OF HIRE OR DATE OF APPOINTMENT - (Employees and Appointed Officials Only) - Indicate the month and year of hire or appointment by the agency(s) with which you are currently serving.
9. CANDIDATES ONLY: DATE FILED AS A CANDIDATE - Indicate the month, day, and year when you filed the declaration of candidacy or petition to appear on the election ballot.
10. ELECTION DATE - Indicate the month, day, and year of the primary, general, and/or other election for the office for which you are a candidate.
11. **A SEPARATE CAMPAIGN DISCLOSURE FORM MUST BE FILED BY ALL CANDIDATES WITHIN 10 DAYS AFTER SPENDING OR RECEIVING \$500, 15 DAYS PRIOR TO EACH ELECTION, AND 10 DAYS AFTER THE END OF EACH CALENDAR QUARTER. ALL CANDIDATES MUST OPEN A SEPARATE CHECKING OR SAVINGS ACCOUNT, UNLESS THE FILING FEE IS THE ONLY EXPENSE AND IT IS PAID FROM PERSONAL FUNDS.**

**CERTIFICATION** - Sign and date the form, verifying that the information that you have provided is true, complete and correct to the best of your knowledge.

**NOTE:** Items 13-21 must indicate a response. If the item applies, complete according to instructions. If the item does not apply to you, check the "None" block. If these items are not completed, the form will be returned for completion. All responses must be for the prior calendar year, regardless of when the form is completed.

**E5A.1 STATE ETHICS COMMISSION-STATEMENT OF ECONOMIC INTERESTS FORM** pg. 2 of 4  
**PRINT IN BLACK OR BLUE INK, OR TYPE (DO NOT USE PENCIL)**

															1. Have you previously filed this form? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
2. County of Residence:																								
3. Name: (Last-First-Middle Initial)																								
4. Mailing Address:																								
City:										State:														
Zip:										5. Phone:                     -                     -														

	*Status	Position, Title, and Agency (If House or Senate, include District #)	Term of Office (mo./yr)
6. Current	_____	(a) _____	From _____ To _____
	_____	_____	From _____ To _____
7. Sought	_____	(b) _____	From _____ To _____

\*Status: 1. Appointed 2. Candidate 3. Employee 4. Elected 5. Employee/Regulated Business Association

8. Date of Hire or Appointment (mo-yr): \_\_\_\_\_

**CANDIDATES ONLY**

9. Date filed as a candidate (mo/da/yr) \_\_\_\_\_

10. Election Date(s) (mo/da/yr) Primary \_\_\_\_\_ General \_\_\_\_\_ Special \_\_\_\_\_

**11. NOTE: ALL CANDIDATES MUST ALSO FILE A CAMPAIGN DISCLOSURE FORM. A CAMPAIGN DISCLOSURE FORM MUST BE FILED AT LEAST FIFTEEN DAYS BEFORE EACH ELECTION, EVEN IF NO MONEY IS RAISED OR SPENT. AN INITIAL REPORT MUST ALSO BE FILED WITHIN TEN DAYS AFTER SPENDING OR RECEIVING \$500, EVEN IF THE MONEY PROVIDED IS SOLELY THE CANDIDATE'S OWN FUNDS. AFTER THE CANDIDATE FILES THE INITIAL FORM, A CAMPAIGN DISCLOSURE FORM MUST BE FILED WITHIN 10 DAYS AFTER THE END OF EACH CALENDAR QUARTER. THE QUARTERLY REPORTS MUST BE FILED UNTIL A FINAL REPORT IS FILED (i.e., NO MONEY IN THE CAMPAIGN ACCOUNT AND NO UNPAID DEBTS).**

**IF THE REPORTS ARE NOT FILED OR IF THE FORMS ARE LATE, A LATE FILING PENALTY, OF \$100 PER DAY, WILL BE LEVIED.**

**ALL CANDIDATES MUST OPEN A SEPARATE CHECKING OR SAVINGS ACCOUNT, UNLESS THE FILING FEE IS THE ONLY EXPENSE AND IT IS PAID FROM PERSONAL FUNDS.**

12. CERTIFICATION: I certify that the contents of this statement are true, correct, and complete to the best of my knowledge and belief. I understand that if this statement is not received within five (5) days of the deadline, a late filing penalty will be levied.

<p>Date _____ Signature _____</p> <p><b>FOR OFFICE USE ONLY:</b></p> <p><input type="checkbox"/> COMPLETE _____ <input type="checkbox"/> INCOMPLETE _____</p> <p><input type="checkbox"/> ENTERED _____ <input type="checkbox"/> SCANNED _____</p>	<p><b>FAXED COPIES WILL NOT BE ACCEPTED</b></p> <p><i>The original must be received no later than 5:00 p.m. on the date of the established deadline</i></p>
--	---

**NOTE: PLEASE PROVIDE ONE ORIGINAL AND ONE COPY OF THIS FORM TO THE APPROPRIATE SUPERVISORY OFFICE, AND KEEP A COPY FOR YOURSELF.**

**STATEMENT OF ECONOMIC INTERESTS  
INSTRUCTIONS FOR PAGE 3**

**13. INCOME AND BENEFITS** - Indicate the source, type, amount and/or value of income received by you or a member of your immediate family from state and local agencies in South Carolina during the prior calendar year. Generally, this amount is the same as the gross amount reported on your W-2 form. Any benefits not available to all employees or officials must be disclosed. Source refers to the public agency providing the income, compensation, or benefit. Type indicates the nature of the income or benefit (i.e., compensation, use of publicly-owned vehicle, residence, travel allowance, insurance, etc.) The amount, when known, should be disclosed. An amount does not need to be disclosed concerning permanent assignment of a vehicle or residence. State retirement does not need to be disclosed.

**14. REGULATED BUSINESS ASSOCIATION(S)** - Employees of regulatory agencies associated with businesses regulated by the agency must indicate the name(s) of all such businesses and how they are associated with that business. Disclose how that business is regulated by the regulatory agency.

**15. REAL OR PERSONAL PROPERTY INTERESTS** - Real estate interests held by you or a member of your immediate family in South Carolina must be disclosed (a) if the interest can be reasonably expected to be a conflict of interest with your public position, (b) if there have been public improvements (i.e., addition of sidewalks, road paving, water and/or sewer service, etc.) of more than \$200 on this or adjoining property, or (c) if the property has been sold, leased, or rented to a state or local public agency in South Carolina. Describe the nature of the property (i.e., residence, farm acreage, beach house), its physical location, and its market value. Identify the nature of the potential conflict of interest. Describe the nature and value of any public improvements. Identify the agency(s) which purchased, leased, or rented property from you. A copy of the sales contract or lease or rental agreement must be attached to this form.

Identify any personal property sold, leased, or rented by you or a member of your immediate family to a state or local public agency in South Carolina. Identify the type of property and the name of the agency(s) involved in the transaction(s) as well as the amount of value of the transaction(s). A copy of the sale contract, lease, or rental agreement must be attached to this form.

**16. BUSINESS INTERESTS** - Identify every business or entity in which you or a member of your immediate family held or controlled, in the aggregate, securities or interests constituting five percent or more of the total issued and outstanding securities and interests which constitute a value of \$100,000 or more. Identify your relationship to that business (officer, stockholder of more than \$100,000).



# SEC STATEMENT OF ECONOMIC INTERESTS

pg 3 of 4

E5A.2

(ALL RESPONSES MUST BE FOR THE PRIOR CALENDAR YEARS)

## 13. INCOME AND BENEFITS FROM STATE AND LOCAL AGENCIES IN SOUTH CAROLINA (Check if none )

Source	Type	Amount/Value

## 14. REGULATED BUSINESS ASSOCIATIONS (Check if none )

Name of Business	Relationship	Source of Regulatory Involvement

## 15. REAL OR PERSONAL PROPERTY INTERESTS (Check if none )

Description	Value	Location

Nature and Value of Improvements \_\_\_\_\_

Nature of Potential Conflict of Interest \_\_\_\_\_

Agency Purchasing, Leasing, or Renting the Property\*

\*A copy of the contract, lease, or rental agreement must be attached to this form.

## 16. BUSINESS INTERESTS (Check if none )

Name of Business	Relationship

**STATEMENT OF ECONOMIC INTERESTS  
INSTRUCTIONS FOR PAGE 4**

**17. CREDITORS** - List by name and address, each creditor to whom you or any member of your immediate family owed a debt in excess of \$500 at any time during the reporting period if the credit or loan is from some person which is regulated by the agency with which you are associated or from some person which is seeking a business or financial relationship with the agency with which you are associated. Disclose the original amount of the debt and the amount outstanding as of the end of the reporting period. Do not disclose amounts on credit cards or retail installment contracts. Also, do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution which loans money in the ordinary course of business and on terms and interest rates generally available to a member of the general public, without regard to status as a public official, public member, or public employee. Debt promised or loaned by a family member is not disclosed, if the person who promises or makes the loan is not acting as your agent or intermediary to a financial institution. Disclose the rate of interest charged on any reportable debt, the original amount and the outstanding balance.

**18. LOBBYISTS** - Identify the name and relationship of any lobbyist who is an immediate member of your family or an individual or business with which you or a member of your immediate family is associated. Identify any lobbyist or lobbyist's principal who has purchased goods or services of more than \$200 from you, a member of your immediate family, or an individual or business with which you are associated. Identify the type of goods or services purchased, the amount, from whom the material was purchased and your relationship to that person or business.

**19. GOVERNMENT CONTRACTS** - Identify each individual or business from which you receive compensation, if that individual or business also contracts with the governmental entity with which you serve or which employs you. Report the name and address of that individual or business and the amount of compensation paid to you by that individual or business. Identify further your relationship to that individual or business, the nature and amount of the contract, and the public agency involved in the contract.

**20. GIFTS** - The source and a brief description of any gifts, including transportation, lodging, food, or entertainment, received during the preceding calendar year from: (a) a person, if there is reason to believe the donor would not give the gift, gratuity, or favor but for your office or position; or (b) a person, or from an officer or director of a person, if you have reason to believe the person: (i) has or is seeking to obtain contractual or other business or financial relationship with your agency; or (ii) conducts operations or activities which are regulated by your agency if the value of the gift is \$25 or more in a day or if the value totals, in the aggregate, \$200 or more in a calendar year. Identify the type of gift, its value, as well as the donor and your relationship to that donor. Use this space to disclose travel expenses paid or reimbursed pursuant to Section 8-13-715.

**21. MEMBERS OF THE GENERAL ASSEMBLY AND CANDIDATES FOR THE GENERAL ASSEMBLY ONLY-** Identify any person represented for compensation, before any governmental entity by you, an individual with whom you are associated, or a business with which you are associated. Disclose the nature of the services rendered in such representation and the nature of any contacts made with governmental agencies regarding such representation. Fees earned for such representations must be fully disclosed. Matters of representation required by law or before courts in the unified judicial system do not require disclosure.

**NOTE:** You are not required to disclose economic interest information concerning:

- (1) a spouse separated from you by court order;
- (2) a former spouse;
- (3) a campaign contribution that is permitted and reported under Article 13; or
- (4) matters determined to require confidentiality pursuant to Section 2-17-90 (E).

# SEC STATEMENT OF ECONOMIC INTERESTS

pg. 4 of 4

E5A.3

17. CREDITORS (Check if none )

Name and Address of Creditor	Rate of Interest	Original Amount	Outstanding Amount

18. LOBBYISTS (Check if none )

(a) Name of Lobbyist	Relationship or Association

(b) Name of Lobbyist	Goods/Service Purchased	Amount	Purchased From	Relationship

19. GOVERNMENT CONTRACTS (Check if none )

Contractor Name and Address	Relationship	Nature of Business	Amount	Agency

20. GIFTS (Check if none )

Nature of Gift	Value	Donor	Relationship

21. MEMBERS OF AND CANDIDATES FOR THE GENERAL ASSEMBLY ONLY (Check if none )

Person Represented	Services Rendered	Nature Contact w/Gov. Agency	Fees Earned

## **CONTACT NUMBERS**

For questions, call: 803/253-4192

or

**Visit the State Ethics Commission  
or copy additional forms at:**

<http://www.state.sc.us/ethics>

### **State Ethics Commission Commissioners**

Gregory P. Harris, Chairman  
Kenneth C. Krawcheck, Member at Large, Vice-Chairman  
Marvin Infinger, 1<sup>st</sup> District  
Edward Duryea, 2<sup>nd</sup> District  
John L. Cannon, 3<sup>rd</sup> District  
Pete G. Diamaduros, 4<sup>th</sup> District  
Duane G. Hansen, 5<sup>th</sup> District  
Vacant, 6<sup>th</sup> District  
Flynn T. Harrell, Member at Large

*Executive Director, Herbert R. Hayden, Jr.  
Publication Editor, Marjorie A. DeLee*

## Philpott, Katie

---

**From:** Mark Nix <mnix@hbaofsc.com>  
**Sent:** Monday, February 23, 2015 1:54 PM  
**To:** Philpott, Katie  
**Subject:** RE: SC Residential Builders Comm

Al Bailey  
[bsiatb@sc.rr.com](mailto:bsiatb@sc.rr.com)  
(843) [REDACTED]

Mark Nix  
Executive Director  
Home Builders Association of South Carolina  
625 Taylor Street, Suite A  
Columbia, SC 29201  
(803) 771-7408  
Mobile (803) [REDACTED]  
Fax (803) 254-5762

**NAHB Member Advantage Discount Program**  
(GM, UPS, FTD, Office Dept, Wyndham Hotel, Hertz discounts & more)  
Get all of the details online at [www.nahb.org/MA](http://www.nahb.org/MA).

---

**From:** Mark Nix  
**Sent:** Monday, February 23, 2015 1:49 PM  
**To:** [katiephilpott@gov.sc.gov](mailto:katiephilpott@gov.sc.gov)  
**Subject:** SC Residential Builders Comm

Al Ted Bailey is good to go.

Mark Nix  
Executive Director  
Home Builders Association of South Carolina  
625 Taylor Street, Suite A  
Columbia, SC 29201  
(803) 771-7408  
Mobile (803) [REDACTED]  
Fax (803) 254-5762

**NAHB Member Advantage Discount Program**  
(GM, UPS, FTD, Office Dept, Wyndham Hotel, Hertz discounts & more)  
Get all of the details online at [www.nahb.org/MA](http://www.nahb.org/MA).

**Philpott, Katie**

---

**From:** Mark Nix <mnix@hbaofsc.com>  
**Sent:** Monday, February 23, 2015 1:25 PM  
**To:** Philpott, Katie  
**Subject:** FW: Michel Decline Letter February 2015  
**Attachments:** Michel Decline Letter February 2015.pdf

Sorry. I told him that it met monthly and he was okay with it. I am looking for a replacement.

Mark Nix  
Executive Director  
Home Builders Association of South Carolina  
625 Taylor Street, Suite A  
Columbia, SC 29201  
(803) 771-7408  
Mobile (803) [REDACTED]  
Fax (803) 254-5762

**NAHB Member Advantage Discount Program**  
(GM, UPS, FTD, Office Dept, Wyndham Hotel, Hertz discounts & more)  
Get all of the details online at [www.nahb.org/MA](http://www.nahb.org/MA).

---

**From:** Jay Michel [<mailto:jmichel@blitchplumbing.com>]  
**Sent:** Monday, February 23, 2015 1:16 PM  
**To:** [katiephilpott@gov.sc.gov](mailto:katiephilpott@gov.sc.gov); Mark Nix  
**Subject:** Michel Decline Letter February 2015

Ms. Philpott

It is with great regret that I must decline the offer to submit an application for the South Carolina Residential Builders Commission. After reviewing my schedule and future strategic business plans with my partner, I do not feel I have adequate schedule flexibility to devote to the Commission.

Thank you for your sincere consideration related to a possible seat on this important Commission.

Sincerely,

John P Michel IV  
Blitch Plumbing  
P.O. Box 13480  
Charleston, S.C. 29422  
Office: 843-795-9674  
Fax: 843-762-2207  
[jmichel@blitchplumbing.com](mailto:jmichel@blitchplumbing.com)

## **Philpott, Katie**

---

**From:** Philpott, Katie  
**Sent:** Tuesday, February 24, 2015 9:21 AM  
**To:** 'Jay Michel'  
**Subject:** RE: Michel Decline Letter February 2015

Mr. Michel,

Thank you for your consideration and for letting me know.

Kindest regards,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Jay Michel [<mailto:jmichel@blitchplumbing.com>]  
**Sent:** Monday, February 23, 2015 1:16 PM  
**To:** Philpott, Katie; [mnix@hbaofsc.com](mailto:mnix@hbaofsc.com)  
**Subject:** Michel Decline Letter February 2015

Ms. Philpott

It is with great regret that I must decline the offer to submit an application for the South Carolina Residential Builders Commission. After reviewing my schedule and future strategic business plans with my partner, I do not feel I have adequate schedule flexibility to devote to the Commission.

Thank you for your sincere consideration related to a possible seat on this important Commission.

Sincerely,

John P Michel IV  
Blitch Plumbing  
P.O. Box 13480  
Charleston, S.C. 29422  
Office: 843-795-9674  
Fax: 843-762-2207  
[jmichel@blitchplumbing.com](mailto:jmichel@blitchplumbing.com)

# **BLITCH** **PLUMBING**

**P.O. Box 13480 Charleston, SC 29422-3480 (843) 795-9674 Fax (843) 762-2207**

**February 23, 2015**

**Ms. Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201**

**Dear Ms. Philpott**

**It is with great regret that I must decline the offer to submit an application for the South Carolina Residential Builders Commission. After reviewing my schedule and future strategic business plans with my partner, I do not feel I have adequate schedule flexibility to devote to the Commission.**

**Thank you for your sincere consideration related to a possible seat on this most important Commission.**

**Sincerely,**

**John P Michel IV  
Vice President, Blitch Plumbing**



**Philpott, Katie**

---

**From:** Ray Hoshall <ray.hoshall@llr.sc.gov>  
**Sent:** Wednesday, February 25, 2015 3:00 PM  
**To:** Philpott, Katie  
**Subject:** RE: Pyrotechnic Safety

Thanks Katie. I know Chief Graham is excited to serve our citizens.

Respectfully,

Ray Hoshall  
Chief of Licensing and Permitting  
Division of Fire and Life Safety  
S. C. Department of Labor, Licensing and Regulation  
141 Monticello Trail  
Columbia, SC 29203  
Telephone: 803-896-9913  
Fax: 803-896-9806  
Email: [ray.hoshall@llr.sc.gov](mailto:ray.hoshall@llr.sc.gov)  
Web site: <http://www.scfiremarshal.llronline.com>

Please note that you can sign up to receive automatic information on SC Division of Fire and Life Safety current events, policies, laws and procedures by visiting our Web site at: <http://www.scfiremarshal.llronline.com>

-----Original Message-----

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Wednesday, February 25, 2015 2:56 PM  
**To:** Ray Hoshall  
**Cc:** Grant Gillespie  
**Subject:** RE: Pyrotechnic Safety

Thanks, Ray. The notification letter will be sent out this afternoon and Chief Graham should be appointed by the end of the week.

Regards,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

-----Original Message-----

From: Ray Hoshall [<mailto:ray.hoshall@llr.sc.gov>]  
Sent: Wednesday, February 25, 2015 2:36 PM  
To: Philpott, Katie; Grant Gillespie  
Subject: RE: Pyrotechnic Safety

Katie,

Chief Polk and I have reviewed the letter and concur in all points. As a matter of final due diligence, I spoke with the Fire Marshal in the City of Greenville and confirmed that Mr. Godfrey has not suddenly rejoined the department. I also had our Office Manager make a final check of the Division's Fire Portal, and Mr. Godfrey's name is still absent.

Thanks for doing an outstanding job in resolving this issue.

Respectfully,

Ray

Ray Hoshall  
Chief of Licensing and Permitting  
Division of Fire and Life Safety  
S. C. Department of Labor, Licensing and Regulation  
141 Monticello Trail  
Columbia, SC 29203  
Telephone: 803-896-9913  
Fax: 803-896-9806  
Email: [ray.hoshall@llr.sc.gov](mailto:ray.hoshall@llr.sc.gov)  
Web site: <http://www.scfiremarshal.llronline.com>

Please note that you can sign up to receive automatic information on SC Division of Fire and Life Safety current events, policies, laws and procedures by visiting our Web site at: <http://www.scfiremarshal.llronline.com>

-----Original Message-----

From: Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
Sent: Wednesday, February 25, 2015 1:43 PM  
To: Grant Gillespie; Ray Hoshall  
Subject: Pyrotechnic Safety

Can you both review the attached and let me know if it is okay to send? This is our standard form letter with an added sentence about the statutory requirement Mr. Godfrey no longer meets.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

-----Original Message-----

From: [Xerox@oepp.sc.gov](mailto:Xerox@oepp.sc.gov) [mailto:[Xerox@oepp.sc.gov](mailto:Xerox@oepp.sc.gov)]

Sent: Wednesday, February 25, 2015 2:30 PM

To: Philpott, Katie

Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Sent by: Guest [[Xerox@oepp.sc.gov](mailto:Xerox@oepp.sc.gov)]

Attachment File Type: PDF, Multi-Page

WorkCentre Location: machine location not set

Device Name: ECOS-SH119-WC5755

For more information on Xerox products and solutions, please visit <http://www.xerox.com>

## Philpott, Katie

---

**From:** Grant Gillespie <Grant.Gillespie@llr.sc.gov>  
**Sent:** Wednesday, March 18, 2015 2:27 PM  
**To:** Philpott, Katie  
**Subject:** FW: Legislative Update 03/06/2015 \\ SENATE LCI - 03/12/15

Katie: This is something that came up a few weeks ago regarding the Residential Home Builders. I know we discussed it and got Swati's input if memory serves me correct. But the plan I believe was to appoint the public member into a homebuilders slot in the future, meaning the statutory makeup of the board will remain in compliance? Isn't that right? Richele was asking this morning. Thanks and Buzz if easier.

Grant Gillespie  
Director of Business and Government Affairs  
SC Department of Labor, Licensing & Regulation,  
110 Centerview Drive; Columbia, SC 29210  
Office: 803.896.4440  
Cell: 803. [REDACTED]  
Fax: 803.896.4393  
Email: [gillespieg@llr.sc.gov](mailto:gillespieg@llr.sc.gov)  
Website: [www.llr.state.sc.us](http://www.llr.state.sc.us)

---

**From:** Richele Taylor  
**Sent:** Wednesday, March 18, 2015 11:47 AM  
**To:** Grant Gillespie  
**Subject:** FW: Legislative Update 03/06/2015 \\ SENATE LCI - 03/12/15

See below. Janet hasn't responded. Thanks for the bush/Haley text

---

**From:** Holly Beeson  
**Sent:** Wednesday, March 18, 2015 8:35 AM  
**To:** Richele Taylor; Janet Baumberger  
**Subject:** RE: Legislative Update 03/06/2015 \\ SENATE LCI - 03/12/15

So far as I know, it has not. Mr. Dill's consideration moved forward on Tuesday. Both Katie and Mark Nix were there. Janet, if he is confirmed with the board make-up it currently stands, where will we have a problem – is it the Congressional district coverage or the builder/public member issue, or both?

Holly Beeson  
Counsel to the Office of Communications  
and Government Affairs  
South Carolina Department of Labor, Licensing and Regulation

---

**From:** Richele Taylor  
**Sent:** Tuesday, March 17, 2015 9:41 PM  
**To:** Janet Baumberger; Holly Beeson  
**Subject:** RE: Legislative Update 03/06/2015 \\ SENATE LCI - 03/12/15

Did this get resolved?

Richele

---

**From:** Janet Baumberger  
**Sent:** Tuesday, March 10, 2015 7:43 AM  
**To:** Holly Beeson; Richele Taylor  
**Subject:** FW: Legislative Update 03/06/2015 \\ SENATE LCI - 03/12/15

Harry Dill is on the agenda again. We already have Bryan Dowd in district 7 and he has been ask to stay by the Governor.

Janet

---

**From:** Dottie Buchanan  
**Sent:** Monday, March 09, 2015 5:59 PM  
**To:** Richele Taylor; Melina Mann; Holly Beeson; Bert Polk; Susan Duncan; David Blackwell; Ray Hoshall; Dean Grigg; Christa Bell; Kristina Baker; Pat Hanks; OBS: Administrators  
**Cc:** Dottie Buchanan; Jennifer Cooper  
**Subject:** FW: Legislative Update 03/06/2015 \\ SENATE LCI - 03/12/15

**SENATE LABOR, COMMERCE AND INDUSTRY  
COMMITTEE**

**Thursday, March 12, 2015**  
**9:00 a.m. - Room #308 Gressette Building - Columbia, SC**

**I. CALL TO ORDER**  
- Senator Thomas Alexander, Chairman

**II. STATEWIDE APPOINTMENTS**

**TAB A. William H. Dill (Loris, South Carolina) - Appointment**  
**South Carolina Residential Builders Commission**

**III. LEGISLATION:**

***Labor & Employment Subcommittee / Subcommittee Chairman: Senator Kevin Bryant***

**TAB B. S.407 – Senator Bryant: A BILL TO AMEND SECTION 41-27-265(A) AND (B) OF THE 1976 CODE, RELATING TO THE CORPORATE OFFICERS EXEMPTION FROM UNEMPLOYMENT BENEFITS ABSENT EMPLOYER ELECTION, TO PROVIDE THAT CORPORATE OFFICERS ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE CORPORATION ELECTS TO OPT OUT OF THE COVERAGE AND TO PROVIDE FOR THE OPT OUT PROCESS, TO PROVIDE THAT THE SECTION ALSO APPLIES TO INDIVIDUALS WHO OWN TWENTY-FIVE PERCENT OR MORE STOCK IN A CORPORATION OR OTHERWISE EXERCISE AN OWNERSHIP INTEREST IN A CORPORATION, TO PROVIDE THAT PERSONS WITH A TWENTY-FIVE PERCENT OWNERSHIP INTEREST IN ANY OTHER BUSINESS ENTITY FORMED UNDER THE LAWS OF THIS STATE ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE BUSINESS ENTITY ELECTS TO OPT OUT OF THE COVERAGE; TO AMEND CHAPTER 41, TITLE 41 TO INCREASE PENALTIES FOR VIOLATIONS OF PROVISIONS CONTAINED IN CHAPTERS 27 THROUGH 41 OF TITLE 41 AND TO DEFINE NECESSARY TERMS. \**  
**\ Subcommittee Action: *Favorable report***

***Professions and Occupations Subcommittee / Subcommittee Chairman: Senator Billy O'Dell***

**\* TAB C. - S.276 - Senator Alexander:** A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-135 SO AS TO REQUIRE APPLICANTS APPLYING TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION FOR LICENSURE AS A RESIDENTIAL BUILDER OR REGISTRATION AS A RESIDENTIAL SPECIALTY CONTRACTOR TO DISCLOSE AND DESCRIBE ANY CRIMINAL CONVICTIONS, EXCEPT FOR MINOR TRAFFIC VIOLATIONS, ON HIS APPLICATION, TO PROVIDE THE COMMISSION SHALL REQUIRE AN APPLICANT FOR INITIAL LICENSURE TO SUBMIT TO A FINGERPRINT-BASED CRIMINAL BACKGROUND CHECK IN THIS STATE AND IN ANY STATE WHERE HE DISCLOSES HAVING A CONVICTION, TO PROVIDE SIMILAR REQUIREMENTS FOR APPLICANTS SEEKING RENEWALS, TO IMPOSE RELATED ADMINISTRATIVE REQUIREMENTS ON THE COMMISSION, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE AN ADDITIONAL PENALTY FOR FAILING TO DISCLOSE CONVICTIONS REQUIRING REGISTRATION AS A SEX OFFENDER.\

*\ Subcommittee Action: Pending outcome of subcommittee meeting*

**\* TAB D. - S.293 – Senators Alexander and Shealy:** A BILL TO AMEND TITLE 40 OF THE 1976 CODE, RELATING TO PROFESSIONS AND OCCUPATIONS, TO ENACT THE “SIGN LANGUAGE INTERPRETERS ACT” BY ADDING CHAPTER 24 TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS; TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO HAVE CERTAIN HEARING AND SPEECH IMPAIRMENTS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO HAVE CERTAIN HEARING IMPAIRMENTS, TO MAKE CONFORMING CHANGES; AND TO PROVIDE NECESSARY DEFINITIONS.\

*\ Subcommittee Action: Pending outcome of subcommittee meeting*

*\*Pending outcome of subcommittee meeting*

#### **IV. REGULATIONS:**

*Regulatory Subcommittee / Subcommittee Chairman: Senator Shane Massey*

**TAB E. - S.458 – Senator Alexander:** A BILL TO AMEND SECTION 6-9-55(C) OF THE 1976 CODE, RELATING TO THE ENFORCEMENT DATE OF SECTION 501.3 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE, TO PROVIDE THAT THE ENFORCEMENT DATE IS CHANGED TO JULY 1, 2016 FROM JULY 1, 2015. /

*/ Subcommittee Action: Favorable with amendments*

**TAB F. -Regulation #4499 - Board of Architectural Examiners- Application and Fees**

*/ Subcommittee Action: Approved*

**TAB G.-Regulation #4500 - State Athletic Commission – Fees**

*/ Subcommittee Action: Approved*

**TAB H.-Regulation #4503 - Board of Registration for Professional Engineers & Surveyors – Fees**

*/ Subcommittee Action: Approved*

**TAB I.-Regulation #4504 - Environmental Certification Board – Fees**

*/ Subcommittee Action: Approved*

**TAB J. -Regulation #4505 - Board of Funeral Service – Fees**  
*/ Subcommittee Action: Approved*

**TAB K.-Regulation #4506 - Board of Registration for Geologists – Fees**  
*/ Subcommittee Action: Approved*

**TAB L.-Regulation #4508 - Manufactured Housing Board – Fees**  
*/ Subcommittee Action: Approved*

**TAB M.-Regulation #4512 - Board of Physical Therapy Examiners – Fees**  
*/ Subcommittee Action: Approved*

**TAB N.-Regulation #4514 - Board of Examiners for Licensure of Professional Counselors, Marriage & Family Therapists, & Psycho-Educational Specialists – Fees**  
*/ Subcommittee Action: Approved*

**TAB O.-Regulation #4516 - Real Estate Appraisers Board – Fees**  
*/ Subcommittee Action: Approved*

**TAB P.-Regulation #4517 - Real Estate Commission – Fees**  
*/ Subcommittee Action: Approved*

**TAB Q.-Regulation #4518 - Residential Builders Commission – Fees**  
*/ Subcommittee Action: Approved*

**TAB R.-Regulation #4519 - Soil Classifier Advisory Council – Fees**  
*/ Subcommittee Action: Approved*

**TAB S.-Regulation #4535 - Real Estate Commission – Fees**  
*/ Subcommittee Action: Approved*

**TAB T. -Regulation #4537 - Building Codes Council – Fees**  
*/ Subcommittee Action: Approved*

**TAB U.-Regulation #4556 - Geologists – Fees**  
*/ Subcommittee Action: Approved*

**TAB V.-Regulation #4474 - Department of Employment and Workforce- Offers of Work**  
*/ Subcommittee Action: Approved*

**TAB W.-Regulation #4501 - Building Codes Council - Modular Homes - Update regulations to comport with Act 179 from the 2013-2014 legislative session.**  
*/ Subcommittee Action: Approved*

**TAB X.-Regulation #4521 - Board of Pharmacy - Administrative Citations and Penalties; and Fees**  
*/ Subcommittee Action: Approved*

**TAB Y.-Regulation #4536 - State Athletic Commission - Requirements for Licensure for professional boxing, wrestling, kick boxing, off street boxing, and Mixed Martial Arts**  
*/ Subcommittee Action: Approved*

**TAB 2.-Regulation #4557 - Board of Registration for Geologists - Use of Electronic Seals**  
*/ Subcommittee Action: Approved*

**TAB 1.-Regulation #4558 - Office of Occupational Health and Safety – Recordkeeping**  
*/ Subcommittee Action: Approved*

**V. ADJOURNMENT**

*\*Pending outcome of subcommittee meeting*

---

**From:** Dottie Buchanan  
**Sent:** Friday, March 06, 2015 5:49 PM  
**To:** Richele Taylor; Melina Mann; Holly Beeson; Bert Polk; Susan Duncan; David Blackwell; Dean Grigg; Christa Bell; Kristina Baker; Pat Hanks; OBS: Administrators  
**Cc:** Dottie Buchanan; Jennifer Cooper  
**Subject:** Legislative Update 03/06/2015

Attached you will find the 2015 Bills & Regulations Status Report for this week. If you have items that you know need to be added, please let me know. Likewise, if I have a bill listed that we do not need to track for your area, please let me know.

---

**MEETINGS AT THE STATEHOUSE NEXT WEEK:**

To view Senate Meeting Agendas <http://www.scstatehouse.gov/meetings.php?chamber=S>  
To view House Meeting Agendas <http://www.scstatehouse.gov/meetings.php?chamber=H>

MEETING	DAY / TIME / LOCATION	LLF
Senate – LCI Professions & Occupations Subcommittee	<ul style="list-style-type: none"><li>• Wed., March 11, 2015</li><li>• 11:00 A.M.</li><li>• 209 Gressette</li></ul>	<ul style="list-style-type: none"><li>• S.276 – RBC – Criminal Background Checks</li><li>• S.293 – Sign Language Interpreters Act</li></ul>
Senate Judiciary Subcommittee	<ul style="list-style-type: none"><li>• Thu., March 12, 2015</li><li>• 9:00 A.M.</li><li>• 105 Gressette</li></ul>	<ul style="list-style-type: none"><li>• S.13 SC Common Interest Community Assoc Act (re</li><li>• S.18 SC Homeowners Protection Act (REC –Revise C</li></ul>

**Senate LCI Meeting on Thursday, March 12, 2015 – Agenda not yet available.**

Dottie Buchanan, APM  
Office of Communications & Governmental Affairs  
SC Department of Labor, Licensing, and Regulation

110 Centerview Drive, Suite 302, Columbia, SC 29210  
P O Box 11329, Columbia, SC 29211-1329  
Phone 803-896-0239 / Fax 803-896-4393





### *It's a Great Day in South Carolina*

Disclaimer: This email, including any attachments, contains privileged, confidential, non-public information on for the use of the individual or entity named above. If the reader of this email is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution, or reproduction of this e-mail, including attachments, is strictly prohibited. If you have received this email in error, please contact me immediately and return the e-mail, including the attachments, to sender or to LLR-Office of Communications & Governmental Affairs, P.O. Box 11329, Columbia, SC 29211 via the US Postal Service. Thank You.

## Philpott, Katie

---

**From:** Mona Flowers <MFlowers@mcasc.com>  
**Sent:** Monday, March 23, 2015 4:38 PM  
**To:** Philpott, Katie  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

**Importance:** High

Katie

That is great news and many thanks. Not a problem at all. I will forward your email to Mike and copy you on the email and ask him to get it completed and returned to you ASAP.

Again, many thanks for all your help.  
Mona

*Mona L. Flowers  
Managing Director  
Mechanical Contractors Association of South Carolina  
Post Office Box 384  
Columbia, SC 29202-0384  
Telephone: (803) 772-7834  
Fax: (803) 731-0390  
Cell Phone: (803) [REDACTED]  
Email: mflowers@mcasc.com  
Web Site: www.mcasc.com*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Philpott, Katie [mailto:KatiePhilpott@gov.sc.gov]  
**Sent:** Monday, March 23, 2015 2:45 PM  
**To:** Mona Flowers  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Mona,

The Governor approved the nomination of Mr. Michael Richardson. Can you assist me by getting him the attached application and having him scan or mail it back to me?

Thanks so much!

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley

1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mona Flowers [<mailto:MFlowers@mcasc.com>]  
**Sent:** Tuesday, March 17, 2015 10:44 AM  
**To:** Philpott, Katie  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Katie

That is great and many thanks. Have a wonderful day.  
Mona

*Mona L. Flowers*  
*Managing Director*  
*Mechanical Contractors Association of South Carolina*  
*Post Office Box 384*  
*Columbia, SC 29202-0384*  
*Telephone: (803) 772-7834*  
*Fax: (803) 731-0390*  
*Cell Phone: (803) [REDACTED]*  
*Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)*  
*Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Tuesday, March 17, 2015 10:41 AM  
**To:** Mona Flowers  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Thanks, Mona.

I'll be in touch when I receive confirmation from the Governor.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mona Flowers [<mailto:MFlowers@mcasc.com>]  
**Sent:** Monday, March 16, 2015 5:55 PM  
**To:** Philpott, Katie

**Subject:** Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat  
**Importance:** High

Katie:

Many thanks for taking time out of your busy schedule to talk with me today about the Electrical Seat on the Building Codes Council. As promised, attached is a letter from MCASC asking Governor Haley to please appoint Mike Richardson to that seat along with his resume. I understand you are scheduled to meet with Governor Haley on Thursday and we would greatly appreciate it if you could take care of this at that time. Should you need any additional information, please feel free to let me know.

Katie, again many thanks and we look forward to hearing a favorable response from you soon.

Mona

Attachments - 2

*Mona L. Flowers*  
*Managing Director*  
*Mechanical Contractors Association of South Carolina*  
*Post Office Box 384*  
*Columbia, SC 29202-0384*  
*Telephone: (803) 772-7834*  
*Fax: (803) 731-0390*  
*Cell Phone: (803) [REDACTED]*  
*Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)*  
*Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

**Philpott, Katie**

---

**From:** Mona Flowers <MFlowers@mcasc.com>  
**Sent:** Tuesday, March 24, 2015 11:24 AM  
**To:** Philpott, Katie  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Thank you Katie. Let me know if you don't hear back from Mike in a reasonable amount of time and I will shake him again!!!

Many Thanks and have a great day.  
Mona

*Mona L. Flowers  
Managing Director  
Mechanical Contractors Association of South Carolina  
Post Office Box 384  
Columbia, SC 29202-0384  
Telephone: (803) 772-7834  
Fax: (803) 731-0390  
Cell Phone: (803) [REDACTED]  
Email: mflowers@mcasc.com  
Web Site: www.mcasc.com*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Philpott, Katie [mailto:KatiePhilpott@gov.sc.gov]  
**Sent:** Tuesday, March 24, 2015 8:35 AM  
**To:** Mona Flowers  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Thanks, Mona!!

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mona Flowers [mailto:MFlowers@mcasc.com]  
**Sent:** Monday, March 23, 2015 4:43 PM  
**To:** [mrichardson@atlanticelectric.com](mailto:mrichardson@atlanticelectric.com)  
**Cc:** Philpott, Katie

**Subject:** FW: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat  
**Importance:** High

Mike

Per our tel con just now please see the below and attached email from Katie at Governor Haley's Office. Please complete the attached paperwork as soon as possible and return it to Katie so that she can finalize everything. If I can help you in any way, please don't hesitate to let me know.

Mike, again Congratulations.

Thanks,  
Mona

*Mona L. Flowers*  
*Managing Director*  
*Mechanical Contractors Association of South Carolina*  
*Post Office Box 384*  
*Columbia, SC 29202-0384*  
*Telephone: (803) 772-7834*  
*Fax: (803) 731-0390*  
*Cell Phone: (803) [REDACTED]*  
*Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)*  
*Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Monday, March 23, 2015 2:45 PM  
**To:** Mona Flowers  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Mona,

The Governor approved the nomination of Mr. Michael Richardson. Can you assist me by getting him the attached application and having him scan or mail it back to me?

Thanks so much!

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mona Flowers [<mailto:MFlowers@mcasc.com>]  
**Sent:** Tuesday, March 17, 2015 10:44 AM

**To:** Philpott, Katie  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Katie

That is great and many thanks. Have a wonderful day.  
Mona

*Mona L. Flowers*  
*Managing Director*  
*Mechanical Contractors Association of South Carolina*  
*Post Office Box 384*  
*Columbia, SC 29202-0384*  
*Telephone: (803) 772-7834*  
*Fax: (803) 731-0390*  
*Cell Phone: (803) [REDACTED]*  
*Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)*  
*Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Tuesday, March 17, 2015 10:41 AM  
**To:** Mona Flowers  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Thanks, Mona.

I'll be in touch when I receive confirmation from the Governor.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mona Flowers [<mailto:MFlowers@mcasc.com>]  
**Sent:** Monday, March 16, 2015 5:55 PM  
**To:** Philpott, Katie  
**Subject:** Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat  
**Importance:** High

Katie:

Many thanks for taking time out of your busy schedule to talk with me today about the Electrical Seat on the Building Codes Council. As promised, attached is a letter from MCASC asking Governor Haley to please appoint Mike Richardson to that seat along with his resume. I understand you are scheduled to meet with Governor Haley on Thursday and we

would greatly appreciate it if you could take care of this at that time. Should you need any additional information, please feel free to let me know.

Katie, again many thanks and we look forward to hearing a favorable response from you soon.

Mona

Attachments - 2

*Mona L. Flowers  
Managing Director  
Mechanical Contractors Association of South Carolina  
Post Office Box 384  
Columbia, SC 29202-0384  
Telephone: (803) 772-7834  
Fax: (803) 731-0390  
Cell Phone: (803) [REDACTED]  
Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)  
Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.



## **Philpott, Katie**

---

**From:** Mona Flowers <MFlowers@mcasc.com>  
**Sent:** Wednesday, March 25, 2015 5:27 PM  
**To:** Mike Richardson; Philpott, Katie  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Mike, thanks so very much.

Katie, let me know if there is anything I need to do.

Thanks,  
Mona

*Mona L. Flowers  
Managing Director  
Mechanical Contractors Association of South Carolina  
Post Office Box 384  
Columbia, SC 29202-0384  
Telephone: (803) 772-7834  
Fax: (803) 731-0390  
Cell Phone: (803) [REDACTED]  
Email: mflowers@mcasc.com  
Web Site: www.mcasc.com*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Mike Richardson [mailto:MRichardson@atlanticelectric.com]  
**Sent:** Wednesday, March 25, 2015 5:06 PM  
**To:** KatiePhilpott@gov.sc.gov  
**Cc:** Mona Flowers  
**Subject:** FW: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat  
**Importance:** High

Katie,

Attached is my completed application.

Please let me know if you have any questions

Mike Richardson  
Vice President  
Atlantic Electric, LLC  
DD (843) 460-1202

Direct Fax (843) 460-1203  
Cell (843) [REDACTED]

[Click here](#) to upload files.

**From:** Mona Flowers [<mailto:MFlowers@mcasc.com>]  
**Sent:** Monday, March 23, 2015 4:43 PM  
**To:** Mike Richardson  
**Cc:** [katiephilpott@gov.sc.gov](mailto:katiephilpott@gov.sc.gov)  
**Subject:** FW: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat  
**Importance:** High

Mike

Per our tel con just now please see the below and attached email from Katie at Governor Haley's Office. Please complete the attached paperwork as soon as possible and return it to Katie so that she can finalize everything. If I can help you in any way, please don't hesitate to let me know.

Mike, again Congratulations.

Thanks,  
Mona

*Mona L. Flowers*  
*Managing Director*  
*Mechanical Contractors Association of South Carolina*  
*Post Office Box 384*  
*Columbia, SC 29202-0384*  
*Telephone: (803) 772-7834*  
*Fax: (803) 731-0390*  
*Cell Phone: (803) [REDACTED]*  
*Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)*  
*Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Monday, March 23, 2015 2:45 PM  
**To:** Mona Flowers  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Mona,

The Governor approved the nomination of Mr. Michael Richardson. Can you assist me by getting him the attached application and having him scan or mail it back to me?

Thanks so much!

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mona Flowers [<mailto:MFlowers@mcasc.com>]  
**Sent:** Tuesday, March 17, 2015 10:44 AM  
**To:** Philpott, Katie  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Katie

That is great and many thanks. Have a wonderful day.  
Mona

*Mona L. Flowers*  
*Managing Director*  
*Mechanical Contractors Association of South Carolina*  
*Post Office Box 384*  
*Columbia, SC 29202-0384*  
*Telephone: (803) 772-7834*  
*Fax: (803) 731-0390*  
*Cell Phone: (803) [REDACTED]*  
*Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)*  
*Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Tuesday, March 17, 2015 10:41 AM  
**To:** Mona Flowers  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Thanks, Mona.

I'll be in touch when I receive confirmation from the Governor.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mona Flowers [mailto:MFlowers@mcasc.com]

**Sent:** Monday, March 16, 2015 5:55 PM

**To:** Philpott, Katie

**Subject:** Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

**Importance:** High

Katie:

Many thanks for taking time out of your busy schedule to talk with me today about the Electrical Seat on the Building Codes Council. As promised, attached is a letter from MCASC asking Governor Haley to please appoint Mike Richardson to that seat along with his resume. I understand you are scheduled to meet with Governor Haley on Thursday and we would greatly appreciate it if you could take care of this at that time. Should you need any additional information, please feel free to let me know.

Katie, again many thanks and we look forward to hearing a favorable response from you soon.

Mona

Attachments - 2

*Mona L. Flowers*

*Managing Director*

*Mechanical Contractors Association of South Carolina*

*Post Office Box 384*

*Columbia, SC 29202-0384*

*Telephone: (803) 772-7834*

*Fax: (803) 731-0390*

*Cell Phone: (803) [REDACTED]*

*Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)*

*Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

## Philpott, Katie

---

**From:** Philpott, Katie  
**Sent:** Wednesday, March 25, 2015 6:42 PM  
**To:** Mike Richardson  
**Cc:** Mona Flowers  
**Subject:** Re: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Thanks, Mike.

Sent from my iPhone

On Mar 25, 2015, at 5:05 PM, Mike Richardson <[MRichardson@atlanticelectric.com](mailto:MRichardson@atlanticelectric.com)> wrote:

Katie,

Attached is my completed application.

Please let me know if you have any questions

Mike Richardson  
Vice President  
Atlantic Electric, LLC  
DD (843) 460-1202  
Direct Fax (843) 460-1203  
Cell (843) [REDACTED]

[Click here](#) to upload files.

**From:** Mona Flowers [<mailto:MFlowers@mcasc.com>]  
**Sent:** Monday, March 23, 2015 4:43 PM  
**To:** Mike Richardson  
**Cc:** [katiephilpott@gov.sc.gov](mailto:katiephilpott@gov.sc.gov)  
**Subject:** FW: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat  
**Importance:** High

Mike

Per our tel con just now please see the below and attached email from Katie at Governor Haley's Office. Please complete the attached paperwork as soon as possible and return it to Katie so that she can finalize everything. If I can help you in any way, please don't hesitate to let me know.

Mike, again Congratulations.

Thanks,  
Mona

*Mona L. Flowers*

*Managing Director  
Mechanical Contractors Association of South Carolina  
Post Office Box 384  
Columbia, SC 29202-0384  
Telephone: (803) 772-7834  
Fax: (803) 731-0390  
Cell Phone: (803) [REDACTED]  
Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)  
Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Monday, March 23, 2015 2:45 PM  
**To:** Mona Flowers  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Mona,

The Governor approved the nomination of Mr. Michael Richardson. Can you assist me by getting him the attached application and having him scan or mail it back to me?

Thanks so much!

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mona Flowers [<mailto:MFlowers@mcasc.com>]  
**Sent:** Tuesday, March 17, 2015 10:44 AM  
**To:** Philpott, Katie  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Katie

That is great and many thanks. Have a wonderful day.  
Mona

*Mona L. Flowers  
Managing Director  
Mechanical Contractors Association of South Carolina  
Post Office Box 384*

Columbia, SC 29202-0384  
Telephone: (803) 772-7834  
Fax: (803) 731-0390  
Cell Phone: (803) [REDACTED]  
Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)  
Web Site: [www.mcasc.com](http://www.mcasc.com)

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

---

**From:** Philpott, Katie [<mailto:KatiePhilpott@gov.sc.gov>]  
**Sent:** Tuesday, March 17, 2015 10:41 AM  
**To:** Mona Flowers  
**Subject:** RE: Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat

Thanks, Mona.

I'll be in touch when I receive confirmation from the Governor.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mona Flowers [<mailto:MFlowers@mcasc.com>]  
**Sent:** Monday, March 16, 2015 5:55 PM  
**To:** Philpott, Katie  
**Subject:** Letter To Governor RE: Appointment Of Mike Richardson To Building Codes Council Electrical Seat  
**Importance:** High

Katie:

Many thanks for taking time out of your busy schedule to talk with me today about the Electrical Seat on the Building Codes Council. As promised, attached is a letter from MCASC asking Governor Haley to please appoint Mike Richardson to that seat along with his resume. I understand you are scheduled to meet with Governor Haley on Thursday and we would greatly appreciate it if you could take care of this at that time. Should you need any additional information, please feel free to let me know.

Katie, again many thanks and we look forward to hearing a favorable response from you soon.

Mona

Attachments - 2

*Mona L. Flowers  
Managing Director  
Mechanical Contractors Association of South Carolina  
Post Office Box 384  
Columbia, SC 29202-0384  
Telephone: (803) 772-7834  
Fax: (803) 731-0390  
Cell Phone: (803) [REDACTED]  
Email: [mflowers@mcasc.com](mailto:mflowers@mcasc.com)  
Web Site: [www.mcasc.com](http://www.mcasc.com)*

**CONFIDENTIALITY NOTICE:** This email is intended only for the addressee(s) named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. If you prefer not to receive email messages from us, please reply to this message with "remove" in the subject line. Thank You.

<Michael F Richardson Application.pdf>



**Philpott, Katie**

---

**From:** Philpott, Katie  
**Sent:** Tuesday, March 31, 2015 8:49 AM  
**To:** 'Mark Nix'  
**Subject:** RE: Residential Builders Commission

Mark,

I don't have anything from Frank yet.

Did he say he had sent it?

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Mark Nix [<mailto:mnix@hbaofsc.com>]  
**Sent:** Thursday, March 26, 2015 3:00 PM  
**To:** Philpott, Katie  
**Subject:** Residential Builders Commission

Good seeing you today. Matt spoke with Lisa and she did not have Frank Clark's name submitted. I just wanted to check to make sure Frank had all his work handed in. Thanks!

Mark Nix  
Executive Director  
Home Builders Association of South Carolina  
625 Taylor Street, Suite A  
Columbia, SC 29201  
(803) 771-7408  
Mobile (803) [REDACTED]  
Fax (803)254-5762

**NAHB Member Advantage Discount Program**  
(GM, UPS, FTD, Office Dept, Wyndham Hotel, Hertz discounts & more)  
Get all of the details online at [www.nahb.org/MA](http://www.nahb.org/MA).

**Philpott, Katie**

---

**From:** Mark Nix <mnix@hbaofsc.com>  
**Sent:** Monday, April 06, 2015 12:35 PM  
**To:** Philpott, Katie; frank@clarkspet.com  
**Subject:** Residential Builders Commission

Katie,

Frank Clark did not receive the application to fill out. Could you resend please? I have copied him on the email and he will get it back to you ASAP.

Thanks,

Mark Nix  
Executive Director  
Home Builders Association of South Carolina  
625 Taylor Street, Suite A  
Columbia, SC 29201  
(803) 771-7408  
Mobile (803) [REDACTED]  
Fax (803) 254-5762

**NAHB Member Advantage Discount Program**  
(GM, UPS, FTD, Office Dept, Wyndham Hotel, Hertz discounts & more)  
Get all of the details online at [www.nahb.org/MA](http://www.nahb.org/MA).

## Philpott, Katie

---

**From:** Holly Beeson <Holly.Beeson@llr.sc.gov>  
**Sent:** Wednesday, April 08, 2015 5:12 PM  
**To:** Taylor, Richele; Philpott, Katie; Lesia Kudelka  
**Subject:** RE: Information Request

I'm here. I'll try to find something to confirm that number!

Holly Beeson  
Counsel to the Office of Communications  
and Government Affairs  
South Carolina Department of Labor, Licensing and Regulation

---

**From:** Richele Taylor  
**Sent:** Wednesday, April 08, 2015 5:10 PM  
**To:** Philpott, Katie; Lesia Kudelka; Holly Beeson  
**Subject:** Re: Information Request

Katie – I'm in the car right now and I don't have access to look anything up. I have copied Holly and Leisa to see if they can help with the budget question. I want to say 32 million but that's from memory

In locations, we have two major locations in Columbia. We have our main Centerview location that is boards' focused and our fire life safety location with the fire Academy that is huge. We also have five regional offices, but we only pay rent for two of those. We provide training for fire departments and we receive an office in their department in exchange. All of them just house one or two regional fire deputies.

Sorry for any typos – using Siri.

Richele Taylor  
Director  
South Carolina Department of Labor, Licensing and Regulation  
803-896-4390  
803- [REDACTED]

Sent from my iPhone

On Apr 8, 2015, at 5:00 PM, Philpott, Katie <[KatiePhilpott@gov.sc.gov](mailto:KatiePhilpott@gov.sc.gov)> wrote:

Any chance you can get this to me today?

Thanks!

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Philpott, Katie  
**Sent:** Wednesday, April 08, 2015 11:28 AM  
**To:** Grant Gillespie  
**Subject:** Information Request

Grant,

Can you send me the following info by COB today?

1. LLR total budget for last fiscal year
2. LLR number of field offices (you don't have any right??)

Let me know if you have any questions.

Thanks!

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

**Philpott, Katie**

---

**From:** Philpott, Katie  
**Sent:** Thursday, April 09, 2015 12:46 PM  
**To:** 'Grant Gillespie'  
**Subject:** RE: Information Request

Thank you! I hope your family member is feeling better.

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Grant Gillespie [<mailto:Grant.Gillespie@llr.sc.gov>]  
**Sent:** Thursday, April 09, 2015 12:30 PM  
**To:** Philpott, Katie  
**Subject:** RE: Information Request

Sorry just getting back to ya. Out all yesterday dealing with a family illness.

Here you go:

total budget for last fiscal year was \$41 million.

The only field office we have is the Fire Academy/Fire Marshal Office, if you want to call that a field office. It is off Monticello Road in Cola.

Grant Gillespie  
Director of Business and Government Affairs  
SC Department of Labor, Licensing & Regulation,  
110 Centerview Drive; Columbia, SC 29210  
Office: 803.896.4440  
Cell: 803. [REDACTED]  
Fax: 803.896.4393  
Email: [gillespieg@llr.sc.gov](mailto:gillespieg@llr.sc.gov)  
Website: [www.llr.state.sc.us](http://www.llr.state.sc.us)

---

**From:** Philpott, Katie [[KatiePhilpott@gov.sc.gov](mailto:KatiePhilpott@gov.sc.gov)]  
**Sent:** Wednesday, April 08, 2015 11:27 AM  
**To:** Grant Gillespie  
**Subject:** Information Request

Grant,

Can you send me the following info by COB today?

1. LLR total budget for last fiscal year
2. LLR number of field offices (you don't have any right??)

Let me know if you have any questions.

Thanks!

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

## Philpott, Katie

---

**From:** Mark Nix <[mnix@hbaofsc.com](mailto:mnix@hbaofsc.com)>  
**Sent:** Wednesday, April 15, 2015 8:32 AM  
**To:** Philpott, Katie  
**Subject:** Re: Residential Builders Commission

Katie,

Hope you are keeping dry today. Quick question. Harry Dill, just appointed to the SC Residential Builders Commission, also serves on the Horry County Appeals Board. Does he need to resign that position?

Thanks,

Mark Nix  
Home Builders Association of SC

Sent from my iPad

On Apr 6, 2015, at 3:21 PM, Philpott, Katie <[KatiePhilpott@gov.sc.gov](mailto:KatiePhilpott@gov.sc.gov)> wrote:

Mr. Clark,

Please confirm when you receive this packet. Thank you very much for your willingness to continue on the Commission.

Regards,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

---

**From:** Philpott, Katie  
**Sent:** Friday, February 20, 2015 4:28 PM  
**To:** '[frank@clarkspet.com](mailto:frank@clarkspet.com)'  
**Cc:** Mark Nix ([mnix@hbaofsc.com](mailto:mnix@hbaofsc.com))  
**Subject:** Residential Builders Commission

Frank,

I'm pleased to inform you that you have been nominated for reappointment on the South Carolina Residential Builders Commission in a General Public seat (should you choose to decide to give up your active license). I've attached the application documents you will need to complete for your consideration by the Senate. Please complete the paperwork at your earliest convenience and no later than Monday, March 6, if possible.

The first attachment is the Governor's Office application. It is three pages and requires a notarized signature.

The second attachment is the Senate application. It is a total of 8 pages with one additional page of instructions. Please fill out all questions to the best of your ability. If the question does not apply to you, please write N/A or NO rather than leaving the question blank. This application requires that you include 5 letters of recommendation, including one from your bank. Please be sure to write out the names, addresses, and telephone numbers of the individuals who will be submitting letters on your behalf on the 7th page of the application. Also, do not forget to include your place of birth when answering question number 2.

The third attachment is the Senate Confidential Personal Financial Statement. This document is 3 pages long. Please be sure to complete this to the best of your ability and ensure that you sign and date the third page.

The last attachment is the State Ethics Commission Statement of Economic Interest Form. This document includes several pages of detailed instructions, but there are 4 total pages you will need to fill out. Please complete the paper version of this document even if you have filed your SEI online. For the question which asks for Date of Hire or Appointment, please just write 2015.

It would be best if you can scan and email me a copy of the completed forms as well as send the original in the mail to the address listed below in my signature block.

Feel free to call or email me with any questions you have as you go through this process. Thank you for your willingness to continue to serve the Palmetto State in this position!

Kindest regards,

Katie R. Philpott  
Director of Boards and Commissions  
Office of Governor Nikki R. Haley  
1205 Pendleton Street  
Columbia, South Carolina 29201  
803.734.5086 (office)  
803.201.3423 (cell)

<1 Governor's Office Application KRP.docx>

<2 Senate Confidential Personal Data Questionnaire (PDQ).doc>

<3 Senate Confidential Financial Statement (CFS).doc>

<4 Senate - State Ethics Commission Statement of Economic Interest Form (WORD).doc>





Office of the Governor  
State of South Carolina

Application for Boards, Commissions, and Committees

Your nomination will not be complete until this application is filed. Please return the application to:  
Office of the Governor, Attn: Katie Philpott, 1205 Pendleton Street, Columbia, South Carolina 29201.

1) Your Name:

Dr./Mr./Mrs./Ms. \_\_\_\_\_  
Last First Middle

2) Name of Board, Commission, or Committee you are being considered for:

\_\_\_\_\_

3) Your Current Address, City, Zip Code and County: \_\_\_\_\_ Your Congressional District: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4) Home Telephone: \_\_\_\_\_ 5) Office Telephone: \_\_\_\_\_ 6) Fax: \_\_\_\_\_

7) Mobile Telephone: \_\_\_\_\_ 8) Email Address: \_\_\_\_\_

9) Drivers License # \_\_\_\_\_ 10) Social Security #: \_\_\_\_\_

11) Voter Registration # \_\_\_\_\_ 12) Date of Birth: \_\_\_\_\_

13) Race: \_\_\_\_\_ 14) Sex: Male / Female

15) Level of Educational Background Completed:

Some High School \_\_\_\_\_

High School graduate or equivalence (G.E.D.) \_\_\_\_\_

Some College \_\_\_\_\_

College graduate \_\_\_\_\_

Professional degree (please specify) \_\_\_\_\_

16) Present Employer \_\_\_\_\_

Address \_\_\_\_\_

Current Position \_\_\_\_\_

17) Years of residence in South Carolina: \_\_\_\_\_

18) Have you ever been arrested for a crime other than a minor traffic violation? \_\_\_\_\_ If so, give details.\*

- 19] Have you filed state and federal income tax returns for the past five years? \_\_\_\_\_ If not, give details.\*
- 20] Are you or any company in which you have a controlling interest delinquent in any local, state or federal taxes? \_\_\_\_\_ If so, give details.\*
- 21] Have you ever defaulted on any state or federal student loan? \_\_\_\_\_ If so, give details.\*
- 22] Have you been treated for any alcohol, drug addiction, or substance abuse for the preceding five years? \_\_\_\_\_  
If so, give details.\*
- 23] Have you been party (plaintiff or defendant) in any state or federal litigation for the preceding five years? \_\_\_\_\_  
If so, give details.\*
- 24] Have you ever served in the military? \_\_\_\_\_  
Were you honorably discharged? \_\_\_\_\_ If not, give details.\*
- 25] Have you ever been terminated from employment for cause? \_\_\_\_\_ If so, give details.\*
- 26] Have you or any employer in the preceding ten years been investigated, reprimanded, fined, or suspended for doing business with any state or federal agency? \_\_\_\_\_ If so, give details.\*
- 27] Have you ever been disciplined or fined by the State Ethics Commission? \_\_\_\_\_ If so, give details.\*
- 28] Have you ever been disciplined or fined by any professional or regulatory agency? \_\_\_\_\_ If so, give details.\*
- 29] Do you serve on any local or state board, commission, committee, or elected office? \_\_\_\_\_ If so, list.\*
- 30] Are you a registered lobbyist in the State of South Carolina? \_\_\_\_\_
- 31] Do you or any member of your immediate family receive any income, compensation or benefits from state and local agencies in South Carolina? \_\_\_\_\_ If so, give details.\*
- 32] Do you or any member of your immediate family have any interest in any business that has, is, or will do business with the State of South Carolina or the entity for which you are applying? \_\_\_\_\_ If so, give details.\*
- 33] Are you or any member of your immediate family associated with any business regulated by the entity to which you are applying? \_\_\_\_\_ If yes, give details.\*

34] Have you or any member of your immediate family sold, leased, or rented personal property to any state or local public agency in South Carolina? \_\_\_\_\_ If so, please identify \*:

- a) the type of property,
- b) the name of the agency(s) involved,
- c) the value of the transaction(s).

35] Do you or any member of your immediate family owe a debt in excess of \$500 to any creditor regulated by the entity to which you are applying? \_\_\_\_\_ If so, give details.\* (Do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution.)

36] Do you or any member of your immediate family owe a debt in excess of \$500 to any creditor seeking a business relationship with the entity for which you are applying? \_\_\_\_\_ If so, give details.\* (Do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution.)

37] Do you or any member of your immediate family receive compensation from any individual or business that contracts with the entity for which you are applying? \_\_\_\_\_ If yes, please identify \*:

- a) the individual or business,
- b) the amount of compensation paid to you,
- c) the nature and amount of the contract,
- d) the governmental entity involved.

38] I, \_\_\_\_\_, agree that, if I am appointed to the \_\_\_\_\_, I will attend all stated or called meetings of this entity. If I am absent from three consecutive meetings, or if I am absent from half of the meetings within a six-month period, then I will resign my appointment. However, if the Chairperson excuses my absence prior to the meeting, in recognition of circumstances beyond my control (illness, family emergency, etc.), then I am entitled to retain my position.

\*Use extra sheet if necessary.

#### **CERTIFICATION OF APPLICANT**

Personally appeared before me, the applicant, who being duly sworn, disposed, and says that all his/her statements are true, accurate and complete: and that he/she knows and agrees that any misrepresentation or omission of the facts may result in his/her being disqualified or being discharged should he/she already be appointed by the Governor. He/she authorizes the State Law Enforcement Division to conduct a background investigation including, but not limited to, a criminal history, driving record and credit check. He/she also authorizes the Governor's Office to provide the nominating authorities with copies of this application, the criminal history and credit report and any other information gathered in processing this appointment.

\_\_\_\_\_  
**Applicant's Signature**

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, Two Thousand and \_\_\_\_\_.

\_\_\_\_\_  
**Notary Public for South Carolina**

**My commission expires** \_\_\_\_\_

**SENATE CONFIRMATION  
CONFIDENTIAL PERSONAL DATA QUESTIONNAIRE**

---

**NOTICE:** The information requested herein is needed to assist the Senate in its screening of candidates. This document is made available to and used by the appropriate Committee of jurisdiction and is not made public. Since this questionnaire is the initial step in the appointment and confirmation process, it should be returned to the Governor's Office as soon as possible. Please use additional sheets as necessary to complete this document.

---

Office or Seat to which you are being appointed:

---

1. NAME: Mr.  
Ms.

HOME ADDRESS:

BUSINESS ADDRESS:

TELEPHONE NUMBER: (home):  
(office):

RESIDE IN SENATE DISTRICT#: \_\_\_\_\_ CONGRESSIONAL DISTRICT#: \_\_\_\_\_

2. Date and Place of Birth: Social Security #:

3. Are you a citizen of South Carolina? Have you been a resident of this state for at least the immediate past 5 years?

4. SCDL# or SCHD#: Voter Registration Number:

5. Family Status: Are you  
single ( );  
married ( );  
widowed ( ); or  
divorced ( )?

(a) If married, state the date of your marriage and your spouse's full name.

(b) If you have ever been divorced, state the date, name of the moving party, court, and grounds.

(c) State the names of your children and their ages. If your children are old enough to work, include the occupation of each child.

6. Have you ever served in the military? If so, give the dates, branch of service, highest rank attained, serial number, present status, and the character of your discharge or release.
7. List each college and graduate or professional school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
8. List the states in which you have been licensed and/or admitted to a professional practice and the year of each license and/or admission. Also, list any states in which you took a professional license exam, but were never admitted to the practice. If you took an exam more than once in any of the states listed please indicate the number of times you took the exam in each state.
9. List the significant activities in which you took part during your attendance at college, graduate, and/or professional school. Give the dates you were involved in these activities and list any leadership positions you held.
10. Briefly describe any continuing education during the past five years.

11. List all published books and articles you have written and give citations and dates of publication for each.
12. If an attorney, list all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies which require a special admission to practice.
13. Have you ever held public office? If so, list the periods of your service, the office or offices involved, and whether you were elected or appointed.
14. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates.
15. Since completing your education, list any occupation, business, or profession in which you have been engaged other than holding public office. Give details, including a description of your occupation, business, or profession, the dates of your employment, and the name of your business or employer.
16. Are you now an officer or director or involved in the management of any business enterprise? Explain the nature of the business, your duties, and the term of your service.

17. Provide a complete, current financial net worth statement that itemizes in detail:
- a) the identity and value of all financial assets held, directly or indirectly, including, but not limited to, bank accounts, real estate, trusts, investments, and other financial holdings
  - b) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000, including, but not limited to, debts, mortgages, loans, and other financial obligations.

A sample net worth statement is provided with this questionnaire for your convenience. You may use any other comparable form if it was prepared within the past six months.

18. Describe any financial arrangements or business relationships which you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest.
19. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation or county or municipal law, regulation or ordinance? If so give details but do not include traffic violations for which a fine of \$125 or less was imposed.

20. Have federal, state, or local authorities ever instituted a tax lien or other collection procedure against you? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details.
21. Have you ever been sued, personally or professionally? If so, give details.
22. Have you ever been disciplined or sited for unprofessional conduct or a breach of ethics by any court, administrative agency, bar association, disciplinary committee, or other professional group? Have you ever been the subject of a formal complaint, or is there a complaint pending against you before such a group? If so, give the details and describe any final disposition.
23. Are you now or have you ever been employed as a "lobbyist," as defined by S.C. Code §2-17-10(14)? If so, give the dates of your employment or activity in such capacity and specify by whom you were directed or employed.
24. Since being notified of your possible appointment, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code §2-17-10(1) from a lobbyist or lobbyist's principal? If so, please specify the item or items you received, the date of receipt, and the lobbyist or lobbyist's principal involved.
25. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf, in furtherance of your candidacy for the position you seek.



26. List the amount and recipient of all contributions made by you or on your behalf to the appointing authority or members of the General Assembly within six months of the filing of this questionnaire.
27. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your confirmation for the position for which you are being appointed?
28. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? If so, give details.
29. Have you or has anyone on your behalf solicited or collected funds to aid in the promotion of your candidacy? If so, please specify the amount, solicitor, donor, and date of the solicitation.
30. List all professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
31. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.

32. List any local, county or statewide board, commission, council or other body on which you currently serve which constitutes the holding of an office under the provisions of Article VI, Section 3 of the South Carolina Constitution, to wit:

No person may hold two offices of honor or profit at the same time. This limitation does not apply to officers in the militia, notaries public, members of lawfully and regularly organized fire departments, constables, or delegates to a constitutional convention.

33. Provide any other information which may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of appointment to the position that you seek.

34. List the **names**, **addresses** and **telephone numbers** of five persons, including your banker, who will provide letters of reference. Letters should be *addressed* the South Carolina Senate and **must be mailed with your completed application to: Office of the Governor, ATTN: Katie Philpott, 1205 Pendleton Street, Columbia, SC 29201.**

(a)

(b)

(c)

(d)

(e)

---

YOUR SIGNATURE WILL BE HELD TO CONSTITUTE A WAIVER OF THE  
CONFIDENTIALITY OF ANY PROCEEDING BEFORE ANY PROFESSIONAL GRIEVANCE  
COMMITTEE OR ANY INFORMATION CONCERNING YOUR CREDIT.

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY  
KNOWLEDGE.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## Addendum to Question 34 of the Senate Personal Data Questionnaire

Question 34 asks for a list of five individuals willing to provide letters of reference. These letters are required by the Senate before they will consider a nomination. It is the responsibility of the nominee to contact and request a letter of reference from each individual and include the letters with the application materials when they are mailed.

### Tips and Guidelines for Letters of Reference:

1. *It is required by the Senate that one letter come from your banker.* This requirement is somewhat outdated in that, in an era of ATM's and online banking, a good number of people do not have a direct personal relationship with a bank employee anymore. A letter from a branch manager or account manager stating that the banking relationship is sound and that accounts are in good standing will suffice.

2. *Try to get letters from as many different perspectives as possible.* Avoid requesting letters from the same type of individual. For example, letters from a colleague from work, a pastor or fellow church member, a fellow member of a civic or community organization, and a longtime neighbor would give a well rounded perspective of a nominee's involvement in the community. Letters from a nominee's attorney, insurance agent, doctor, or personal friends are also acceptable— anyone with whom the nominee has a longstanding relationship. It is even better if they are a prominent member of the community.

3. *Letters should be addressed to the South Carolina Senate in the following manner:*

South Carolina Senate  
State House  
Columbia, South Carolina

Dear Ladies and Gentlemen of the Senate,

4. *Length and content.* Letters should be brief – one page or shorter. Letters should let the Senate know who the author is, the author's relationship with the nominee, how long the author has known the nominee, and any other relevant information necessary to provide a good reference.

5. *Nominees are responsible for collecting letters of reference.* Nominees should ask that letters of reference be mailed or delivered directly to them. Once all letters are collected, they should be mailed to the Governor's Office with the rest of the application materials.

**\*\*\*Please note: Letters need to be included in your complete application packet, which is returned to the Governor's office. \*\*\***

**Confidential Financial Statement  
Net Worth**

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) and all liabilities (including debts, mortgages, loans, and other financial obligations).

**ASSETS**

Cash on hand in banks

U. S. Government securities—add schedule

Listed securities—add schedule

    Accounts and notes receivable:

        Due from relatives and friends

        Due from others

        Doubtful

Real estate owned—add schedule

Real estate mortgages receivable

Cash value—life insurance

Other assets—itemize:

---

---

---

---

---

**Total assets**

## LIABILITIES

Notes payable to banks—secured  
Notes payable to banks—unsecured  
Notes payable to relatives  
Notes payable to others  
Accounts and bills due  
Unpaid income tax  
Other unpaid tax and interest  
Real estate mortgages payable—add schedule  
Chattel mortgages and other liens payable  
Other debts— itemize:

---

---

---

---

---

Total liabilities  
Net worth

## CONTINGENT LIABILITIES

As endorser, comaker or guarantor  
    On leases or contracts  
Legal claims  
    Provision for Federal Income Tax  
    Other special debt

**GENERAL INFORMATION**

**Are any assets pledged?**

**(Add schedule)**

**Are you defendant in any suits or legal actions?**

**Have you ever taken bankruptcy?**

**I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE  
BEST OF MY KNOWLEDGE.**

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

\_\_\_\_\_

**STATE ETHICS COMMISSION**  
**STATEMENT OF ECONOMIC INTERESTS FORM**

**PLEASE READ ALL INSTRUCTIONS BEFORE COMPLETING THIS FORM**

THE STATEMENT OF ECONOMIC INTERESTS FORM IS TO BE FILED:

- (1) PRIOR TO TAKING THE OATH OF OFFICE OR ENTERING UPON THE RESPONSIBILITIES OF THE POSITION
- (2) CANDIDATES FILE AT THE TIME OF BECOMING A CANDIDATE
- (3) ANNUALLY, THEREAFTER, PRIOR TO APRIL 15

STATE SENATORS AND CANDIDATES FOR STATE SENATE

SENATE ETHICS COMMITTEE  
P. O. Box 142  
Columbia, SC 29202

STATE REPRESENTATIVES AND CANDIDATES FOR STATE REPRESENTATIVE

HOUSE ETHICS COMMITTEE  
P. O. Box 11867  
Columbia, SC 29211

ALL OTHER ELECTED OFFICIALS (including Probate Judges)  
PUBLIC MEMBERS AND PUBLIC EMPLOYEES

STATE ETHICS COMMISSION  
5000 Thurmond Mall, Suite 250  
Columbia, SC 29201

CANDIDATES FOR PUBLIC OFFICE

NOTE: All Candidates must also file a  
Campaign Disclosure Form.

With the party official or other  
designated official authorized to receive  
a notice of candidacy or petition to  
appear on the election ballot

THE FOLLOWING DESIGNATED OFFICIALS, MEMBERS OR EMPLOYEES, BY WHATEVER TITLE:

1. A person appointed to fill the unexpired term of an elective office;
2. Employees of regulatory agencies who are associated with a regulated business;
3. A member of a state board, commission, or agency;
4. A compensated member of a local board, commission, or agency;
5. The chief administrative official or employee and deputy or assistant administrative official or employee or director of a division, institution, or facility of any agency or department of state government;
6. The city administrator, city manager, or chief municipal administrative official or employee, by whatever title;
7. The county manager, county administrator, county supervisor, or chief county administrative official or employee, by whatever title;
8. The chief administrative official or employee of each political subdivision including, but not limited to, school districts, libraries, regional councils, airport commissions, hospitals, community action agencies, water and sewer districts, and development commissions;
9. A school district and county superintendent of education;
10. A school district board member and a county board of education member;
11. The chief finance official or employee and the chief purchasing official or employee of each agency, institution, or facility of state government, and of each county, municipality, or other political subdivision including, but not limited to, those named in Item (7).
12. All Public Officials.

NOTE: KEEP A COPY OF THIS FORM FOR FOUR (4) YEARS.

**\$100 PER DAY PENALTY IF  
FILED LATE**



## STATEMENT OF ECONOMIC INTERESTS GENERAL INSTRUCTIONS

**ADDITIONAL INFORMATION** - Candidates must provide the completed form to the election official, or other person designated to receive the declaration of candidacy or petition to appear on the election ballot. Within five (5) days after the filing books close, the election official must send an original and one copy, along with a candidate's roster, to the appropriate supervisory office. Upon receipt of the copies, the appropriate supervisory office will certify to the election official that the candidate has met the filing requirement and may properly have his name appear on the election ballot.

Annual reports must be filed with the appropriate supervisory office.

A copy of the completed form is provided by the supervisory office to the Clerk of Court in the county of the candidate's residence. In the Clerk of Court's office, as well as in the supervisory office, the filing becomes a matter of public record, open to public inspection upon request.

Faxed copies of this form will not be accepted. The originals must be received no later than 5:00 p.m. on the date of the established deadline.

Keep a copy of this form for four (4) years. A late filing penalty of **\$100 per day** WILL be assessed if the form is not received within five (5) days of the established deadline.

If more than one category in the filing information chart applies, a completed Statement of Economic Interests Form must be filed with each appropriate filing office.

Please type or print all responses. Incomplete or illegible statements may be returned for resubmission. Additional information concerning any section of this statement may be included by attaching supplemental sheets. Number and date all supplemental attachments. Each statement requires information to be reported for the prior calendar year, regardless of when the form is completed. All disclosure statements are a matter of public record, open to public inspection upon request.

### **CANDIDATES ONLY:**

#### **NOTE: ALL CANDIDATES MUST ALSO FILE A CAMPAIGN DISCLOSURE FORM.**

**A CAMPAIGN DISCLOSURE FORM MUST BE FILED AT LEAST FIFTEEN DAYS BEFORE EACH ELECTION, EVEN IF NO MONEY IS RAISED OR SPENT. AN INITIAL REPORT MUST ALSO BE FILED WITHIN TEN DAYS AFTER SPENDING OR RECEIVING \$500, EVEN IF THE MONEY PROVIDED IS SOLELY THE CANDIDATE'S OWN FUNDS. AFTER THE CANDIDATE FILES THE INITIAL FORM, A CAMPAIGN DISCLOSURE FORM MUST BE FILED WITHIN 10 DAYS AFTER THE END OF EACH CALENDAR QUARTER. THE QUARTERLY REPORTS MUST BE FILED UNTIL A FINAL REPORT IS FILED (i.e., NO MONEY IN THE CAMPAIGN ACCOUNT AND NO UNPAID DEBTS).**

**IF THE REPORTS ARE NOT FILED OR IF THE FORMS ARE LATE, A LATE FILING PENALTY, OF \$100 PER DAY, WILL BE LEVIED.**

**ALL CANDIDATES MUST OPEN A SEPARATE CHECKING OR SAVINGS ACCOUNT, UNLESS THE FILING FEE IS THE ONLY EXPENSE AND IT IS PAID FROM PERSONAL FUNDS.**

**INSTRUCTIONS FOR PAGE 1**

**SOCIAL SECURITY NUMBER** - This information is required for administrative purposes, only for positive identification of the filer, and will not be released to the public.

**Name of Candidate or Filer:** *Last Name, First Name, Middle Initial*    *Mr. ( ) Mrs. ( ) Ms. ( )*

[illegible]**Mailing Address:**

Mailing Address:
------------------

City:

State:

<b>City:</b>	
--------------	--

**Zip:**

**Phone:**

<b>Zip:</b>								
<b>Phone:</b>				-			+	

**The following information is required for administrative purposes, only for positive identification of the filer, and will not be released to the public.**

**Social Security Number:**

[illegible]

**NOTE:**

PLEASE COMPLETE THIS ENTIRE REPORT IN **BLUE** OR **BLACK** INK, OR TYPE.

**DO NOT USE PENCIL**

**KEEP A COPY FOR YOUR RECORDS**

**\$100 PER DAY PENALTY IF FILED LATE**

**STATEMENT OF ECONOMIC INTERESTS  
INSTRUCTIONS FOR PAGE 2**

1. Indicate whether you have ever filed a Statement of Economic Interests Form: yes or no
2. NAME - Indicate your full name. If you are commonly known by some other name, please indicate the name or nickname.
3. COUNTY OF RESIDENCE - Identify the name of the county where you legally reside. A copy of this form will be provided to the Clerk of Court in the county of residence.
4. ADDRESS - Indicate your full mailing address.
5. PHONE - Indicate a daytime telephone number where you can be reached.
- 6 & 7 - STATUS - Current and sought - Enter as many status numbers as apply to all position(s) currently held or sought.  
POSITION TITLE(S) AND AGENCY(S) - Identify the title of each position which you presently hold with public agencies in South Carolina at the time of filing. Incumbent officeholders indicate the name of the position and agency on line (a). If a second position is held, indicate that position and agency on line (b). Candidates indicate the name of the position and agency which is being sought.  
TERM(S) OF OFFICE - Enter the month and year of both the beginning and ending dates of the term if you are presently elected. Enter the month and year of the beginning and ending of the term that you are seeking if you are a candidate for elective office. Complete both sections if you are both an elected official and a candidate, whether for the same or a different office.
8. DATE OF HIRE OR DATE OF APPOINTMENT - (Employees and Appointed Officials Only) - Indicate the month and year of hire or appointment by the agency(s) with which you are currently serving.
9. CANDIDATES ONLY: DATE FILED AS A CANDIDATE - Indicate the month, day, and year when you filed the declaration of candidacy or petition to appear on the election ballot.
10. ELECTION DATE - Indicate the month, day, and year of the primary, general, and/or other election for the office for which you are a candidate.
11. A SEPARATE CAMPAIGN DISCLOSURE FORM MUST BE FILED BY ALL CANDIDATES WITHIN 10 DAYS AFTER SPENDING OR RECEIVING \$500, 15 DAYS PRIOR TO EACH ELECTION, AND 10 DAYS AFTER THE END OF EACH CALENDAR QUARTER. ALL CANDIDATES MUST OPEN A SEPARATE CHECKING OR SAVINGS ACCOUNT, UNLESS THE FILING FEE IS THE ONLY EXPENSE AND IT IS PAID FROM PERSONAL FUNDS.

**CERTIFICATION** - Sign and date the form, verifying that the information that you have provided is true, complete and correct to the best of your knowledge.

**NOTE:** Items 13-21 must indicate a response. If the item applies, complete according to instructions. If the item does not apply to you, check the "None" block. If these items are not completed, the form will be returned for completion. All responses must be for the prior calendar year, regardless of when the form is completed.

**E5A.1 STATE ETHICS COMMISSION-STATEMENT OF ECONOMIC INTERESTS FORM** pg. 2 of 4  
**PRINT IN BLACK OR BLUE INK, OR TYPE (DO NOT USE PENCIL)**

															1. Have you previously filed this form? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No									
2. County of Residence:																								
3. Name: (Last-First-Middle Initial)																								
4. Mailing Address:																								
City:										State:														
Zip:										5. Phone:														

	*Status	Position, Title, and Agency (If House or Senate, include District #)	Term of Office (mo/yr)
6. Current	_____ (a)	_____	From _____ To _____
	_____	_____	From _____ To _____
7. Sought	_____ (b)	_____	From _____ To _____

\*Status: 1. Appointed 2. Candidate 3. Employee 4. Elected 5. Employee/Regulated Business Association

8. Date of Hire or Appointment (mo-yr): \_\_\_\_\_

<b>CANDIDATES ONLY</b>		
9. Date filed as a candidate (mo/da/yr) _____		
10. Election Date(s) (mo/da/yr) Primary _____	General _____	Special _____
<b>11. NOTE: ALL CANDIDATES MUST ALSO FILE A CAMPAIGN DISCLOSURE FORM. A CAMPAIGN DISCLOSURE FORM MUST BE FILED AT LEAST FIFTEEN DAYS BEFORE EACH ELECTION, EVEN IF NO MONEY IS RAISED OR SPENT. AN INITIAL REPORT MUST ALSO BE FILED WITHIN TEN DAYS AFTER SPENDING OR RECEIVING \$500, EVEN IF THE MONEY PROVIDED IS SOLELY THE CANDIDATE'S OWN FUNDS. AFTER THE CANDIDATE FILES THE INITIAL FORM, A CAMPAIGN DISCLOSURE FORM MUST BE FILED WITHIN 10 DAYS AFTER THE END OF EACH CALENDAR QUARTER. THE QUARTERLY REPORTS MUST BE FILED UNTIL A FINAL REPORT IS FILED (i.e., NO MONEY IN THE CAMPAIGN ACCOUNT AND NO UNPAID DEBTS).</b>		
<b>IF THE REPORTS ARE NOT FILED OR IF THE FORMS ARE LATE, A LATE FILING PENALTY, OF \$100 PER DAY, WILL BE LEVIED.</b>		
<b>ALL CANDIDATES MUST OPEN A SEPARATE CHECKING OR SAVINGS ACCOUNT, UNLESS THE FILING FEE IS THE ONLY EXPENSE AND IT IS PAID FROM PERSONAL FUNDS.</b>		

12. CERTIFICATION: I certify that the contents of this statement are true, correct, and complete to the best of my knowledge and belief. I understand that if this statement is not received within five (5) days of the deadline, a late filing penalty will be levied.

Date _____ Signature _____	<b>FOR OFFICE USE ONLY:</b> <input type="checkbox"/> COMPLETE <input type="checkbox"/> INCOMPLETE <input type="checkbox"/> ENTERED <input type="checkbox"/> SCANNED
<b>FAXED COPIES WILL NOT BE ACCEPTED</b> <i>The original must be received no later than 5:00 p.m. on the date of the established deadline</i>	

**NOTE: PLEASE PROVIDE ONE ORIGINAL AND ONE COPY OF THIS FORM TO THE APPROPRIATE SUPERVISORY OFFICE, AND KEEP A COPY FOR YOURSELF.**

**STATEMENT OF ECONOMIC INTERESTS  
INSTRUCTIONS FOR PAGE 3**

**13. INCOME AND BENEFITS** - Indicate the source, type, amount and/or value of income received by you or a member of your immediate family from state and local agencies in South Carolina during the prior calendar year. Generally, this amount is the same as the gross amount reported on your W-2 form. Any benefits not available to all employees or officials must be disclosed. Source refers to the public agency providing the income, compensation, or benefit. Type indicates the nature of the income or benefit (i.e., compensation, use of publicly-owned vehicle, residence, travel allowance, insurance, etc.) The amount, when known, should be disclosed. An amount does not need to be disclosed concerning permanent assignment of a vehicle or residence. State retirement does not need to be disclosed.

**14. REGULATED BUSINESS ASSOCIATION(S)** - Employees of regulatory agencies associated with businesses regulated by the agency must indicate the name(s) of all such businesses and how they are associated with that business. Disclose how that business is regulated by the regulatory agency.

**15. REAL OR PERSONAL PROPERTY INTERESTS** - Real estate interests held by you or a member of your immediate family in South Carolina must be disclosed (a) if the interest can be reasonably expected to be a conflict of interest with your public position, (b) if there have been public improvements (i.e., addition of sidewalks, road paving, water and/or sewer service, etc.) of more than \$200 on this or adjoining property, or (c) if the property has been sold, leased, or rented to a state or local public agency in South Carolina. Describe the nature of the property (i.e., residence, farm acreage, beach house), its physical location, and its market value. Identify the nature of the potential conflict of interest. Describe the nature and value of any public improvements. Identify the agency(s) which purchased, leased, or rented property from you. A copy of the sales contract or lease or rental agreement must be attached to this form.

Identify any personal property sold, leased, or rented by you or a member of your immediate family to a state or local public agency in South Carolina. Identify the type of property and the name of the agency(s) involved in the transaction(s) as well as the amount of value of the transaction(s). A copy of the sale contract, lease, or rental agreement must be attached to this form.

**16. BUSINESS INTERESTS** - Identify every business or entity in which you or a member of your immediate family held or controlled, in the aggregate, securities or interests constituting five percent or more of the total issued and outstanding securities and interests which constitute a value of \$100,000 or more. Identify your relationship to that business (officer, stockholder of more than \$100,000).

# SEC STATEMENT OF ECONOMIC INTERESTS

pg. 3 of 4

E5A.2

(ALL RESPONSES MUST BE FOR THE PRIOR CALENDAR YEARS)

## 13. INCOME AND BENEFITS FROM STATE AND LOCAL AGENCIES IN SOUTH CAROLINA (Check if none )

Source	Type	Amount/Value

## 14. REGULATED BUSINESS ASSOCIATIONS (Check if none )

Name of Business	Relationship	Source of Regulatory Involvement

## 15. REAL OR PERSONAL PROPERTY INTERESTS (Check if none )

Description	Value	Location

Nature and Value of Improvements \_\_\_\_\_

Nature of Potential Conflict of Interest \_\_\_\_\_

Agency Purchasing, Leasing, or Renting the Property\*

\*A copy of the contract, lease, or rental agreement must be attached to this form.

## 16. BUSINESS INTERESTS (Check if none )

Name of Business	Relationship

**STATEMENT OF ECONOMIC INTERESTS  
INSTRUCTIONS FOR PAGE 4**

**17. CREDITORS** - List by name and address, each creditor to whom you or any member of your immediate family owed a debt in excess of \$500 at any time during the reporting period if the credit or loan is from some person which is regulated by the agency with which you are associated or from some person which is seeking a business or financial relationship with the agency with which you are associated. Disclose the original amount of the debt and the amount outstanding as of the end of the reporting period. Do not disclose amounts on credit cards or retail installment contracts. Also, do not disclose debt promised or loaned by a bank, savings and loan or other licensed financial institution which loans money in the ordinary course of business and on terms and interest rates generally available to a member of the general public, without regard to status as a public official, public member, or public employee. Debt promised or loaned by a family member is not disclosed, if the person who promises or makes the loan is not acting as your agent or intermediary to a financial institution. Disclose the rate of interest charged on any reportable debt, the original amount and the outstanding balance.

**18. LOBBYISTS** - Identify the name and relationship of any lobbyist who is an immediate member of your family or an individual or business with which you or a member of your immediate family is associated. Identify any lobbyist or lobbyist's principal who has purchased goods or services of more than \$200 from you, a member of your immediate family, or an individual or business with which you are associated. Identify the type of goods or services purchased, the amount, from whom the material was purchased and your relationship to that person or business.

**19. GOVERNMENT CONTRACTS** - Identify each individual or business from which you receive compensation, if that individual or business also contracts with the governmental entity with which you serve or which employs you. Report the name and address of that individual or business and the amount of compensation paid to you by that individual or business. Identify further your relationship to that individual or business, the nature and amount of the contract, and the public agency involved in the contract.

**20. GIFTS** - The source and a brief description of any gifts, including transportation, lodging, food, or entertainment, received during the preceding calendar year from: (a) a person, if there is reason to believe the donor would not give the gift, gratuity, or favor but for your office or position; or (b) a person, or from an officer or director of a person, if you have reason to believe the person: (i) has or is seeking to obtain contractual or other business or financial relationship with your agency; or (ii) conducts operations or activities which are regulated by your agency if the value of the gift is \$25 or more in a day or if the value totals, in the aggregate, \$200 or more in a calendar year. Identify the type of gift, its value, as well as the donor and your relationship to that donor. Use this space to disclose travel expenses paid or reimbursed pursuant to Section 8-13-715.

**21. MEMBERS OF THE GENERAL ASSEMBLY AND CANDIDATES FOR THE GENERAL ASSEMBLY ONLY-** Identify any person represented for compensation, before any governmental entity by you, an individual with whom you are associated, or a business with which you are associated. Disclose the nature of the services rendered in such representation and the nature of any contacts made with governmental agencies regarding such representation. Fees earned for such representations must be fully disclosed. Matters of representation required by law or before courts in the unified judicial system do not require disclosure.

**NOTE:** You are not required to disclose economic interest information concerning:

- (1) a spouse separated from you by court order;
- (2) a former spouse;
- (3) a campaign contribution that is permitted and reported under Article 13; or
- (4) matters determined to require confidentiality pursuant to Section 2-17-90 (E).



# SEC STATEMENT OF ECONOMIC INTERESTS

pg. 4 of 4

## E5A.3

### 17. CREDITORS (Check if none )

Name and Address of Creditor	Rate of Interest	Original Amount	Outstanding Amount

### 18. LOBBYISTS (Check if none )

(a) Name of Lobbyist	Relationship or Association

(b) Name of Lobbyist	Goods/Service Purchased	Amount	Purchased From	Relationship

### 19. GOVERNMENT CONTRACTS (Check if none )

Contractor Name and Address	Relationship	Nature of Business	Amount	Agency

### 20. GIFTS (Check if none )

Nature of Gift	Value	Donor	Relationship

### 21. MEMBERS OF AND CANDIDATES FOR THE GENERAL ASSEMBLY ONLY (Check if none )

Person Represented	Services Rendered	Nature Contact w/Gov. Agency	Fees Earned

## **CONTACT NUMBERS**

For questions, call: 803/253-4192

or

**Visit the State Ethics Commission  
or copy additional forms at:**

<http://www.state.sc.us/ethics>

### **State Ethics Commission Commissioners**

Gregory P. Harris, Chairman  
Kenneth C. Krawcheck, Member at Large, Vice-Chairman  
Marvin Infinger, 1<sup>st</sup> District  
Edward Duryea, 2<sup>nd</sup> District  
John L. Cannon, 3<sup>rd</sup> District  
Pete G. Diamaduros, 4<sup>th</sup> District  
Duane G. Hansen, 5<sup>th</sup> District  
Vacant, 6<sup>th</sup> District  
Flynn T. Harrell, Member at Large

*Executive Director, Herbert R. Hayden, Jr*  
*Publication Editor, Marjorie A. DeLee*

**Philpott, Katie**

---

**From:** Dhunjishah, Michelle  
**Sent:** Wednesday, May 27, 2015 10:13 AM  
**To:** Philpott, Katie  
**Subject:** RE: Constituent Issue  
**Attachments:** Draft Fire Marshall Regulation - 4555.docx

Katie,

This is a very common issue that is a barrier to licensing foster homes in South Carolina. The solve to this problem requires a change in the Fire Marshall Regulation which is currently pending in the legislature. I have attached a draft of the Regulation for your convenience.

I also followed-up with Jackie Lowe, the head of DSS Foster Care Licensing, regarding the Lethco's license. Jackie is aware of the issue and is working on it as we speak.

Please let me know if you need any additional information.

Michelle Dhunjishah  
Director & General Counsel  
Foster Care Review Board  
Governor's Office of Executive Policy & Programs  
p. 803.734.4562 | f. 803.734.1223

---

**From:** Philpott, Katie  
**Sent:** Tuesday, May 26, 2015 11:08 AM  
**To:** Dhunjishah, Michelle  
**Subject:** Constituent Issue

Hi Michelle,

I hope all is well. I received the following email from a constituent and was hoping you can help.

"I'm reaching out to the Governor's office on behalf of my friends Taylor and Ashton Lethco of Summerville, SC. They recently attempted to bring a foster child into their home. Unfortunately, because their home's windows do not meet the current building code, they are not permitted to bring a child out of a group home and into a loving home. They live in a large, safe home in a good neighborhood. There needs to be a change to this requirement that allows foster parents to bring children into their home despite the windows not meeting recent building codes. Live 5 News in Charleston recently ran a story on my friends and this struggle. The influence of the Governor's office could assist in changing this critical issue which prevents families from fostering children in need. Thank you for your time.

- Guy LaCoss"  
Business Phone 8438138758 (Primary)  
Home Phone 8438714884  
[icongoo@hotmail.com](mailto:icongoo@hotmail.com)

Are you familiar with this issue?

Thanks!

**Katie R. Philpott**  
**Director of Boards and Commissions**  
**Office of Governor Nikki R. Haley**  
**1205 Pendleton Street**  
**Columbia, South Carolina 29201**  
**803.734.5086 (office)**  
**803.201.3423 (cell)**

**Agency Name:** Department of Labor, Licensing and Regulation, Office of State Fire Marshal

**Statutory Authority:** 23-9-60, 23-9-550, 23-35-45, and 23-36-80

**Document Number:** 4555

**Proposed in State Register Volume and Issue:** 38/12

**House Committee:** Labor, Commerce and Industry Committee

**Senate Committee:** Labor, Commerce and Industry Committee

**120 Day Review Expiration Date for Automatic Approval** 06/02/2015

**Status:** Pending

**Subject:** Article 8, Office of State Fire Marshal

**History:** 4555

<u>By</u>	<u>Date</u>	<u>Action Description</u>	<u>Jt. Res. No.</u>	<u>Expiration Date</u>
-	12/26/2014	Proposed Reg Published in SR		
-	02/02/2015	Received by Lt. Gov & Speaker		06/02/2015
H	02/03/2015	Referred to Committee		
S	02/03/2015	Referred to Committee		
H	03/18/2015	Committee Requested Withdrawal 120 Day Period Tolloed		
-	03/18/2015	Withdrawn and Resubmitted		06/02/2015
S	05/19/2015	Resolution Introduced to Approve	791	

Resubmitted: March 18, 2015

Document No. 4555  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**OFFICE OF STATE FIRE MARSHAL**  
**CHAPTER 71**

Statutory Authority: 1976 Code Sections 23-9-60, 23-9-550, 23-35-45, and 23-36-80

71-8300 through 71-8306. Article 8, Office of State Fire Marshal

**Synopsis:**

The South Carolina Department of Labor, Licensing and Regulation, Office of State Fire Marshal, proposes to eliminate redundant and unnecessary regulations; update the remaining existing regulations; use a standardized format for all regulations; and to make the current regulations compatible with current federal and state statutes.

A Notice of Drafting was published in the *State Register* on October 24, 2014.

**Instructions:**

Regulations 71-8300 through 71-8306 are amended as shown below.

~~Indicates Matter Stricken~~  
Indicates New Matter

**Text:**

SUBARTICLE 1  
FIRE PREVENTION AND LIFE SAFETY

71-8300. FIRE PREVENTION AND LIFE SAFETY.  
(Statutory Authority: 1976 Code Sections 23-9-60, 39-41-260, 40-82-70)

71-8300.1. General.

- A. Title. These regulations shall be known as the State Fire Marshal's Rules and Regulations.
- B. Intent.

- 1. The purpose of these regulations is:
    - a. to safeguard to a reasonable degree, life and property from fire, explosion, dangerous conditions, natural disasters, acts of terrorism, and other hazards associated with the construction, alteration, repair, use, and occupancy of buildings, structures, or premises, and
    - b. to provide safety to fire fighters and emergency responders during emergency situations.
  - 2. These regulations shall be the minimum standards required by the Office of State Fire Marshal (OSFM) for fire prevention and life safety in South Carolina for all buildings and structures.

C. Applicability.

- 1. These regulations shall apply to state, county, municipal, and private buildings, structures, or premises unless excluded by these regulations or state statute.

2. All buildings, structures, or premises shall be constructed, altered, or repaired in conformance with these regulations.

3. All equipment or systems in a building, structure, or premise shall be constructed, installed, altered, or repaired in conformance with these regulations.

4. These regulations become effective immediately upon the publication as final regulations in the South Carolina State Register.

~~5.~~ 4. These regulations shall not conflict with any state statute, code, or ordinance adopted pursuant to S.C. Code Ann. Section 6-9-5 et. seq., 1976, as amended, by any municipality or political subdivision. In the event of a conflict, such statute, code, or ordinance shall apply.

~~6.~~ 5. These regulations shall not apply to:

a. Buildings constructed, or occupied exclusively as one and two-family dwellings, unless amended by these or other state regulations. Conversion of such buildings to another use that is not regulated under the IRC but is regulated under the IBC, ~~such as a facility providing medical care, custodial care, or personal care services, or converted to a boarding house, congregate living facility, or live/work unit,~~ is considered a change of occupancy, and such buildings must comply with the applicable provisions of the IBC for such a change of use.

#### D. Existing Buildings.

1. Existing buildings, structures, or premises shall be permitted to continue in operation under the code the buildings, structures, or premises were constructed unless addressed by these regulations or state statute.

2. Alterations, repairs, additions, and rehabilitation to an existing building, structure, or premise shall fully comply with the current codes.

3. Change of use or occupancy of an existing building shall comply with the current code requirements for change of occupancy classification.

E. Acronyms and Definitions: The following references apply throughout these regulations. Words not defined in these regulations shall have the meaning stated in the referenced codes and standards adopted by these regulations.

1. "AHJ" means Authority Having Jurisdiction, which is the SFM, or his agents, or any local fire official covered by S.C. Code Ann. Section 23-9-30, 1976, as amended.

2. "ATF" means the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives.

3. "Bulk hydrogen compressed gas system" means an assembly of equipment that consists of, but is not limited to, storage containers, pressure regulators, pressure relief devices, compressors, manifolds, and piping with a storage capacity of more than 400 cubic feet (approximately 3000 gal.) of compressed hydrogen gas (or 5000 scf), including unconnected reserves on hand at the site, and terminates at the source valve.

4. "Bulk liquefied hydrogen gas system" means an assembly of equipment that consists of, but is not limited to, storage containers, pressure regulators, pressure relief devices, vaporizers, liquid pumps, compressors manifolds, and piping, with a storage capacity of more than 39.7 gal. of liquidized hydrogen, including unconnected reserves on hand at the site, and terminates at the source valve.

5. "Citation" means a summons to appear before the OSFM because of a violation of any part or all of this regulation and may carry a monetary fine of up to \$2,000 per violation.

6. "Consumer Fireworks" means any small device designed to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission, as set forth in Title 16, Code of Federal Regulations, parts 1500 and 1507. Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing fifty (50) mg or less of explosive materials, and aerial devices containing 130 mg or less of explosive materials. Consumer fireworks are classified as fireworks UN0336 and UN0337 by the USDOT at 49 CFR 172.101. This term does not include fused setpieces containing components which together exceed 50 mg of salute powder. Consumer fireworks are further defined as

those classified by the USDOT hazard classification 1.4g. These fireworks were formerly known as "Class C Fireworks."

7. "Container" means all vessels including, but not limited to tanks, cylinders, or pressure vessels used for the storage of hydrogen.

~~8. "Day box" means a portable magazine used for immediate storage of pyrotechnic materials.~~

98. "Department" means the Department of Labor, Licensing and Regulation, Division of Fire and Life Safety.

~~109.~~ "Display Fireworks" means large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation. This term includes, but is not limited to, salutes containing more than two (2) grains (130 mg) of explosive materials, aerial shells containing more than 40 grams of pyrotechnic compositions, and other display pieces which exceed the limits of explosive materials for classification as "Consumer Fireworks." Display fireworks are classified as fireworks UN0333, UN0334, or UN0335 by the USDOT at 49 CFR 172.101. This term also includes fused setpieces containing components which together exceed fifty (50) mg of salute powder. Display fireworks are further defined as those classified by the USDOT as hazard classification 1.3g. These fireworks were formerly known as "Class B Fireworks."

~~10.~~ "DOI" means the Department of Insurance.

~~11.~~ "DSS" means the Department of Social Services.

~~112.~~ "Engineered hydrogen systems" means systems or equipment that is custom designed for a particular application.

~~113.~~ "Existing Building" means a building, structure, or premise for which preliminary or final drawings have been approved by the appropriate agency as provided in these regulations, in buildings where construction has begun, or those occupied on or before the date of adoption of these regulations.

~~114.~~ "Fire Prevention" means any activity to prevent fire before fire occurs.

~~115.~~ "Fireworks" means any composition or device designed to produce a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of "consumer fireworks" or "display fireworks" as defined by this section.

~~116.~~ "Firm" means any person, partnership, corporation, association, or governmental entity.

~~117.~~ "Fixed Extinguishing System Fixed Fire Extinguishing System" means a pre-engineered fire extinguishing system.

~~118.~~ "Hydrogen" is an element of the periodic table which, at room temperature and pressure, but can be compressed and/or refrigerated into a liquefied state.

~~119.~~ "Hydrogen facility" is a fueling station or a fuel cell site that will store or dispense hydrogen for use as a transportation fuel, motor fuel, or in a fuel cell.

~~120.~~ "Hydrogen generation system" means a packaged, factory matched, or site constructed hydrogen gas generation appliance or system such as (a) an electrolyzer that uses electrochemical reactions to electrolyze water to produce hydrogen gas; (b) a reformer that converts hydrocarbon fuel to a hydrogen-rich stream of composition and condition suitable for a type of device using the hydrogen. It does not include hydrogen generated as a byproduct of a waste treatment process.

~~2021.~~ "IBC" means the International Building Code.

~~2122.~~ "ICC" means the International Code Council.

~~2223.~~ "IFC" means the International Fire Code.

~~2324.~~ "IFGC" means the International Fuel Gas Code.

~~25.~~ "IRC" means the International Residential Code.

~~2426.~~ "LP-Gas" means Liquefied Petroleum Gas as defined in 40-82-20.

~~2527.~~ "Motion Picture" means, for the purposes of this item, any audiovisual work with a series of related images either on film, tape, or other embodiment, where the images shown in succession impart an impression of motion together with accompanying sound, if any, which is produced, adapted, or altered for exploitation as entertainment, advertising, promotional, industrial, or educational media.

~~2628.~~ "MSDS(s)" means Material Safety Data Sheet(s).

~~2729.~~ "NFPA" means the National Fire Protection Association.



- ~~2830~~. "OSFM" means the Office of State Fire Marshal.
- ~~2931~~. "Person" means an individual, partnership, or corporation;
- ~~3032~~. "Portable Fire Extinguisher" means a portable device containing extinguishing agent that can be expelled under pressure for the purpose of suppressing or extinguishing a fire.
- ~~3133~~. "Pre-engineered hydrogen system" means a system or device that has been designed with the intention of mass production and sales to the public, which uses or produces hydrogen in its function.
- ~~3234~~. "Proximate Audience" means any indoor use of pyrotechnics and the use of pyrotechnics before an audience located closer than the distances allowed by NFPA 1123.
- ~~3335~~. "Public Firework Display" means a presentation of Display or Consumer Fireworks for a public gathering.
- ~~3436~~. "Pyrotechnics" means any composition or device designed to produce visible or audible effects for entertainment purposes by combustion, deflagration, or detonation.
- ~~3537~~. "S.C." means South Carolina.
- ~~3638~~. "Servicing" includes maintenance, recharging, or hydrostatic testing of a Portable Fire Extinguisher or a ~~Fixed Extinguishing System~~ Fixed Fire Extinguishing System.
- ~~3739~~. "SFM" means the State Fire Marshal or his agent.
- ~~3840~~. "Theatrical Pyrotechnics" means pyrotechnic devices for professional use in the entertainment industry similar to consumer fireworks in chemical composition and construction but not intended for consumer use.
- ~~3941~~. "USDOT" means U.S. Department of Transportation.

#### 71-8300.2. Codes and Standards.

A. All references to codes and standards found in these regulations refer to the editions specified in the IFC unless otherwise stated in these regulations or adopted by state statutes.

B. The requirements of the IFC, International Fire Code, (as adopted pursuant to S.C. Code Ann. Section 6-9-5, et. seq., 1976, as amended) shall constitute the minimum standards for fire prevention and life safety protection for construction, occupancy, and use of all buildings, structures, and premises within the scope of these regulations except as modified by these regulations. In addition, to the extent to which they can be applied without conflicting with other state regulations or state statutes, the following sections of Chapter 1 of the IFC shall apply:

1. Scope and General Requirements (Section 101)
2. Applicability (Section 102)
3. Liability (Section 103.4)
4. General Authority and Responsibilities (Section 104), except:
  - a. Authority at fires and other emergencies (104.11)
5. Maintenance (Section 107)
6. Violations (Section 109)
7. Unsafe Buildings (Section 110)

C. The requirements of NFPA 10, Standard for Portable Fire Extinguishers, shall be used as referenced within the adopted ICC codes for the installation, servicing, maintenance, recharging, repairing, and hydrostatic testing of all portable fire extinguishers.

D. The requirements of the following NFPA standards shall be used as referenced within the adopted ICC codes for the design, installation, testing and maintenance of ~~fixed suppression-fire extinguishing~~ systems in South Carolina except as modified by these regulations.

1. NFPA 11, Standard for Low-, Medium-, and High-Expansion Foam
2. NFPA 12, Standard on Carbon Dioxide Extinguishing Systems
3. NFPA 12A, Standard on Halon 1301 Fire Extinguishing Systems
4. NFPA 17, Standard for Dry Chemical Extinguishing Systems
5. NFPA 17A, Standard for Wet Chemical Extinguishing Systems
6. NFPA 750, Standard on Water Mist Fire Protection Systems

7. NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems
8. NFPA 2010, Standard for Fixed Aerosol Fire-Extinguishing Systems

E. The requirements of the following NFPA standards shall be used as referenced within the adopted ICC codes for the design, installation, testing, and maintenance of water-based extinguishing systems in South Carolina except as modified by these regulations.

1. NFPA 13, Standard for the Installation of Sprinkler Systems
2. NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes
3. NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies
4. NFPA 14, Standard for the Installation of Standpipe and Hose Systems
5. NFPA 15, Standard for Water Spray Fixed Systems for Fire Protection
6. NFPA 16, Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems
7. NFPA 18, Standard on Wetting Agents
8. NFPA 20, Standard for the Installation of Stationary Pumps for Fire Protection
9. NFPA 22, Standard for Water Tanks for Private Fire Protection
10. NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances
11. NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems

12. NFPA 214, Standard on Water-Cooling Towers

F. The requirements of NFPA 30, Flammable and Combustible Liquids Code, shall be used as referenced within the adopted ICC codes for the storing and handling of flammable and combustible liquids in South Carolina except as modified by these regulations.

G. The requirements of NFPA 30A, Code for Motor Fuel Dispensing Facilities and Repair Garages, shall be used as referenced within the adopted ICC codes for the storing, handling, and dispensing of flammable and combustible liquids at service stations, farms, and isolated sites in South Carolina except as modified by these regulations.

H. The requirements of NFPA 52, Vehicular Gaseous Fuel Systems Code, shall be used as referenced within the adopted ICC codes for storing, handling, and dispensing vehicular alternative fuels in South Carolina except as modified by these regulations.

I. The requirements of NFPA 54, National Fuel Gas Code, shall be used as referenced within the adopted ICC codes for design, materials, components, fabrication, assembly, installation, testing, inspection, operation, and maintenance installation of fuel gas piping systems, appliances, equipment, and related accessories, installation, combustion, and ventilation air and venting in South Carolina except as modified by these regulations.

J. The requirements of NFPA 58, Liquefied Petroleum Gas Code, shall be used as referenced within the adopted ICC codes for the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank truck or tank trailer, and use of LP-Gases and the odorization of such gases in South Carolina except as modified by these regulations.

K. The requirements of NFPA 59, Utility LP-Gas Plant Code, shall be used as referenced within the adopted ICC codes for the design, construction, location, installation, operation, and maintenance of refrigerated and non-refrigerated utility gas plants to the point where LP-Gas or an LP-Gas and air mixture is introduced into the utility distribution system in South Carolina except as modified by these regulations.

L. The requirements of NFPA 70, National Electrical Code, shall be used as referenced within the adopted ICC codes for fire prevention and life safety from hazards of electricity in South Carolina except as modified by these regulations.

M. The requirements of NFPA 72, National Fire Alarm and Signaling Code, shall be used as referenced within the adopted ICC codes for the design, installation, testing, and maintenance of fire alarm systems in South Carolina except as modified by these regulations.

N. The requirements of NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, shall be used as referenced within the adopted ICC codes for ventilation control and fire protection of commercial cooking operations in South Carolina except as modified by these regulations.

O. The requirements of NFPA 99, Health Care Facilities Code, shall be used as referenced within the adopted ICC codes for flammable and non-flammable medical gasses used in health care and other facilities intended for inhalation or sedation, but not limited to, analgesia systems for dentistry, podiatry, veterinary, and similar uses in South Carolina except as modified by these regulations.

P. The requirements of NFPA 101, Life Safety Code, shall be used as referenced within the adopted ICC codes for fire prevention and life safety in South Carolina when evaluating alternative methods of fire and life safety per R. 71-8300.10 except as modified by these regulations.

Q. The requirements of the NFPA 102, Standard for Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures, shall be used as referenced within the adopted ICC codes for fire prevention and life safety for all tents and membrane structures normally used in South Carolina except as modified by these regulations.

R. The requirements of NFPA 160, Standard for the Use of Flame Effects Before an Audience, including Annexes B and C, shall be used as referenced within the adopted ICC codes for all flame effects use in proximate audience pyrotechnics displays or motion picture special effects in South Carolina except as modified by these regulations.

S. The requirements of NFPA 407, Standard for Aircraft Fuel Servicing, shall be used as referenced within the adopted ICC codes for the storing, handling, and dispensing of flammable and combustible liquids at private aircraft fueling facilities in South Carolina except as modified by these regulations.

T. The requirements of NFPA 409, Standard on Aircraft Hangars, shall be used as referenced within the adopted ICC codes for the design construction, occupancy, and use of aircraft hangars in South Carolina except as modified by these regulations.

U. The requirements of NFPA 495, Explosive Materials Code, shall be used as referenced within the adopted ICC codes for the manufacture, transportation, use and storage for all explosives in South Carolina, except as modified herein.

V. The requirements of NFPA 1122, Code for Model Rocketry, shall be used as referenced within the adopted ICC codes for model rocketry associated with public firework displays or proximate audience pyrotechnic displays or motion picture special effects in South Carolina except as modified by these regulations.

W. The requirements of NFPA 1123, Code for Fireworks Display, including Annex A and E, shall be used as referenced within the adopted ICC codes for all firework displays in South Carolina except as modified by these regulations.

X. The requirements of NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, shall be used as referenced within the adopted ICC codes for transportation, storage, and use of all display fireworks and pyrotechnic articles used for proximate audience pyrotechnic displays or motion picture special effects in South Carolina except as modified by these regulations.

Y. The requirements of NFPA 1126, Standard for the Use of Pyrotechnics Before a Proximate Audience, including Annexes A, B, and D, shall be used as referenced within the adopted ICC codes for all proximate audience displays in South Carolina except as modified by these regulations.

Z. The requirements of NFPA 1127, Code for High Power Rocketry, shall be used as referenced within the adopted ICC codes for all high power rockets used for proximate audience pyrotechnic displays or motion picture special effects in South Carolina except as modified by these regulations.

AA. The requirements of NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting, shall be used as referenced within the adopted ICC codes for water supplies for rural fire fighting in South Carolina except as modified by these regulations.

BB. The OSFM shall post and maintain a list of the currently adopted editions of the codes and standards listed above on the OSFM website.

CC. The codes and standards listed in R.71-8300.2 that are adopted by the OSFM shall be accessible for viewing at no cost to the public through the OSFM website.

#### 71-8300.3. Alternate Materials and Alternate Methods of Construction.

A. The requirements of these regulations are not intended to prevent the use of any material or method of construction not specifically prescribed by the regulations, adopted codes, or standards enforced by the OSFM. The SFM has the authority to accept alternative methods of compliance within the intent of these regulations, after finding that the materials and method of work offered is for the purpose intended, at least the equivalent of that prescribed in these regulations in quality, strength, effectiveness, fire resistance, durability, and safety. The SFM shall require submission of sufficient evidence or proof to substantiate any claim made regarding use of alternative materials and methods.

B. Compliance with applicable standards of the National Fire Protection Association, or other nationally recognized fire safety standards, may be used for consideration of alternative methods if found suitable by the SFM.

#### 71-8300.4. Construction Documents and Shop Drawings.

A. Construction documents and/or shop drawings, as appropriate, must be submitted to the OSFM for the following:

1. Fire sprinkler systems per S.C. Code Ann. Section 40-10-260.
2. LP-Gas systems per R.71-8304.
3. Hydrogen facilities per S.C. Code Ann. Section 23-9-510 et seq.
4. Facilities that the OSFM is contractually obligated to review.

B. Construction documents. Construction documents and shop drawings shall be in accordance with this section.

1. Submittals. Construction documents and supporting data shall be submitted in one complete set with each application for a review and in such form and detail as required by the OSFM reviewer to be able to determine compliance.

2. The construction documents and shop drawings shall be prepared by the appropriate registered design professional(s) or other LLR licensee as required by statute or regulation.

a. Practice of architecture as defined in S.C. Code Ann. Section 40-3-20 requires a licensed architect unless exempt per S.C. Code Ann. Section 40-3-290.

b. Practice of engineering as defined in S.C. Code Ann. Section 40-22-20 requires a licensed engineer unless exempt per S.C. Code Ann. Section 40-22-280.

c. Fire sprinkler system documentation shall be prepared in accordance with the specific provisions in S.C. Code Ann. Sections 40-10-250 and 40-10-260.

3. The OSFM is authorized to not require the submission of construction documents and supporting data if:

- a. they are not required to be prepared by a registered design professional, and
- b. it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

4. Examination of documents. OSFM shall examine or cause to be examined the submitted construction documents and shall ascertain by such examinations whether the work indicated and described is in accordance with the applicable requirements.

5. Information on construction documents. Construction documents shall be drawn to scale upon suitable material. Electronic media documents are allowed to be submitted when approved by the OSFM. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of these regulations and other relevant laws, rules and regulations as determined by the OSFM.

a. Fire protection system shop drawings. Shop drawings for fire protection system(s) reviewed by OSFM shall be submitted to indicate compliance with these regulations and the referenced codes and standards, and shall be approved prior to the start of installation. Shop drawings shall contain all information as required by the applicable statutes, regulations, adopted codes and referenced installation standards.

6. Applicant responsibility. It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and the shop drawings are complete and in compliance with the applicable statutes, regulations, codes and standards.

7. Approved documents. Construction documents approved by the OSFM are approved with the intent that such construction documents comply in all respects with this code. Review and approval by the OSFM shall not relieve the applicant of the responsibility of compliance with this code.

a. Phased approval. The OSFM is authorized to issue approval for the construction of part of a structure, system or operation before the construction documents for the whole structure, system or operation have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such approval for parts of a structure, system or operation shall proceed at the holder's own risk with the building operation and without assurance that approval for the entire structure, system or operation will be granted.

b. Compliance with code. The issuance or granting of approval shall not be construed to be an approval of any violation of any of the provisions of these regulations. Approvals presuming to give authority to violate or cancel the provisions of these regulations shall not be valid. The issuance of approval based on construction documents and other data shall not prevent an AHJ from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the AHJ, as evidenced by the issuance of a new or amended approval.

8. Corrected documents. Where field conditions necessitate any substantial change from the approved construction documents, the AHJ shall have the authority to require the corrected construction documents to be submitted for approval.

9. Revocation. The OSFM is authorized to revoke approval issued under the provisions of these regulations when it is found by inspection or otherwise that there has been a false statement or misrepresentation as to the material facts in the application or construction documents or shop drawings on which the permit or approval was based including, but not limited to, any one of the following:

a. The permit or approval is used for a location or establishment other than that for which it was issued.

b. The permit or approval is used for a condition or activity other than that listed in the permit.

c. Conditions and limitations set forth in the permit or approval have been violated.

d. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.

e. The permit or approval is used by a different person or firm than the name for which it was issued.

f. Failure, refusal, or neglect to comply with orders or notices duly served in accordance with the provisions of this regulation within the time provided therein.

g. The permit or approval was issued in error or in violation of a statute, regulation, code, or standard.

#### 71-8300.5. Incident Reporting.

A. Purpose. These provisions are intended to help the State and its local governmental entities to develop fire reporting and analysis capability for their own uses, to obtain data that can be used to more accurately assess and subsequently combat the fire problem at the State or local level, and to support the efforts of the National Fire Data Center in the United States Fire Administration (USFA) to gather and

analyze information on the magnitude of the nation's fire problem, as well as its detailed characteristics and trends.

B. The local fire chief or his designee shall furnish to the OSFM the following information:

1. Fire fatalities from fires occurring within the fire department's jurisdiction, shall be reported directly to the OSFM immediately.

2. Firefighter line-of-duty deaths shall be reported directly to the OSFM immediately.

3. By the 15th day of each month, information concerning all incidents responded to by the fire department during the preceding month shall be reported. This information shall be reported by a method and in a format approved by the OSFM. The National Fire Incident Reporting System (NFIRS) shall serve as the minimum standard reporting method and format for these monthly reports.

C. These reports are privileged against liability unless the report is made with actual malice.

#### 71-8300.6. Fire Investigations.

A. Purpose.

1. The intent of this section is to assist OSFM in improving its ability to provide fire prevention and fire education efforts and data; and, to support OSFM licensing and permitting functions.

2. It is not the intent of this section for OSFM to perform criminal investigation functions which overlap the authority and responsibility of police and other enforcement agencies.

B. The OSFM shall have the authority to investigate the cause, origin, and circumstances of any fire, explosion or other hazardous condition.

C. Information that could be related to trade secrets or processes shall not be made part of the public record, except as directed by a court of law.

### SUBARTICLE 2

#### FIRE PREVENTION AND LIFE SAFETY FOR SPECIAL OCCUPANCIES

#### 71-8301. FIRE PREVENTION AND LIFE SAFETY FOR SPECIAL OCCUPANCIES.

(Statutory Authority: 1976 Code Section 23-9-60)

##### 71-8301.1. General.

A. The purpose of this ~~regulation-Subarticle~~ is to provide specific requirements ~~clarify the application of current codes and retroactive application of the regulations to existing licensed special for certain occupancies covered by these regulations.~~

B. This regulation shall apply to:

~~1. Existing childcare facilities built prior to September 1, 2009.~~

~~1.2.~~ New and existing foster homes.

~~2.3.~~ New and existing schools inspected by the OSFM.

~~C. This regulation shall not apply to new childcare facilities. New childcare facilities shall comply with R.71-8300.~~

~~C.D.~~ The Department of Social Services shall provide a list of registered in-home childcare facilities to the OSFM annually.

##### 71-8301.2. Codes and Standards.

A. All references to codes and standards found in these regulations refer to the editions adopted in R.71-8300.2 and are modified by the following regulations as shown below.

B. The building code shall define occupancy classifications referenced in these regulations.

##### 71-8301.3. Requirements for Special Occupancies.

- A. All existing licensed Childcare Centers shall comply with the following:
1. All Childcare Centers keeping children first grade and younger shall be located on the floor of exit discharge. Second grade children shall not be located more than one (1) story above or below the floor of exit discharge. This restriction does not apply to structures equipped throughout with an NFPA 13 sprinkler system.
    - a. All facilities with fire alarm systems shall be designed, installed, and maintained per NFPA 72.
    - b. Each Childcare Center serving more than one hundred clients shall have a fire alarm system to provide off-premise notification to the fire department per NFPA 72.
    - c. All facilities licensed after 1999 shall have a listed smoke detector installed and maintained per NFPA 72 in every room occupied by clients, excluding bathrooms and closets.
    - d. All facilities continuously licensed before 1999 may use hard wired single station smoke detectors with battery backup.
  2. Closed facilities that reopen must comply with the codes in effect at the time of licensure.
  3. An existing Childcare Center that has been continuously licensed may continue operation under the codes to which it was initially licensed. These Childcare Centers shall also meet the following standards:
    - a. Facilities providing care, maintenance, and supervision for thirteen (13) or more clients for less than twenty-four (24) hours but more than four (4) hours per day shall be classified as Group E occupancy.
    - b. Special protective covers for electrical receptacles shall be installed on all receptacles located in areas occupied by clients.
    - c. Emergency evacuation drills shall include complete evacuation of all persons from the building.
    - d. The owner shall maintain records of emergency evacuation drills for at least three (3) years.
    - e. Facilities shall provide a copy of their Fire Evacuation Plan to the responding fire department. The plan must note the rooms keeping children under twenty-four (24) months of age.
    - f. Facilities with six (6) or more children under twenty-four (24) months of age shall comply with the regulations for "Facilities with Children Under 24 Months of Age" (R. 71:8301-3(B)).
  4. The SFM has authority to approve alternate methods of compliance within the intent of the regulations for existing facilities.
- B. Existing "Facilities with Children Under 24 Months of Age"
1. Facilities caring for four or more children under twenty-four (24) months of age unattended by a parent or guardian shall provide the following safeguards:
    - a. Rooms shall have a one (1) hour fire-rated separation. No fire-rated separation is required between adjacent rooms caring for children less than twenty-four (24) months of age.
    - b. Rooms shall have a direct exit to the outside. Exit door(s) from infant rooms shall swing in the direction of egress and the door leaf shall be at least thirty-six (36) inches wide.
    - c. Rooms shall be limited to twelve (12) children per direct exit. There shall be no more than twenty-four (24) children per room. Older children kept in the room shall be counted as part of the total for direct exits and room occupancy considerations.
    - d. Rooms shall not have any type of open flame appliances.
    - e. Rooms shall have smoke detectors installed and maintained per NFPA 72 inside the room and in the adjacent area of the facility near the protected room's entrance.
    - f. Doors in the required one-hour separation partitions shall be twenty (20) minute labeled doors equipped with door closures or a smoke actuated hold open device.
    - g. Facilities shall develop a fire safety and evacuation plan complying with the requirements for Group E occupancies in the IFC.
    - h. Facilities shall provide a copy of their fire safety and evacuation plan to the local fire authorities. The plan must note the rooms keeping children under twenty-four (24) months of age.
    - i. Emergency evacuation drills shall comply with the requirements for Group E occupancies in the IFC.

~~The owner shall maintain records per the IFC of emergency evacuation drills for at least three (3) years.~~

~~j. Portable unvented fuel-fired heating equipment shall be prohibited in all infant rooms and childcare centers.~~

~~C. Existing Group Childcare Homes~~

~~1. Facilities providing care, maintenance, and supervision for seven (7) to twelve (12) children for less than twenty-four (24) hours but more than four (4) hours per day shall be classified as Group R-3 occupancy.~~

~~a. Group Childcare facilities shall be separated from other type occupancies (excluding owner residence) by a one (1) hour fire barrier constructed per the IBC.~~

~~b. Group Childcare facilities located in R-2 occupancies shall be located on the floor of exit discharge.~~

~~c. Each Group Childcare facility occupied by clients shall have at least two (2) independent means of escape as defined in NFPA 101.~~

~~d. The doorway between the level of exit discharge and any floor below shall be equipped with a self-closing 1 1/2" solid core wood door or a labeled fire-rated door with a twenty (20) minute or higher rating.~~

~~e. Group Childcare is prohibited in manufactured housing (mobile homes).~~

~~f. A fire plan describing what actions are to be taken by the staff in the event of a fire must be developed, posted, and copies made available to staff members and the local fire department. This plan shall note the location of all crib children under twenty-four (24) months of age.~~

~~g. A fire drill shall be conducted per the IFC for educational occupancies. Records of drills shall be maintained for a period of three (3) years and report the date, time, description, and evaluation of each drill.~~

~~h. At least one (1) portable fire extinguisher with a minimum classification of 2A:10BC shall be installed in cooking areas. The fire extinguishers shall be installed and maintained per NFPA 10.~~

~~i. All heating devices must be selected, used, and installed per the IFC, the manufacturer's recommendations, and listing conditions set by an approved testing laboratory.~~

~~j. Unvented gas heaters shall have an operating oxygen-depletion device, an operating safety shutoff device, and means to protect clients from burns.~~

~~k. Fireplaces shall be equipped with fire screens, partitions, or other means to protect clients from burns.~~

~~l. Facilities with six (6) or more children under twenty-four (24) months of age shall comply with R-71-8301.3(B) for "Facilities with Children Under 24 Months of Age."~~

~~m. Portable unvented fuel-fired heating equipment shall be prohibited in all Group Childcare facilities.~~

~~D. Existing Family Childcare Homes~~

~~1. Facilities providing care, maintenance, and supervision for six (6) or less children for less than twenty-four (24) hours but more than four (4) hours per day shall be classified as Group R-3 occupancy.~~

~~a. Family Childcare Homes shall be separated from other type occupancies (excluding owner residence) by a one-hour fire barrier constructed per the IBC.~~

~~b. Family Childcare Homes located in R-2 occupancies shall be located on the floor of exit discharge.~~

~~c. Each Family Childcare Home occupied by clients shall have at least two (2) independent means of escape as defined in NFPA 101.~~

~~d. The doorway between the level of exit discharge and any floor below shall be equipped with a self-closing 1 1/2" solid core wood door or a labeled fire-rated door with a twenty (20) minute or higher rating.~~

~~e. A fire plan describing what actions are to be taken by the staff in the event of a fire must be developed, posted, and copies made available to staff members and the local fire department. This plan shall note the location of all crib children under twenty-four (24) months of age.~~



~~f. A fire drill shall be conducted per the IFC for educational occupancies. Records of drills shall be maintained for a period of three (3) years and report the date, time, description, and evaluation of each drill.~~

~~g. The interior finish in occupied spaces and exits in Family Childcare Homes shall be a minimum of Class C.~~

~~h. At least one (1) portable fire extinguisher with a minimum classification of 2A:10BC shall be installed in cooking areas. The fire extinguishers shall be installed and maintained per NFPA 10.~~

~~i. All heating devices must be selected, used, and installed per the IFC, the manufacturer's recommendations, and listing conditions set by an approved testing laboratory.~~

~~j. Unvented gas heaters shall have an operating oxygen depletion device, an operating safety shutoff device, and means to protect clients from burns.~~

~~k. Fireplaces shall be equipped with fire screens, partitions, or other means to protect clients from burns.~~

~~l. Facilities with six (6) or more children under twenty-four (24) months of age shall comply with the regulations for "Facilities with Children Under 24 Months of Age" (R. 71-8301.3(B)).~~

~~m. Portable unvented fuel-fired heating equipment shall be prohibited in all family day cares.~~

#### A.5 All Foster Home Facilities

1. Foster homes providing care, maintenance, and supervision for no more than six (6) children, including the natural or adopted children of the foster parent; shall comply with the following:

a. Must be a facility designed and constructed with the intent to be used as a dwelling per applicable statutes and regulations.

b. Listed smoke alarms shall be installed in the following locations:

(i) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms;

(ii) In each room used for sleeping purposes; and

(iii) In each habitable story within a dwelling.

c. Listed smoke alarms shall be powered from:

(i) the electrical system of the dwelling as the primary power source and a battery as a secondary power source; or

(ii) a battery rated for a 10-year life, provided the smoke alarm is listed for use with a 10-year battery.

d. Listed smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the dwelling unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.

b.e. At least one (1) portable fire extinguisher with a minimum classification of 2A:10BC shall be installed near cooking areas. The fire extinguishers shall be installed and maintained in accordance with the manufacturer's instructions.

c.f. Each facility housing foster children shall maintain means of egress as required by original construction.

g. All sleeping rooms below the fourth story shall have emergency escape and rescue openings that open from the inside and are sized to permit the egress of the occupants and configured in accordance with the applicable code requirements.

d.h. All heating devices must be selected, used, and installed per the manufacturer's recommendations and the listing conditions set by an approved testing laboratory.

e.i. Unvented gas heaters shall have an operating oxygen depletion device, an operating safety shutoff device, and shall be located or guarded to prevent burn injuries.

f.j. Fireplaces shall be equipped with fire screens, partitions, or other means to protect clients from burns.

g.k. A fire escape plan describing what actions are to be taken by the family in the event of a fire must be developed and posted.

h.l. A fire escape drill shall be conducted every three (3) months.

~~i.p.~~ Records of the drills shall be maintained on the premises for three (3) years. The records shall give the date, time, and weather conditions during the drill, number evacuated, description, and evaluation of the fire drill. Fire drills shall include complete evacuation of all persons from the building.

~~j.p.~~ A fire escape drill shall be conducted within twenty-four (24) hours of the arrival of each new foster child.

~~k.p.~~ Portable unvented fuel-fired heating equipment shall be prohibited in all foster homes.

~~l.p.~~ An approved carbon monoxide alarm shall be installed and maintained outside of each separate sleeping area in the immediate vicinity of the bedroom in dwelling units within which fuel fired appliances are installed and in dwelling units that have attached garages.

~~m.p.~~ Each sleeping room must have an operable door that closes and latches to provide compartmentation that protects occupants in case of a fire event.

~~n.p.~~ The dwelling shall be free of dangers that constitute an obvious fire hazard, such as faulty electrical cords, overloaded electrical sockets, or an accumulation of papers, paint, or other flammable material stored in the dwelling.

~~o.p.~~ Facilities serving as a foster home shall have approved address numbers placed in a position that is plainly legible and visible from the street. Address number shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch and shall contrast with their background.

~~p.p.~~ Listed smoke alarms shall be installed in the following locations as follows:

(i) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms; and

(ii) In each room used for sleeping purposes; and

(iii) In each habitable story within a dwelling.

~~q.p.~~ Listed smoke alarms shall be powered from:

(i) the electrical system of the dwelling as the primary power source and a battery as a secondary power source; or

(ii) a battery rated for a 10-year life, provided the smoke alarm is listed for use with a 10-year battery.

2. In addition to Section A.1.a.-q. above, all foster homes must have one of the following:

~~a.p.~~ All sleeping rooms below the fourth story shall have emergency escape and rescue openings that open from the inside and are sized to permit the egress of the occupants. and configured in accordance with the applicable code requirements; or

~~b.p.~~ Listed smoke alarms required to be installed by Section A.1.p. above shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the dwelling unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm; or

~~c.~~ A residential fire sprinkler system in accordance with the applicable statutes, regulations, and adopted codes.

#### B.F. Inspection of School Facilities

1. The OSFM shall work in conjunction with local resident fire marshals to ensure an annual fire and life safety inspection of all schools, including 4K programs and childcare centers located within public schools, that are subject to these regulations. The OSFM shall work in conjunction with the Department of Education's Office of School Facilities to ensure a fire and life safety inspection of each new school is conducted prior to occupancy and to ensure that additions to schools and school alterations are also inspected.

### SUBARTICLE 3 EXPLOSIVES

#### 71-8302. EXPLOSIVES.

(Statutory Authority: 1976 Code Sections 23-9-40(b), 23-9-60, 23-36-10 et seq.)

#### 71-8302.1. General.

A. The purpose of this regulation is to provide reasonable safety and protection to the public, public property, private property, and operators from the manufacture, transportation, handling, use, and storage of explosives in South Carolina.

B. This regulation shall apply to the manufacture, transportation, handling, use, and storage of explosives in South Carolina.

C. This regulation does not apply to the sale or storage of fireworks as regulated by the Board of Pyrotechnic Safety.

#### 71-8302.2. Codes and Standards.

A. All references to codes and standards found in these regulations refer to the editions adopted in R.71-8300.2 and are modified by the following regulations as shown below.

B. The building code shall define occupancy classifications referenced in these regulations.

#### 71-8302.3. Licensing and Permitting Fees.

A. All applications for licenses, tests, or permits must be accompanied by the appropriate fees.

B. The OSFM is responsible for all administrative activities of the licensing program. The SFM shall employ and supervise personnel necessary to effectuate the provisions of this article and shall establish fees sufficient but not excessive to cover expenses, including direct and indirect costs to the State for the operation of this licensing program. Fees may be adjusted not more than once each two years, using the method set out in S.C. Code Ann. Section 40-1-50(D), 1976, as amended.

C. Fees shall be established for the following:

1. Application
2. Background Check
3. Testing
4. Licensing
5. Permitting
6. Inspection
7. Renewal

D. All fees are due at time of application.

E. Submission requirements for Blasting Permit application

1. Applications for one year Blasting Permits shall be submitted to the OSFM for approval at least 30 days before the start of blasting operations.

2. Applications for all other Blasting Permits shall be submitted to the OSFM for approval at least 48 hours before the start of blasting operations.

3. Applications submitted less than 48 hours before the start of blasting operations will be subject to a \$200.00 special processing fee.

4. Blasting Permit applications shall include the properly completed form and shall be accompanied by all information listed on the Blasting Permit application form when applying to the OSFM for a Blasting Permit.

F. All fees paid to the OSFM are nonrefundable.

#### 71-8302.4. Licenses and Permits.

A. Classification of Licenses and Permits

	Class	Category	Blasting Permitted
1.	A	Unlimited	All types of blasting

2.	B	General	All phases of blasting operations in quarries, aboveground open pit mines, and aboveground construction
3.	C	General	All phases of blasting operations in underground mines, shafts, tunnels, and drifts
4.	D	Demolition	All phases of blasting in demolition projects
5.	E	Seismic	All phases of blasting in seismic prospecting
6.	G	Special	Special blasting as described on the permit

#### B. Licenses

1. No person shall be granted a license who has not successfully completed a written examination administered by the OSFM covering the applicable codes, state laws and regulations for the license classification for which they are applying.

2. Any applicant who fails the written examination is allowed one (1) re-test after a minimum seven (7) day waiting period. Any applicant who fails the re-test shall wait at least six (6) months before reapplying.

3. Licenses are not transferable.

4. The OSFM may accept determination of relief from disability incurred by reason of a criminal conviction that has been granted by the Director of the Bureau of Alcohol, Tobacco and Firearms, U. S. Department of the Treasury, Washington, D.C., pursuant to Section 555.142, Subpart H, Title 27, Code of Federal Regulations and Title 18 United States Code, Chapter 40, Section 845(b).

5. New Applications for licensing shall:

a. Submit a completed fingerprint card with their application for the OSFM to conduct a National Crime Information Center (NCIC) criminal background check as part of the initial licensing application process.

b. Provide the appropriate Federal licenses to handle and use explosives or explosive materials. Applicants must provide a copy of applicable Federal licenses with their application.

c. Provide proof of insurance. The coverage company must be an insurer which is either licensed by the ~~Department of Insurance-DOI~~ in this State or approved by the ~~Department of Insurance-DOI~~ as a nonadmitted surplus lines carrier for risks located in this State. In the event the liability insurance is canceled, suspended, or nonrenewed, the insurer shall give immediate notice to the OSFM.

6. Each applicant for renewal shall each year:

a. Submit an application for renewal.

b. Have a National Crime Information Center (NCIC) background check conducted by the OSFM as part of the licensing renewal process.

c. Provide a copy of their current Federal licenses for handling and using explosives or explosive material with their renewal application.

d. Attend at least four (4) hours of continuing education acceptable to the OSFM. Certificates of training or other proof of training attendance must be provided when requested by the OSFM.

e. Provide proof of insurance. The coverage company must be an insurer which is either licensed by the ~~Department of Insurance-DOI~~ in this State or approved by the ~~Department of Insurance-DOI~~ as a nonadmitted surplus lines carrier for risks located in this State. In the event the liability insurance is canceled, suspended, or nonrenewed, the insurer shall give immediate notice to the OSFM.

#### C. Blasting Permits

1. Blasting Permit application forms shall be available on the OSFM website and shall contain the information deemed appropriate by the OSFM. At a minimum, the application form shall include:

a. Applicant name and contact information;

b. Blaster name, license, and contact information;

c. Blast site information including location, purpose of blasting, and fire department responsible for responding to the site;

d. Anticipated date and time range of blasting operations;

- e. Information on separation distances detailing the actual distances to the nearest gas lines, power transmission lines, public roads, and structures;
  - f. The type(s) of explosive used;
  - g. Information on quantities of explosive used including the estimated amount of explosives for the duration of the permit, amount per shot, and amount per charge; and,
  - h. Information regarding whether a seismograph will be used.
2. Blasting Permit application forms shall list all information required to be submitted with the form per R.71-8302.3.E. This list shall include at least the following:
- a. Current certificate of insurance;
  - b. Directions to the blast site;
  - c. Site plan of the blast site showing measured distances to adjacent buildings, streets, utilities, wells, and other facilities;
  - d. Blasting plan that addresses proposed blasting procedures, quantity of material to be removed by blasting, number of blasts to be detonated, quantity and type of explosives to be used, maximum amount of explosives per delay, the maximum number of holes per delay, and the proposed placement of seismographs; and
  - e. Safety plan that addresses on-site storage, traffic control, barricading, signage plan, and adverse weather operation plan.
3. No permit will be granted without submission of a complete Blasting Permit application form and payment of application fee.
4. No variations from the terms of the blasting permit are allowed without authorization from the OSFM or their designee.
- D. Magazine Permits**
1. Magazine Permit Application Forms shall contain the information deemed appropriate by the OSFM.
2. Magazine Permit Application Forms shall be available on the OSFM website.
3. Magazine permits expire at 12:01 AM on January 1 of each licensing cycle. Any magazine permit not renewed by December 31 shall incur a late fee of \$100.00 (each).
4. Magazine permits shall be visible on the exterior of all magazines. Defaced or destroyed permits will be reported to the SFM when discovered. The OSFM may, at their discretion, charge the administrative costs of replacing the magazine permit.
5. Each magazine shall be inspected and approved by the OSFM before use.

#### **71-8302.5. Records.**

- A. Licensed blasters shall keep records of each blast. The Blaster's Log shall contain the following minimum data:**
- 1. Name of company or contractor;
  - 2. Location, date, and time of blast;
  - 3. Name, signature, and license number of blaster in charge of blast;
  - 4. Type of material blasted;
  - 5. Number of holes, burden and spacing;
  - 6. Diameter and depth of holes;
  - 7. Types of explosives used;
  - 8. Total amount of explosives used;
  - 9. Maximum amount of explosives per delay period of 8 milliseconds or greater;
  - 10. Method of firing and type of circuit;
  - 11. Direction and distance in feet to nearest dwelling house, public building, school, church, commercial or institutional building neither owned nor leased by the person conducting the blasting;
  - 12. Weather conditions;
  - 13. Type and height or length of stemming;

14. Whether mats or other protections were used;
  15. Type of delay electric blasting caps used and delay periods used;
  16. Exact location of seismograph, if used, and the distance of seismograph from blast as indicated accurately by the person taking the seismograph reading;
  17. Seismograph records, where required including:
    - a. Name of person and firm analyzing the seismograph record; and
    - b. Seismograph reading;
  18. Maximum number of holes per delay period of eight milliseconds or greater.
- B. Blasters will provide a blast report on forms approved by the OSFM and submit these forms within three working days of the blast when deemed necessary by the OSFM.
- C. Blasting records shall be retained by the licensed blaster and available for inspection by SFM during normal work hours at their place of business. These blast records shall include as a minimum for each blast:
1. Blasting Permit;
  2. Seismograph reports when used;
  3. Blaster's Record/log;
  4. Pre-Blast Survey (if applicable).
- D. Magazine log shall be available for inspection by SFM upon request during normal work hours or hours of operation of the magazine.

#### 71-8302.6. Blasting Safety and Operations.

- A. The contractor, operator, and the blaster are responsible for the conduct of blasting operations on any site.
- B. These regulations do not relieve the contractor, operator, blaster or other persons of their responsibility and liability under any other laws.
- C. The OSFM may require the use of a seismograph on any blasting operation where damage to personal property has or may occur.
- D. A Seismograph shall be used on all blasting operations within 1500 feet of a building, where the scaled distances shown in NFPA 495 are not followed, or when directed by the OSFM.
- E. Operators must notify the OSFM within 24 hours of any fires or thefts involving explosives. The operators shall provide the OSFM with a copy of the report filed with the police department or the incident report from the fire department. Operators must also provide the OSFM Office with a copy of ATF Form 5400.5.
- F. The operator shall have their license in their possession when handling, possessing or using explosive materials and shall show their license when asked by any AHJ.
- G. A copy of the blasting permit shall be kept at the firing station.
- H. This section shall be followed for firing the blast:
1. A warning signal shall be given before every blast. Warning signals shall comply with the following:
    - a. Warning signal is a one (1) minute series of long horn or siren blasts five (5) minutes before the blast signal.
    - b. Blast signal is a series of short horn or siren blasts one (1) minute before the shot.
    - c. All clear signal is a prolonged horn or siren blast following the inspection of the blast area.
  2. The signal shall be made from an air horn, siren or other device, and must be loud enough to be clearly heard in all areas that could be affected by the blast or flyrock from the blast. The signal must be distinctive and unique so that it cannot be confused with any other signaling system that might occur on the site. A vehicle horn shall not be used as a signaling system.

#### 71-8302.7. Explosives and Investigations.

All costs incurred by the OSFM for investigations involving explosives or blasting operations shall be reimbursed to the State by the individual or company involved in the investigation. Such reimbursements will only apply when the individual or company has been found in violation of the South Carolina Explosives Control Act (S.C. Code Ann. 23-36-10, et seq., 1976, as amended) or these Regulations.

#### 71-8302.8. Variances.

A. This section provides licensees the opportunity to request variances of the regulations under specific conditions.

1. The OSFM may grant variances when it can be demonstrated the variance improves safety or provides an equivalent level of safety as provided in the regulations and adopted codes.

2. Such a variance may be modified or revoked by the OSFM.

3. When applicable, these variances must also be approved by the U.S. Bureau of Alcohol, Tobacco, and Firearms.

### SUBARTICLE 4

#### PORTABLE FIRE EXTINGUISHERS AND FIXED FIRE EXTINGUISHING SYSTEMS

#### 71-8303. PORTABLE FIRE EXTINGUISHERS AND FIXED FIRE EXTINGUISHING SYSTEMS.

(Statutory Authority: 1976 Code Sections 23-9-40, 23-9-45)

##### 71-8303.1. General.

A. The purpose of this subarticle is to regulate the leasing, renting, reselling, servicing and testing of portable fire extinguishers and the installation, testing, and servicing of fixed fire extinguishing systems in the interest of protecting lives and property.

B. This regulation shall apply to:

1. The filling, charging, and recharging of all portable fire extinguishers other than the initial filling by the manufacturer.

2. The testing and servicing of all types of portable fire extinguishers.

3. The installation, testing, and servicing of all types of fixed fire extinguishing systems.

C. This regulation shall not apply to the following:

1. The filling or charging of a portable fire extinguisher by the manufacturer before the initial sale;

2. The installation or servicing of water-based extinguishing systems addressed by S.C. Code Ann. Section 40-10-240 et seq; and

3. Firms engaged in the retailing or wholesaling of new portable fire extinguishers.

##### 71-8303.2. Codes and Standards.

A. All references to codes and standards found in these regulations refer to the editions adopted in R. 71-8300.2 and are modified by the following regulations as shown below.

B. The building code shall define occupancy classifications referenced in these regulations.

##### 71-8303.3. Fees for Licensing, Testing, and Inspections.

A. The OSFM is responsible for all administrative activities of the licensing program. The SFM shall employ and supervise personnel necessary to effectuate the provisions of this article and shall establish fees sufficient but not excessive to cover expenses, including direct and indirect costs to the State for the operation of this licensing program. Fees may be adjusted not more than once each two years, using the method set out in S.C. Code Ann. Section 40-1-50(D), 1976, as amended.

B. Fees shall be established for the following:

1. Application
2. Testing
3. Permitting
4. Licensing
5. Inspection
6. Renewal

C. All fees are due at time of application for licenses, testing, permits, inspection or renewal.

D. All fees paid to the OSFM are nonrefundable.

#### 71-8303.4. Licensing and Permitting Requirements.

##### A. General Licensing Requirements.

1. Each firm testing and servicing portable fire extinguishers; installing, testing, and servicing fixed fire extinguishing systems; or hydrostatic testing portable fire extinguishers or portions of fixed fire extinguishing systems must have a license issued by the OSFM.

2. Each firm's license shall be displayed in a conspicuous location at their place of business.

3. Each firm shall apply in writing on a form available from the OSFM, for the license classification the firm is seeking.

4. Each firm shall furnish a certificate of insurance with their application in the amount required for their license classification. The firm shall list the State of South Carolina and its agents as additional insured. The coverage company must be an insurer which is either licensed by the ~~Department of Insurance-DOI~~ in this State or approved by the ~~Department of Insurance-DOI~~ as a nonadmitted surplus lines carrier for risks located in this State. In the event the liability insurance is canceled, suspended, or not renewed, the insurer shall give immediate notice to the OSFM.

5. Each firm shall possess the equipment required for the class of license sought. The OSFM shall inspect the firm's facilities to verify the firm has the minimum required equipment. The OSFM shall not license a firm until deficiencies discovered by inspection are corrected.

6. Licenses issued under this subarticle are not transferable.

7. All licenses expire when insurance coverage lapses or is cancelled and on the day of expiration shown on the license and shall be renewed biennially.

8. Expired licenses shall not be renewed. A new license shall be obtained by complying with all requirements and procedures for an original license.

##### B. General Permitting Requirements.

1. Each individual servicing, recharging, repairing, installing, or testing portable fire extinguishers or fixed fire extinguishing systems shall possess a valid permit issued by the OSFM.

2. Each individual shall apply in writing on a form available from the OSFM, for the permit classification they are seeking.

3. Applicants must provide a current photograph with their application.

4. Applicants must be at least eighteen (18) years old.

5. Applicants shall pass a written examination administered by the OSFM before a permit is issued. The exam will cover the applicable codes, state laws, and regulations and the additional requirements for the specific class of permit for which they are applying.

6. Any applicant who fails the written examination is allowed one (1) re-test after a minimum seven-day waiting period. Any applicant who fails the re-test shall wait at least six (6) months before reapplying.

7. Permit holders shall have their permits in their possession while working on equipment or systems covered by their permit.

8. Permit holders shall show their permits on the request of any AHJ.

9. Permit holders shall be limited to specific type of work allowed by the class of permit they hold and the specific systems covered by their permit.

10. Permits issued under this subarticle are not transferable.



11. Permits shall expire on the day of expiration shown on the permit and shall be renewed biennially.

12. Expired permits shall not be renewed. A new permit shall be obtained by complying with all requirements and procedures for an original permit.

**C. License and Permit Classifications.**

1. Class "A" - may service, recharge, or repair, all types of portable fire extinguishers, including recharging carbon dioxide units; and to conduct hydrostatic tests on all types of fire extinguishers.

2. Class "B" - may service, recharge, or repair all types of portable fire extinguishers, including recharging carbon dioxide units and conducting hydrostatic tests on water, water chemical, and dry chemical types of extinguishers only.

3. Class "C" - may service, recharge, or repair all types of portable fire extinguishers, except recharging carbon dioxide units; and to conduct hydrostatic tests of water, water chemical, and dry chemical types of fire extinguishers only.

4. Class "D" - may service, recharge, repair, or install all types of fixed fire extinguishing systems.

5. Class "E" is an apprentice permit classification only. Permits in this classification may perform the services only under direct supervision of a person holding a valid permit and who works for the same firm as the apprentice. An apprentice permit is valid for one (1) year from the day of issuance and may not be renewed.

D. Firms applying for a Class "A", "B", or "C" License must meet all of the general requirements for licensing and provide proof of public liability insurance for an amount not less than one million (\$1,000,000) dollars.

**E. Firms applying for a Class "D" License must:**

1. Designate on their application for licensing each type of fixed ~~fire extinguishing~~ fire extinguishing system for which they want to be licensed;

2. Provide proof of public liability insurance for an amount not less than one million (\$1,000,000) dollars; and

3. Provide proof of manufacturer's certification for at least one type of fixed fire extinguishing system.

4. For each additional type of pre-engineered fire extinguishing system, the applicant may submit proof of a manufacturer's certification or an affidavit which shall attest to the ability to obtain the proper manufacturer's installation, maintenance and service manuals and manufacturer's parts or alternative components that are listed for use with the specific extinguishing system and provide testament that all installations and maintenance shall be performed in complete compliance with the manufacturer's installation, maintenance and service manuals and NFPA standards.

F. Individuals applying for a Class "A", "B", or "C" Permit must meet all of the general requirements.

**G. Individuals applying for a Class "D" Permit must:**

1. Designate on their application for licensing each type of fixed ~~fire extinguishing~~ fire extinguishing system for which they want to be permitted.

2. Provide proof of manufacturer's certification for at least one type of fixed fire extinguishing system.

3. For each additional type of pre-engineered fire extinguishing system, the applicant may submit proof of a manufacturer's certification or an affidavit which shall attest to the ability to obtain the proper manufacturer's installation, maintenance and service manuals and manufacturer's parts or alternative components that are listed for use with the specific extinguishing system and provide testament that all installations and maintenance shall be performed in complete compliance with the manufacturer's installation, maintenance and service manuals and NFPA standards.

H. Employees applying for a Class "E" Permit must file an application for a Class "E" Permit and provide a current photograph.

**71-8303.5. Renewal of Licenses and Permits.**

- A. To qualify for biennial renewal of a Class "A", "B" or "C" license, a firm must:
  - 1. Apply in writing on a form available from the OSFM designating the Class of license sought;
  - 2. Provide proof of public liability insurance.
- B. To qualify for biennial renewal of a Class "A", "B" or "C" permit, an individual must:
  - 1. Apply in writing on a form available from the OSFM, designating the permit classification they are seeking.
- C. To qualify for biennial renewal of a Class D license, a firm must:
  - 1. Apply in writing on a form available from the OSFM, designating each type of ~~fixed fire-extinguishing-fire extinguishing~~ system for which they wish to be licensed to install, test, or service;
  - 2. Provide proof of public liability insurance;
  - 3. Provide proof of manufacturer's certification for at least one type of fixed fire extinguishing system;
  - 4. For each additional type of pre-engineered fire extinguishing system, the applicant may submit proof of a manufacturer's certification or an affidavit which shall attest to the ability to obtain the proper manufacturer's installation, maintenance and service manuals and manufacturer's parts or alternative components that are listed for use with the specific extinguishing system and provide testament that all installations and maintenance shall be performed in complete compliance with the manufacturer's installation, maintenance and service manuals and NFPA standards.
- D. To qualify for biennial renewal of a Class D permit, an individual must:
  - 1. Apply in writing on a form available from the OSFM, designating each type of ~~fixed fire-extinguishing-fire extinguishing~~ system for which they wish to be permitted to install, test, or service;
  - 2. Provide an up to date manufacturers training certificate for each type pre-engineered system that renewal is sought;
  - 3. Provide an affidavit to attest to the applicant's ability to obtain the proper manufacturer's installation, maintenance and service manuals and manufacturer's parts or alternative components that are listed for use with the specific extinguishing system and provide testament that all installations and maintenance shall be performed in complete compliance with the manufacturer's installation, maintenance and service manuals.

#### 71-8303.6. Restrictions for Class D Fire Equipment Licenses and Permits.

- A. A firm or person shall not willfully engage in the business of installing, testing or servicing Class D fire equipment or use in any advertisement or on a business card or letterhead, or make any other verbal or written communication that the person is a Class D Fire Equipment Dealer or acquiesce in such a representation, unless that person is licensed as a Class D Fire Equipment Dealer by the OSFM.
- B. No person shall install or service any type of Class D fire equipment not covered on their permit.

#### 71-8303.7. Licensing Requirements: For Firms Performing Hydrostatic Testing.

- A. Each firm performing hydrostatic testing of fire extinguishers manufactured according to the specifications of the USDOT shall be required to possess a valid license issued by the USDOT. All hydrostatic testing of fire extinguishers shall be performed per the appropriate USDOT standards and NFPA standards.
- B. Each employee certified to conduct hydrostatic testing shall attend a USDOT certification refresher course every three years and provide a copy of the current certification to the OSFM upon completion.

#### 71-8303.8. Installation and Maintenance Procedures.

- A. All Portable Fire Extinguishers and Fixed Fire Extinguishing Systems covered by these regulations shall be installed, inspected, tested and serviced per the applicable NFPA standards and the manufacturer's installation, service and maintenance manuals.

B. Any portable fire extinguisher or fixed fire extinguishing system that cannot be maintained per the manufacturer's installation, service, and maintenance manuals or the applicable NFPA standards shall be removed from service and replaced.

C. Tamper seals on all portable fire extinguishers shall be imprinted with the year. The year imprinted on the tamper seal shall match the date on the maintenance tag for portable fire extinguisher servicing and maintenance.

#### 71-8303.9. Minimum Equipment and Facility Requirements for Fire Equipment Dealer License.

##### The OSFM Minimum Equipment and Facility Requirements for a Fire Equipment Dealer License

				Minimum Equipment and Facilities Required	YES	NO	N/A	
1	A			D Hydrostatic test equipment for high pressure testing and calibrated cylinder. (0-11,000 psi)				
2	A			D Equipment for test dating high-pressure cylinders (over 900 psi). Die stamps must be a minimum of ¼ inches.				
3	A			D Clock with sweep secondhand on or close to hydrostatic test apparatus.				
4	A	B		D CO2 receiver--cascade system for proper filling of CO2 extinguishers.				
5	A	B		D Supply of metallic labels for CO2 hose conductivity test. Labels attached to the hose must include month and year of testing, name or initials of person performing test, and name of agency performing test.				
6	A	B	C	D Scales graduated in 1/8 ounce or 1 gram weight if refilling CO2 cartridges. Minimum of 20 lbs.				
7	A	B	C	D All Scales calibrated within the last 12 months. Certification date(s)                      Certified by				
8	A	B	C	D Approved drying method for high and low pressure cylinders. Listed for its use.				
9	A	B	C	D Proper wrenches with non-serrated jaws or valve puller (hydraulic or electric).				
10	A	B	C	D Inspection light.				
11	A	B	C	D Low-pressure test apparatus.				
12	A	B	C	D Low-pressure hydrostatic test labels per NFPA 10.				
13	A	B	C	D Scales for weighing extinguisher/system agent bottles during inspection and filling, minimum of 500 lbs. Calibrated and certified annually.				
14	A	B	C	D Closed recovery system(s) and storage to remove and store chemicals from fire extinguishers or system cylinders during servicing.				
15	A	B	C	D Closed recovery system(s) and storage to remove and store chemicals from halon type fire extinguishers or system cylinders during servicing.				
16	A	B	C		Current installation, maintenance and service manuals from the manufacturer of each make or brand of fire extinguisher or system the company installs, services, recharges, repairs, or maintains.			
17	A	B	C		Supply of extinguisher recharge agents for the type/brands of fire extinguishers the company requests to recharge or service.			

18	A	B	C	D	Vise 6-inch minimum (chain or bench).			
19	A	B	C	D	Facilities for proper storage of extinguishing agents.			
20	A	B	C	D	Facilities for leak testing of pressurized extinguishers.			
21	A	B	C	D	Nitrogen with regulator and indicator. Regulator not to exceed 1500 psi--minimum 500 psi.			
22	A	B	C	D	Supply of "Verification of Service" collars containing Month and Year the service was performed.			
23	A	B	C		Adapters, fittings, and tools and equipment for properly servicing and/or recharging all extinguishers being serviced and recharged.			
24	A	B	C	D	Safety cage (in shop) for hydrostatic testing of low-pressure cylinders.			
25	A	B	C	D	1/4 pound graduated scales minimum 150 pounds for weighing chemical recharging.			
26				D	Cable crimping tool (where required).			
27				D	Cocking lever (where required).			
28				D	Pipe vise, dies, reamer, etc.			
29				D	Stock and supply of fuse links, proper elbows, and nozzles for system which is being installed.			
30				D	Parts from each manufacturer's system that the permittee is permitted to work on or service, including original service manuals and all up to-date technical bulletins.			
31				D	Listed links from each manufacturer that the permittee is permitted to service or work on.			
32				D	Current service manuals from the manufacturer for each model of fixed fire extinguishing system being installed, tested, or serviced by the fire equipment license holder.			
33				D	System Reports - custom or generic.			
34				D	Non-compliance Tags for non compliant systems.			
35	A	B	C	D	Supply of tags with the appropriate company and other related information on them.			
36				D	Thermometer with a minimum of 2° F or 1° C increments.			
37				D	Agent Transfer Pump (for Halon or Clean Agents).			
38				D	Torque Wrench.			
39				D	Leak test device (for Halon or Clean Agents).			
40				D	Liquid Level detector ("Halon Scanner").			

71-8303.10. Powers and Duties of the Office of State Fire Marshal.

A. Powers and duties of the OSFM are:

1. To evaluate the applications of firms or individuals for a license and permits to engage in the business of servicing portable fire extinguishers or installing, testing and servicing fixed fire-extinguishing fire extinguishing systems:

2. To administer written examinations to ascertain the competency of applicants for a license to service portable fire extinguishers or install fixed fire extinguishing systems;

3. To issue licenses, permits, and apprentice permits required by this subarticle;

4. To suspend or revoke licenses and permits for cause; and

5. To administer these regulations and supervise personnel in carrying out the requirements of this regulation.

B. The OSFM, upon request, shall conduct hearings or proceedings concerning the suspension, revocation, or refusal to issue or renew licenses or permits issued under this subarticle or the application to suspend, revoke, refuse to renew, or refuse to issue the same.

C. An applicant, licensee, or permit holder whose license or permit has been refused or revoked under this subarticle, except for failure to pass a required written examination, shall not file another application for a license or permit within one year from the effective date of the refusal or revocation. After one year from that date, the applicant may re-apply, and in a public hearing, show good cause why the issuance of a license or permit does not hinder public safety and health.

D. The OSFM shall maintain a registry of all applications for licenses or permits and of all firms or persons holding licenses or permits. The OSFM shall make the roster of Fire Equipment Dealers Licenses or Fire Equipment Permits, with notation concerning the types of fixed fire extinguishing system for which licenses or permits have been granted, available on the OSFM website.

E. At least ninety (90) days before the expiration of a license, the OSFM shall send written notice of the impending license or permit expiration to the license or permit holder's last known address. This subsection shall not be construed to prevent the denying or refusing to renew a license under applicable law or regulations of the OSFM.

#### **71-8303.11. Fitness to Practice; Investigation of Complaints.**

~~A.~~ If the OSFM has reason to believe that a person licensed under this chapter has become unfit to practice as a Fire Equipment Dealer or if a complaint is filed with the OSFM alleging a violation of a provision of this chapter by a license or permit holder or if a complaint is filed with the OSFM alleging that an licensed person is fraudulently holding him or herself out as qualified to engage in business as a Fire Equipment Dealer, the OSFM shall initiate an investigation per the procedures of Title 40, Chapter 1.

#### **71-8303.12. Administrative Sanctions.**

A. If after an investigation it appears that the license or permit holder under this regulation has become unfit to practice or has violated these regulations, the OSFM shall file a Petition with the Administrative Law Court stating the facts and the particular statutes and regulations at issue.

B. The Administrative Law Court may, after opportunity for hearing, order that the license or permit be revoked, suspended, or otherwise disciplined on the grounds that the license or permit holder:

1. Used a false, fraudulent, or forged statement or document in obtaining a license or permit under this chapter; or

2. Committed a fraudulent, deceitful, or dishonest act or omitted a material fact in obtaining a license or permit under this chapter; or

3. Has had an authorization to practice a regulated profession or occupation in another state or jurisdiction canceled, revoked or suspended, or has otherwise been disciplined by another jurisdiction; or

4. Has intentionally used a fraudulent statement in a document connected with the license or permit; or

5. Obtained fees or assisted in obtaining fees under fraudulent circumstances; or

6. Sustained a physical or mental disability or uses alcohol or drugs to such a degree as to render further practice as a Fire Equipment Dealer dangerous to the public; or

7. Failed to perform all installation, service, and testing in complete compliance with the manufacturer's manuals.

#### **71-8303.13. Sanctions for Unlawful Practice.**

A. The Administrative Law Court may, after opportunity for hearing, order injunctive relief against a person who, without possessing a valid license or permit under this chapter, practices or offers to practice

or uses the title or term Fire Equipment Dealer. For each violation, the administrative law judge may impose a fine of no more than ten thousand (\$10,000) dollars.

B. A person who does not hold a license or permit as required by this Chapter, may not bring any action either at law or in equity to enforce the provisions of any contract for providing services as a Fire Equipment Dealer.

#### 71-8303.14. Certain Acts Prohibited.

A. No person or firm shall:

1. Engage in the business of installing or servicing portable fire extinguishers without a valid and current license;

2. Engage in the business of installing or servicing fixed ~~fire extinguishing~~ fire extinguishing systems without a valid and current license;

3. Service, test, or install fixed ~~fire extinguishing~~ fire extinguishing systems without a valid and current license;

4. Perform hydrostatic testing of USDOT cylinders for portable fire extinguishers or parts of a fixed fire extinguishing systems without a valid and current hydrostatic license;

5. Obtain or attempt to obtain a license or permit by fraudulent representation;

6. Service portable fire extinguishers or test, service, or install fixed ~~fire extinguishing~~ fire extinguishing systems contrary to the provisions of these regulations;

7. Service or hydrostatic test a fire extinguisher that does not have the proper identifying labels;

8. Sell, offer for sale, or give any make, type, or model of new or used fire extinguisher, unless extinguisher has first been tested and is currently approved or listed by Underwriters' Laboratories, Inc., Factory Mutual Laboratories, Inc., or other nationally recognized testing laboratory whose testing procedures used for approval in the listing of portable fire extinguishers are acceptable to the OSFM, and unless such extinguisher carries an Underwriters' Laboratories, Inc., or manufacturer's serial number. The serial number shall be permanently stamped on the manufacturer's identification and instruction plate;

9. Permit an individual who works for the firm to engage in installation, repair, recharge, maintenance or servicing fire extinguishers or fixed fire extinguishing systems without a valid permit or license.

#### 71-8303.15. Cease and Desist Orders; Notice to Correct Hazardous Conditions.

When the OSFM shall have reason to believe that any person is or has been violating any provisions of this regulation or any rules or regulations adopted and promulgated pursuant thereto, the OSFM or their designated agent may issue and deliver to such person an order to cease and desist such violation or to correct such hazardous condition.

#### 71-8303.16. Suspensions or Revocation of License or Permit.

A. The license of any company or individual may be suspended or revoked because of failure to comply with the terms of any order to correct violations within the specified abatement period or for failure to comply with any cease and desist orders. A license may be suspended for a period not to exceed one year from the date of license suspension. A license may be revoked for a period not to exceed two years from the date of license revocation.

B. In addition, a license may be suspended or revoked where the license or permit holder is found to have:

1. Rendered inoperative a fire extinguisher or fixed fire extinguishing system, which is required by any rule of the OSFM, except during such time as the extinguisher, or fixed fire extinguishing system is being inspected, serviced, or tested;

2. Falsified any records required to be maintained by this chapter or rules adopted thereto;

3. Improperly serviced, tested, or inspected a fire extinguisher or fixed fire extinguishing system;
4. Allowed another person to use his permit or license number or use a license or permit number other than the license or permit holder's valid license or permit number; or
5. Obliterated the serial number on a fire extinguisher for purposes of falsifying service records.

**71-8303.17. Responsibility of Equipment Manufacturer.**

All manufacturers of portable fire extinguishers and fixed fire extinguishing systems doing business in South Carolina shall provide the OSFM with all technical information as well as installation instructions that apply to their systems and equipment sold, installed, serviced or tested in South Carolina. This technical information shall include design revisions and updating information on systems sold in South Carolina.

**71-8303.18. Penalties.**

The OSFM authorizes any Deputy SFM to issue a citation for each offense to any person, firm, or corporation licensed under these regulations who has violated any provision of this subarticle. The OSFM may assess fines for each charge to both the fire equipment company and the permit holder. Citations shall be assessed by the OSFM at not more than two thousand (\$2000.00) per violation.

**SUBARTICLE 5  
LIQUEFIED PETROLEUM GAS**

**71-8304. LIQUEFIED PETROLEUM (LP) GAS.**

(Statutory Authority: 1976 Code Section 23-9-20, 23-9-40, 23-9-60, 40-82-70)

**71-8304.1. General.**

A. The purpose of this regulation is to provide reasonable protection of the health, welfare, and safety of the public and LP-Gas operators from the hazards associated with the handling, use, transportation, and storage of LP-Gas.

B. These regulations apply to:

1. LP-Gas Dealers, Installers, Gas Plants, Wholesalers, Resellers, or Cylinder Exchange operators and;
2. Any person handling, dispensing, transporting, or storing LP-Gas.

C. These regulations shall not apply to:

1. LP-Gas pipeline transmission regulated by the SC Public Safety Commission.
2. Gas plants after the point where LP-Gas or LP-Gas and air mixture enters a utility distribution system.
3. Natural gas systems covered by the IFGC.

**71-8304.2. Codes and Standards.**

A. All references to codes and standards found in these regulations refer to the editions adopted in R.71-8300.2 and are modified by the following regulations as shown below.

B. The building code shall define occupancy classifications referenced in these regulations.

**71-8304.3. Licensing and Permitting Fees.**

A. The OSFM is responsible for all administrative activities of the licensing program. The SFM shall employ and supervise personnel necessary to effectuate the provisions of this article and shall establish

fees sufficient but not excessive to cover expenses, including direct and indirect costs to the State for the operation of this licensing program. Fees may be adjusted not more than once each two years, using the method set out in S.C. Code Ann. Section 40-1-50(D), 1976, as amended.

B. Fees shall be established for the following:

1. Application
2. Testing
3. Permitting
4. Licensing
5. Inspection
6. Renewal

C. All fees are due at time of application for licenses, testing, permits, inspection, or renewal.

D. All fees paid to the OSFM are nonrefundable.

#### 71-8304.4. Licensing Requirements.

##### A. Licenses

1. Each company shall possess a license issued by the OSFM.
2. Licenses shall be displayed in a conspicuous location at the place of business for the LP-Gas Dealer, Installer, Gas Plant, Wholesaler, Reseller, or Cylinder Exchange operator.

##### B. Permits

1. Each site shall have a designated person that has a permit issued by the OSFM to supervise people handling, dispensing, installing, transporting, repairing, or exchanging LP-Gas.
2. Any applicant who fails the written examination is allowed one (1) re-test after a minimum seven (7) day waiting period. Any applicant who fails the re-test shall wait at least thirty (30) days before reapplying.
3. Permits shall bear the name, photograph, and any other identifying information deemed necessary by the OSFM.
4. Permit holders shall have their permit in their possession when supervising the handling, dispensing, installing, manufacturing, transporting, repairing, or exchanging LP-Gas.
5. Permit holders shall exhibit their permits on request of any AHJ.
6. Each permit is valid for a period of two (2) years and must be renewed before it expires.
7. Permits are not transferable.

#### 71-8304.5. Plan Submittal Requirements.

~~A.~~ Licensees which are required to obtain a site approval per S.C. Code Ann. Section 40-82-220, 1976, as amended, shall comply with the plan submittal requirements of NFPA 58, where applicable.

### SUBARTICLE 6 FIREWORKS AND PYROTECHNICS

#### 71-8305. FIREWORKS AND PYROTECHNICS.

(Statutory Authority: 1976 Code Sections 23-9-10 et seq., 23-35-10 et seq., 40-56-10(D))

##### 71-8305.1. General.

A. The purpose of this regulation is to provide reasonable safety and protection to the public, public property, private property, performers, and display operators from the hazards associated with the handling, use, transportation, and storage of pyrotechnics and fireworks.

B. This regulation shall apply to:

1. The handling and use of fireworks intended for public fireworks display;



2. The construction, handling and use of fireworks equipment intended for public fireworks display;
  3. The general conduct and operation of public firework displays;
  4. The transportation and storage of fireworks for public fireworks display;
  5. The transportation and use of consumer fireworks;
  6. The construction, handling, and use of pyrotechnics intended for proximate audience displays; special effects for motion picture, theatrical, and television productions;
  7. The construction, handling, and use of flame effects intended for proximate audience displays, or special effects for motion picture, theatrical, and television productions;
  8. The construction, handling, and use of rockets intended for proximate audience displays, or special effects for motion picture, theatrical, and television productions; and
  9. The general conduct and operation of proximate audience displays.
- C. This regulation shall not apply to:
1. The manufacture, sale, or storage of fireworks as governed by the SC Department of Labor Licensing and Regulation, State Board of Pyrotechnic Safety;
  2. The transportation, handling, and/or use of fireworks by the SFM, his employees, or any commissioned law enforcement officers acting within their official capacities;
  3. Fireworks deregulated by the USDOT;
  4. Weapons used in enactments, when there is no projectile;
  5. Artillery field pieces used as salutes with no projectile; and
  6. The outdoor use of model rockets within the scope of NFPA 1122.

#### 71-8305.2. Codes and Standards.

- A. All references to codes and standards found in these regulations refer to the editions adopted in R.71-8300.2 and are modified by the following regulations as shown below.
- B. The building code shall define occupancy classifications referenced in these regulations.

#### 71-8305.3. Licensing and Permitting Fees.

- A. All fees are due at time of application for licenses, tests, or permitting.
- B. Permit applications are due in the OSFM fifteen days before the performance date. Fees will be doubled for an application received less than fifteen days before the performance date.
- C. The OSFM is responsible for all administrative activities of the licensing program. The SFM shall employ and supervise personnel necessary to effectuate the provisions of this article and shall establish fees sufficient but not excessive to cover expenses, including direct and indirect costs to the State for the operation of this licensing program. Fees may be adjusted not more than once each two years, using the method set out in S.C. Code Ann. Section 40-1-50(D), 1976, as amended.
- D. Fees shall be established for the following:
  1. Application
  2. Background Check
  3. Testing
  4. Licensing
  5. Permitting
  6. Inspection
  7. Renewal
- E. All fees are due at time of application for licenses, background checks, testing, permits, inspection or renewal.
- F. All fees paid to the OSFM are nonrefundable.

#### 71-8305.4. Qualifications of Operators.

**A. All Operators.**

1. No person shall be granted a license who has not successfully completed a written examination administered by the OSFM. The exam will cover the applicable codes, state laws, and regulations and the additional requirements listed below for the specific class of license for which they are applying.

2. Any applicant who fails the written examination is allowed one re-test after a minimum seven-day waiting period. Any applicant who fails the re-test shall wait at least six months before reapplying.

3. Applicants shall submit a completed fingerprint card with their application. The OSFM will conduct a criminal background check as part of the licensing application process.

4. Operators using explosives or explosive materials must have the appropriate Federal licenses. Operators shall provide a copy of applicable Federal licenses.

5. Licenses must be renewed biennially on the day of expiration shown on the license.

6. Every two years, each licensed operator shall be required to attend training offered by the OSFM or attend pre-approved training providing a total of eight (8) hours of continuing education during the licensing cycle.

7. The OSFM may revoke, suspend, or deny a license because of, but not limited to:

a. Failure to comply with any order written by the OSFM;

b. Conviction of a felony, a crime of violence, or any crime punishable by a term of imprisonment exceeding two years; or

c. Advocating or knowingly belonging to any organization or group which advocates violent overthrow of or violent action against the federal, state, local government, or its citizens; or

d. Having or contracting physical or mental illness or conditions that in the judgment of the OSFM would make use or possession of fireworks, pyrotechnics, or explosive materials hazardous to the licensee or the public; or

e. Violating the terms of the license or essential changes in the conditions under which the license was issued without prior approval of the OSFM;

f. Violating the state laws or regulations governing Public Fireworks Displays or Proximate Audience Pyrotechnics; or

g. Giving false information or making a misrepresentation to obtain a license.

**B. Public Display Operators.**

1. Applications for licensing must furnish a notarized statement from a South Carolina licensed display operator concerning their participation in at least 6 fireworks displays and indicating for each display the date, the site, and the name and license number of the supervising operator.

2. The person in charge of the Public Fireworks Display shall be licensed by the OSFM.

**C. Pyrotechnic Operators.**

1. Applications for licensing must provide written documentation from a South Carolina licensed display operator or company that the applicant has actively participated in the set-up and operation of at least six proximate audience performances using the types of pyrotechnics for the license classification the applicant is seeking. Only the OSFM may accept an alternative number of displays for this requirement based on the applicant's experience.

2. Licenses for pyrotechnic operators authorize and place the responsibility for the handling, supervision, and discharge of the fireworks or pyrotechnic device permitted by their license classification. The operator is responsible for the training of his or her assistants in the safe handling, supervision, and discharge of the fireworks or pyrotechnic devices permitted by their license classification.

a. "Pyrotechnic Operator - Unrestricted" may conduct and take charge of all activity in connection with the use of explosives or explosive materials, rockets, flame effects, Display Fireworks, binary system pyrotechnics, Consumer Fireworks, Theatrical Pyrotechnics, Novelties, and other special effects permitted by the OSFM for a proximate audience display, commercial entertainment, or special effects in motion picture, theatrical, and television productions.

b. "Pyrotechnic Operator - Commercial Outdoor" may conduct and take charge of all activity in connection with the use of flame effects, Display Fireworks, binary system pyrotechnics, Consumer

Fireworks, Theatrical Pyrotechnics, and Novelties permitted by the OSFM for a proximate audience display and commercial entertainment.

c. "Pyrotechnic Operator - Rockets" may conduct and is restricted to all activities in connection with research, experiments, production, transportation, fuel loading, and launching of all types of experimental, solid fuel, and high power rockets. Only individuals or companies holding valid import, export, or wholesale licenses may import, export, or wholesale experimental high-powered motors.

d. "Pyrotechnic Operator - Motion Picture Special Effects" may conduct and take charge of all activity in connection with the use of explosives or explosive materials, flame effects, Display Fireworks, binary system pyrotechnics, Consumer Fireworks, Theatrical Pyrotechnics, and Novelties, and other special effects permitted by the OSFM for the sole purpose of motion picture, television, theatrical or operatic productions.

e. "Pyrotechnic Operator - Commercial Indoor" may conduct and take charge of all activity in connection with the use of binary system pyrotechnics, Theatrical Pyrotechnics, and Novelties permitted by the OSFM in stage or theatrical productions only.

f. "Pyrotechnic Operator - Trainee" must function under the direct supervision and control of a pyrotechnic operator for the license classification that he/she is seeking a license.

#### 71-8305.5. Display Permits.

##### A. All Displays.

1. Any person who desires to hold a Public Fireworks Display or a Proximate Audience Display must obtain a permit from the OSFM before the display.

2. Permits shall be valid for up to one calendar period prescribed or until any condition of the permit application changes. The OSFM shall make final determination of a change of condition in the permit.

3. All permit forms will be made available on the OSFM website.

4. The OSFM may revoke, suspend, or deny a permit because of, but not limited to:

a. The display operator does not possess the correct license classification for the display; or

b. Not complying with any order written by the OSFM; or

c. Violating the terms of the permit or essential changes in the conditions under which the permit was issued without prior approval of the OSFM; or

d. Giving false information or making a misrepresentation to obtain a permit.

5. The following additional information must be provided with the permit application:

a. A list of the number, type, and size of fireworks or effects being discharged;

b. A Diagram of display site including measurements;

c. Directions to the site; and

d. A Copy of certificate of insurance.

6. The AHJ providing fire suppression equipment and personnel for the Public Fireworks Display must sign the permit form.

7. Permits must be posted at the display site.

##### B. Public Fireworks Display Permits.

1. The sponsor of the display shall forward a copy of the permit to the OSFM along with the items required in these regulations fifteen working days before the display. The permit becomes valid when co-signed by the OSFM.

2. The validated permit will be distributed as follows:

a. The OSFM shall retain the original;

b. A copy to the sponsor;

c. A copy to the supplier, which will authorize shipment of the fireworks;

d. A copy to the AHJ providing the fire suppression equipment and personnel for the display;

e. A copy posted at the display site.

3. All pyrotechnics shall be purchased from a pyrotechnic manufacturer or distributor licensed by the Board of Pyrotechnic Safety. A licensed Public Display Operator shall be present and supervise firing of all public fireworks displays.

4. The fireworks supplier shall carry a minimum of \$500,000 of Public Liability Insurance. The policy must list the display sponsor, the State of South Carolina, and its agents as additional insured. The coverage company must be an insurer which is either licensed by the ~~Department of Insurance-DOI~~ in this State or approved by the ~~Department of Insurance-DOI~~ as a nonadmitted surplus lines carrier for risks located in this State. In the event the liability insurance is canceled, suspended, or nonrenewed, the insurer shall give immediate notice to the OSFM.

C. Proximate Audience Display Permits.

1. Public Liability Insurance in the amount of \$500,000 shall be provided by the permittee. The permittee shall furnish a certificate of insurance in this amount with their application. The permittee shall list the State of South Carolina and its agents as additional insured.

2. Public Liability Insurance in the amount of \$1,000,000 shall be provided by any permittee involved with motion picture productions. Motion picture companies employing this person(s) shall list the State of South Carolina and its agents as additional insured.

3. The coverage company must be an insurer which is either licensed by the ~~Department of Insurance-DOI~~ in this State or approved by the ~~Department of Insurance-DOI~~ as a nonadmitted surplus lines carrier for risks located in this State. In the event the liability insurance is canceled, suspended, or nonrenewed, the insurer shall give immediate notice to the OSFM.

71-8305.6. General Operational Requirements of Displays.

A. All Displays.

1. The operator shall have their license in their possession when conducting a display and shall exhibit their license on request of any AHJ.

2. All displays must have a person in charge that holds the proper license issued by the OSFM for the type of display being conducted.

3. The SFM or any approved AHJ may enforce these laws and regulations.

4. Magazine log shall be available for inspection during normal work hours, 1 hour before, and 1 hour after each performance.

5. Operators must notify the OSFM within 24 hours of any fires or thefts involving fireworks. The operators shall provide the OSFM with a copy of the report filed with the police department or the incident report from the fire department. Operators must also provide the OSFM with a copy of ATF Form 5400.5.

6. Any person who violates any provision of these laws and regulations will purchase the appropriate permit, pay the appropriate license fee, if any are required, and be subject to the following penalty provisions:

a. S.C. Code Ann. Section 23-36-170, 1976, as amended.

b. S.C. Code Ann. Section 23-35-150, 1976, as amended.

7. Confiscation, storage, or disposal of fireworks, pyrotechnic and explosive materials used for proximate audience or public firework displays by the SFM shall comply with S.C. Code Ann. Section 23-36-110, 1976, as amended.

8. Storage of special effects pyrotechnics and other material.

a. All classes of explosives shall be stored in accordance with the South Carolina Explosives Control Act (S.C. Code Ann. Section 23-36-10, et seq., 1976, as amended) or Title 27 Code of Federal Regulations, Subpart K.

b. All other fireworks or pyrotechnic materials shall be stored per the appropriate NFPA standard.

9. The AHJ may require the permittee to furnish fire support personnel other than local firefighters.

B. Public Fireworks Displays.

1. Where unusual conditions exist, the AHJ may increase the minimum clearances as necessary before granting approval of the display site. The AHJ may not reduce clearances specified in NFPA 1123 without written approval of the OSFM.

2. A copy of the display permit shall be kept at the firing station.

3. Operators shall never use damaged fireworks, fireworks that are wet, or fireworks damaged by moisture. Operators shall not dry wet pyrotechnics for reuse. Operators shall handle and dispose of wet or damaged pyrotechnics per the manufacturer's instructions.

4. The operator of the display shall keep a record of all shells that fail to ignite or function. The form shall be completed and returned to the supplier within fifteen days of the display and the operator shall retain a copy for their records. The operator and supplier shall retain Malfunction Reports for three years from the date of the display. The operator and supplier must produce these reports upon request of the OSFM. The "Malfunction Report" form shall be available on the OSFM website.

5. Moorings or anchors shall secure floating vessels or platforms used for firing of a Public Fireworks Display.

6. Operators shall not reload mortars during a display.

7. If a display is postponed, the sponsor of the display shall notify the OSFM and the department providing fire suppression equipment and personnel for the display of the alternate date before presenting the display.

8. It shall be the responsibility of the permittee to arrange with the AHJ for the detailing of firefighters and equipment as required.

#### C. Proximate Audience Display.

1. The licensed pyrotechnic operator is responsible for the storing, handling, supervision, discharge, and removal of all pyrotechnic devices and materials based on their license classification and the terms of their permit. The licensed pyrotechnic operator is responsible for supervising and training of their assistants in the safe handling and discharge of all pyrotechnic devices.

2. The permit package shall contain a copy of the permit, Certificate of Insurance, and the MSDS(s) for material used.

3. A copy of the permit package shall be kept at the control site used to initiate the display. An audible announcement shall be made not more than 10 minutes before the display to notify personnel of the use of proximate audience pyrotechnics.

4. Motion Picture productions shall display one permit package at the production office, and maintain the second permit package on the film site through the First Assistant Director. Before the start of any effect, verbal notification of Proximate Audience Pyrotechnic use shall be required before each camera roll.

5. The AHJ may inspect the proximate audience display. As a minimum, the inspection shall cover the requirements in Annex B of NFPA 1126.

6. The permittee shall furnish a fire watch during the times the special effects materials have been removed from storage and/or magazines and the conclusion of the performance. This person shall be identified by an orange shirt or vest (or other color approved by the AHJ) with three-inch white letters on the front and back stating FIRE WATCH. For motion picture productions, the method for identifying the FIRE WATCH shall be a mutually agreed means of designation between the OSFM, the permittee, and the First Assistant Director.

7. Indoor facilities used for Proximate Audience Displays must be equipped with an automatic fire alarm system and a public address system.

a. The fire alarm system shall be zoned so that the areas affected by special effects smoke can be overridden during the event.

b. An override switch shall be provided at the firing point and a second switch in the control room to shut off stage sound and make the public address system available for evacuation instructions. These switches must be labeled and visible throughout the show.

c. The fire alarm system must be returned to normal operation before the fire watch and the display operator may leave the facility.

#### **71-8305.7. Use of Consumer Fireworks in South Carolina.**

**A. It shall be deemed a violation of these regulations to:**

1. Explode or ignite fireworks within 600 ft. of any Assembly Occupancy, Educational Occupancy, Hazardous Occupancy, Institutional Occupancy, or any facility storing or dispensing flammable liquids, combustible liquids, LP-Gas, or other hazardous materials;

2. Explode or ignite fireworks within 75 ft. of where fireworks are stored, sold or offered for sale;

3. Ignite, discharge, and/or throw fireworks from any motor vehicle or to place, ignite, discharge, and/or throw fireworks into or at any motor vehicle; and

4. Ignite or discharge fireworks in a wanton or reckless manner to constitute a threat to the personal safety or property of another.

**B. The distances in R.71-8305.7 A (1) may be reduced if the display is permitted with the OSFM as a Public Fireworks Display or as a Proximate Audience Display.**

**C. Consumer Fireworks shall not be used for a Public Fireworks Display unless permitted by the OSFM per the applicable provisions of this regulation and all permit fees are paid.**

#### **71-8305.8. Transportation of Fireworks or Pyrotechnics in South Carolina.**

**A. Vehicles transporting Display Fireworks (pyrotechnics classified as 1.3 explosives) in any quantity and Consumer Fireworks (pyrotechnics classified as 1.4 explosives) in quantities greater than 1000 lbs. shall be in the custody of drivers with a CDL with a HAZMAT endorsement.**

**B. On both sides, on the front, and on the rear, vehicles transporting Display Fireworks (pyrotechnics classified as 1.3 explosives) in any quantity and Consumer Fireworks (pyrotechnics classified as 1.4 explosives) in quantities greater than 1000 lbs. shall prominently display signs marked "EXPLOSIVES" that conform to the ~~United States Department of Transportation-USDOT~~ and other federal regulations.**

**C. The fire and police departments shall be promptly notified when a vehicle transporting pyrotechnics is involved in an accident, break down, or fire. Only in the event of such an emergency shall the transfer of pyrotechnics from one vehicle to another be allowed on highways and then only when qualified supervision is provided.**

**D. Any vehicle used for the transportation of pyrotechnics covered by item A or B above shall have not less than one approved-type fire extinguisher with a minimum rating of 2A 10 B:C and shall be so located as to be readily available for use.**

**E. Operators must notify the OSFM within 24 hours of any fires or thefts involving fireworks. The operator shall provide the OSFM with a copy of the report filed with the police department or the incident report from the fire department. Operators must also provide the OSFM with a copy of ATF Form 5400.5.**

### **SUBARTICLE 7 HYDROGEN FACILITIES**

#### **71-8306. HYDROGEN FACILITIES.**

**(Statutory Authority: 1976 Code Section 23-9-550)**

##### **71-8306.1. General.**

**A. The purpose of these regulations are to provide reasonable safety and protection to the public, public property, private property from the hazards associated with the handling, use, storage, transfer and dispensing at a hydrogen facility.**

**B. This regulation shall apply to:**

1. Hydrogen dispensing stations for public or commercial use as a transportation fuel and motor vehicle fuel or in a fuel cell

2. Bulk hydrogen compressed gas systems for a hydrogen facility
3. Bulk liquefied hydrogen gas systems for a hydrogen facility
4. Commercial hydrogen generation systems connected to a hydrogen facility
5. Engineered and pre-engineered hydrogen fuel cell systems

C. This regulation shall not apply to:

1. The manufacture, sale, or storage of small scale hydrogen generation or consumption systems where hydrogen is held in containers of one liter or less and Maximum Allowable Quantities (MAQ) are not exceeded.
2. The transportation, handling, and/or use of hydrogen by the State Fire Marshal, his employees, or any commissioned law enforcement officers acting within their official capacities.
3. The manufacture or transportation of bulk hydrogen.
4. Hydrogen used as an ingredient or by product in the manufacture of a product.

71-8306.2. Codes and standards.

A. All references to codes and standards found in these regulations refer to the editions adopted in R.71-8300.2 and are modified by the following regulations as shown below.

B. All facilities shall be designed and installed in accordance with the adopted codes and standards listed in R.71-8300.2.

C. Alternate Materials and Alternate Methods of Construction. Compliance with a current edition of NFPA 2 may be used for consideration of alternative means, methods and materials if found suitable by the State Fire Marshal per R.71-8300.3.

71-8306.3. Engineered and pre-engineered systems

A. Engineered hydrogen systems

1. All installations shall be in accordance with South Carolina Laws, Regulations, and adopted Codes.

2. Plans and specifications prepared by a licensed engineer or prepared under the licensee's direct supervision must be stamped with seals prior to submission and review by OSFM.

B. Pre-engineered hydrogen systems.

1. All installations shall be in accordance with South Carolina Laws, Regulations, and adopted Codes.

2. Plans and specifications are not required to be prepared by a licensed engineer nor be stamped with seals prior to submission and review by OSFM.

71-8306.4. Permit application requirements for hydrogen facilities.

A. The OSFM may issue a permit to a location when presented a completed application that contains at least the following, where applicable:

1. A site plan, drawn to scale, which shows equipment locations and point(s) of transfer with respect to property lines, nearby structures, roads & dikes, power lines, and other potential ignition sources;
2. An accidental release plan;
3. The piping layout with valves and fitting details;
4. Normal and emergency ventilation designs;
5. Container capacity (or capacities) and design standards;
6. Electrical plan;
7. Container and piping support details;
8. Information concerning onsite fire protection equipment;
9. Information concerning the project's beginning and ending points, if part of a larger system;
10. Listed equipment with listing agency;

11. Unless exempted, design documents sealed by an engineer licensed in South Carolina; and,
12. All applicable fees paid in full.

**71-8306.5. Licensing and permitting fees.**

- A. All fees are due at time of application for licenses, tests, or permitting.
- B. Permit applications are due in the OSFM prior to construction or installation.
- C. Approval of plans for hydrogen facilities are to be obtained prior to start of construction or installation.
- D. The OSFM is responsible for all administrative activities of the licensing program. The State Fire Marshal shall employ and supervise personnel necessary to effectuate the provisions of this article and shall establish fees sufficient but not excessive to cover expenses, including direct and indirect costs to the State for the operation of this licensing program.
- E. Fees shall be established for the following:
  1. Application fee \$10
  2. Permitting fee (includes plan review and initial site inspection) \$250 plus actual expenses incurred based upon location and complexity
  3. Inspection fee (semi-annual) \$100 plus actual expenses incurred based upon location and complexity
  4. Renewal of permits (annual – includes inspection) \$100 plus actual expenses incurred based upon location and complexity
- F. The application fee is due at time of application for license. All other fees will be billed and must be paid prior to issuance of license.
- G. All fees paid to the OSFM are nonrefundable.

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Rationale:**

The updated regulations will eliminate redundant and unnecessary regulations; update the remaining existing regulations; use a standardized format for all regulations; and to make the current regulations compatible with current federal and state statutes.