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## <sup>148</sup>House overrides governor's Farm Aid Veto

House Speaker Jay Lucas (District 65-Darlington) issued the following statement Tuesday after the South Carolina House of Representatives voted overwhelmingly (112-2) to override Governor Haley's Farm Aid veto.

"The South Carolina House recognizes the unprecedented loss our farmers experienced last October and understands the economic impact at stake if these concerns are ignored," House Speaker Lucas stated. "Governor Haley's factually inaccurate justification for vetoing the Farm Aid bill is inconsistent with South Carolina values.

"When Governor Haley petitioned the federal government for flood relief assistance last fall, she included homeowners and small businesses but intentionally ignored our farmers' plea for help by leaving them out of the request. Because of the Governor's refusal to advo-

cate on behalf of our state's largest industry, the General Assembly was forced to take action.

"The Farm Aid bill establishes a verified grant process that will assist our farmers with the rebuilding process. This program provides our agriculture industry with state disaster assistance that has already been afforded to small businesses and homeowners by the federal government. I am extremely proud of the leadership the House has demonstrated today and hope the Senate will act accordingly to ensure our farmers are able to recover from last October's historic flood."

South Carolina farmers suffered an estimated \$376M in crop loss. Only \$125M was covered by crop insurance, leaving over \$250M in uncovered loss.

Farmers are ineligible for federal Small Business Administration loans and unemployment benefits.

South Carolina has over twenty-five thousand farms across nearly five million acres, which generate billions of dollars annually and represents a vital component to a healthy state economy.

The federal crop insurance program established in 2014 is an inadequate method of indemnification as compared to traditional forms of insurance and is not sufficient to aid farmers with substantial losses due to catastrophic events of nature.

In order to apply for a Farm Aid grant, a farmer must have a loss of at least 40 percent of total agricultural commodity. Grants awarded will be equal to 20 percent of the total loss, with a maximum grant of \$100,000. Grants can only be used for agricultural production expenses and losses due to October's flood and excludes the purchase of new equipment.



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## 148 SCDP Chair Harrison issues statement

SCDP Chair Jaime Harrison issued the following statement regarding Gov. Nikki Haley's veto of legislation providing disaster aid for South Carolina's farmers devastated by last year's floods.

"Today is a sad day in South Carolina. Our Governor has turned her back on the farmers in this state by vetoing legislation that would have provided \$40 million in grants to assist their recovery from last year's floods. So many South Carolinians lost homes, busi-

nesses and their livelihoods. In a disaster, we look to our government and our leaders to assist those in need and establish efforts to rebuild our businesses and communities.

"Haley's actions against our farmers are disappointing, but it continues the tradition of South Carolina's Republican leaders voting against South Carolinians impacted by last year's 1,000 years flood. Last December, U.S. Senator Tim Scott and Congressman Mark Sanford went

to Washington and voted against the spending bill providing flood recovery funds for South Carolina.

"My fellow South Carolinians, we must learn that the leaders we vote for actually matters. It is indeed a sad day in South Carolina that we cannot trust our leaders to fight for us when we need it the most. It is time that we return to a government for the people and by the people. We deserve better South Carolina!"

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**Latest S.C. Abortion Bill, Awaiting Haley's Signature, Is Part of National Strategy**

By Eva Moore

Candi Waites holds a hot-pink sign adorned with a blown-up photo of herself taken in 1991, in which she's clutching a baby and a bumper sticker that reads, "Keep Your Laws Off My Body." The sign reads, "I cannot believe we still have to protest for reproductive rights!"

Waites, a former state legislator, was holding the sign along with that same bumper sticker at a May 24 rally on the grounds of the South Carolina State House, where she and about 60 other protesters called on Gov. Nikki Haley to veto a new bill restricting abortion — although the governor has said she will almost certainly sign it.

The bill is the latest in a strategic, decades-long push by the pro-life movement to incrementally restrict abortions. And people on both sides of the abortion issue say it's working.

The abortion bill that passed the S.C. Legislature last week bars abortions after 19 weeks of pregnancy with only two exceptions: an anomaly serious enough that the fetus won't survive, or to prevent the death or "substantial and irreversible physical impairment of a major bodily function" of the mother, "not including psychological or emotional conditions." The bill has no exceptions for victims of rape or incest.

South Carolina currently bans abortions beyond 24 weeks of pregnancy. Abortions after 19 weeks are very rare, performed in hospitals rather than abortion clinics, and generally in cases of severe birth defects or medical emergency. According to the state Department of Health and Environmental Control, there were 37 abortions after 19 weeks in South Carolina in 2014, and 38 abortions after 19 weeks in 2013.

Holly Gatling, executive director of South Carolina Citizens for Life, tells *Free Times* the bill awaiting Haley's signature "creates a compelling state interest in protecting the lives of unborn children who can feel horrific pain." It's based on some scientists' belief that fetuses can feel pain by the 20th week of pregnancy.

Gatling also signaled what's next for the pro-life movement in South Carolina, saying her organization hopes next year to pass a ban on "dismemberment abortion," known in the medical community as dilation and evacuation. It's the most common method of abortion used in the second trimester of pregnancy, which begins around 13 weeks.

A bill that would make it a felony to perform the dilation and evacuation procedure

passed an S.C. House subcommittee last week, though with the end of the session looming it's unlikely to move any further.

Still, it's evidence that South Carolina's pro-life movement isn't working in isolation.

"None of these bills are new," says Alyssa Miller, spokeswoman for Planned Parenthood of the South Atlantic, which lobbies against abortion restrictions. "None of these bill sponsors all of a sudden came up with this idea. ... These are bills that are drafted by national organizations that are part of a larger attempt to restrict access until women aren't able to access safe and legal abortion."

The ban passed last week by the South Carolina legislature, for example, is model legislation from the National Right to Life Committee. South Carolina lawmakers have been trying to pass a version since 2013.

Versions of the law, dubbed the Pain-Capable Unborn Child Protection Act, have passed in 16 states. It's been challenged in just three states, although Miller notes that all those challenges were successful, leaving the bans either struck down or permanently stayed. An effort to pass a version of the bill through the U.S. Congress failed in 2015.

The "dismemberment abortion" ban (which pro-choice advocates call the "safe method ban") is similarly nationally driven. The Louisiana legislature passed a version last week, and the Mississippi governor signed one in April.

South Carolina Right to Life's future plans also point to a tension in the pro-life community. Some activists feel the incremental approach to restricting abortion is immoral, because it seeks legislative compromises that still allow abortion in some cases.

For the past few years, a handful of lawmakers including Sen. Lee Bright have filed "personhood" legislation that would grant legal rights to fertilized embryos. The Spartanburg Republican told *The Greenville News* in April that he believes such a bill "could overcome the U.S. Supreme Court's abortion ruling in *Roe v. Wade* in two years and 'that's one of my missions in life.'" In April, a personhood bill passed the Senate Judiciary committee, but failed to advance any further, with conservative lawmakers more focused on getting the 19-week ban across the finish line.

Meanwhile, Planned Parenthood's Miller says she doesn't know yet whether pro-choice activists in South Carolina would bring a legal challenge should Haley sign the 19-week ban bill.

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**At a May 24 State House rally, protesters called on the governor to veto a bill restricting abortion.**  
*Photo by Eva Moore*

"At this point we're focused on educating the public on what just happened, educating the public on the need to elect pro-women legislators," Miller says. "Elections have consequences, and these consequences came home to roost just this week."



**Gov. Nikki Haley** | *photo by John Carlos*



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CRIMINAL JUSTICE

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## Call Failed: Haley Asks Feds For More Freedom to Block Prison Cellphones

Gov. Nikki Haley wants to keep illegal cellphones away from inmates. She joined nine other GOP governors this week in pushing the Federal Communications Commission boss for more “flexibility and authority” to deal with the security threat, the Associated Press reported. Haley testified last month at a federal field hearing in Columbia about her frustration at needing FCC approval to block cell signals at prisons. The Palmetto State boss joined colleagues in Alabama, Georgia, Indiana, Maine, Mississippi, Nebraska, North Dakota, South Dakota and Utah in sending a request for more autonomy to FCC Chairman Thomas Wheeler. — *Andy Shain*



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**AG Wilson Mulls Action on  
Federal Transgender Order**

Attorney General Alan Wilson says he's "currently working with other state attorneys general to determine what actions should be taken" about President Obama's new directive that transgender students be allowed to use bathrooms that align with their gender identities. "The president does not have the legal authority to force this federal mandate on South Carolina schools, parents and children," Wilson said per *The Greenville News*. Gov. Nikki Haley took a similar stance.

— *Eva Moore*



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## 148 Lawmakers Overturn Farm Bill Veto

South Carolina lawmakers resoundingly overturned Gov. Nikki Haley's veto of \$40 million in aid for farmers who were affected by the massive floods last October. The House vote to overturn the veto was 112-2; the Senate's was 39-3. "The South Carolina House recognizes the unprecedented loss our farmers experienced last October and understands the economic impact at stake if these concerns are ignored," House Speaker Jay Lucas said in a statement. — *Chris Trainor*

# 148 1 statehouse report

OPINION by Andy Brack

## Maybe This Is the Year We Finally Vote Out Some Incumbents

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There's so much frustration with politics as usual that maybe this is the year for grassroots candidates who are trying to win without big piles of money.

Anybody with a lick of common sense has got to be more than a little annoyed by what's been going on in the State House. Just look at the recent week as GOP lawmakers, knowing a primary is just three weeks away, trotted out the always-divisive abortion issue to throw a little red meat to voters and prove their conservative credentials. At issue is a ban on abortions after 19 weeks, a measure that opponents are shouting is unconstitutional and scary because it will harm women (not to mention that men again are making decisions about women's bodies).

Then there was Gov. Nikki Haley's non-sensical veto of a \$40 million package of aid for farmers who were smashed down by last year's flooding. The tone-deaf governor, who hands out incentives to corporate interests as if they were party favors, dug in her heels and said the state didn't do bailouts. Yeah, right. At least the Legislature didn't have any of it, overriding her veto by landslides in the House and Senate.

Finally, after two years of vowing major changes to fix and maintain the state's potholed roads and decaying bridges, state lawmakers are putting final touches on a plan that is little better than half a haircut — it kicks the can down the road, delaying real infrastructure fixes, because it tries to borrow the state's way out of the problem of not investing enough money for roads for the last two decades.

With all of this going on, education is getting underfunded. The state hasn't really dealt with tens of thousands of poor people without real health care. There's been too much foot-dragging with reforming ethics laws, despite the toppling of the state's No. 2 and 3 elected officials in recent years.

It's enough to, say, make you want to run for office to smack incumbents on the side of their heads.

"I ain't blaming a single person in Columbia because we're the folks who keep electing these folks," says Great Falls resident Mike Fanning, a Democrat who faces state Sen. Creighton Coleman, D-Winnsboro, in the June 14 primary. "They're doing what we

have asked them to do because we keep re-electing them for doing it.

"If every time my dog chews on my sofa and I give him a cookie, he's going to tear up my sofa," says Fanning, long a critic of the state's billions of dollars of tax exemptions for special interests. "If every election, candidates keep resurrecting tired, old, divisive

issues right before a primary and we keep electing them, then we deserve what we're getting, which is movement on nothing."

Duncan Mayor Lisa Cooley Scott is one of three Republicans trying to unseat state Sen. Lee Bright, the Spartanburg County legislator who has created a lot of enmity recently for trying to push through a bill to make people use bathrooms associated with their birth gender.

"Frankly, I'm sick and tired of us basically having an empty chair in Columbia," says Scott, a 53-year-old licensed social worker who runs a family real estate company. "He's made some gestures of things. They're celebrity headline-grabbing things that are not important issues and he hasn't addressed important issues."

She says she's running for Senate to do real work on real problems that real people have, such as fixing crumbling infrastructure with dedicated, recurring revenue and improving workforce development.

"Between Donald Trump and some of the people in our legislature, we have some very divisive factors going on, not only in our state, but in our country," she says. "We need to be united and coming together instead of fighting each other."

South Carolina is fortunate to have some serious legislators who tackle big problems. But they keep getting stalled by legislative turtles who want us to keep our eyes on the hole, not the doughnut. Let's keep the serious ones and throw out the turtles.

*This is the final Statehouse Report you'll find in the pages of Free Times, but you can continue to read it online at [statehousereport.com](http://statehousereport.com). Andy Brack is editor and publisher of Statehouse Report; reach him at [brack@statehousereport.com](mailto:brack@statehousereport.com). **ff***

Let us know what you think: Email [editor@free-times.com](mailto:editor@free-times.com).



## THEIR VIEW

### 148 More to do on ethics reform

A pair of ethics reform bills (finally) approved by the South Carolina Senate would be a step forward, but even if the House agrees to the Senate's bills or a workable compromise is hammered out in conference, no one in the state should make the claim that ethics reform in South Carolina is complete.

The good news is that the Senate bills would turn over investigations of ethics complaints against legislators to a reconfigured State Ethics Commission. Right now, the fox guards the henhouse, with each house investigating complaints against its own members. Although the new bill lets the foxes appoint some of the guards, it is a step removed from the current law and represents a real step forward.

The Senate's bills also would require public officials to disclose the sources of their private income. Once again, though, the Senate declined to take a full step forward by requiring lawmakers to disclose the amounts of those incomes. The bill also needs to be clear that all private income sources should be revealed.

Finally, the Senate bills failed to address regulation of what is known as "dark money," or money from groups not run by candidates and that face no disclosure requirements.

As one activist said last week of the bills, "It's not a home run. But maybe it's a good single."

We would even go so far as to say it's an extra-base hit given the length of time the Legislature has struggled to pass any meaningful ethics reform. But the shortcomings of both bills mean more work needs to be done.

For instance, the revamped Ethics Commission would not be completely independent from the Legislature. Lawmakers would appoint half of the eight-member commission. And it would take only three members to block a complaint from moving forward. Further, only criminal matters would be sent to the Attorney General's Office, with other matters going to legislative committees to

determine guilt or innocence and any penalty. There still is room for improvement here, as lawmakers should be completely removed from policing themselves.

More worrisome, though, is that legislators still refuse to agree to disclosing not just the sources of their private income, but the amounts. In politics, money talks. And residents have the right to know exactly whose money their representatives are receiving and how much. After all, \$10,000 talks a whole lot louder than \$10.

Holding any public official, either elected or appointed, accountable to their employers (the people) demands that those officials surrender at least a measure of their privacy. Income is one area where public officials ought to lose that privacy.

These are significant reforms that still need to take place. If they can't be achieved as the House and Senate reconcile their bills, then they should be tackled next year. In the meantime, the bills passed by the Senate represent achievable progress and they should be made law.

It is at least encouraging that both houses have taken this issue seriously this legislative session. The case for ethics reform in South Carolina can be made by simply listing the names of some of those elected and appointed officials who have demonstrated a belief that they were above the law.

In a little more than four years, this state has had a lieutenant governor (Ken Ard), a speaker of the House (Bobby Harrell) and a sitting member of the Legislature (Sen. Robert Ford) resign amid ethics violations or investigations. Accusations have been raised against other officials, including then Rep. Nikki Haley.

South Carolina politics are sometimes mocked because of their free-wheeling nature that sometimes has the whiff of corruption. These reforms can help clear up that air and perhaps decrease the perception that our public officials are looking out for their own interest, and give us confidence that the public's interests will be put first.

But legislators should not lose sight of the very obvious fact that there is more that needs to be done.

— The Greenville News

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## <sup>148</sup>Independent reviews of legislators steps from being law

The Associated Press

COLUMBIA — Complaints against South Carolina's legislators would be independently investigated under an ethics reform bill that could reach the finish line

this session after four years of debate.

If the Senate accepts changes that the House approved Thursday, the legislation will go to Gov. Nikki Haley's desk.

Changes made by the House include how State Ethics commissioners are chosen and who decides whether a legislator

likely violated the law.

Under the House amendment, the revamped commission would make that determination before sending the case back to House and Senate ethics committees

for a public hearing. Under the Senate's version, the commission would issue recommendations to the legislative panels.

House Speaker Pro Tem Tommy Pope says letting the independent body decide probable cause will restore public trust.



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**Do you support Gov. Haley's  
decision to veto the S.C. Farm Bill?**

» Yes  
» No

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