

Title: **SC ethics reforms stalled after 4 years of debate**
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SC ethics reforms stalled after 4 years of debate

JAMIE SELF

THE STATE

COLUMBIA - After four years of debate about how to strengthen the state's ethics laws, S.C. lawmakers may pass two changes to the rules governing public officials' behavior later this month.

Maybe.

Dozens of ethics bills have been introduced since late 2012, when Gov. Nikki Haley formed a blue-ribbon committee to evaluate state laws governing how public officials should behave.

But out of the nearly two dozen recommendations made by that panel, only two have a chance of becoming law four years later, when the Legislature wraps up its work during its mid-June veto session.

Critics say the state Sen-

ate is to blame for the lack of progress. The House has passed more than a dozen ethics-related bills, sending them to the Senate, where most have died.

Even if lawmakers give final approval later this month to the two bills near the finish line, good-government groups say the state's ethics laws still will need more work.

"Dark-money disclosure - that is a really serious problem and it's getting worse," said John Crangle with Common Cause of South Carolina, referring to secretive groups that raise war chests to influence elections but do not disclose their agenda or donors.

Legislators also need to clar-

ify the law dictating how campaign money can be used and when public officials should abstain from voting because they

have a conflict of interest, said Lynn Teague, with the League of Women Voters.

Lawmakers also should be barred by law from forming political action committees that they can use to raise money and dole out campaign contributions to their colleagues. Those committees - now banned by House and Senate rules but not by law - can wield excessive influence over the legislative process, critics say.

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Ethics

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Even if lawmakers pass the two proposals that could become law when they return later this month, the push for tougher ethics rules will be ongoing, Teague added.

"We can't do what we did after (Operation) Lost Trust and figure that we fixed things," she said, referring to a landmark federal corruption sting of S.C. lawmakers more than two decades ago that resulted in the last major update to the state's ethics laws.

Ethics bills hit roadblock

Of the two ethics bills lawmakers still could pass, one proposal would end the practice of state lawmakers exclusively investigating ethics complaints against themselves, shifting investigations to a revamped State Ethics Commission that supporters say will allow independent watchdogs to oversee lawmakers.

Another bill would require lawmakers to disclose some information about their private income.

Differing versions of both bills have passed the House and Senate, and now are being reviewed by a panel of lawmakers tasked with ironing out the two chambers' differences.

But the chances of the bills passing dimmed last week when an apparent agreement on the independent-investigations bill fell apart.

The first signs of that breakdown, said state House Speaker Pro Tempore Tommy Pope, R-York, came when senators insisted last week on adopting their version of a key part of the investigations proposal.

That insistence surprised Pope, a former prosecutor who is negotiating for the House with senators on the bill.

Earlier in the week, five of the six negotiators had reached agreement on independent investigations. However, one state senator did not attend that meeting.

When State Sen. Gerald Malloy, D-Darlington, rejoined negotiations Wednesday, he asked for more time to share details of the agreement with Senate Democrats. A day later, Malloy said the Senate preferred its version of the proposal. Later that day, the Senate voted 37-1 to insist on its version.

After that vote, Pope expressed frustration at the Senate's position to his House colleagues.

"I don't know where we can go, folks," he said. "We have given and given and given."

But Sen. Larry Martin, R-Pickens, who led the Senate's negotiators, said he still is confident both sides can

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reach an agreement.

Placing blame

Other state leaders were disappointed with the setback.

House Speaker Jay Lucas, R-Darlington, blamed senators, citing them as the reason the state needs ethics reforms.

"These common-sense reforms passed the House – overwhelmingly, with bipartisan support – because our chamber understands the importance of this issue," said Lucas, who formed an ethics task force shortly after succeeding House Speaker Bobby Harrell, the Charleston Republican who resigned and entered a guilty plea to campaign finance violations.

"The fact that a few senators' objections prevented these bills from advancing through the legislative process further proves that the people of South Carolina need reforms to hold elected officials accountable and restore the public's trust," Lucas added.

Gov. Nikki Haley's office also urged lawmakers to act.

"Passing independent investigations and income disclosure has been a top priority (of the governor's) for four years and – finally – this year we are closer than ever to getting them over the finish line," said Chaney Adams, Haley's press secretary, adding the House and Senate have made more progress this year than ever before.

"(T)here is no reason or excuse why the people of South Carolina shouldn't be able to celebrate passage of ethics reform this year."

Disagreement ahead for ethics proposals

Haley made ethics reform a priority in 2012 shortly after the then-GOP majority House Ethics Committee investigated and dismissed ethics complaints against her related to when she was a Lexington state representative.

Other high-profile ethics cases have spurred cries for ethics reform, including cases against former Gov. Mark Sanford, Lt. Gov. Ken Ard, state Sen. Robert Ford and Speaker Harrell. Ard, Ford and Harrell resigned in the wake of ethics investigations. An ethics probe that led to charges against Harrell also continues under the State House dome.

The governor's ethics task force – led by two former S.C. attorneys general – made nearly two dozen recommendations for strengthening the rules that say what public officials can and cannot do.

Those recommendations included requiring public officials to disclose sources of their private income and the amount if that income comes from an organization that lobbies state government or a business that has

government contracts.

Lawmakers could pass an income disclosure bill in mid-June. With an independent investigations bill, an income disclosure bill is before House and Senate negotiators.

But ethics watchdogs worry income disclosure might not pass.

Attorney-legislators have pushed back against disclosing the sources of their income, saying they have a duty to keep their clients confidential, Teague said.

The House also has a provision in its income disclosure bill that would require "dark money" political groups to disclose their donors.

However, the income disclosure bill will not pass the Senate if it is coupled with a dark-money rule, where there is too much opposition to the idea, said Sen. Martin, who has been a target of the veiled groups and supports requiring that they disclose their donors.

Teague, with the League of Women Voters, said her organization wants "dark money" groups to disclose their donors. But, she added, "we don't want it as a poison pill" that could kill income disclosure for public officials.

Haley's task force also recommended that an independent panel investigate ethics complaints against lawmakers, instead of them policing themselves.

There still is time for the Senate and House to pass a bill creating independent oversight of lawmakers.

But the two chambers disagree over a key provision of the bill – how long secrecy should shroud an investigation if the State Ethics Commission, which would conduct the independent investigation, decides a lawmaker has violated the state Ethics Act.

The House prefers making public immediately a commission finding that there is probable cause of a violation.

But the Senate wants to let legislative ethics committees review the Ethics Commission's finding and ask for additional investigation before making public an allegation. If, after added investigation, the Ethics Commission reverses its position, finding no evidence that a lawmaker violated ethics laws, the allegation would remain confidential.

Senate negotiators argued that, under their proposal, any final determination by the Ethics Commission that there is reason to think a lawmaker violated the law would become public.

The Senate's desire to delay making allegations public – and prolong secrecy – will keep legislators under the cloud of suspicion brought on by recent ethics scandals, Pope said, adding the impasse makes him question whether senators really want any ethics reform.

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DECISION 2016

S.C. Senate leadership lines up behind Rock Hill's Wes Hayes

Four other senators endorse colleague in primary race

Opponent has governor's backing

Republican voters to decide June 14

BY BRISTOW MARCHANT
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 ROCK HILL

With a week to go before the Republican primary in S.C. Senate District 15, incumbent Sen. Wes Hayes rolled out

endorsements from several leading GOP senators at a Rock Hill news conference Monday, hoping to shore up his position in a

hotly contested race.

Current Senate Majority Leader Shane Massey, R-Edgefield, and former majority leader Harvey

Peeler, R-Gaffney, were among four senators who spoke about Hayes' leadership on the top issues facing the S.C. Legislature this year, along with Tom

Young of Aiken and Greg Gregory of Lancaster.

Monday's news conference comes after Hayes' primary opponent, former York County GOP chairman Wes Climer, received an endorsement from Gov. Nikki Haley last week, and will host the governor at a fundraiser in Rock Hill on Thursday.

Peeler, whose district includes western York County, touted Hayes as the "dean of ethics reform" in the state Senate for his support of long-stalled efforts to strengthen ethics enforcement. He also praised

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HAYES

Hayes' work in promoting repairs to the state's roads network, including his support for York County's "Pennies for Progress" program that "laid the groundwork for the rest of the state."

"If everyone had his vision for the infrastructure needs of this state, we wouldn't have a roads-funding crisis," Peeler said, adding "He had the vision before it was cool to complain about roads and bridges."

Massey said he's seen fliers sent out criticizing Hayes for the Legislature's struggles to pass a roads bill that would reform the Department of Transportation and boost funding for repairs to the state's extensive roads network.

"I laughed," Massey said. When the roads bill was being filibustered in the Senate, "it was possible we weren't going to pass anything at all, and Wes Hayes changed that almost by himself. ... We were stuck, and Wes Hayes found a way to get out of it."

While the General Assembly eventually passed a roads bill this year, an ethics bill didn't make it over the finish line before the session adjourned. Gregory said ethics reform would suffer "a significant setback" if Hayes isn't there next year to work on it.

He compared Hayes' efforts on ethics to another historic advocate for reform in the British Par-

liament.

"William Wilberforce toiled for many years to end the slave trade," Gregory said. "Criticizing Wes Hayes for not passing ethics reform is like criticizing William Wilberforce for not ending the slave trade."

Climer wasn't impressed with the accolades heaped on Hayes on Monday.

"It's no surprise that career politicians would rally to protect one of their own," Climer said. "They're always resistant to change, and they know I'm going to fight for term limits, I'm going to fight for real ethics reform."

In recent weeks, Haley has also endorsed challengers to other

long-serving Republicans she's clashed with on one issue or another, including Sen. Hugh Leatherman, R-Florence, the Senate's president pro tempore and one of the most powerful members of the Legislature, and Sen. Luke Rankin, R-Horry, chairman of the Senate Ethics Committee.

Hayes said Haley seemed to be out to "erase the senior leadership" of the chamber.

But Massey said he didn't come to Rock Hill to close ranks with his party's incumbents.

"I'm not going to Florence. I'm not going to Myrtle Beach. This might be the only one I'm going to make," Massey said of Hayes, who served in the

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82nd Airborne Division.

"He's served his entire life. He's a freaking Ranger," he said. "I agree with the governor 98 percent of the time, but I don't understand this one."

Likewise, Peeler believes "the governor doesn't have a stronger ally than me, but on this one she missed the mark."

For his part, Hayes welcomed the endorse-

ments of what he called the "best of conservative leadership in the Senate," and hoped it would carry over to the primary on June 14.

"I think the momentum

is building," he said. "We're going to peak at the right time."

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Rock Hill Sen. Wes Hayes, right, received the endorsements of Tom Young of Aiken, Greg Gregory of Lancaster, Shane Massey of Edgefield and Harvey Peeler of Gaffney, at left.

Title: **Law on concealed guns among more than 40 signed**
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S.C. LEGISLATURE

Law on concealed guns among more than 40 signed

One measure shortens legislative session

Another protects landowners from oil companies seeking a pipeline

BY SEANNA ADCOX

Associated Press
 COLUMBIA

New laws signed by Gov. Nikki Haley shorten the legislative session, allow South Carolinians to carry concealed guns in Georgia, and block petroleum companies from taking people's land for a pipeline.

Those are among more than 40 bills Haley quickly signed Friday, a day after legislators sent them her way. Dozens more could become law within the week, as the Legislature passed a slew of bills in the session's final days.

While the session officially ended Thursday, legislators will return June 15 to take up Haley's vetoes.

Here's a look at some of the laws that took effect Friday:

- Future legislative sessions will end three weeks earlier, on the second Thursday in May, unless a bad economy

causes the state's revenue forecasters to reduce their estimates.

South Carolina's

regular legislative session is the 13th longest among states. The House, which wanted to cut even more weeks, has been trying to shorten the January-to-June session for 20 years, but prior proposals kept dying in the Senate.

Proponents say shortening the session saves taxpayers money in legislators' per diems for food and lodging, plus mileage, and could encourage more people to seek the job.

- A reciprocity agreement with Georgia will make it easier for South Carolinians with concealed weapon permits to travel back and forth.

The law was sought mainly by residents in Aiken County, who drive daily into Augusta, Ga. Advocates argued not having reciprocity with the state's western neighbor is a real inconvenience.

The law creates an exception to prior law barring state law enforcement from recognizing permits from states that don't have at least the same requirements to carry a concealed gun as South

Carolina. Georgia doesn't require training for its permit.

- Private, for-profit companies can't acquire land for a petroleum pipeline through eminent domain.

The law specifies only public utilities have the right to take property for public use, after giving the owners money. It was driven by residents' fears of losing their land to an underground pipeline planned to run from Belton to Jacksonville, Fla.

The Palmetto Pipeline was canceled this year after Georgia passed a temporary moratorium on pipeline companies using eminent domain.

- Former students who didn't graduate solely because they didn't pass the high school exit exam can still petition their school board to retroactively receive a diploma.

The law erases the previous deadline of Dec. 31, 2015. As of Dec. 1, 6,000 people had received such diplomas. The last exit exam was taken in 2014. Earlier that year, legislators abolished the test and

replaced it with two considered more useful to students' future success, with scores that can go on work resumes or college admissions applications.

- Terminally ill patients gain access to medicines being tested in clinical trials.

The so-called "Right to Try Act" allows a doctor to prescribe medication that's in the first phase of the U.S. Food and Drug Administration's approval process. Similar laws have been passed in at least 28 other states.

Access is limited to people with a terminal illness who have exhausted all options approved by the FDA and can't enroll in a trial. Available medicines must have passed basic safety testing.

- South Carolinians are encouraged to "roll up their sleeves and lend a hand to make a positive difference in our great state." The law declares the third Saturday in May as the South Carolina Day of Service.

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