

Title: **S.C.State's board to discuss Elzey exit**
 Author: By ANDREW SHAIN ashain@thestate.com
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EXCLUSIVE

S.C. State's board to discuss Elzey exit

Attorney for college: Best solution would be reaching a deal for president to leave

By ANDREW SHAIN
 ashain@thestate.com

South Carolina State University trustees plan to discuss how to part ways with school President Thomas Elzey at a meeting Thursday, an attorney hired by the college told The State.

The board placed Elzey on paid administrative leave Monday from his \$326,000-a-year job. That move came less than two weeks after trustees said

they would honor Elzey's contract, taken as a sign of support for the embattled president.

Negotiations have not started with Elzey to leave the financially troubled college, which has a deficit of more than \$17 million, said Ken Childs, a Columbia attorney working for the S.C. State board.

Elzey declined comment Tuesday.

Elzey would receive more than \$400,000 in remaining state pay if he is fired without cause this month, according to his four-year contract, which runs through June 2017.

The board could discuss whether it has cause to fire Elzey at its meeting Thursday, Childs said. But reaching a deal with the president to leave the state's only historically black public college would be best

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BOARD

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for all parties, Childs said.

John Corbitt, the longest-tenured S.C. State trustee at 14 years, and Tony Grant, a trustee from Columbia, declined to say why the board placed Elzey on leave Monday, naming interim Provost Franklin Evans as acting president.

"We did what we thought was right," Corbitt said.

Elzey's tenure at the Orangeburg school appears it will end short of his two-year anniversary. In his first year on the job, the former Citadel administrator said he had discovered S.C. State had a \$14 million deficit, creating by borrowing money to cover past debts.

He was criticized for not making enough cuts to stem that deficit, which has grown as unpaid bills

mounted by \$1 million this year and the school accepted a \$6 million state loan, which it is supposed to repay June 30.

Elzey has said trustees would not let him declare a financial emergency, a move that would have allowed him to sever the contracts of tenured professors and make other cuts to fit S.C. State's budget to its shrinking enrollment.

Black S.C. lawmakers and U.S. Rep. Jim Clyburn, a Columbia Democrat who is one of S.C. State's most prominent alums, have called for Elzey's ouster.

South Carolina State trustees also look like they will lose their jobs.

A state Senate education panel unanimously approved a bill Tues-

day to replace the school's trustees and hand over its control to a temporary five-member board, which would be appointed by the governor, and House and Senate leaders.

If passed by the General Assembly, the board would run the school until June 30, 2018, when new trustees would be elected by legislators. The sack-the-trustees bill now goes to the full Senate Education Committee, scheduled to meet Wednesday.

The House has a similar bill and budget amendment to remove S.C. State's trustees. Those proposals would give control of S.C. State to the S.C. State Budget and Control Board, a group of elected officials led by Gov. Nikki Haley.

The House plans to take up its version of the bill to overhaul S.C.

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State's leadership as early as next week.

State senators looking to oust S.C. State's board said Tuesday that they don't want current trustees making any big spending decisions.

"You are, in essence, lame duck," said Sen. Darrell Jackson, D-Richland, who is on the Senate education panel.

Senate Majority Leader Harvey Peeler, a Cherokee Republican who also is on the education panel, said he was worried the current board could approve long-term contracts that could bind the actions of new trustees.

"I'm not clear who's carrying the keys today," Peeler said.

But S.C. State trustee Grant said the school does not have money to spend on big projects or contracts.

"We can't even pay our bills," he said.

Attorney Childs said S.C. State's trustees have agreed not to make ma-

jor spending decisions and have no plans to file a lawsuit to keep their jobs.

"They want to stay on top of the water and get through this year," he said.

The trustees will work mainly on getting S.C. State's accreditation off probation with the Southern Association of Colleges and Schools Commission on Colleges for its financial and governance problems, Childs said. The school's accreditation will be reviewed this spring.

Grant said he is ready to help the school in any way, "including getting out of the way" for new trustees.

"Our time is drawing to a close," he said.

The Senate bill is expected to win swift approval because its chief sponsor is Senate President Pro Tempore Hugh Leatherman, R-Florence. Co-sponsors include Sen. John Matthews, an Orangeburg Democrat who graduated from S.C. State.

Belle Wheelan, president of the accrediting commission that oversees S.C. State, has raised concerns about the House plan, saying handing control of S.C. State to the State Budget and Control Board could increase the likelihood of undue political influence in the school's management. That could be a violation of accreditation standards.

The budget board is made up of five politicians, including the Senate and House budget leaders as well as the governor.

Wheelan has said she saw less of a problem with the temporary trustee appointments proposed in the Senate bill.

South Carolina State fell into a financial crisis after failing to reduce its budget to match its falling enrollment, which has dropped by 40 percent to less than 3,000 since 2007. Decreases in state funding and federal financial aid also contributed to the school's woes.



Free Times
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Eva Moore and Chris Trainor

¹⁴⁸ **DHEC Hiring Under Fire**

Environmental watchdogs continue to be angry about the Department of Health and Environmental Control's rapid, behind-closed-doors hiring of its new director — especially since *The State* reported that the agency board “did not seek applications from anyone to fill the agency director's job before voting to hire former state insurance chief Eleanor Kitzman, a campaign contributor to Republican Gov. Nikki Haley.” — *Eva Moore*

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Embattled S.C. State president placed on administrative leave

Trustees select provost as interim president

By ANDREW SHAIN
 ashain@thestate.com

S.C. State University's trustees placed President Thomas Elzey on administrative leave Monday.

The move came less than two weeks after trustees gave Elzey a vote of confidence and less than two years after the former Citadel executive vice president was hired to guide the Orangeburg school out of its financial crisis.

S.C. State officials said Elzey would receive his \$326,000-a-year salary while on leave. Trustees will meet again Thursday. There was no word as to whether they planned to take



Elzey

Franklin Evans.

It is Evans' second stint as acting president of S.C. State. He spent two weeks leading the school between interim President Cynthia Warrick's departure and Elzey's arrival in June 2013.

Evans was vice president for academic affairs at S.C. State be-

fore becoming interim provost, the school's chief academic officer, in October 2013.

"Under my leadership, we will continue to move forward in preserving the rich legacy of excellence that is S.C. State University," Evans said in a statement. "These are critical times at S.C. State; therefore, it is imperative that we remain focused on the matters most important to the institution's short-and long-term sustainability."

Elzey is under contract through June 2017.

He would receive the remain-

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der of his state salary due under that contract — more than \$400,000 — if he is fired without cause this month.

The S.C. State board said it would honor Elzey's contract when it met Feb. 12, after a group of black state lawmakers called for the president's ouster.

Elzey has struggled to win backing at S.C. State.

He was chosen over Warrick for the job of president by a 6-5 board vote. Elzey also faced opposition from some trustees who opposed deeper cuts at the 119-year-old school.

The school has been criticized by Gov. Nikki Haley and other political leaders of not responding to requests for information about its financial condition, although Elzey has insisted the school has

been forthcoming.

Elzey has said he trimmed some staff and operations costs — cutting the women's golf team, for example — but the moves did not stem S.C. State's growing deficit, which he inherited.

U.S. Rep. Jim Clyburn, a Columbia Democrat and one of S.C. State's most prominent alums, said last week that Elzey "has precious little support from alumni and supporters, and minimal credibility with those who determine the school's funding and academic status."

The trustees' efforts to push aside Elzey will not stop legislative proposals to oust the S.C. State board and have interim leaders fire its president.

A state Senate education panel meets Tuesday to discuss a bill to overhaul

the leadership at the

state's only historically black public college.

"This does not affect anything," Senate Education Committee chairman John Courson, R-Richland, said of Elzey's leave. "The governance of S.C. State has been in poor shape for several years. ... It's too little too late."

Courson wrote a personal \$1,000 check to S.C. State after Elzey's budget presentation to his committee last year.

"There was such enthusiasm at the meeting with that leadership team," he said. "It's all gone south since that meeting."

The S.C. House plans to move ahead with its proposals, similar to the Senate proposal, to make over S.C. State's leadership, said House Ways and Means chairman Brian

White, R-Anderson.

"Problems are more deep rooted than Elzey," White said. "It's going to take a major change."

Efforts to reach Elzey and trustees chairman William Small were unsuccessful on Monday.

S.C. State has more than \$11 million in unpaid bills owed to vendors and must repay a \$6 million state loan by June 30. The school fell into a financial hole after failing to cut its budgets to match its declining enrollments, down by 40 percent since 2007. S.C. State has fewer than 3,000 students.

Elzey and the board, most of whom who took office after the school was in financial trouble, did not move swiftly enough to ease the crisis, lawmakers have said.

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S.C. STATE'S ACTING PRESIDENT

Franklin Evans was named acting president of S.C. State University on Monday

Born: Augusta, Ga.

Recent professional experience: S.C. State University, interim provost and formerly vice president for academic affairs (also was acting president for two weeks in 2013); Virginia Union University, vice president for aca-

demic affairs; Elizabeth City State University, associate vice chancellor for academic affairs; J. F. Drake State Technical College, dean of instruction; Tennessee State University, assistant dean

Education: Earned six degrees from the University of Georgia and Georgia State University in fields including entomology, journalism, middle childhood science and higher education administration.

SOURCES: S.C. State, staff research



FILE PHOTOGRAPH/THE STATE

S.C. State University

Title: **Who will replace Metts?**
 Author: BY ANNA LONG
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Who will replace Metts?

BY ANNA LONG

The burning question of the week is who will win the Republican Primary for Lexington County Sheriff come March 3. If no one garners 51% of the vote in the primary then the next question is who will win the much sought after Sheriff's seat in the run-off slated for March 17.

There are four candidates from which to choose: Assistant Lexington Town Police Chief Jay Koon; Justin Britt, a Richland County deputy; criminal justice instructor Ed Felix; and West Columbia Police Chief Dennis Tyndall.

Town of Lexington Assistant Police Chief, Jay Koon, 42, has spent his entire 21 year law enforcement career in Lexington. A University of South Carolina graduate, he is married with two children and resides near Lexington.

Well known by his colleagues and constituents, Koon has had many positive attributes credited to him by them. A plan for traffic control during races that he designed more than ten years ago is still in use

by the police department. It is his keen eye for detail and precise preparation that will benefit him should he be elected. He epitomizes rationality and is considered to be steady and not a show-off by his friends.

According to town police Chief Terrence Green, Koon has had experience with all the problems that a sheriff deals with which includes overseeing daily policing and developing ways to reduce crime as well as other aspects of the job.

Though Koon would like to have more deputies on the road, a tight budget will hinder the addition of very many in the near future. He plans to shift assignments so calls for assistance will be answered when levels are high.

Koon also feels that hiring firms to deal with such tasks as out-of-state extradition of prisoners, some areas of court security, and the transport of inmates to medical care would give more flexibility to other officers, and that more cooperation between deputies and officers in different areas of

the county can create better law enforcement.

Koon feels there is a great team already in place in the sheriff's department. He intends to balance what deputies do best with innovation.

He has begun television advertising during the final days before the upcoming election which is rare considering the race is for a local position. His team seems to feel he can win the Republican nomination on the primary ballot forgoing a March 17 runoff.

As of mid-February he has raised approximately \$115,000 in contributions compared to West Columbia Police Chief Dennis Tyndall \$34,000. Contribution amounts were not available for Britt or Felix.

Koon is being backed by Gov. Nikki Haley and current Sheriff Lewis McCarty.

Justin Britt, 30, is married and has one child. He lives near Lexington and studied criminal justice at Midlands Tech. He is a former SLED agent and is presently a Rich-

land County deputy dealing with fugitive apprehension. He has also served as a former aide to U.S. Rep. Joe Wilson.

Britt, who gives the impression of being an energetic officer, has less than ten years experience in law enforcement. His career has mostly been spent as a Richland County deputy.

Britt's list of key changes includes:

- Finding ways to put more deputies on patrol.

- Improve respect and relationships between deputies and citizens.

- Help seniors with things like installing home smoke detectors.

- Transfer management of the jail to concentrate on crime fighting.

He, along with Tyndall, wants to move the management of the Lexington Detention Center elsewhere "to improve crime prevention". Neither candidate could say who should run the jail where nearly 700 inmates are

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METTS: *who will win?*

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housed.

However, Koon and Felix both feel the move would prove to be too costly and doesn't guarantee it would help cut crime.

Britt has promised to be hands-on investigating major crime scenes while developing preventative strategies to hinder offenses. According to friends his chief qual-

ity is "street smarts" and he has been credited for having determination and perseverance. His decision to run for sheriff came after hearing a church sermon calling for new community leaders.

West Columbia Police Chief Dennis Tyndall, 55, has been the head of the 52 member city police force for 17 years and in law enforcement since 1984. A long-time Midlands resident, he graduated from

the FBI Academy in 1995 and is a Certified Corrections Officer and Police Officer. He has three children and four grandchildren.

He has promised to focus on faster response times to provide aide as well as adding more crime-fighting technology if elected. He would like to begin a local crime evidence analysis laboratory and plans to look for newer ways to pay for his ideas.

He, along with the other three candidates, supports providing deputies to the 30 elementary schools which currently have no such protection but agree the school districts will have to help with the \$2 million cost to provide this service. In addition, all four have promised there will be no major shake-up of the sheriff's team except for the top command staff serving as key advisers and aides.

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Criminal justice instructor Ed Felix, 52, is married and has four children. A resident of Lexington, he is a graduate of Southern Illinois and Webster Universities. He presently is a criminal justice instructor at the University of Phoenix having taught at S.C. Criminal Justice Academy. He is also a former deputy, police officer, and Air Force reservist.

Felix promises strategic and

selective change. His ideas include:

- Shift assignments allowing more deputies to patrol neighborhoods.
- Adding retired federal law enforcement officers to serve as part-time investigators.
- Establishing a part-time court for military veterans with misdemeanor charges.
- Hiring three disabled veterans to police handicapped

parking violations.

According to Felix, "If you want to win, you have to run like you're behind." One of his main traits is persistence.

The winner of this election will be the first new sheriff to serve Lexington County in more than four decades and will serve through 2016. The seat was left vacant when former Sheriff James Metts was indicted on federal bribery

charges in November. He announced his retirement in December before pleading guilty.

The Republican Primary will be held March 3. Polls will be open from 7 a.m. to 7 p.m. A candidate must receive 51% of the vote to win. If none receive 51%, the two candidates with the highest vote totals will face each other in a run-off on March 17.



L to R: Ed Felix, Jay Koon, Justin Britt and Dennis Tyndall

Title: **Rally set to fight Fort Jackson cuts**
 Author: By JEFF WILKINSON jwilkinson@thestate.com
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Rally set to fight Fort Jackson cuts

Public urged to attend event Thursday at Shandon Baptist

By JEFF WILKINSON
 jwilkinson@thestate.com

Laurie Thompson has lived near Fort Jackson in Columbia since 1977. Although her husband, Beau, served in the Army from 1969 to 1974, they had never been on the post, which is the nation's largest training base.

So when Thompson read last

week that up to half of the fort's employees might be axed because of upcoming military budget cuts, she decided to take advantage of an open tour to have a look for herself. She and about 20 other civilians ate lunch with drill sergeants,

toured basic training barracks and even got to fire a training model M-16 assault rifle armed with a laser.

Thompson now plans to be among a throng of public officials,

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IF YOU'RE GOING

What: U.S. Army listening session on proposed Fort Jackson budget cuts

Where: Shandon Baptist Church, 5250 Forest Drive

When: Doors open at 2 p.m., program begins at 3 p.m.

Who: Gov. Nikki Haley, Columbia Mayor Steve Benjamin, USC President Harris Pastides, Maj. Gen. Bradley Becker, others.

Cost: Free

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See more photographs and a video online with this story.

FORT JACKSON

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military boosters, business leaders and regular folks expected to attend an Army listening session about potential cuts Thursday at Shandon Baptist Church.

Doors open at 2 p.m. and the program, headlined by Gov. Nikki Haley, is scheduled to begin at 3 p.m.

Organizers hope to draw more than 2,000 people to the event, which is equal parts "save our fort" rally and institutional public hearing.

"We need to show that five-sided building in Washington how important the fort is to this community," said Columbia Mayor Steve Benjamin, referring to the Pentagon.

Thompson's tour opened her eyes to the number of people employed at the facility – about 7,000 – and how important it is to the area's economy, she said.

"It would be a shame if anything happened to this base," Thompson said. "The fort and the city benefit each other. Any cuts here would have a ripple effect, on home sales, rentals, everything."

SHRINKING ARMY

Fort Jackson is the military's largest training base, churning out 45,000 new soldiers each year from basic training and provides advanced training for another 25,000, from chaplains to drill sergeants to polygraph technicians.

It generates about \$2 billion for the local economy annually, according to a study by the University of South Carolina Moore School of Business.

The Army last year asked 30 of the nation's largest bases to assess the impacts of deep cuts to their local economies. It directed

Maj. Gen. Bradley Becker, Fort Jackson's commander, to assess the impact of losing about half the workforce at the fort, about 3,100 jobs.

The cuts are because of reductions in the military after 13 years of war in Iraq and Afghanistan, and deeper cuts to both the military and domestic spending mandated by Congress as a result of the 2011 debt ceiling fight, called "the sequester."

No one is certain at this point what will happen at Fort Jackson, Becker has said. And that uncertainty could continue for another year, until Congress decides whether to let \$1.2 trillion in sequester cuts – half to the military, half to domestic spending – kick in.

The sequester would force the Army to shrink to 420,000 soldiers in 2019 from 518,000, today.

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Some cuts at the fort already have occurred.

The U.S. Army's Recruiting and Retention School and its 92 employees in October moved from Fort Jackson to Fort Knox, Ky. The relocation of the school to the home of its parent command will save the Army \$14 million annually with a projected savings of \$138 million over a 10-year period, the Army said at the time.

The shift relocated 67 military and 25 civilian workers, and their paychecks, from Fort Jackson to Fort Knox.

Perhaps more importantly to the local hospitality industry, it eliminated the hundreds of recruiting trainees who took classes by day and stayed in area hotels and ate in restaurants for up to two weeks at a time.

Michael Tandon operates the Holiday Inn Express and Hampton Inn along Clemson Road, about five miles from the fort's Perceival Road gate. He said that loss of the recruiting and retention school will cost his family's Trinity Management and Development Co. \$1.2 million next year.

Tandon said he reduced his staff of about 50 people by 30 percent in January.

"It means a difference in jobs," he said,

'WE'RE UNIFIED'

But those numbers could be dwarfed if deep cuts are made to the fort's main mission – basic training for new soldiers.

In addition to a loss of employees and their paychecks, an estimated 200,000 family members a year come here each week to see their sons or daughters graduate. They stay for three or four days and spend that time eating, drinking, celebrating and visiting Columbia's sites. Often they head for the beach or the mountains afterward.

Another 50,000 visitors a year come for graduation ceremonies from the fort's 156 other courses from truck mechanics to financial management.

Together, those 250,000 annual visitors pump an estimated \$45 million a year in direct spending into the Midlands economy, according to the USC study.

Statewide, the impact of the military on the S.C. economy has grown significantly since 2012, approaching the \$20 billion mark. The USC study showed, for instance, that the military accounts for one in 5 jobs in the booming Charleston area.

More than 152,000 jobs are supported by the military statewide, generating \$8.6 billion in

personal income and about \$771 million annually in tax revenue, the study says.

As a result, Thursday's rally will feature leaders from both sides of the aisle and every level of government and business.

Haley, a Republican governor, and Benjamin, a Democratic mayor, will speak, along with Becker, Fort Jackson's commander, and USC President Harris Pastides. U.S. Sen. Lindsey Graham, a Republican from Seneca, U.S. Rep. James Clyburn, a Democrat from Columbia, and other members of the state's Congressional delegation will offer video presentations.

"As a military wife and sister, Gov. Haley knows our men and women in uniform and their families are one of our state's greatest assets," Haley press secretary Chaney Adams said. "They sacrifice every day to protect us, and it's our duty to take care of those who call Fort Jackson, and our state, home."

Benjamin said that the diversity of viewpoints, political philosophies, regional affiliations and backgrounds shows the city and the state's commitment to the military and keeping jobs and missions at Fort Jackson.

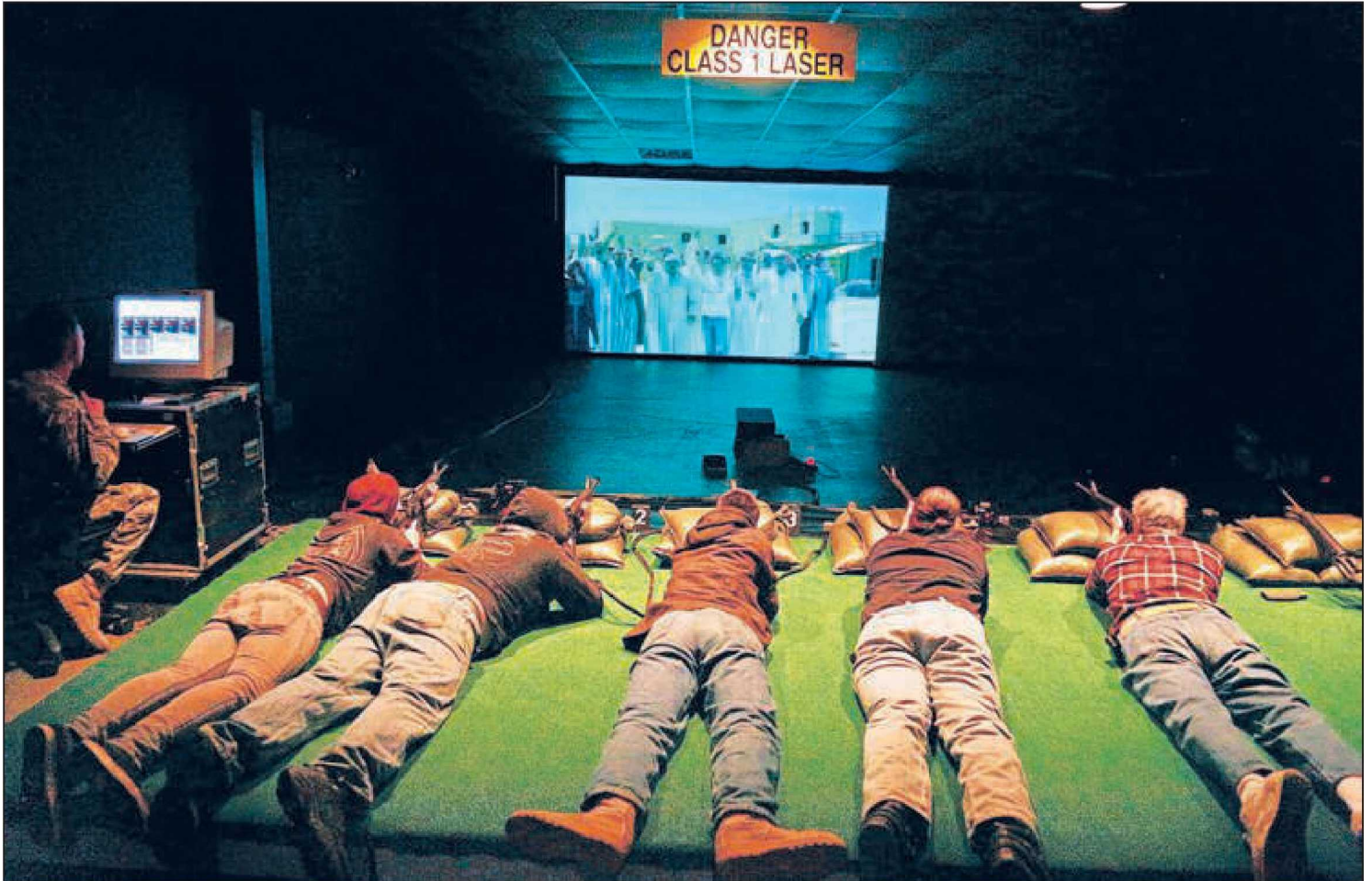
"We're unified on this," he said.

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GERRY MELENDEZ/GMELENDEZ@THESTATE.COM

A tour group takes aim at simulated combat scenarios as they check out an engagement skills trainer last Thursday at Fort Jackson.



GERRY MELENDEZ/GMELENDEZ@THESTATE.COM

Roy Folsom talks during a group tour Thursday about the impact a base like Fort Jackson has on the local economy.

Title: **Proposal revived to break up DHEC following Kitzman nomination fiasco**

Author: By SAMMY FRETWELL and ANDREW SHAIN sfretwell@thestate.com ashain@thestate.com

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Proposal revived to break up DHEC following Kitzman nomination fiasco

By SAMMY FRETWELL
and ANDREW SHAIN
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A tense Senate hearing that apparently prompted the withdrawal of the candidate to run South Carolina's environmental and health agency has rekindled talk of breaking up the department and dispersing its duties to

other state agencies.



A day after Eleanor Kitzman pulled her name from consideration as director, Sen. Harvey Peeler, R-Cherokee,

Kitzman said he'll introduce a bill next month to eliminate the Department of Health and Environmental Control.

In the wake of Kitzman's lengthy confirmation hearing last Thursday, Peeler said no one can fill the job at DHEC, an agency with so many different responsibilities.

Almost from its inception in the early 1970s, DHEC has been criticized because its duties combine that of a state public health department with that of an environmental protection agency. It is one of South Carolina's largest departments with about 3,500 workers, regulating everything from hospital expansions to pollution discharges.

Now that Kitzman is out of the picture, the DHEC board will meet Wednesday to discuss finding a new director for the post vacated Jan. 8 by Catherine Templeton. In addition to withdraw-

ing Sunday night because of "recent events," Kitzman also quit a temporary DHEC job that was paying her about \$3,500 for just over a week's work.

"I am concerned that the DHEC confirmation bar is set so high that it's too hard for someone to clear it," said Peeler, who chairs the screening committee

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DHEC

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that questioned Kitzman last week. "The (Kitzman) confirmation process has proven that."

Under the plan, DHEC's health work would go to the Department of Health and Human Services, while its environmental oversight would go to either the Department of Natural Resources or Department of Agriculture, said Peeler, a supporter of Gov. Nikki Haley.

Sen. Tom Davis, R-Beaufort, and John Courson, R-Richland, said Peeler's idea to break up DHEC is a good one because the agency is unwieldy. But Columbia Democratic Sens. Joel Lourie and Darrell Jackson said the Kitzman issue boiled down to her lack of qualifications – not the structure of the agency.

"I think the concept of the agency is good," Jackson said. "You've just got to get the right board and get the right director in there."

Kitzman, a former state insurance commissioner in South Carolina and Texas, had no experience in environment or health matters. She ran into criticism in Texas over her fundrais-

ing efforts and her ties to the insurance industry.

But the DHEC board picked her in early January without seeking other applications for the more than \$150,000 per-year post vacated by Templeton.

Gov. Haley recommended Kitzman, who is a friend, political ally and campaign contributor to the governor, saying she would make a good director. The board chose Kitzman four days after Templeton resigned Jan. 8.

In a letter Sunday to DHEC board chairman Allen Amsler, Kitzman said she was dropping out. She said a protracted confirmation hearing for her would not benefit the agency's employees, stakeholders or the public.

Kitzman was grilled for four hours last week about her lack of background in environmental and health matters, as well as conflicting statements Democratic senators said she made to the legislative screening committee. More intense questioning was expected this week from senators critical of her lack of experience and varying statements.

Jackson and Lourie said the Senate screening process did what it was supposed to do: expose candidates who are unqualified to oversee state agencies.

"It's way too early, in my opinion, to start talking about splitting the agency just because we had a nominee that wasn't well suited for the position," said Lourie, who has been critical of the DHEC board and Kitzman. "The board needs to do what they should have done (many) days ago and conduct an extensive interview

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process, narrow the list to three or four, and vet them very carefully.”

Jackson and Lourie agreed the bar is higher for DHEC than some other agencies because the department’s duties can affect people’s health. Under state law, the Senate must confirm nominees to run many state agencies. It rarely turns one down.

Peeler acknowledged that the process the board used to pick Kitzman generated the bulk of the complaints about the nominee.

“It was a head scratcher,” he said of how Kitzman was selected. But he also said DHEC is a lumbering agency that is difficult for anyone to manage.

“I want to put out a wanted poster saying we need an expert in politics,

an expert in the environment, an expert in hospital construction, an expert in waste, be it septic or toxic, an expert in leading people,” he said. “The vacancy is too large of a thing to fill.”

Meanwhile, a DHEC spokeswoman said Kitzman had worked 50 hours in the temporary job created for her by the agency as she awaited Senate confirmation. At \$74-per-hour, she would have earned about \$3,500. Kitzman’s job was to “evaluate agency programs, systems and processes.”

Kitzman was not available Monday. But Peeler said there was a list of complaints, and getting her confirmed “would have been a heavy lift.

I have not seen that level of organized opposition against a nominee in a long time.”

Jackson, one of her chief interrogators during last week’s hearing, said the screening committee’s questions were “only going to get worse. She made statements about her lack of involvement in a fundraiser for Nikki Haley in Texas. That would perhaps have proven problematic for her.”

Lourie said senators also wanted to know more about her support for the insurance industry that she regulated in Texas. As in South Carolina, she left the Texas insurance job after losing support from key state policymakers.

S.C. POLITICS

Gov. Haley’s schedule, activities

Gov. Nikki Haley’s publicly announced schedule for the rest of this week, announced Monday by her staff, is:

Wednesday, 10 a.m.: Address the first Operation Palmetto Employment Summit, Sysco of Columbia

Thursday, 1:30 p.m.: Groundbreaking celebration, LPL Financial, Fort Mill

Thursday, 3:30 p.m.: Speak at the U.S. Army community listening session on the future of Fort Jackson, Shandon Baptist Church, Columbia

Friday, 11a.m.: Ribbon-cutting celebration, Reclaim Recycling, Graniteville

According to her staff, Gov. Haley’s activities last week included:

7: Legislative meetings

4: Parts of days – Friday through Monday of this week – spent in Washington, D.C., attending governors meetings, including Republican Governors Association winter meetings and a Sunday dinner at the White House

3: Media activities, two interviews and announcing an anti-litter effort

2 each: Economic-development activities, a ribbon-cutting at Benefitfocus in Charleston and a meeting; also, constituent meetings

1 each: A speech to the Spartanburg Rotary Club; also, a MUSC Children’s Hospital event in North Charleston; a call to Ohio Gov. **John Kasich**; a policy meeting; a call to the family of a fallen firefighter

Busiest day: Wednesday, with 11 activities

Slowest day: Thursday, one activity

Of note: Haley was in Washington for governors meetings, Friday through Monday, including activities on both Saturday and Sunday

— From Staff Reports

Title: **The shot heard round the State House**

Author:

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The shot heard round the State House

HERE'S WHAT Greenville Sen. Tom Corbin and Gov. Nikki Haley have in common: Both are gun-loving Republicans who have played the instigator in high-profile spats with fellow Republican Sen. Katrina Shealy.

Here's what they do not have in common: opposition to a plan, backed by Sen. Shealy and a lot of other Republicans, to temporarily strip batterers of the right to own guns.

But Gov. Haley's support for that provision probably doesn't bother Mr. Corbin, since presumably he considers the governor a "lesser cut of meat," just like Sen. Shealy, about whom he also "joked" recently that he had managed to get her to wear shoes.

The surprising thing that's happening at the State House isn't that a guns-have-more-rights-than-people advocate refers to the only female senator as



Cindi Ross
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a "lesser piece of meat," makes a show apology and then complains that she "chose to be offended" by his insult — you know, the typical "blame the victim" approach to women who have been assaulted. What's surprising is that the bully's side is losing the debate over requiring batterers to give up their guns temporarily if they are convicted of domestic violence or are subject to a protective order.

This is, after all, South Carolina, where you can count on two hands the number of anti-gun bills that have even been proposed in the past decade. Meantime, lawmakers have waged a contest to see who could dream

up the most ridiculous pro-gun measures: A special tax-free weekend for guns and ammo (passed). An invitation to carry concealed weapons into bars (passed). A stand-your-ground law that a Columbia man was able to use when he mistakenly (read: recklessly) killed an innocent bystander after a carful of menacing girls followed his daughter home. A proposal to prohibit pediatricians from asking their patients if they have guns in their homes (not passed). A requirement that public schools spend three weeks every year teaching students an NRA-approved course on the Second Amendment (not passed, yet). And I can't even remember the others.

Tell a lie often enough

On Wednesday, Mr. Corbin tried very hard to make it look like the no-guns-for-batterers bill was much broader than it was; he managed only to demonstrate that he either isn't very bright or isn't very honest, as GOP prosecutor turned Sen. Greg Hembree patiently explained, over and over, the very clear language of the bill that Mr. Corbin was mischaracterizing.

No, Sen. Hembree explained, it wouldn't apply to people who simply were subject to a restraining order; it would apply only to people subject to a protective order issued under Chapter 4, Title 20 of state law. No, it isn't a violation of due process; that section of the law gives the batterer the right to counsel and a hearing. Why? Because that's what it says in the clear language of the bill.

When Sen. Corbin completed his demonstration of ignorance or deception, he found only four senators to join with him in trying to strip the gun restriction from the bill.

How radical is the provision

that Mr. Corbin and his four allies are fighting? The better question is this: How radical are Mr. Corbin and his four allies?



Corbin

In the fall, Gov. Nikki Haley came under withering criticism after she dodged a debate question about whether people convicted of domestic violence should forfeit their right to own guns, as federal law already requires but state law does not. The next day, her campaign issued a statement that said she would "absolutely support" such a law, and in December she said she was "thrilled" that Senate Judiciary Chairman Larry Martin had included the gun provision in his domestic-violence bill.

Nikki Haley, who posted a photo of the Beretta handgun she received as a Christmas present from her husband on her Facebook page ("I must have been good."). Nikki Haley, who had her office produce and distribute a video showing the governor firing a machine gun while touring a Columbia arms maker. Thrilled.

No consequences?

After he was outvoted 35-5 in the overwhelmingly Republican Senate, Mr. Corbin declared the domestic-violence bill "nothing but a big gun grab," even though it also splits domestic-violence charges into multiple degrees, just like other assault charges, increases penalties and sets those

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**Shealy**

Martin says that to pass the bill, he might have to agree to give judges discretion to decide whether to take guns away from first-time offenders convicted of third-degree domestic violence.

There's nothing inherently wrong with that: In general, judges need more discretion, not less. What's wrong is the *reason* — not because senators want judges to have more discretion, but because they worry that, in the words of Sen. Chip Campsen, "Gun rights are important for self-defense, for people who are outdoorsmen" and "should not be taken away lightly."

True enough. And people who love their guns shouldn't beat up their wives or husbands or girlfriends or boyfriends.

penalties based on both the seriousness of the crime and the number of previous convictions. Yet Sen.

The gun restriction won't solve the problem. It will help, but other provisions in the bill also will help. And if the Legislature passes a bill with the other provisions but not the gun restriction, it won't keep me up nights. Of course, I don't live with someone who beats me up and threatens to kill me because I don't cook his dinner just so, or because he realizes how much smarter I am than he is.

And here's the thing: There is no good reason *not* to include the temporary gun restriction. As Sen. Martin noted, gun rights, like other rights, are not absolute. A batterer doesn't get to take his gun with him when the police haul him off to jail. It makes sense that he shouldn't be able to keep his gun when a judge finds that he poses a significant threat to his spouse. It makes sense that he should lose his right to keep a gun for a few years after he's convicted of trying to kill (or succeeding in killing) his spouse. Just like you lose your right to vote for a while after you're convicted of certain crimes.

People kill people

The gun lobby has this con-

spiracy-theory fantasy it peddles, where all the world is out to take away guns. If you don't support expanding gun rights, you're a gun-grabber. If you say that, no, you don't think the law ought to be rewritten to allow guns in bars, you're a gun grabber. If you think men who beat up their wives and promise to kill them next time shouldn't be allowed to have a gun, you're a gun grabber.

Funny, when it's convenient — like when people go crazy and shoot up schools — the gun lobby declares that all we need to do is keep guns out of the hands of crazy people and criminals.

So now our Legislature is trying to keep guns out of the hands of criminals, and the gun-lovers are going ballistic. Or at least one of them is: the one who likes to verbally abuse the woman who is stuck sitting next to him in the Senate chamber, and then blame his victim when somebody rats him out for being such a pig, and his victim acknowledges that it happened.

This is the man who is leading the fight to preserve the gun rights of batterers. Little wonder.

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Title: **Back to drawing board for DHEC search committee**

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Back to drawing board for DHEC search committee

BY JEREMY BORDEN
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The search for a new candidate to lead the S.C. Department of Health and Environmental Control will get underway this week after Gov. Nikki Haley's nominee withdrew from consideration in the face of opposition to her confirmation.

Eleanor Kitzman bowed out after being questioned by senators during confirmation hearings last week about her qualifications for the job, her political connections and omissions on disclosure forms about her finances and fundraising for Haley's campaigns.

Kitzman was terminated Monday by the agency where she had been working since January in a temporary

search for a new director. Kitzman, who was expected to face another grilling when hearings resumed this week, had previously served as Budget and Control Board director under Haley and as former Gov. Mark Sanford's director of the Department of Insurance. She was forced out of Sanford's administration in a dispute over her handling of soaring insurance rates for coastal homeowners after Hurricane Katrina. Kitzman left Sanford's administration in 2007.

Afterward, former Texas Gov. Rick Perry named her insurance commissioner, but the Texas Senate rejected the nomination.

Kitzman told DHEC Board Chairman Allen Amsler in a letter that she was "retracting my acceptance of the Board's offer of employment."

"While it is not my nature or history to retreat when confronted with difficulty, I know from recent personal experience how this scenario plays out," she wrote in a letter. Haley spokeswoman Chaney Adams said Monday the governor did not ask Kitzman to withdraw her name from consideration. In a prepared statement, Amsler called Kitzman's decision "an unfortunate occurrence for DHEC and South Carolina."

DHEC attorney Marshall Taylor has been officially acting as the agency's interim director since former DHEC Director Catherine Templeton resigned in early January.



Kitzman

Title: **What's love got to do with politics?**

Author:

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What's love got to do with politics?

With apologies to Erich Segal: Love means never having to say you're sorry that you said President Barack Obama doesn't love America.

OK, so that sentence doesn't make sense.

Hey, neither does Rudy Giuliani refusing to say he's sorry for saying this last Wednesday night during a political dinner at Manhattan's 21 Club: "I do not believe, and I know this is a horrible thing to say, but I do not believe that the president loves America."

Nikki Haley is among the many who have rightly faulted the former New York mayor for saying that horrible thing to say. As our governor told The Washington Post of our president on Saturday while in our nation's capital: "Of course he loves his country."

Giuliani, after initially doubling down on the loveless theme, did soften his tone a bit in a guest column in Monday's Wall Street Journal, writing: "My blunt language suggesting that the president doesn't love America notwithstanding, I didn't intend to question President Obama's motives or the content of his heart."

But saying you were "blunt" isn't saying you were wrong — or sorry. And when you say what a man does or doesn't love, you *are* questioning the "content of his heart."

Then again, Giuliani also



FRANK WOOTEN

fairly wrote in that column: "Irrespective of what a president may think or feel, his inability or disinclination to emphasize what is right with America can hamstring our success as a nation. This is particularly true when a president is seen, as President Obama is, as criticizing his country more than other presidents have done, regardless of their political affiliation."

Yet regardless of your political affiliation, take a break from debates over Obama's bad habit of apologizing for America, who does and doesn't love America, and why Democrats routinely get away with saying mean stuff about Republicans but not vice versa.

Instead, with apologies to Bo Diddley, ask yourself:

Whom — make that what and where — do *you* love?

Endearment's limits

Lots of folks here, across the vast range of life-long residents to recent newcomers, say they love Charleston.

Large words on the cover of this month's Charleston magazine even proclaim: "Why We

Love Charleston So Much!"

Still, if you're among the relentlessly swelling multitudes who not only love Charleston but live in these parts, do you also love Awendaw, Folly Beach, Goose Creek, Hanahan, the Isle of Palms, James, Johns, Kiawah and Wadmalaw islands, McClellanville, Moncks Corner, Mount Pleasant, North Charleston, Sullivan's Island and/or Walterboro?

Do you love hearing cranky combatants in local policy battles accusing others of lacking love for the community?

Just try to recognize that you can love the Charleston area while being for — or against — the new cruise terminal, the completion of I-526, The Beach Co. plan for the Sergeant Jasper property, the proliferation of bicycles and a parking garage near Shem Creek.

But do we really have to love Columbia to love South Carolina — or Arkansas to love America?

Back to golden oldies: Jerry Butler (the singer, not the former Clemson wide receiver) had a No. 7 Billboard hit in 1960 with "He Will Break Your Heart," which he wrote with Clarence Carter and Curtis Mayfield. The grammatically challenged song's repeated message: "He don't love you like I love you."

Too many candidates — on both sides of the aisle — play variations on that theme of

superior devotion.

Sure, even U.S. natives who find serious fault with our country should love, if not America, then at least their grand luck in being born in it.

However, must popular demand forever preclude politicians from saying that they just *like* America as a friend?

And does the love-America premise make me un-American for pulling for Europe in Ryder Cup golf and Germany in World Cup soccer?

From agony to thrill

Before filing treason charges, keep in mind that my sports allegiances also extend to "America's Team" — the Dallas Cowboys, ousted from the NFL playoffs last month by hateful bad-call injustice.

Patriotic fervor aside, though, don't expect me to not root for Rusev, the Russian rasslin' bad guy managed by Vladimir Putin idolizer Lana.

Don't whine, either, about Rusev's triumphant, albeit controversial, U.S. title defense against all-American good guy John Cena on Sunday night at the "Fastlane" pay-per-view showdown in Memphis.

And if you were rooting for Cena, who's sorry now?

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Poll: S.C. voters back health care exchange

BY LAUREN SAUSSER
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Gov. Nikki Haley has said more than once this year that South Carolina should not set up its own health insurance marketplace — no matter what the U.S. Supreme Court decides this summer.

But a new poll suggests a majority of voters would

support Haley or the Legislature establishing one of these Obamacare exchanges if doing so meant residents here would continue to receive federal discounts to pay for coverage.

Nearly 60 percent of 800 voters interviewed in December would support the General Assembly and 52 percent would support Haley setting up an insurance marketplace in South Carolina.

Please see **HALEY**, Page A6

Poll



Should the state set up its own

health insurance marketplace? Go to **postandcourier.com/polls** to vote.

Poll: S.C. voters back health care exchange

HALEY, from A1

An upcoming Supreme Court decision will determine if shoppers who use HealthCare.gov to buy insurance, including nearly 200,000 customers in South Carolina, will continue to qualify for federal financial aid to lower the price they pay.

Depending on the court's decision, it's possible that only low- to middle-income shoppers in states that set up state-based insurance marketplaces will remain eligible for the discounts, which typically knock more than \$100 off the price of a monthly insurance premium.

"There's no telling which direction it's going to go. We're aware of the case and we'll just see what the Supreme Court

says," said S.C. Insurance Director Ray Farmer.

"Those folks that are receiving a subsidy, it will adversely affect them to some degree, but you have to think Congress will address it — whatever the decision is."

South Carolina and most other states did not set up state-based insurance marketplaces. Instead, they opted to use the federal insurance marketplace — commonly called by the name of its website, HealthCare.gov.

Robby Kerr, whose Columbia-based consulting firm commissioned the statewide poll on behalf of several clients in the health care industry, said he mainly wanted to gauge public perception regarding a contro-

versial state regulation governing hospital expansion in South Carolina.

Only two of 20 questions included in the poll asked voters about the state-based insurance exchange issue and they were nearly an afterthought, he said.

"It's a very complicated issue and we were just trying to see where the public's thought was trending more than drawing concrete conclusions on it," Kerr said.

Nearly 80 percent of people polled wouldn't need to use a federal or state-based insurance marketplace because they were insured through work or by Medicare. All of them voted in the 2010 and 2012 general elections.

Haley spokeswoman Chaney

Adams would not answer questions about an insurance marketplace in South Carolina on Monday.

Last month, Adams said Haley's decision not to create a state-based exchange was made because the federal government was putting the

cost and responsibility on the state without offering any flexibility.

"The right decision was made for South Carolina, and Governor Haley would make it again today," Adams said.

Members of a special committee tasked with determining whether this state should establish a state-based insurance exchange in 2011 said they were unaware at the time that these federal subsidies were at stake

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Tony Keck, who led the group and recently resigned as the state's Medicaid director, did not know if the committee's final recommendation would have changed, but said, "I would have advised (Haley) in a completely different way than I did if I had known that."

Reach **Lauren Sausser** at 937-5598.

By the numbers

Of the 216,380 South Carolin-

ians who enrolled in a new policy or renewed an existing policy through HealthCare.gov during 2015 open enrollment:

- 154,707 people have paid for their Affordable Care Act coverage.
- 90.57 percent qualified for a federal subsidy to help pay for their insurance.
- Their average age was 43.

— **Source:** S.C. Department of Insurance