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To: Veldran, KatherineKatherineVeldran@gov.sc.gov
Pitts, TedTedPitts@gov.sc.gov
Date: 4/9/2014 10:58:41 AM
Subject: Fw: Amendment changes

See Cathy Hazelwood's comments below.

Sent from Windows Mail

From: Hazelwood, Cathy
Sent: Wednesday, April 9, 2014 10:18 AM
To: Patel, Swati

Swati,

In a quick review the inclusion of judges appears to be in conflict with SCACR, Rule 501, Canon 4(C)(2). A judge isn't supposed to serve on a commission concerned with findings of fact. That's the first thing that jumped out at me. The Commission enforces the Rule 501 for several state agencies, to include the PSC, Worker's Comp., OHR and the ALJs, so that's why I'm familiar with Rule 501. Also probate judges are the focus Canon 5 and answer those questions all the time.

The dropping in of "shall serve ex-officio" does nothing as far as the dual office holding issue....to my mind. Making members of the commission "conduct themselves in accordance with the canons of judicial conduct" is also problematic, mostly for the legislators as Canons 4 and 5 very much restrict campaigning activity. They can't solicit campaign contributions, but must have a committee to do that. Their committee can't solicit contributions until a year before the election and 90 days after the election. I think someone just decided to drop in the "canons" without realizing that it's spelled with one n in the Rules and that it could pose a distinct campaign challenge.

Sections 3(A) and 3(B) seem to be at odds, in that the legislative ethics committees stay in place, but can come to the new office, but all their responsibilities have devolved to the new commission. I don't understand that.

Cathy

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From: Patel, Swati
Sent: Wednesday, April 09, 2014 9:27 AM
To: Hazelwood, Cathy
Subject: FW: Amendment changes

From: Patrick Dennis [<mailto:PatrickDennis@schouse.gov>]
Sent: Tuesday, April 08, 2014 5:14 PM
To: Patel, Swati
Subject: FW: Amendment changes

