

Title: **Bill bans oil companies from seizing property for pipelines in SC**
 Author: BY SAMMY FRETWELL sfretwell@thestate.com
 Size: 28.21 column inches
 Columbia, SC Circulation: 128564



Bill bans oil companies from seizing property for pipelines in SC

BY SAMMY FRETWELL
 sfretwell@thestate.com

Oil companies that want to lay pipelines through South Carolina will have to do so without seizing people's land, according to legislation approved this week by state lawmakers.

Responding to concerns that surfaced over a pipeline project last year, the state House of Representatives voted 89-3 Wednesday night for the legislation that supporters say will protect property rights. The Senate signed off on the legislation Thursday and sent the bill to Gov. Nikki Haley.

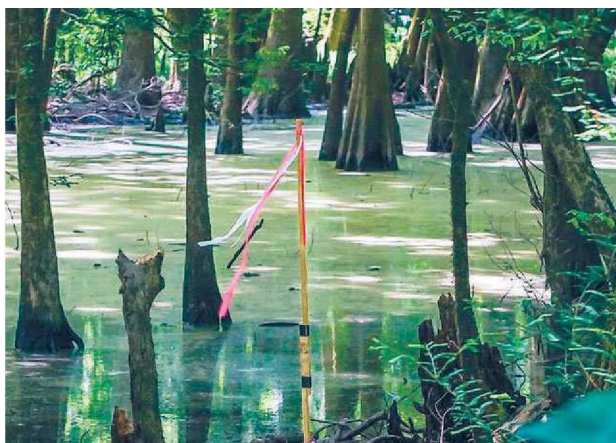
Haley's office had no immediate comment on

whether she would sign or veto the legislation.

The measure says private, for-profit oil pipeline companies won't be allowed to condemn land during the next three years. Over that time, lawmakers will decide whether to continue the ban.

"It's a landmark decision and affirmation in the state of South Carolina that we won't allow unregulated pipeline companies to abuse their authority," said Benton Wislinski, a lobbyist for the state Sierra Club and the Savannah Riverkeeper organization, both of which supported the legislation.

The Legislature's effort follows an uproar over the



FILE PHOTO / THE STATE

A stake marks the route of a proposed petroleum pipeline in Aiken County.

Kinder Morgan company's plan to run a petroleum pipeline from northwest S.C. to north Florida. The \$1 billion project would have covered 360 miles, beginning near Belton and extending through six S.C. counties. The pipe would have entered Georgia below Augusta.

Kinder Morgan suspended plans in March

after complaints from conservationists about the environmental impact and from landowners concerned about having their land condemned by the company. Kinder Morgan has said it did not want to condemn anyone's land. The company has said it preferred to strike sales agreements with landowners.

Title: **Fate of tourism development fee uncertain**
 Author: BY TOM O'DARE TOM.ODARE@MYHORRYNEWS.COM
 Size: 52.23 column inches
 Myrtle Beach, SC Circulation: 7503



Fate of tourism development fee uncertain

House is debating the possible future of the Tourism Development Fee

BY TOM O'DARE

TOM.ODARE@MYHORRYNEWS.COM

A lot of people in the Myrtle Beach area are keeping an eye on the South Carolina House of Representatives this week.

The House is debating the possible future of the Tourism Development Fee that went into effect in Myrtle

Beach in 2009 for 10 years.

At stake is a possible loss of millions of dollars in tourism marketing

revenues and for Myrtle Beach residents, a huge jump in what they pay in property taxes for their homes.

For visitors, it could mean a little less coming out of their pocketbooks when they spend money in Myrtle Beach.

The TDF is a 1 percent tax imposed in the city of Myrtle Beach on

prepared foods, retail sales, accommodations and mixed liquor drinks.

The tax expires in 2019 and must be

renewed by the state legislature to continue.

The TDF only affects counties that

See **TOURISM DEVELOPMENT FEE**, Page 2A

TOURISM DEVELOPMENT FEE:

Most revenues given to MB Area Chamber of Commerce

FROM PAGE 1A

get at least \$14 million in accommodations taxes each year.

That means the tax currently applies to only municipalities in Horry County with Myrtle Beach the only city using it.

At least 80 percent of the revenues from the TDF are earmarked for tourism marketing and in Myrtle Beach most of that money is given to the Myrtle Beach Area Chamber of Commerce to use.

Part of the TDF can also be used for property tax roll-

backs. That means a huge savings for residents of Myrtle Beach who have seen a little over 80 percent reduction on their tax bills for pri-

mary residences over the span of the current TDF.

County: Horry

Myrtle Beach Area Chamber of Commerce president Brad Dean said when the tax was first implemented, the law directed 100 percent of the revenues to marketing the first year and then in subsequent years the city was allowed to use part of the money for infrastructure and property tax relief.

"We wanted to make sure that when the tax was renewed, the property tax rollback remained from the beginning," Dean said. "It's very important to the residents of the city to get this relief."

Dean said the chamber receives around \$20 million a year from the TDF for marketing and the city gets \$5 million.

The original law allowed city councils to approve implementing the tax by a supermajority vote of the council.

The law also said a referendum could be held to allow the voters of the city to decide on the tax but the Myrtle Beach City Council decided not to go that route.

Last week, Governor Nikki Haley vetoed a House version of the TDF renewal because it said the city council could impose the tax again without a referendum of city voters.

"It is my belief that local tax increases-whether they are fees, property millage or local option taxes-should be al-

lowed only if the citizens subject to the tax agree to it through public referendum," Haley said. "Sustaining this veto would mark another win in the preservation of citizen participation in local government and provide for a more accountable local tax policy."

But all is not lost for the tourism development fee.

This week, the House is debating a Senate-sponsored bill that renews the TDF but only by a referendum of the city voters.

Haley says if the House passes this version, she will sign it into law because it fits her philosophy of giving citizens the right to vote on new taxes.

Senate bill 1122, sponsored by Horry County senators Luke Rankin, Ray Cleary and Greg Hembree, says the referendum can't be held earlier than within the calendar year which two years before the expiration of the original tax.

Myrtle Beach city spokesperson Mark Kruea said there has been some discussion of holding a referendum this year or next but nothing has been decided pending the outcome of the actions of the General Assembly.

Title: **Fate of tourism development fee uncertain**
Author: BY TOM O'DARE TOM.ODARE@MYHORRYNEWS.COM
Size: 52.23 column inches
Myrtle Beach, SC Circulation: 7503



Dean



Haley

Title: **LEGISLATURE'S \$7.5B SPENDING PLAN HEADING TO GOV. HALEY**
Author:
Size: 8.37 column inches
Myrtle Beach, SC Circulation: 61238



**LEGISLATURE'S \$7.5B
SPENDING PLAN
HEADING TO GOV. HALEY**
COLUMBIA

The Legislature has given final approval to a \$7.5 billion spending plan that increases spending on K-12 schools by more than \$300 million and provides technical colleges more than \$100 million for building improvements and equipment.

The House's vote Wednesday sends legislators' compromise to Gov. Nikki Haley, who has a week to issue her vetoes.

Legislators will return June 15 to deal with those vetoes before the fiscal year starts July 1.

The budget includes a 3.25 percent cost-of-living increase for state employees and a 2 percent raise for public school teachers. They will also see a step increase for experience, through 23 years in the classroom.

Other education increases include \$9 million to help recruit teachers to poor, rural districts and \$23 million for school buses.

Title: **Rising seas put brakes on developers expanding to ocean**
 Author: BY SAMMY FRETWELL sfretwell@thestate.com
 Size: 51.30 column inches
 Myrtle Beach, SC Circulation: 61238



Rising seas put brakes on developers expanding to ocean

Freeze on encroaching development needed as rising seas threaten coast, boosters say

Kiawah project has two years to develop road

Bill prevents moving development closer to ocean

BY SAMMY FRETWELL

sfretwell@thestate.com

COLUMBIA

After years of debate, South Carolina took steps Wednesday to stop developers from building high-rise hotels, condominium buildings and other major projects close to the ocean after taxpayers spend money to renourish public beaches.

The S.C. House passed a bill that will close a loophole in state law that has allowed new construction closer to the ocean when renourishment projects temporarily widen the seashore.

While the legislation gives a short-term reprieve to developers at Kiawah Island and other places, the lower chamber's action is considered a significant, long-term step to prevent construction farther out on the beach at a time of rising sea levels.

FROM PAGE 3A

OCEAN

cottages, hotels and other structures, according to a 2013 climate assessment by more than 100 scientists and researchers. The state has experienced a 1-foot rise in sea level in the past century, federal officials say.

Specifically, state law has allowed the Department of Health and Environmental

The Senate already has passed the bill, meaning the measure now goes to Gov. Nikki Haley for final approval following a routine final vote in the House. The new restrictions are to take effect in 2018. The House vote was unanimous Wednesday.

Tightening the law "means our beachfront is protected from ill-advised development," said Katie Zimmerman, an official with the S.C. Coastal Conservation League in Charleston. "We have communities now trying to retroactively solve problems that resulted from building too close to the ocean. Now, we have a strong policy in place that will prevent further (construction) from going forward in areas where it should not."

South Carolina has strug-

gled for decades with how to control oceanfront development in a state that attracts millions of visitors to its beaches every year. A 1988

state law was intended to gradually push development back from the oceanfront because of concerns about property damage and the loss of public beach when people build too close to the sea.

The law never accomplished that goal because of legal challenges, exemptions and a loophole that allowed new seaside development even closer to the ocean after renourishment projects widened beaches. That occurred in parts of Hilton Head Island and at Cherry Grove, a section of North Myrtle Beach with a history of flooding, The State newspaper has found. Taxpayers, at one

point, had spent \$60 million widening beaches before regulators allowed new development to move toward the sea.

Critics have said it's a bad policy because the extra sand will eventually wash away, exposing more intense development to hurricanes and rising sea levels. Several years ago, a special coastal study panel recommended closing the loophole as sea level rise became an increasing concern.

Fueled by the Earth's changing climate, sea levels are expected to rise anywhere from 1 to 5 feet along the South Atlantic coast by the end of the 21st century, threatening oceanfront beach

SEE OCEAN, 11A

Control to move an imaginary line that restricts development toward the ocean when beaches build up. The agency resets the line every eight to 10 years and can also move it landward when beaches erode. The new law freezes the line from ever being moved seaward after Dec. 31, 2017.

Because the bill approved by the House doesn't take effect until the end of 2017, developers have a chance to ask DHEC once more to move development lines seaward. The agency would make a determination based in part on historic erosion rates, but those decisions can be challenged.

At Kiawah Island, developers at Captain Sam's spit have argued that the beach is building up naturally, so the line should be moved toward the ocean. They succeeded in holding up the bill and having the effective date of the law delayed. Moving the line seaward is important to give developers



Title: **Rising seas put brakes on developers expanding to ocean**
 Author: BY SAMMY FRETWELL sfretwell@thestate.com
 Size: 51.30 column inches
 Myrtle Beach, SC Circulation: 61238

room to construct the high-end project because Captain Sam's spit is so narrow.

The push to delay the effective date of the freeze produced a series of heated exchanges in the Legislature, including a dispute between a representative of Kiawah

Development Partners and a state House member. Those

attending a recent committee meeting said the exchange occurred after the committee decided not to delay the date of the line beyond 2018.

Wendy Kulick, a Kiawah Island resident for 27 years, said the bill is good for South Carolina overall, but she said it's a shame the freeze on the seaward

march of development doesn't take effect immediately. Kiawah developers have fought for a decade to build the project, with many of the battles in court.

"They've been thwarted at every opportunity and now they have turned to the Legislature to try to amend a fabulous bill that would

protect the coastline," said Kulick, who traveled to Columbia last week to monitor the progress of the bill at the Legislature.

Title: **\$4 billion plan to repair roads heads to Haley**
 Author: BY CASSIE COPE ccope@thestate.com
 Size: 49.44 column inches
 Columbia, SC Circulation: 128564



\$4 billion plan to repair roads heads to Haley

House approves \$4 billion in road-repair spending

Nearly 400 bridges would be replaced

Governor gets more control over DOT

BY CASSIE COPE
ccope@thestate.com

A \$4 billion spending plan, sent Wednesday to Gov. Nikki Haley, is a start — but not a fix — to repairing South Carolina's crumbling roads, road-repair advocates said.

The plan includes repairing Malfunction Junction, replacing nearly 400 bridges and giving the governor more control of the state Transportation Department. It raises

roughly 10 percent of the money needed for road repairs.

The proposal approves using about \$200 million a year to borrow, via bonds, for Transportation Department projects

through the S.C. Transportation Infrastructure Bank.

The money would come from diverting revenue

SEE ROADS, 5A is roughly \$500 million more than last year.

Tuesday deadline for governor's budget vetoes

Republican Gov. Nikki Haley has until midnight Tuesday to send lawmakers any vetoes of the state's roughly \$7.5 billion general fund budget. That budget

The budget includes more than \$300 million in added spending for K-12 schools. It also includes a 3.5 percent pay raise for state employees who are paid from the general fund, with federal money or from "other" funds, including fines and fees.

FROM PAGE 3A

ROADS

from some fees collected by the state Department of Motor Vehicles and the amount raised by the state's sales taxes on vehicles, capped at \$300.

With other Transportation Department money, the bill would yield \$4 billion for road and bridge repairs. Roughly \$40 billion is needed to get the state's transportation system in excellent condition, the Transportation Department and others say.

"We've got so many crumbling roads and bridges in our state," said

Bill Ross, executive director of the S.C. Alliance to Fix Our Roads. Some roads and bridges have deteriorated to the point that they have to be replaced completely, which costs more, Ross said.

The road-repair plan is "a great start," said Rep. Gary Simrill, R-York, who sponsored a gas-tax increase to pay for road repairs that passed the S.C. House in 2015. A higher "gasoline tax is really the only long-term solution" that is not subject to the ups and downs

of the state budget, Simrill said Wednesday.

S.C. Chamber of Commerce president Ted Pitts applauded lawmakers for "allocating resources to begin to bring South Carolina's roads out of the disrepair that has hindered commerce and jeopardized the safety of our citizens for too long."

Still, Pitts, a former chief of staff of Gov. Haley, said his business-advocacy group "will continue the work with our state's leaders to find the long-term solution South Carolinians deserve."

S.C. House Speaker Jay Lucas, R-Darlington, urged Haley to sign the roads proposal. "The people of South Carolina should not have to wait any longer for their dangerous roads and bridges to be repaired," said Lucas, who lashed out Tuesday at the Senate and Haley over the then-stalled roads bill.

In a statement, Senate President Pro Tempore Hugh Leatherman, R-Florence, said the roads bill is "a tremendous starting step toward fixing deficient roads and

Title: **\$4 billion plan to repair roads heads to Haley**
 Author: BY CASSIE COPE ccope@thestate.com
 Size: 49.44 column inches
 Columbia, SC Circulation: 128564

bridges throughout South Carolina.”

The added money could not be used to build any new roads, including

building Interstate 73 to Myrtle Beach.

Under the plan, the governor would appoint all eight members of the

commission that oversees the Transportation Department. Those appointees would have to be approved by legislators,

who now appoint seven of the eight commissioners.

Cassie Cope: 803-771-8657, @cassielcope



MATT WALSH mwals@thestate.com

Cars travel I-26 near Columbia, nicknamed Malfunction Junction. Repair funds are in the latest road plan.

Title: **Haley targets another senator in GOP primary**
 Author: BY JAMIE SELF jself@thestate.com
 Size: 37.51 column inches
 Columbia, SC Circulation: 128564



Haley targets another senator in GOP primary

BY JAMIE SELF

jself@thestate.com

Gov. Nikki Haley and a political committee supporting her agenda are backing yet another GOP primary opponent to a longtime state senator.

Haley is expected to endorse

Republican Wes Climer, a Rock Hill financial adviser, who is running to unseat state



Sen. Wes Climer Hayes of Rock Hill in the June 14 primary.

Haley will campaign with Climer, a former York County GOP chairman, at a barbecue at his

home next Thursday at 6 p.m., Climer said Wednesday.

The pro-Haley political group, A Great Day SC, also is running an ad in Hayes' district. The ad accuses Hayes of siding with "liberals" and says voters "can do better" with Climer, 33.

"Wes Climer is a conservative businessman who is leading the fight

for term limits, lower taxes and good government reform," Haley said in Climer's campaign release. "If we are going to change the way the Senate works, we are going to have to change senators."

The endorsement pits Haley against Hayes, 63, who has been in the state Senate since 1991 and,

SEE ENDORSE, 7A

FROM PAGE 3A

ENDORSE

previously, was in the S.C. House from 1985 to 1991.

Hayes says he sees himself as an ally to the governor on several issues, adding he is "disappointed" Haley is backing his opponent.

"I've worked closely with the governor, particularly on the roads issues. We were able to pull together, I think, a package she can support with no tax increase, and I led the effort on that," Hayes said of a Senate plan to spend more money on roads without raising the gas tax.

"I've been working with her on ethics reform," added Hayes, whom Haley praised in her 2014 State of the State address for his work on ethics-

related legislation.

Hayes, who chairs the Senate panel tasked with overseeing K-12 spending in the state budget, said he also led the effort to include in the budget a Haley-backed initiative to encourage teachers to move into poor, rural school districts.

Haley adviser Tim Pearson said, "Hayes is a nice man who was elected as a Democrat 30 years ago, and, while he changed parties, he never changed his mind."

Hayes supported a Senate Finance Committee plan to raise the gas tax without any income-tax cut and efforts "to borrow millions of dollars to build fancy new buildings at our universities," Pearson said.

"The governor believes that after three decades of Sen. Hayes in Columbia, it's time for new leadership in York County," added Pearson, who runs the pro-Haley PAC.

The gas-tax hike, which failed, was one of many aimed at fixing the state's roads.

Hayes said he supported the gas-tax hike "mainly to move it forward" out of committee.

But the senator also said he supported other Haley goals, including reforming the state Transportation Department.

Having pledged to campaign against lawmakers who have not supported her agenda, Haley is getting involved in other state Senate races.

Haley is endorsing opponents of Senate President Pro Tempore Hugh Leatherman, R-Florence, and Sen. Luke Rankin, R-Horry.

The governor also has endorsed a GOP candidate in the primary race to succeed state Sen. Ray Cleary, R-Georgetown, who is not seeking re-election.

If he wins re-election, Hayes said he will not hold Haley's opposition against her.

"I plan to continue to respect the office of the governor, and if she's advocating a strong position for South Carolina, I will be with her."

Jamie Self: 803-771-8658, @jamiemself

Title: **SC prisons agree to reforms for mentally ill inmates**
 Author: BY JOHN MONK jmonk@thestate.com
 Size: 74.24 column inches
 Columbia, SC Circulation: 128564



SC prisons agree to reforms for mentally ill inmates

Agreement appears to end long-running class-action lawsuit

Mental health advocates sued prison system in 2005

State commits to spending nearly \$9 million to upgrade treatment, conditions

BY JOHN MONK
jmonk@thestate.com

An estimated 3,500 mentally ill inmates in the S.C. Department of Corrections could see sharply upgraded treatment as the result of a tentative agreement reached after 11 years of contentious litigation and negotiations.

The agreement in the long-running class action lawsuit is between the South Carolina-based Protection and Advocacy for People with Disabilities Inc. and the Department of Corrections, according to a joint news release Wednesday from both parties.

FROM PAGE 1A

PRISON

plan, which includes increased training for corrections staff who deal with inmates with serious mental illnesses.

- Develop a screening and evaluation program to identify inmates in need of mental health care.

- Develop a program that ends isolating inmates going through mental health crises and adopts national standards in dealing with mentally troubled inmates.

- Institute proper medication protocols for mentally ill prisoners and keep accurate records.

ment of Corrections, according to a joint news release Wednesday from both parties.

The settlement commits the state to spend about \$1.7 million in one-time money for facilities upgrades at the department's mental health units, with another \$7 million annually to add some 70 workers. The \$7 million increase, which also includes increased staff training, will be phased in over three years and includes some pay

increases for underpaid current employees. The money for the second year was in the budget passed by the state Legislature on Wednesday.

Major features of the proposed settlement, which still must be approved by a judge, include:

- An independent process to monitor implementation of the

SEE PRISON, 2A

- Begin a program to identify, treat and supervise inmates who might be suicidal.

"This is, possibly, an historic day for justice, one we have been seeking for a decade," Gloria Prevost, executive director of Protection and Advocacy for People with Disabilities Inc., said in a prepared statement.

"For years we met with stone cold resistance to anything resembling fairness and justice. It was only after Governor Haley appointed Bryan Stirling SCDC director that pro-

gress was made. Our many discussions convinced us that the new leadership genuinely desired to do the right thing."

Stirling, prison director, acknowledged the change in a prepared statement.

"This settlement marks the end of one chapter and the beginning of another with changes in culture, policy and procedure at SCDC. We will continue the movement towards rehabilitation and comprehensive care for a safer South Carolina," he said.

The agreement establishes measurements that have strict timetables and will be supervised by a panel of independent national experts. The test for satisfaction of the standards is that SCDC would have to achieve and maintain compliance with each component of the plan for at least 18 months.

SCDC will have four years to implement the remedial guidelines.

"This is a critical agreement whose implementation can end a dark chapter in South Carolina his-

Title: **SC prisons agree to reforms for mentally ill inmates**
 Author: BY JOHN MONK jmonk@thestate.com
 Size: 74.24 column inches
 Columbia, SC Circulation: 128564

tory in which offenders with serious mental illnesses were subjected to abject brutality and neglect, much of which was captured on video and shocked the nation when shown in open court," a news release approved by the parties said.

Wednesday's announcement comes more than two years after S.C. Judge Michael Baxley, after a non-jury trial, found the state Department of Corrections was so substandard in treating mentally ill inmates that the treatment was unconstitutional and amounted to cruel and unusual punishment.

"Evidence in this case has proved that inmates have died in the S.C. Department of Corrections for lack of basic mental health care," Baxley wrote in his 45-page order, filed

in January 2014.

Baxley, of Hartsville, called the lawsuit "the most troubling" of the 70,000 cases he has handled in his 14 years on the bench.

"Hundreds more remain substantially at risk for serious physical injury, mental decompensation, and profound, permanent mental illness," wrote Baxley. He cited numerous individual cases as evidence of "a system that is inherently flawed in many respects, understaffed, underfunded and inadequate."

Baxley ordered the opposing sides to come up with a plan rather than continuing to fight in court. He found that evidence in the case showed that for more than 10 years, the state prison system has known "its

mental health program is systemically deficient and exposes seriously mentally ill inmates to a substantial risk of serious harm."

The settlement had its origins in a class action lawsuit filed in 2005 in circuit court in Richland County. Several prison inmates – identified only by their initials – as well as Protection and Advocacy for People with Disabilities brought the lawsuit.

It could not be learned Wednesday how much taxpayer money was spent fighting the lawsuit. Prison officials hired the Columbia law firm of Davidson & Lindemann to defend the agency. Agency private lawyers had contended at trial that any abuses cited by the plaintiffs were extreme and that the court did not have the authority to tell the state prison

system what to do.

The lawsuit did not seek damages, but only to force the state prison department to develop and fund a "reasonable and adequate system for the mental health care of inmates suffering from mental illness," according to a complaint in the case.

The case is apparently the most sweeping legal victory for inmates' rights in South Carolina since the case of inmate Gary Wayne Nelson vs. Leeke in the early 1980s.

The mental illness case actually began in 2002, when Nelson Mullins lawyers were approached by the Protection and Advocacy group and the Death Penalty Resources Center, both of which had clients suffering from mental illness who were in the prison system.

Title: **Measure slows builders' march toward ocean**
 Author: BY SAMMY FRETWELL sfretwell@thestate.com
 Size: 70.06 column inches
 Columbia, SC Circulation: 128564



Measure slows builders' march toward ocean

Freeze on encroaching development needed as rising seas threaten coast, boosters say

Kiawah project has two years to develop road before freeze takes effect

BY SAMMY FRETWELL

sfretwell@thestate.com

After years of debate, South Carolina took steps Wednesday to stop developers from building high-rise hotels, condominium buildings and other major projects close to the ocean after taxpayers spend money to renourish public beaches.

The S.C. House passed a bill that will close a loophole in state law that has allowed new construction closer to the ocean when renourishment projects temporarily widen the seashore.

While the legislation gives a short-term reprieve to developers at Kiawah Island and other places, the lower chamber's action is considered a significant, long-term step to prevent construction farther out on the beach at a time of rising sea levels.

The Senate already has passed the bill, meaning

the measure now goes to Gov. Nikki Haley for final approval following a routine final vote in the House. The new restrictions are to take effect in 2018. The House vote was unanimous Wednesday.

Tightening the law "means our beachfront is protected from ill-advised development," said Katie Zimmerman, an official with the S.C. Coastal Conservation League in Charleston. "We have communities now trying to retroactively solve problems that resulted from building too close to the ocean.

Now, we have a strong policy in place that will prevent further (construction) from going forward in areas where it should not."

South Carolina has struggled for decades with how to control oceanfront development in a state

that attracts millions to its beaches every year. A 1988 state law was intended to gradually push development back from the oceanfront because of concerns about property damage and the loss of public beach when people build too close to the sea.

The law never accomplished that goal because of legal challenges and exemptions. But it also contained a loophole that allowed new seaside development even closer to the ocean after renourishment projects temporarily widened beaches. That occurred in parts of Hilton Head Island and at Cherry Grove, a section of North Myrtle Beach with a history of flooding, The State newspaper has found. Taxpayers, at one point, had spent \$60 million widening beaches before regulators allowed new

development to move toward the sea. Several years ago, a study panel recommended closing the loophole as sea level rise became a concern.

Fueled by Earth's changing climate, sea levels are expected to rise 1 to 5 feet along the South Atlantic coast by the end of the 21st century, threatening oceanfront beach cottages, hotels and other structures, according to a 2013 climate assessment by more than 100 scientists and researchers.

State law has allowed the Department of Health and Environmental Control to move an imaginary line that restricts development toward the ocean when beaches build up — whether naturally or artificially. The new law freezes the line from ever being moved seaward after Dec. 31, 2017.

Title: **Measure slows builders' march toward ocean**
Author: BY SAMMY FRETWELL sfretwell@thestate.com
Size: 70.06 column inches
Columbia, SC Circulation: 128564



TIM DOMINICK/THE STATE

Developers built towering condominium projects on land that was freed from oceanfront building restrictions at Cherry Grove in North Myrtle Beach.

Title: **Finally, a glimpse of sanity on beachfront**
 Author: The Editorial Board
 Size: 35.18 column inches
 Hilton Head Island, SC Circulation: 20015



EDITORIALS

Finally, a glimpse of sanity on beachfront

The Editorial Board

A good, strong dose of sanity was delivered last week by the General Assembly on the tricky issue of ocean-front development.

The new law passed at long last and sent to the governor will draw a line in the sand.

It will stop development from inching ever closer to the ravaging sea.

South Carolina tried to get a handle on this problem with the 1988 Beachfront Management Act. It drew a line in the sand based on years of erosion data. It prohibited construction seaward of that line.

It was a progressive law, based on the science and common sense of a very simple principle: retreat from the encroaching ocean.

But loopholes were used to circumvent that sound principle.

We trust the new law closes the loopholes.

Under the Shoreline Management Bill (S. 319), that line in the sand will never move seaward after Dec. 31, 2017.

Developers, property owners and even some local governments got around the restriction by arguing that the baseline should move seaward if sand built up on the beach after taxpayers spent tens of millions of dollars in beach nourishment projects. But moving the baseline seaward is pure foolishness because that sand buildup is usually only temporary. You can fool state law, and you can fool a court of law, but you cannot fool Mother Nature.

State Rep. Bill Herbkersman of Bluffton sponsored the House version of the bill.

He says it grew out recommendations of the 2011

Blue Ribbon Committee on Shoreline Management that he served on and Wes Jones of Bluffton chaired. To show how long this bit of common sense took to enact, the original legislation said the baseline would never move seaward from the position it occupied in June 2011.

As Herbkersman explained: "If we move the baseline seaward to account for a temporary event, when that event reverses, any buildings that were built during the previous years are in jeopardy. Property owners then want permission to build protective structures, even though we know that these structures increase erosion on neighboring properties."

Also, it is always the general public (taxpayers) who get stuck with the bill when foolish construction demands more beach restoration, and when losses skewer the flood insurance and wind and hail insurance rates for everyone.

State Rep. Weston Newton of Bluffton and state Sen. Chip Campsen of Charleston, whose district includes parts of Beaufort County, are also credited with helping get this bill passed.

It's overdue.

A statement from the Coastal Conservation League based in Charleston, which has pushed for these reforms for more than a decade, tells why it matters to the general public.

"When Gov. (Nikki) Haley signs S. 139, South Carolina's shoreline will have a baseline that never moves seaward — a delineation that establishes a seaside boundary for construction — protecting our beaches and the communities that depend on them."

Title: **S.C. ethics reforms stalled after 4 years of debate**
 Author: BY JAMIE SELF jself@thestate.com
 Size: 73.31 column inches
 Rock Hill, SC Circulation: 34688



S.C. LEGISLATURE

S.C. ethics reforms stalled after 4 years of debate

House, Senate disagree on when to make ethics investigations public

Independent investigations, income disclosure could be adopted during mid-June session; little progress made on other proposals

BY JAMIE SELF

jself@thestate.com

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 Senate 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 clarify 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.

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



Title: **S.C. ethics reforms stalled after 4 years of debate**
 Author: BY JAMIESELF jself@thestate.com
 Size: 73.31 column inches
 Rock Hill, SC Circulation: 34688

and given.”

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

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.

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.