

From: Mottel, Haley <HaleyMottel@gov.sc.gov>
To: Schimsa, Rebecca <RebeccaSchimsa@gov.sc.gov>
Veldran, Katherine <KatherineVeldran@gov.sc.gov>
Date: 5/22/2014 4:04:26 PM
Subject: FW: H. 5195 Proposal Language

Sorry! I meant to include you both!

From: Mottel, Haley
Sent: Thursday, May 22, 2014 4:02 PM
To: Baker, Josh
Subject: FW: H. 5195 Proposal Language

Hey! Just to keep you both in the loop.

Zeb sent the email below regarding the 2 suggested vehicles that Josh found. Do we have a good argument to ask him to attempt to use the language anyway on the second bill?

Thank you!
Haley

From: Zeb Williams [<mailto:ZebWilliams@scstatehouse.gov>]
Sent: Thursday, May 22, 2014 3:56 PM
To: Mottel, Haley
Subject: RE: H. 5195 Proposal Language

Good afternoon, Haley.

I'm sorry this week has been so crazy for me, but now that the General Assembly has adjourned for the week, I am re-engaging on H. 5195. I was initially very optimistic about the first of the two bills you found (H. 3268) serving as a vehicle upon which to attach statewide remedy for the Palmetto Rural Fire District's membership problem. Unfortunately, H. 3268's identical Senate companion bill (S. 295) was enacted into law last year (Act 20 of 2013). The other bill you identified (S. 293) deals exclusively with the Murrell's Inlet - Garden City Fire District, the statutory authority for which is found in Chapter 23 of Title 4 pertaining to joint county fire districts, which, regrettably, the Palmetto Fire District is not. I'll make another pass through the digest in a search for something germane. Of course, if you find something else, please let me know.

Thanks again,

Zeb

From: Mottel, Haley [<mailto:HaleyMottel@gov.sc.gov>]
Sent: Wednesday, May 21, 2014 12:13 PM
To: Zeb Williams
Subject: Re: H. 5195 Proposal Language

Thank you! I really appreciate all of your help!

Sent from my iPhone

On May 21, 2014, at 12:11 PM, "Zeb Williams" <ZebWilliams@scstatehouse.gov> wrote:

Haley:

I'm so sorry, but the Deputy Director detailed me to work the House amendments to the Ethics bill today. I'll return to this when the House finishes with H. 3945.

Thanks!

-Z

From: Mottel, Haley [<mailto:HaleyMottel@gov.sc.gov>]
Sent: Wednesday, May 21, 2014 12:05 PM
To: Zeb Williams
Subject: Re: H. 5195 Proposal Language

Were you able to determine if there was a good vehicle out there?

Thank you!
Haley

Sent from my iPhone

On May 20, 2014, at 8:41 PM, "Zeb Williams" <ZebWilliams@scstatehouse.gov> wrote:

I'm happy to look into it. Thanks,

-Z

Sent from my iPhone.

On May 20, 2014, at 6:32 PM, "Mottel, Haley" <HaleyMottel@gov.sc.gov> wrote:

Zeb,

Would it be possible to look into using H. 3268 or S.293 as a vehicle for this language? I appreciate your help with this!

Thank you,
Haley

From: Mottel, Haley
Sent: Tuesday, May 20, 2014 1:05 PM
To: 'zebwilliams@scstatehouse.gov'
Cc: 'robertwilliams90@aol.com'
Subject: H. 5195 Proposal Language

Zeb,

Please see the proposed language below regarding H. 5195. Please let me know if you have any questions.

Purpose: To provide a statewide remedy to fill vacancies on local boards whereby vacancies were caused or went unfulfilled due to the failure of candidates to file or qualify for election.

Proposal: In the event of a vacant seat on a board of a special purpose fire district due to the failure of qualified candidates to file or qualify for election, provided that no other method to fill a vacancy exists, the county's governing body shall appoint a qualified* person to the board to serve until the next

election** when his successor is elected and qualified***.

**Here, qualified denotes that each fire district may have varying qualifications, including but not limited to residency requirements, that this proposal would seek to maintain.*

***Here, a provision may want to be added that would allow for reappointment or that would set a number of terms.*

****Here, this language is necessary to ensure that an appointee serves until a person can be elected and qualify to take office, which is important to ensure there is no vacancy the day after election (i.e. from November of one year until January of the next year).*

Background: There are similar remedies in the State Constitution and in the Code that provide for alternative methods of appointment or election should vacancies exist or go unfulfilled. This proposal complies with Home Rule, as a statewide provision, and with the spirit of Home Rule, by assigning the appointment authority to a local entity rather than to a legislative delegation. Also, this proposal leaves the original method of board selection intact, allowing the opportunity for future candidates to run for office with the intent of the original act.

Thank you,
Haley

Haley Mottel
Legislative Liaison
Office of Governor Nikki R. Haley
Office: (803) 734-0082
Mobile: (803) 240-1512
HaleyMottel@gov.sc.gov