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Senate ethics bill not tough enough

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Thursday's passage of an ethics bill in the Senate was accompanied by an effusion of self-congratulation for a job well done. It's too soon to celebrate. The Senate bill omitted too many essentials for ethical oversight and accountability.

At this point, it's nothing to write home about, much less to cheer.

Or as Sen. Vincent Sheheen, D-Kershaw, said, the bill is "pretty close to nothing."

Gov. Nikki Haley also cited its shortcomings, describing it as an "income disclosure bill." And it doesn't even do a good job of that. It requires officeholders to disclose the sources of income but not the amounts.

The bill's biggest flaw, however, is its failure to provide for either independent investigation or adjudication of legislative ethics complaints.

That is essential for accountability and, in fact, is required in ethics cases involving every other elected official in South Carolina, including the governor.

Eliminating the collegial aspects of legislative ethics review was a central recommendation of Gov. Haley's committee on ethics reform, which last year presented the Legislature with solid, comprehensive guidelines for a strong reform bill. The House should dust off its copy of the committee's recommendations when it takes up ethics reform, presumably this month.

Among the other recommendations made by the governor's committee - which was chaired by former attorneys general Henry McMaster and Travis Medlock - were detailed financial disclosures for lawmakers. As noted, the Senate bill goes about halfway to that goal.

The Senate bill does eliminate leadership political action committees, through which big bucks have been funneled to legislative campaigns, without adequate accompanying data. That, too, was a recommendation of the governor's ethics panel.

But the bill does nothing to address the continued ability of House and Senate members to police the ethics of their colleagues through their respective ethics committees.

While the S.C. Constitution states that the Legislature may be the judge of members' behavior, legislators have the option to limit that role, and provide for independent review and judgment.

Absent that key change, the perception will remain that lawmakers are merely foxes guarding the henhouse. Or is that the reality?

It's been 22 years since the Legislature tightened up the ethics laws governing its members. There was extensive debate on ethics reform last session, and the Legislature should be prepared to advance a meaningful bill.

Such legislation was expected to be one of the hallmarks of the session. But the Senate bill fails the test.

The House needs to do better.

Absent a strong ethics bill this session, the only possible conclusion to be drawn would be that the Legislature isn't really serious about reform. Except to talk about it.