

SCPHA Legislative Committee Annual Report
May 19, 2009
Reported by: Michael Chappell

The Legislative Committee is having a very busy year in regard to monitoring legislation for Session 118 (2009-2010). The selected topics for this year legislative focus included:

- Cigarette tax increase

I. Legislative Topics:

A. Cigarette Tax Increase

H 3584 General Bill, By Harrell, Bingham, Cooper, Harrison, Owens, Sandifer, White, Crawford, Bannister, Huggins, Sottile, Spires, Herbkersman, Loftis, Bowen, Erickson, Daning, Hardwick, J.R. Smith, Pinson, Toole, Brady, Clemmons, Edge, Forrester, Frye, Gullick, Hearn, Hiott, Horne, Kelly, Littlejohn, Long, E.H. Pitts, Rice, Skelton, D.C. Smith, G.M. Smith, Whitmire, Wylie, Gunn, Limehouse, Willis, J.E. Smith and Bales.

Similar (H 3470, H 3486)

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-625 SO AS TO IMPOSE A SURTAX ON EACH CIGARETTE IN AN AMOUNT OF TWO AND ONE-HALF CENTS, PROVIDE FOR THE CREDITING OF THE REVENUE FROM THE SURTAX TO THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE DEPARTMENT OF AGRICULTURE FOR MARKETING AND BRANDING STATE-GROWN CROPS AND TO ASSIST IN RELIEF FROM NATURAL DISASTERS AFFECTING STATE-GROWN CROPS, THE SOUTH CAROLINA HEALTHY FAMILIES INSURANCE TRUST FUND, AND THE PALMETTO HEALTH CARE SAFETY NET TRUST FUND, PROVIDE FOR REPORTING, PAYMENT, COLLECTION, AND ENFORCEMENT OF THE SURTAX, AND DEFINE "CIGARETTE"; TO AMEND SECTION 12-21-620, RELATING TO THE ORIGINAL CIGARETTE TAX, SO AS TO CONFORM DEFINITIONS; BY ADDING SECTION 11-11-230 SO AS TO CREATE AND ESTABLISH IN THE STATE TREASURY THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE SOUTH CAROLINA HEALTHY FAMILIES INSURANCE TRUST FUND, AND THE PALMETTO HEALTH CARE SAFETY NET TRUST FUND, ALL SO AS TO RECEIVE DEPOSITS OF THE REVENUES FROM THE CIGARETTE SURTAX AS SPECIFIED; BY ADDING CHAPTER 62 TO TITLE 38 SO AS TO CREATE AND ESTABLISH THE SOUTH CAROLINA HEALTHY FAMILIES INSURANCE PLAN, PROVIDING FOR A PREMIUM CREDIT NOT TO EXCEED THREE THOUSAND DOLLARS TO AN ELIGIBLE INDIVIDUAL OR EMPLOYER TOWARD THE PURCHASE OF A QUALIFYING HEALTH INSURANCE PLAN, DESCRIBING ELIGIBILITY REQUIREMENTS AND THE CERTIFICATION PROCESS, DEFINING THE QUALIFYING INDIVIDUALLY OR EMPLOYER-SPONSORED INSURANCE PLANS, AND PROVIDING FOR ADMINISTRATION AND REPORTING BY THE DEPARTMENT OF INSURANCE; AND BY ADDING SECTION 38-74-75 SO AS TO CREATE THE PALMETTO HEALTH CARE SAFETY NET PROGRAM, ESTABLISHING A SELF-SUSTAINING AND FINANCIALLY INDEPENDENT PORTION OF THE PREMIUM ASSISTANCE POOL, AND PROVIDING FOR ELIGIBILITY REQUIREMENTS, ADMINISTRATION, AND REPORTING BY THE DEPARTMENT OF INSURANCE AND OPERATING GUIDELINES.

Current status: 05/07/09 Senate Committee report: Favorable with Amendment Finance SJ-17. With the shortened session tentatively scheduled to end May 23, 2009, the emphasis will be on the budget. It is unlikely that the bill will pass during this session.

B. State Employee Legislative Issues – Free Standing Legislation

Freestanding legislation of concern and its current status: These bills cannot be signed into law this session because they did not meet the May 1 legislative crossover deadline. However, they are still alive in their respective chambers through the next legislative year.

1. **Senate Bill 242**, sponsored by Sens. Greg Ryberg, Larry Martin, Kevin Bryant, Michael Fair, Jake Knotts, Tom Davis, William O'Dell, Lee Bright and Danny Verdin, would close the Teacher and Employee Retention Incentive (TERI) program to new participants, effective July 1, 2009. Referred to Finance Subcommittee. Carried over for further consideration.

2. **House Bill 3009**, sponsored by Reps. Herb Kirsh, Lanny Littlejohn, David Umphlett and James Stewart, would close the Teacher and Employee Retention Incentive (TERI) program to new participants, effective July 1, 2009. Referred to Ways and Means Committee. No further action at this time.

3. **Senate Bill 212**, sponsored by Sens. Greg Ryberg, Michael Rose, Tom Davis and Vincent Sheheen, would re-establish full retirement eligibility from 28 years to 30 years of service for a non-vested member of the system on the effective date of the act. Referred to Finance Subcommittee. Carried over for further consideration.

4. **Senate Bill 109**, sponsored by Sen. Greg Ryberg, would direct the Budget and Control Board to charge state employees who participate in the state health plan an additional \$25 a month if the employee is obese. Referred to Finance Subcommittee. Carried over for further consideration.

5. **House - 80A.39** (BCB: FY 09-10 Employee Compensation)

No pay increase for active state employees. **Senate** - Deleted proviso. However, no funds were allocated for a state employee pay increase. It is highly unlikely that a pay raise will be funded this session.

Douglas E. Bryant – Legislator of the Year Award

With great significance to SCPHA is the ***Douglas E. Bryant Legislator of the Year Award***. The Legislative Committee was mindful of the task at hand to bestow this honor on a deserving legislator. The Legislative Committee reviewed two (2) nominations for the Legislator of the Year Award and presented its recommendation to Governing Council for approval at the April 2009 Governing Council meeting. Governing Council approved the Legislative Committee recommendation of both Senator Ralph Anderson and Representative Gilda Cobb-Hunter to receive the ***Douglas E. Bryant Legislator of the Year Award for 2009***. Senator Anderson represents District 7, which consist of Greenville County and Representative Gilda Cobb-Hunter represents District 66, which consist of Orangeburg and Dorchester Counties. Sen. Anderson and Rep. Cobb-Hunter have demonstrated knowledge, leadership, and concern about public health programs affecting so many of the state's residents.

The award will be presented in Senator Anderson and Representative Cobb-Hunter home districts. The Legislative Committee is working with their offices to coordinate an appropriate venue and time to be announced at a later date for the presentations.

Thanks to all the committee members and others who provided legislative information. The Legislative Committee welcomes your suggestions on other legislation that may be of interest to the Association.

SCPHA Legislative Committee, Annual Report, May 19, 2009