STATE OF SOUTH CAROLINA	)	
	)	BEFORE THE STATE ETHICS COMMISSION
COUNTY OF RICHLAND	)	
	)	
IN THE MATTER OF:	)	
COMPLAINT C2012-117	)	
	)	
State Ethics Commission,	)	
Complainant;	)	
	)	
vs.	)	**DECISION AND ORDER**
	)	
Myers Rollins, Jr.,	)	
Respondent.	)	
	)	

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STATE ETHICS COMMISSION

This matter comes before the State Ethics Commission by virtue of a complaint filed by the Commission on April 6, 2012. On May 16, 2012, pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2011), the State Ethics Commission reviewed the above-captioned complaint charging the Respondent, Myers Rollins, Jr., with three violations of Section 8-13-1140 and probable cause was found.

Present at the hearing on July 18, 2012 were Commission Members Phillip Florence, Jr., Chair, Edward E. Duryea, and George Carlton Manley. Respondent was not present but was duly noticed. Complainant was represented by Cathy L. Hazelwood, General Counsel. The following charges were considered:

COUNT ONE
FAILURE TO FILE A STATEMENT OF ECONOMIC INTEREST REPORT SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That the Respondent, Myers Rollins, Jr., the Chief Administrative Official of Lymo-Waccamaw Regional Transportation Authority, did in Richland County, fail to timely file an annual Statement of Economic Interests form on or before April 15, 2009 in violation of Section 8-13-1140.

COUNT TWO
FAILURE TO FILE A STATEMENT OF ECONOMIC INTEREST REPORT SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That the Respondent, Myers Rollins, Jr., the Chief Administrative Official of Lymo-Waccamaw Regional Transportation Authority, did in Richland County, fail to timely file an annual Statement of Economic Interests form on or before April 15, 2010 in violation of Section 8-13-1140.

COUNT THREE
FAILURE TO FILE A STATEMENT OF ECONOMIC INTEREST REPORT SECTION 8-13-1140, S.C. CODE ANN., 1976, AS AMENDED

That the Respondent, Myers Rollins, Jr., the Chief Administrative Official of Lymo-Waccamaw Regional Transportation Authority, did in Richland County, fail to timely file an annual Statement of Economic Interests form on or before April 15, 2011 in violation of Section 8-13-1140.

FINDINGS OF FACT

Having carefully reviewed the evidence presented, the Commission finds as fact

1. The Respondent, Myers Rollins, Jr., is the Chief Administrative Official of Lymo-Waccamaw Regional Transportation Authority and he is required to file an annual Statement of Economic Interests form (SEI) prior to April 15th of each year.

2. Kristin Smith, administrative coordinator of the Commission's non-compliance office, testified that Lymo-Waccamaw Regional Transportation Authority returned its 2011 SEI entity list on February 15, 2011 and it listed Respondent as a person required to file an SEI. Upon further review of Respondent's file staff determined that Respondent had not filed since 2008. Respondent was penalized in a February 2, 2012 letter for failure to file his 2009, 2010 and 2011 SEI. That letter was re-sent certi-

fied on February 24, 2012 and it was delivered February 27, 2011. On April 17, 2012, Respondent complied by filing the three SEIs.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Commission concludes, as a matter of law:

1. During all times relevant, the Respondent, Myers Rollins, Jr., was a public employee, as defined by Section 8-13-100(25).

2. The State Ethics Commission has personal and subject matter jurisdiction

3. Sections 8-13-1110 and 8-13-1140 provide that certain public employees shall file a Statement of Economic Interests at the time of assuming the duties of the position and annually thereafter prior to April 15.

4. Section 8-13-1510(1) provides as follows:

> Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required statement or report must be assessed a civil penalty as follows:
>
> (1) a fine of one hundred dollars if not filed within five days after the established deadline provided by law in this chapter;
>
> (2) after notice has been given by certified or registered mail that a required statement or report has not been filed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar day in which the required statement or report is not filed, not exceeding five thousand dollars.

DECISION

NOW, THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, the State Ethics Commission has determined based upon a preponderance of evidence that Respondent Myers Rollins, Jr. is in violation of Section 8-13-1140; and therefore, Respondent Myers Rollins, Jr. is hereby assessed a administrative fee of $500.00 in

addition to the late-filing penalty of $9,000.00.

IT IS FURTHER ORDERED, pursuant to Section 8-13-320, a Judgment in the amount of $9,500.00 is, and shall be entered against Respondent.

IT IS FURTHER THE ORDER OF THIS COMMISSION that the Clerk of Court of the County in which Respondent was last known to reside shall enter this Order in its Judgment Rolls, without cost to the State Ethics Commission, in the amount of $9,500.00 upon the Commission's filing of same with the Clerk of Court's Office.

FINALLY, Respondent Myers Rollins, Jr. has ten (10) days from receipt of this order to appeal this Decision and Order to the full Commission.

IT IS SO ORDERED THIS 4th DAY OF Sept., 2012.

STATE ETHICS COMMISSION

PHILLIP FLORENCE, JR.
CHAIRMAN

COLUMBIA, SOUTH CAROLINA