

NO. 59

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

THURSDAY, APRIL 18, 2019

Thursday, April 18, 2019
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 9:30 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 90:17

“Let the favor of the Lord our God be upon us, and prosper for us the work of our hands -- O prosper the work of our hands!”

Let us pray. Almighty God, by Your grace You have brought us to the beginning of another day. There is so much to do: Speeches to give, concessions to make, votes to cast and loose ends to be tied. Help us, O Lord, to not lose You in the rush of the moment. Fill this Chamber with Your sovereign presence and may each decision made this week be in concert with a constant conversation with You; a flow of prayer as natural as breathing out our anxiety and breathing in Your strength. May we set aside the exhausting compulsion to work for You and allow You, O God, to work through us. For it is by the power of Your Holy Spirit that we pray, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 9:34 A.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Allen	Bennett	Campsen
Corbin	Fanning	Harpootlian
Hembree	Hutto	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	Nicholson
Peeler	Rice	Sabb
Senn	Setzler	Shealy

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Sheheen Talley Turner
Williams Young

A quorum being present, the Senate resumed.

Recorded Presence

Senator GOLDFINCH recorded his presence subsequent to the Call of the Senate.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, John de la Howe School Board of Trustees, with the term to commence April 1, 2019, and to expire April 1, 2024

At-Large:

Gary J. Coleman, 1230 Highway 187 S, Anderson, SC 29626-5630
VICE Steven Lieze

Referred to the Committee on Education.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

At-Large:

Linda C. Stern, 2134 Bermuda Hills Rd., Columbia, SC 29223-6733
VICE Charles R. Pate, Jr.

Referred to the Committee on Education.

Initial Appointment, South Carolina Arts Commission, with the term to commence June 30, 2017, and to expire June 30, 2020

At-Large:

Bhavna Vasudeva, 4 Enclave Ct., Columbia, SC 29223 *VICE* Barbara Nwokike

Referred to the Committee on Education.

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Local Appointments

Initial Appointment, Abbeville County Master-in-Equity, with the term to commence June 30, 2019, and to expire June 30, 2025

Roy Robinson Hemphill, 917 Olde Pucketts Ferry Rd., Greenwood, SC 29649 *VICE* Curtis G. Clark

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Carey B. Murphy, 601 Glenwood Ave., Anderson, SC 29625-2856

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James Wesley White, 152 Buckland Drive, Anderson, SC 29621-3686

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Walter Martin, 416 Dogwood Drive, Greenwood, SC 29646-9210

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Bartholomew McGuire, 106 Fair Oaks Lane, Greenwood, SC 29646-9273

Reappointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2019, and to expire July 1, 2025

Jeffrey M. Tzerman, 702 Walnut Street, Camden, SC 29020

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Ron C. Halfacre, 1810 Harper Street, Newberry, SC 29108-2804

REGULATION RESUBMITTED

The following was receive:

Document No. 4835

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 1-23-110, 38-3-110, 38-13-80, 38-90-150, and 38-90-630

SUBJECT: Annual Audited Financial Reporting Regulation

Received by Lieutenant Governor January 8, 2019

Referred to Committee on Banking and Insurance

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Legislative Review Expiration May 8, 2019
Resubmitted April 18, 2019

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4837

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Section 44-29-40

SUBJECT: South Carolina Immunization Registry

Received by Lieutenant Governor January 8, 2019

Referred to Committee on Medical Affairs

Legislative Review Expiration May 8, 2019

Withdrawn and Resubmitted April 18, 2019

Doctor of the Day

Senator HARPOOTLIAN introduced Dr. Patricia Whitherspoon of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator McELVEEN, at 9:51 A.M., Senator KIMPSON was granted a leave of absence until 5:30 P.M.

Leave of Absence

On motion of Senator MALLOY, at 2:18 P.M., Senator WILLIAMS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SETZLER, at 7:21 P.M., Senator HUTTO was granted a leave of absence beginning at 5:00P.M.

RECALLED

H. 3572 -- Reps. Felder, Pope, B. Newton, Ligon, Bryant, King and Simrill: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 21 AND SOUTH CAROLINA HIGHWAY 160 IN YORK COUNTY "KARSON BAILEY WHITESELL MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4287 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Senator LEATHERMAN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Finance.

The Joint Resolution was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4243 -- Reps. Simrill, Lucas, Pope, G.M. Smith, Rutherford, King, Felder, Bryant, D.C. Moss, B. Newton, Ligon, V.S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB

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TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Senator LEATHERMAN asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 770 -- Senator Campbell: A BILL TO AMEND CHAPTER 27, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA COMMERCIAL FEED ACT, TO PROVIDE THAT CERTAIN SALES ARE UNLAWFUL, TO PROVIDE THAT THE COMMISSIONER OF AGRICULTURE IS AUTHORIZED TO PROMULGATE CERTAIN REGULATIONS, TO PROVIDE THAT THE COMMISSIONER MAY INSPECT, AUDIT, OR CERTIFY COMMERCIAL FEED MANUFACTURER OR DISTRIBUTOR FACILITIES AND ISSUE CERTIFICATES, TO PROVIDE FOR LICENSING AND REGISTRATION, TO PROVIDE FOR THE LABELING OF COMMERCIAL FEEDS, TO PROVIDE THE CONDITIONS FOR A COMMERCIAL FEED TO BE DEEMED MISBRANDED, TO PROVIDE THE CONDITIONS FOR A COMMERCIAL FEED TO BE DEEMED ADULTERATED, TO PROVIDE THAT THE COMMISSIONER MAY INSPECT, TAKE SAMPLES, AND PERFORM ANALYSES, TO PROVIDE FOR THE PUBLICATION OF CERTAIN INFORMATION, TO PROVIDE THAT THE COMMISSIONER MAY APPOINT ANALYSTS, CHEMISTS, AND INSPECTORS, TO PROVIDE FOR A

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CERTIFICATE OF ANALYSIS AS PRIMA FACIE EVIDENCE, TO PROHIBIT CERTAIN ACTS, TO PROVIDE THAT THE COMMISSIONER MAY SUSPEND SALES OF FEED AND SEEK ENFORCEMENT REMEDIES, TO PROVIDE HOW SALES ARE MADE, TO PROVIDE THAT THE COMMISSIONER SHALL NOTIFY DEALERS AND SOLICITORS OF VIOLATIONS, TO PROVIDE FOR PENALTIES, TO PROVIDE FOR FINES PAID TO THE DEPARTMENT OF AGRICULTURE, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 771 -- Senators McLeod, Senn, Shealy and M. B. Matthews: A SENATE RESOLUTION TO DECLARE WEDNESDAY, MAY 1, 2019, "SOUTH CAROLINA TEEN PREGNANCY PREVENTION DAY" AND TO HONOR THE VALUABLE CONTRIBUTIONS OF THE SOUTH CAROLINA CAMPAIGN TO PREVENT TEEN PREGNANCY, ITS PARTNERS WITHIN LOCAL COMMUNITIES AND ORGANIZATIONS, PARENTS, EDUCATORS, AND TRUSTED ADULTS.

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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 772 -- Senators Senn and Harpootlian: A SENATE RESOLUTION TO ENCOURAGE LOCAL GOVERNMENTS, MUNICIPALITIES, LAW ENFORCEMENT AGENCIES, COLLEGES AND UNIVERSITIES, AND THE OFFICE OF REGULATORY STAFF TO PARTNER WITH TRANSPORTATION NETWORK COMPANIES AND RIDE-HAILING SERVICES TO IMPROVE SAFETY.

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The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 773 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE WORK OF DREAMS WITH OPEN ARMS, INC., TO PREVENT ADOLESCENT PREGNANCY, TO DESIGNATE MAY AS THE "STEP UP & BE SAFE MONTH" IN SOUTH CAROLINA, AND TO COMMEND ITS OBSERVANCE TO ALL CITIZENS.

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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 774 -- Senator Setzler: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DAVID L. CROUCH AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 775 -- Senator Nicholson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BRIGADIER GENERAL FARRIS "CARLOS" HILL, UNITED STATES AIR FORCE, UPON HIS RETIREMENT ON JANUARY 1, 2019, AFTER THIRTY-TWO YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 776 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SUSIE WATSON OF HORRY COUNTY FOR HER DEDICATED SERVICE TO THE YACHTS FOR TOTS INTRACOASTAL CHRISTMAS REGATTA AND TO CONGRATULATE HER AS A FOUNDER OF THIS BELOVED ANNUAL EVENT ON THE OCCASION OF ITS THIRTY-FIFTH ANNIVERSARY.

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The Senate Resolution was adopted.

S. 777 -- Senators Gambrell and Cash: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE MEMBERS OF THE SOUTH CAROLINA STATE GUARD, ALL VOLUNTEERS WHO SHARE A PASSION FOR SERVICE AND A STRONG COMMITMENT TO THEIR FELLOW SOUTH CAROLINIANS, AND TO DECLARE MAY 2019 AS "SOUTH CAROLINA STATE GUARD MONTH" IN THE PALMETTO STATE.

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The Senate Resolution was adopted.

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REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education polled out S. 613 favorable report on:

S. 613 -- Senator Malloy: A BILL TO AMEND SECTION 59-48-70 OF THE 1976 CODE, RELATING TO THE SCHOOL OF SCIENCE AND MATHEMATICS' ENDOWMENT FUND, TO PROVIDE THAT THE ENDOWMENT FUND IS SUBJECT TO THE DIRECTION OF THE SCHOOL'S BOARD, TO REQUIRE THAT THE ENDOWMENT FUND BE ORGANIZED AS A NONPROFIT ENTITY, TO PROVIDE THAT THE ENDOWMENT FUND MUST ADOPT AN ANNUAL BUDGET THAT IS UNDER THE OVERSIGHT OF THE SCHOOL, TO PROVIDE THAT THE SCHOOL'S BOARD AND THE ENDOWMENT FUND MUST ENTER INTO AN OPERATING AGREEMENT, AND TO PROVIDE THAT THE ENDOWMENT FUND MAY NOT TAKE ANY ACTION UNLESS AUTHORIZED PURSUANT TO THE OPERATING AGREEMENT APPROVED BY THE SCHOOL'S BOARD.

**Poll of the Education Committee
Polled 17; Ayes 17; Nays 0**

AYES

Hembree	Setzler	<i>John Matthews</i>
Rankin	Peeler	Jackson
Grooms	Malloy	Hutto
Sheheen	Nicholson	Young
Turner	Rice	Talley
Massey	Cash	

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

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H. 3703 -- Reprs. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

1st Congressional District:

Julius Belden Kinney, Jr., 2-B Eugenia Ave., Johns Island, SC 29455-5609 *VICE* Richard K. Toomey

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2019, and to expire June 30, 2025

5th Congressional District:

Heather C. Harris, 137 Setzler Road, Pomaria, SC 29126-8951 *VICE* Marvin A. Hyatt, Sr.

Received as information.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2017, and to expire June 30, 2021

4th Congressional District:

Robin B. Blackwood, 222 East Park Ave., Greenville, SC 29601-1634 *VICE* Christopher Glenn Neeley

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Received as information.

**THE SENATE PROCEEDED TO A CONSIDERATION OF
H.4000, THE GENERAL APPROPRIATIONS BILL.**

H. 4000 -- THE GENERAL APPROPRIATIONS BILL

**AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 25

Senator HEMBREE proposed the following amendment (BH HEMBREE TUITION MITIGATION HEPI), which was carried over:

Amend the bill, as and if amended, Part IA, Section 13, THE CITADEL, page 30, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	15,393,350	3,512,383
and		
INSERTING:	15,435,291	3,554,324/

Amend the bill further, as and if amended, Part IA, Section 14, CLEMSON UNIVERSITY (EDUCATION & GENERAL), page 33, line 13, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	179,587,449	63,382,701
and		
INSERTING:	179,901,017	63,696,269/

Amend the bill further, as and if amended, Part IA, Section 15, UNIVERSITY OF CHARLESTON, page 35, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	56,565,100	15,644,979
and		
INSERTING:	56,710,975	15,790,854/

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Amend the bill further, as and if amended, Part IA, Section 16,
COASTAL CAROLINA UNIVERSITY, page 36, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	47,913,201	9,034,629

and

INSERTING:	48,030,874	9,152,302/
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Amend the bill further, as and if amended, Part IA, Section 17,
FRANCIS MARION UNIVERSITY, page 38, line 9, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	20,323,402	8,598,751

and

INSERTING:	20,403,705	8,679,054/
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Amend the bill further, as and if amended, Part IA, Section 18,
LANDER UNIVERSITY, page 40, line 16, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	10,976,827	4,209,922

and

INSERTING:	11,042,666	4,275,761/
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Amend the bill further, as and if amended, Part IA, Section 19,
SOUTH CAROLINA STATE UNIVERSITY, page 42, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	13,017,772	7,665,464

and

INSERTING:	13,068,227	7,715,919/
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Amend the bill further, as and if amended, Part IA, Section 20A,
UNIVERSITY OF SOUTH CAROLINA, page 44, line 25, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	178,773,974	77,480,187

and

INSERTING:	177,494,208	76,200,421/
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Amend the bill further, as and if amended, Part IA, Section 20B, USC
- AIKEN CAMPUS, page 48, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	13,782,577	7,507,577

and

INSERTING:	13,851,850	7,576,850/
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Amend the bill further, as and if amended, Part IA, Section 20C, USC
- UPSTATE, page 50, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	20,277,607	10,977,607

and

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INSERTING: 20,414,654 11,114,654/
Amend the bill further, as and if amended, Part IA, Section 20D, USC
- BEAUFORT CAMPUS, page 52, line 5, by:
COLUMN 7 COLUMN 8
/ STRIKING: 10,645,001 4,877,972
and
INSERTING: 10,687,813 4,920,784/
Amend the bill further, as and if amended, Part IA, Section 20E, USC
- LANCASTER CAMPUS, page 54, line 5, by:
COLUMN 7 COLUMN 8
/ STRIKING: 4,152,455 2,806,930
and
INSERTING: 4,188,108 2,842,583/
Amend the bill further, as and if amended, Part IA, Section 20F, USC
- SALKEHATCHIE CAMPUS, page 55, line 9, by:
COLUMN 7 COLUMN 8
/ STRIKING: 1,788,296 1,788,296
and
INSERTING: 1,809,412 1,809,412/
Amend the bill further, as and if amended, Part IA, Section 20G, USC
- SUMTER CAMPUS, page 57, line 5, by:
COLUMN 7 COLUMN 8
/ STRIKING: 2,850,237 2,604,375
and
INSERTING: 2,875,150 2,629,288/
Amend the bill further, as and if amended, Part IA, Section 20H, USC
- UNION CAMPUS, page 59, line 5, by:
COLUMN 7 COLUMN 8
/ STRIKING: 1,634,368 1,484,368
and
INSERTING: 1,660,249 1,510,249/
Amend the bill further, as and if amended, Part IA, Section 21,
WINTHROP UNIVERSITY, page 61, line 6, by:
COLUMN 7 COLUMN 8
/ STRIKING: 29,803,424 9,661,924
and
INSERTING: 29,910,841 9,769,341/
Amend the bill further, as and if amended, Part IB, Section 117,
GENERAL PROVISIONS, page 527, proviso 155, by striking lines 15 -
33 and inserting:

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/ (GP: Higher Education Tuition Mitigation) The following recurring funds have been appropriated in Part IA to institutions of higher education to mitigate tuition and mandatory fee increases for in-state, full-time undergraduate students:

<u>(1) The Citadel</u>	<u>\$ 806,593;</u>
<u>(2) Clemson University</u>	<u>\$ 6,030,374;</u>
<u>(3) University of Charleston</u>	<u>\$ 2,805,398;</u>
<u>(4) Coastal Carolina University</u>	<u>\$ 2,263,018;</u>
<u>(5) Francis Marion University</u>	<u>\$ 1,544,341;</u>
<u>(6) Lander University</u>	<u>\$ 1,266,174;</u>
<u>(7) South Carolina State University</u>	<u>\$ 970,330;</u>
<u>(8) University of South Carolina-Columbia</u>	<u>\$ 7,033,730;</u>
<u>(9) University of South Carolina-Aiken</u>	<u>\$ 1,332,227;</u>
<u>(10) University of South Carolina-Upstate</u>	<u>\$ 2,635,614;</u>
<u>(11) University of South Carolina-Beaufort</u>	<u>\$ 823,339;</u>
<u>(12) University of South Carolina-Lancaster</u>	<u>\$ 685,650;</u>
<u>(13) University of South Carolina-Salkehatchie</u>	<u>\$ 406,087;</u>
<u>(14) University of South Carolina-Sumter</u>	<u>\$ 479,118;</u>
<u>(15) University of South Carolina-Union</u>	<u>\$ 497,724; and</u>
<u>(16) Winthrop University</u>	<u>\$ 2,065,789./</u>

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 527, proviso 117.155, after line 36 by inserting:

/ For FY 2019-20, MUSC is appropriated \$4,523,265 in Part IA to mitigate tuition and mandatory fee increases for in-state, full-time undergraduate and graduate students. In order to retain this appropriation, MUSC must certify to the Commission on Higher Education by August 1, 2019, that, its tuition and mandatory fees for all in-state, full-time undergraduate and graduate students did not exceed the rate of inflation for the 2018 Higher Education Price Index./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Amendment No. 4

Senators HUTTO and SCOTT proposed the following amendment (4000 DTC FUNDING.DOCX), which was tabled:

Amend the bill, as and if amended, Part IA, Section 25, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 69, by inserting after line 19,

COLUMN 7 COLUMN 8

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Amendment No. 27

Senator SCOTT proposed the following amendment (4000C007.RT.SA19.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IA, Section 25, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 69, by inserting after line 19,

	COLUMN 7	COLUMN 8
/Denmark Technical College	1,000,000	1,000,000/

Amend the bill further, as and if amended, Part IA, Section 25, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 71, by inserting after line 2,

	COLUMN 7	COLUMN 8
/Nonrecurring Appropriation Denmark Technical College	1,000,000	1,000,000/

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT explained the amendment.

Senator MALLOY spoke on the amendment.

On motion of Senator SCOTT, the amendment was withdrawn.

Amendment No. 61

Senator SHEHEEN proposed the following amendment (ETK 1.57 FULL-DAY 4K VS), which was adopted (#20):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 290, proviso 1.57, line 3, by inserting at the end:

/For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive reimbursement for these children if funds are available. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

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The amendment was adopted.

Amendment No. 69

Senator DAVIS proposed the following amendment (DAD 1.86 & 1A.84 SCH SAFETY PGM), which was adopted (#21):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 301, proviso 1.86 (School Safety Program), after line 11, by inserting:

/ For the current fiscal year, the Department of Education shall utilize up to \$2,000,000 in prior year carry forward funds from Section VIII.H - Charter Schools to provide charter schools sponsored by the South Carolina Charter School District and any registered institutions of higher education with School Resource Officers. Individual charter schools shall work with the local law enforcement agencies with jurisdiction where the school is physically located. Priority shall be given to the charter schools with the highest poverty index. In making awards the department shall provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that will serve as a full-time school resource officer. /

Amend the bill further, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 331, proviso 1A.84 (School Safety Program, after line 28, by inserting:

/ For the current fiscal year, the Department of Education shall utilize up to \$2,000,000 in prior year carry forward funds from Section VIII.H - Charter Schools to provide charter schools sponsored by the South Carolina Charter School District and any registered institutions of higher education with School Resource Officers. Individual charter schools shall work with the local law enforcement agencies with jurisdiction where the school is physically located. Priority shall be given to the charter schools with the highest poverty index. In making awards the department shall provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that will serve as a full-time school resource officer. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

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Amendment No. 14

Senator MASSEY proposed the following amendment (4000R034.SP.ASM.DOCX), which was adopted (#22):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, proviso 1.91, lines 14-17 by deleting the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 67

Senator M.B. MATTHEWS proposed the following amendment (4000C004.RT.SA19.DOCX), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/ (SDE: Psychiatrist or Psychologist on staff) In the current fiscal year, from the funds appropriated to the Department of Education, each school district shall hire at least one psychiatrist or psychologist to be available to students. The school district shall create a schedule for the psychiatrist or psychologist based on the needs of the district. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator M.B. MATTHEWS explained the amendment.

On motion of Senator M.B. MATTHEWS, the amendment was carried over and subsequently withdrawn.

Amendment No. 60

Senator SHEHEEN proposed the following amendment (ETK MASTER'S PLUS THIRTY VS), which was adopted (#23):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/ (SDE: Master's Plus Thirty) For school year 2019-20, the department shall continue to process the master's plus thirty certificate classification in the

[SJ]

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same manner as the prior school year. Educators earning a master's degree with sixty or more semester hours of graduate coursework will remain eligible for the master's plus thirty credential classification. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 59

Senator SHEHEEN proposed the following amendment (ETK 1A.53 CDEPP VS), which was adopted (#24):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 319, proviso 1A.53, line 24 after /November/, by striking /first/ and inserting /thirtieth/

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 19

Senator SHEHEEN proposed the following amendment (KW 45.2 WITNESS FEE), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 45, CLEMSON UNIVERSITY - PSA, page 393, proviso 45.2, line 36 and page 394, line 1, by striking: / regarding matters related to his or her professional expertise, or the exercise of his or her employment duties. /

Re-number sections to conform.

Amend sections, totals and title to conform.

On motion of Senator SHEHEEN, with unanimous consent, the amendment was withdrawn.

Amendment No. 28

Senator HUTTO proposed the following amendment (4000R040.KMM.VAS.DOCX), which was withdrawn:

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Amend the bill, as and if amended, Part IB, Section 60, PROSECUTION COORDINATION COMMISSION, page 410, after line 3, by adding an appropriately numbered new proviso to read:

/ 60. . (PCC: Circuit Court Docket Management)(A) The circuit solicitor has the authority to call cases in such order and in such manner as will facilitate the efficient administration of his official duties, subject to the overall broad supervision of the trial judge. The circuit solicitor will determine the order in which the docketed cases are called subject to rulings of the court as outlined in subsection (B). A defendant may move for a speedy trial or he may make a motion for a continuance beyond the term or for postponement to a date later within the term. In the calling of cases for trial, the circuit solicitor has broad discretion in the first instance, and the trial judge has broad discretion in the final analysis.

(B) The trial court has the ultimate authority to determine whether a case on the published docket and called by the circuit solicitor will be tried by ruling on motions properly before it for continuances, dates certain, and speedy trials.

(C)(1) For purposes of this subsection and subsection (D), 'consult' means an interaction between two persons in which the initiating person:

(a) provides information to another person;

(b) provides the other person an opportunity to respond; and

(c) takes the other person's response, if any, into consideration.

(2) Criminal cases in circuit court must be calendared by the circuit solicitor according to a written criminal case docketing plan developed by the circuit solicitor for each circuit. Before developing the plan, the circuit solicitor must consult with the chief administrative judge, the circuit public defender, and one member of the Circuit Public Defender Selection Panel within that circuit appointed by the panel. In developing the docketing plan, the circuit solicitor must consider processes that promote justice by maximizing efficient but thorough case preparation and resolution by and between circuit solicitors and the defense, and by maximizing the effective use of judges' time.

(D)(1) A criminal docketing plan for each circuit must be developed by the circuit solicitor and made effective no later than January 1, 2020. If the circuit solicitor does not develop a criminal docketing plan before January 1, 2020, or fails to continue or amend the docketing plan before expiration, then the chief administrative judge for general sessions court must either issue a new written criminal case docketing plan or continue or amend the plan last in effect, and such plan will be effective for one year or until the circuit solicitor takes action as required. In that event, all organizational and administrative tasks associated with the management of the trial docket in general sessions court shall become the duty and responsibility of the chief administrative judge until the circuit solicitor takes action and publishes a criminal docketing plan as authorized. Nothing in this section prohibits the circuit solicitor from amending the most recent criminal docketing plan at other such times additional to those required by this subsection, provided that the solicitor complies with any and all consultation requirements in subsection (C) prior to issuing any amendment.

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(2) Each criminal docketing plan must be published on the circuit solicitor's website, if available, or at each courthouse in the circuit solicitor's circuit if a website is unavailable. Each criminal docketing plan, at a minimum, must include the provisions required pursuant to this section but may contain additional provisions not inconsistent with this section. The circuit solicitor may, in his sole discretion, develop an individual docketing plan for each county within the circuit.

(E)(1) At least one administrative appearance must be established by the docketing plan, and any appearances must be scheduled and conducted by the chief administrative judge for general sessions court or his judicial designee. Venue for administrative appearances may be in any county in the circuit; however, the presence of the defendant must only be required for administrative appearances where the defendant is unrepresented by counsel or where the administrative appearance is held in the county where the case originated. A defendant that is represented by counsel must not be required to attend more than three administrative appearances. Administrative appearances must be scheduled at least twenty-eight calendar days apart.

(2) Procedures for administrative appearances as to cases with unrepresented defendants must be included in the docketing plan and provide for:

(a) the circuit solicitor to notify the court of unrepresented defendants;

(b) the chief administrative judge or his judicial designee to schedule administrative appearances for the purpose of informing unrepresented defendants of their rights and the risks and disadvantages of self-representation; and

(c) the court to establish, as to a defendant who voluntarily waives the right to counsel, a satisfactory court record demonstrating the decision to represent himself was made with a knowing and intelligent understanding of his rights and the risks of self-representation.

(3) At an administrative appearance:

(a) the court shall, as the first order of business, determine the status of the defendant's representation by counsel and appoint counsel if necessary; and

(b) the court may inquire as to the existence of any mental health issues that would require an order of the court.

(4) Nothing in this subsection precludes the disposition of a criminal case by plea, deferred prosecution, or dismissal prior to any administrative appearance.

(F) A status conference may be requested by any party at any time with the chief administrative judge to address issues including, but not limited to, plea negotiations, the scheduling of motions, compliance with discovery requests, or issues related to the defendant's bond.

(G) Pretrial conferences for cases on the published trial docket must be established by the docketing plan and must be conducted by the chief

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administrative judge for general sessions court or his judicial designee. The chief administrative judge or his judicial designee will address administrative matters and issues affecting the published trial docket, which may include a review or discussion of the status of available discovery in compliance with Rule 5 of the Rules of Criminal Procedure.

(H) The chief administrative judge for general sessions court is responsible for the scheduling of motions throughout the terms of general sessions whether or not the case has been scheduled for trial in accordance with Rule 4 of the Rules of Criminal Procedure and the common law.

(1)(1) Not less than thirty-five days before the term of court, the circuit solicitor shall submit a proposed list of cases to the appropriate chief administrative judge and provide notice to defense counsel representing defendants on the proposed trial docket. The proposed trial docket should not contain cases that the circuit solicitor does not reasonably expect to be disposed of during the term of court. At any time prior to the publishing of the proposed trial docket, a defendant may submit his case to the circuit solicitor for consideration, if the case has exhausted plea negotiations and is ready to be set for trial. In any county in which multiple sessions of court are being held, the circuit solicitor, in his discretion, may publish a proposed list of cases for each session of court.

(2) The circuit solicitor must either post the proposed trial docket on his website or send the proposed trial docket to defense attorneys by regular mail, electronic mail or delivery, or hand delivery to the last known address. The circuit solicitor must also send the proposed trial docket to the clerk of court for each county within the circuit by electronic mail or delivery, or by such other method agreed to by the circuit solicitor and the clerk of court. The clerk of court must provide notice to defendants, including pro se defendants, pursuant to court requirements and by a delivery method approved by the court. Except by consent of the chief administrative judge, circuit solicitor, and defense counsel or pro se defendant, a case must not be added to the trial docket after it is published. Defense counsel or pro se defendants must file any motions for continuance with the court within seven business days of notice of the proposed trial docket. After the court rules on any continuance requests, or if there are no continuance motions, the proposed list of cases becomes the published trial docket. The filing of or the failure to file a motion for continuance within the seven business days does not affect a defendant's right to file a motion for continuance at a later time. If more than one session of court is scheduled for a court week, then the circuit solicitor shall determine the number of plea sessions and trial sessions. The chief administrative judge shall determine which judge will preside over the solicitor-designated sessions.

(3) The circuit solicitor, defense counsel, or a pro se defendant may file a motion with the court for protection or relief from a trial docket. A motion by defense counsel pursuant to this subsection shall contain an affirmation that the counsel, prior to filing the motion, has communicated or attempted to communicate with the circuit solicitor in good faith to request accommodation

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for protection or relief and an explanation of whether the request was unanswered or denied, or how the request was inadequately resolved. The chief administrative judge, or a circuit judge designated by the chief administrative judge, may schedule and hold a hearing for the purpose of determining whether a motion for protection or relief should be granted and must, in any such determination, consider the age and complexity of the involved cases, experience of counsel, prejudice to any party or victim, and other relevant factors as determined by the court, provided, however, that such a hearing must not be scheduled in a manner that conflicts with hearings or trials scheduled or taking place on other docketed cases.

(4) The circuit solicitor, after consultation with the parties, shall schedule new court dates for cases not reached during that term. The notice requirements of subsection (I)(1) are satisfied for any case that is called for trial within four weeks of the end of the term of court for which the case was initially scheduled unless the court grants a motion pursuant to subsection (B).

(5) Cases, if called by the circuit solicitor, should be called in the order of the published docket unless circumstances arise affecting the fair administration of justice and the responsible allocation of resources. The circuit solicitor must provide written notice to the court, circuit public defender, and appropriate defense counsel of his intent to call a case out of the published docket order. If the defendant whose case is called out of order objects to the calling of his case, then the court shall rule on the defendant's objection to the change upon the defendant's motion pursuant to subsection (B).

(J)(1) When a case has not otherwise been scheduled for trial within one year of indictment, the chief administrative judge, circuit solicitor, or defendant may call for a status conference to identify and discuss each party's preparation level and any issues or obstacles slowing or preventing case preparation. The chief administrative judge shall schedule the status conference no later than sixty days following request.

(2) For any case that is still pending two years from the date of its indictment, the chief administrative judge, or his judicial designee, may require and hold a hearing sua sponte for the purpose of determining whether a trial date should be set. Factors to be considered by the judge include the age of the case, pretrial detention, other cases pending before the court, other charges pending against the defendant, and the status of witnesses and evidence for both the defendant and the circuit solicitor. The court may order the placement of a case on a trial docket pursuant to this subsection within a reasonable, specified time period as determined after consultation with the parties, but not sooner than sixty days from the ruling on a hearing held pursuant to subsection (J)(2).

(K) A defendant may make a request to be placed on a trial or plea docket with the circuit solicitor and, if both parties agree on a date, the circuit solicitor

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shall calendar the case. If the parties cannot agree, then the defendant may file a motion to be placed on the trial or plea docket. All filed motions to be placed on a trial or plea docket must establish the basis of the request and contain an affirmation that the defendant, prior to filing the motion, has communicated with the circuit solicitor and has attempted in good faith but failed to have the circuit solicitor docket the case in a manner that accommodated his request. The chief administrative judge, or his judicial designee, may hold a hearing for the purpose of determining whether a trial or plea date should be set. The court may grant a motion to have a case placed on the trial docket within a reasonable specified time period as determined after consultation with the parties, but not sooner than sixty days from the ruling on the motion.

(L) Nothing in this section may be construed to deprive any victim or any defendant of any constitutional or statutory rights./

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HUTTO, with unanimous consent, the amendment was withdrawn.

Amendment No. 70

Senator GOLDFINCH proposed the following amendment (ETK 64 SCHOOL RESOURCE OFFICER -SG), which was adopted (#25):

Amend the bill, as and if amended, Part IB, Section 64, LAW ENFORCEMENT TRAINING COUNCIL, page 418, after line 21, by adding an appropriately numbered new proviso to read:

/ (LETC: School Resource Officers) Of the funds appropriated to the Law Enforcement Training Council for Fiscal Year 2019-20, the Law Enforcement Training Council, in coordination with state and local law enforcement agencies, shall develop a training program for School Resource Officers (SROs) that focuses on how to provide "frontline" defense of school children. The training plan shall also focus on the threats SROs face from student vs. student, student vs. teacher conflicts and the evolving active killer risk. The training program must also focus on the SROs meta-cognitive skills and their physical capacity to take action immediately. Their defensive tactics platform must be instructional, instinctual, and intuitive and be focused on de-escalation as the primary strategy as they are dealing with juveniles and adults. The Law Enforcement Training Council must present this training plan along with the estimated costs to fully implement this training program to the Governor, the Chairman of the Senate Finance Committee and the Chairman of House Ways and Means by June 1./

Renumber sections to conform.

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Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Amendment No. 20A

Senator CROMER proposed the following amendment (ETK 109.14 UPDATE V2), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, proviso 109.14, lines 5 - 7, by striking the proviso in its entirety, and inserting / (Collection of Business License Taxes) Except for business license taxes collected pursuant to Article 20, Chapter 9 of Title 58 and Chapters 7 and 45 of Title 38, a private, third party entity is prohibited from assessing, collecting or administering collection of business license taxes on behalf of counties or municipalities. This proviso shall not prohibit a county or municipality from contracting with a third party entity solely for the purpose of providing payment processing services for the acceptance of business license tax payments.

In addition, the Chairman of the Senate Finance Committee shall appoint a study committee which shall include the Municipal Association of South Carolina, the South Carolina Chamber of Commerce, the South Carolina Manufacturers Alliance, the South Carolina Association of Realtors and any other entities as deemed appropriate to study reform and implementation of a third party collection system. /

Re-number sections to conform.

Amend sections, totals and title to conform.

On motion of Senator CROMER, with unanimous consent, the amendment was withdrawn.

Amendment No. 31

Senator FANNING proposed the following amendment (\ 4000C008.RT.SA19.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, after line 12, by adding an appropriately numbered new proviso to read:

/ (DOR: Tax Credit) For the tax year ending in the current fiscal year, for any county where utility property comprised at least fifty percent of the entire county's tax base, as calculated using the imputed index of taxpaying ability for the entire county pursuant to Proviso 1.47, for purposes of the jobs tax credit,

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the county is deemed to be a tier four county and such designation applies for all jobs created during the same tax year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

On motion of Senator RICE, the amendment was carried over.

Amendment No. 10

Senator CORBIN proposed the following amendment (4000R012.KMM.TDC.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, 'nonprofit organization' means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of total funds expended by the organization, as well as a detailed statement explaining the use that was made of the contribution. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds./

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator CORBIN, with unanimous consent, the amendment was withdrawn.

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Amendment No. 62

Senator CORBIN proposed the following amendment (4000R045.SP.TDC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of the contributed funds received and expended by the organization. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

On motion of Senator CORBIN, the amendment was carried over.

Amendment No. 15

Senator MASSEY proposed the following amendment (4000R037.SP.ASM.DOCX), which was adopted (#26):

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Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 526, proviso 117.153, by striking line 33 and inserting /Order 2015-18. Activities carried out/

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 52

Senator HEMBREE proposed the following amendment (DAD 118 TEACHER BONUS MM), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 535, proviso 118.15 (Taxpayer Rebate), lines 35-36, and page 536, lines 1-6 by striking the proviso in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/ (SR: Teacher Bonus) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, the Comptroller General shall transfer such amounts in excess of the total certified unobligated general fund revenue up to \$61,400,000 to the Department of Education to be used for teacher bonuses. To the extent sufficient funds are available, the Department of Education shall provide a 1% bonus to teachers on or before August 31 and a second 1% bonus on or before June 30. If sufficient funds are not available the amount of the bonus shall be reduced on a pro-rata basis. Teachers eligible for the pay raises given pursuant to Proviso 1.89 and 1A.36 are eligible for this bonus. /

Re-number sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HEMBREE, with unanimous consent, the amendment was withdrawn.

Amendment No. 53

Senator HEMBREE proposed the following amendment (DAD 118.15 & USCRSL), which was tabled:

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Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 535, proviso 118.15 (Taxpayer Rebate), lines 35-36, and page 536, lines 1-6, by striking the paragraph in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/ (SR: Unfunded SCRS Liability) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, revenue resulting from such funds shall be directed toward reducing the unfunded liability of the South Carolina Retirement System./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

Senator DAVIS spoke on the amendment.

Senator DAVIS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 15

AYES

Alexander	Allen	Campbell
Climer	Corbin	Cromer
Davis	Gambrell	Grooms
Harpootlian	Hutto	Johnson
Leatherman	Malloy	Martin
Matthews, John	Matthews, Margie	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Setzler
Shealy	Sheheen	Talley
Verdin	Young	

Total--29

NAYS

Bennett	Campsen	Cash
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Fanning	Goldfinch	Gregory
Hembree	Jackson	Loftis
Massey	Rice	Sabb
Scott	Senn	Turner

Total--15

The amendment was laid on the table.

Amendment No. 54

Senator HEMBREE proposed the following amendment (DAD 118.15 & HECF), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 535, proviso 118.15 (Taxpayer Rebate), lines 35-36, and page 536, lines 1-6, by striking the paragraph in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/ (SR: Higher Education Facilities Repair and Renovation Fund) In the event that amounts in excess of the Fiscal Year 2018-19 unobligated general fund revenue as certified by the Board of Economic Advisors become available due to increased income tax collections resulting from the lottery ticket redemption associated with the October 24, 2018 Mega Millions contest, from those funds the Higher Education Facilities Repair and Renovation Fund shall be established. The fund shall be separate and distinct from the general fund of the State and all other funds. Earnings and interest on the fund must be credited to it and any balance in the fund at the end of the fiscal year shall be carried forward and used for the same purpose. The Department of Administration, Executive Budget Office shall administer the fund.

The funds shall be distributed as follows: twenty-five percent shall be transferred to the State Board for Technical and Comprehensive Education for distribution among the state's public technical colleges in a manner the board promulgates by regulation; and the remaining seventy-five percent shall be transferred by the Executive Budget Office for distribution among the state's public institutions of higher learning based on a formula developed by the Executive Budget Office, in consultation with the Commission on Higher Education and adopted by regulation.

The funds may only be expended for necessary renovation, repair, and related maintenance, and other critical equipment and system repair and maintenance that are necessary for the safe and efficient operation of the institution's physical plant in its support of the institution's educational purpose. Funds must not be used for new construction. /

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Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HEMBREE, with unanimous consent, the amendment was withdrawn.

Amendment No. 45

Senator HEMBREE proposed the following amendment (ETK 118.16 NR FOR GH), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 537, proviso 118.16, line 35, by striking /\$11,000,000/ and inserting: /\$10,100,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 538, proviso 118.16, after line 25, by inserting an appropriately numbered item to read:

/() SC Workforce Development Artificial Intelligence Pilot Program \$ 900,000;

(.1) Of the funds appropriated to the Department of Commerce for the SC Workforce Development Artificial Intelligence Pilot Program, for school year 2019-2020, with in-kind or financial contributions by industry partners, the Department of Commerce shall allocate funds to develop a model for attracting recognized industry experts to high schools. Unused or excess funds may be carried forward to be used in the following school year.

Industry partner experts shall facilitate a teaching model platform of smart technology to include artificial intelligence integrated into augmented reality, virtual reality and animation to enhance student preparation for a specified career pathways beginning in the tenth grade.

The Department of Commerce shall monitor implementation of the pilot programs and report on its impact to the State Board of Education. The Department of Commerce shall pilot the program in public high schools or career centers in Anderson, Florence and Charleston counties as long as the pilot sites have the technology and leadership capacity to initiate a successful program./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, the amendment was withdrawn.

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Amendment No. 9

Senators SETZLER and YOUNG proposed the following amendment (KW STATE WATER PLANNING), which was adopted (#27):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, line 24, by inserting:

/ () Of the funds appropriated to the Department of Natural Resources in Item (42)(e) for State Water Planning, the department shall designate \$400,000 to complete the Edisto River Basin Study. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 38A

Senator HUTTO proposed the following amendment (DAD 118.16 ADDL REV BASE 2), which was adopted (#28):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, after line 34, by inserting a subsection to read:

/ (C) The source of revenue appropriated in this subsection is unobligated Fiscal Year 2018-19 General Fund surplus revenues collected above the amounts certified by the Board of Economic Advisors. The appropriations are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

The State Treasurer shall disburse the following appropriations by September 30, 2019, for the purposes stated:

(1) P280 - Department of Parks, Recreation, and Tourism

South Edisto River Recreational Improvements \$200,000 /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 39A

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Senator KIMPSON proposed the following amendment (DAD AFRICAN AMERICAN TOURISM MKTG 2), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ () P280 - Department of Parks, Recreation, and Tourism
African American Tourism Marketing \$ 100,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

Senator MASSEY explained the amendment.

On motion of Senator FANNING, the amendment was carried over.

Amendment No. 55A

Senators SCOTT and HUTTO proposed the following amendment (SA\4000C021.RT.SA19.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ () H590- State Board for Technical and Comprehensive Education
Denmark Technical College- Administrative Services and Equipment
500,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 13

Senator CASH proposed the following amendment (4000R051.KMM.RJC.DOCX), which was adopted (#29):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, line 16, by adding an appropriately numbered new proviso to read:

/ 117. . (GP: Fetal Remains) No funds appropriated or
authorized by this act may be used by the State's public colleges or
universities to purchase fetal remains resulting from an abortion for the
purpose of research or experimentation. The State's public colleges and

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universities are further prohibited from accepting donated fetal remains resulting from an abortion for the purpose of research or experimentation. A public college or university that purchases or accepts donated fetal remains in violation of this proviso shall return to the General Fund an amount equal to ten percent of the funds appropriated to the college or university under Part 1A of this act./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

RECESS

At 11:51 A.M., on motion of Senator LEATHERMAN, the Senate recessed from business until 12:30 P.M.

At 12:50 P.M., the Senate resumed.

Amendment No. 24

Senator HEMBREE proposed the following amendment (BH FACULTY REPORT), which was adopted (#30):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 543, after line 16, by adding an appropriately numbered new proviso to read:

/GP: CHE Faculty Report) The public institutions of higher education shall report to the Commission on Higher Education by November 1, 2019 the faculty credit hour production for regular undergraduate faculty and the number of adjunct professors and graduate students teaching in undergraduate programs for school year 2018-19. The Commission on Higher Education shall compile this information and provide a report to the Chairman of the Senate Education Committee, the Chairman of the Senate Finance Committee, the Chairman of the House Education and Public Works Committee, and the Chairman of the House Ways and Means Committee by January 1, 2020. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 25

Senator HEMBREE proposed the following amendment (BH HEMBREE TUITION MITIGATION HEPI), which was withdrawn:

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Amend the bill, as and if amended, Part IA, Section 13, THE CITADEL, page 30, line 5, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	15,393,350	3,512,383
and		
INSERTING:	15,435,291	3,554,324/

Amend the bill further, as and if amended, Part IA, Section 14, CLEMSON UNIVERSITY (EDUCATION & GENERAL), page 33, line 13, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	179,587,449	63,382,701
and		
INSERTING:	179,901,017	63,696,269/

Amend the bill further, as and if amended, Part IA, Section 15, UNIVERSITY OF CHARLESTON, page 35, line 6, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	56,565,100	15,644,979
and		
INSERTING:	56,710,975	15,790,854/

Amend the bill further, as and if amended, Part IA, Section 16, COASTAL CAROLINA UNIVERSITY, page 36, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	47,913,201	9,034,629
and		
INSERTING:	48,030,874	9,152,302/

Amend the bill further, as and if amended, Part IA, Section 17, FRANCIS MARION UNIVERSITY, page 38, line 9, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	20,323,402	8,598,751
and		
INSERTING:	20,403,705	8,679,054/

Amend the bill further, as and if amended, Part IA, Section 18, LANDER UNIVERSITY, page 40, line 16, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	10,976,827	4,209,922
and		
INSERTING:	11,042,666	4,275,761/

Amend the bill further, as and if amended, Part IA, Section 19, SOUTH CAROLINA STATE UNIVERSITY, page 42, line 7, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	13,017,772	7,665,464

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and

INSERTING: 13,068,227 7,715,919/

Amend the bill further, as and if amended, Part IA, Section 20A,
UNIVERSITY OF SOUTH CAROLINA, page 44, line 25, by:

COLUMN 7 COLUMN 8

/ STRIKING: 178,773,974 77,480,187

and

INSERTING: 177,494,208 76,200,421/

Amend the bill further, as and if amended, Part IA, Section 20B, USC
- AIKEN CAMPUS, page 48, line 5, by:

COLUMN 7 COLUMN 8

/ STRIKING: 13,782,577 7,507,577

and

INSERTING: 13,851,850 7,576,850/

Amend the bill further, as and if amended, Part IA, Section 20C, USC
- UPSTATE, page 50, line 5, by:

COLUMN 7 COLUMN 8

/ STRIKING: 20,277,607 10,977,607

and

INSERTING: 20,414,654 11,114,654/

Amend the bill further, as and if amended, Part IA, Section 20D, USC
- BEAUFORT CAMPUS, page 52, line 5, by:

COLUMN 7 COLUMN 8

/ STRIKING: 10,645,001 4,877,972

and

INSERTING: 10,687,813 4,920,784/

Amend the bill further, as and if amended, Part IA, Section 20E, USC
- LANCASTER CAMPUS, page 54, line 5, by:

COLUMN 7 COLUMN 8

/ STRIKING: 4,152,455 2,806,930

and

INSERTING: 4,188,108 2,842,583/

Amend the bill further, as and if amended, Part IA, Section 20F, USC
- SALKEHATCHIE CAMPUS, page 55, line 9, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,788,296 1,788,296

and

INSERTING: 1,809,412 1,809,412/

Amend the bill further, as and if amended, Part IA, Section 20G, USC
- SUMTER CAMPUS, page 57, line 5, by:

COLUMN 7 COLUMN 8

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/ STRIKING: 2,850,237 2,604,375

and

INSERTING: 2,875,150 2,629,288/

Amend the bill further, as and if amended, Part IA, Section 20H, USC
- UNION CAMPUS, page 59, line 5, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,634,368 1,484,368

and

INSERTING: 1,660,249 1,510,249/

Amend the bill further, as and if amended, Part IA, Section 21,
WINTHROP UNIVERSITY, page 61, line 6, by:

COLUMN 7 COLUMN 8

/ STRIKING: 29,803,424 9,661,924

and

INSERTING: 29,910,841 9,769,341/

Amend the bill further, as and if amended, Part IB, Section 117,
GENERAL PROVISIONS, page 527, proviso 155, by striking lines 15 -
33 and inserting:

/ (GP: Higher Education Tuition Mitigation) The following recurring funds
have been appropriated in Part IA to institutions of higher education to mitigate
tuition and mandatory fee increases for in-state, full-time undergraduate
students:

- (1) The Citadel \$ 806,593;
- (2) Clemson University \$ 6,030,374;
- (3) University of Charleston \$ 2,805,398;
- (4) Coastal Carolina University \$ 2,263,018;
- (5) Francis Marion University \$ 1,544,341;
- (6) Lander University \$ 1,266,174;
- (7) South Carolina State University \$ 970,330;
- (8) University of South Carolina-Columbia \$ 7,033,730;
- (9) University of South Carolina-Aiken \$ 1,332,227;
- (10) University of South Carolina-Upstate \$ 2,635,614;
- (11) University of South Carolina-Beaufort \$ 823,339;
- (12) University of South Carolina-Lancaster \$ 685,650;
- (13) University of South Carolina-Salkehatchie \$ 406,087;
- (14) University of South Carolina-Sumter \$ 479,118;
- (15) University of South Carolina-Union \$ 497,724; and
- (16) Winthrop University \$ 2,065,789. /

Amend the bill further, as and if amended, Part IB, Section 117,
GENERAL PROVISIONS, page 527, proviso 117.155, after line 36 by
inserting:

/ For FY 2019-20, MUSC is appropriated \$4,523,265 in Part IA to mitigate
tuition and mandatory fee increases for in-state, full-time undergraduate and

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Senator MB MATTHEWS explained the amendment.

The amendment was adopted.

Amendment No. 17

Senator SHEHEEN proposed the following amendment (ETK 3.5 LOTTERY FUNDING-SHEHEEN WORKFORCE), which was adopted (#33):

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, lines 8-9, by striking */State Board for Technical and Comprehensive Education/* and inserting */SBTCE/*

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, lines 11-15, by striking the lines in their entirety and inserting

/ (A) Prior to disbursement of funds and no later than July 30, SBTCE must provide the colleges with a Board approved list, compiled based on regional and statewide industry needs of the programs and credentials for which the colleges are allowed to award grants for the current fiscal year./

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, line 21, by striking: */of the academic year provided/*

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 342, proviso 3.5, line 22, after */Senate Finance Committee/* by striking: */, which/* and inserting */detailing use of funds received in the prior fiscal year. The report/*

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 71A

Senator MASSEY proposed the following amendment (4000R049.SP.ASM.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 343, proviso 3.5 by striking lines 35 through 36 and page 344 by striking lines 1 through 31 and inserting */From the funds appropriated to the State Board for Technical and*

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Comprehensive Education (SBTCE) for the South Carolina Workforce Promise Scholarship in the current fiscal year, a student who is attending a two-year public technical college, who is majoring in a critical workforce program, and who is receiving a Lottery Tuition Assistance Program (LTAP) Scholarship for the current fiscal year shall also receive a South Carolina Workforce Promise (SCWP) Scholarship. Subject to the funds appropriated, the SCWP scholarship is equal to the cost of tuition and mandatory fees after applying all other scholarships or grants, not to exceed two thousand five hundred dollars.

If the student is a freshman, then the student must be enrolled in at least six credit hours of instruction each semester in the current fiscal year, including at least three credit hours of instruction in one of the critical workforce areas defined by the SBTCE. To receive the additional SCWP scholarship, the student must receive the underlying LTAP scholarship and must be making acceptable progress toward receiving a degree pursuant to this section. Dual enrollment courses taken in high school in these critical workforce area programs count toward the fulfillment of the minimum requirement.

The South Carolina Coordinating Council for Workforce Development shall recommend critical workforce area programs to the SBTCE, and the SBTCE shall adopt guidelines to define what constitutes a critical workforce area program based upon those recommendations. Nothing herein prevents a student from changing majors within the acceptable disciplines. Additionally, in the current fiscal year, the SBTCE shall communicate with high school guidance counselors regarding the list of qualifying majors. Critical workforce program additions or deletions must be ratified by the South Carolina Coordinating Council for Workforce Development.

In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale.

A dual-enrollment student in high school who is majoring in one of the critical workforce areas at a technical college qualifies for the SCWP scholarship.

Additionally, a three-hundred-dollar book allowance for the current fiscal year is applied to a SCWP recipient's account for expenses toward the costs of attendance, including the cost of textbooks.

If a critical workforce area program is placed on suspension during the SBTCE's program evaluation process, then that program no longer qualifies for SCWP funds at that specific college. Students must be advised on how to complete their program by transferring to another

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technical college or serving as a transient student at another technical college to complete specified courses./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

Senator SETZLER spoke on the amendment.

Senator JACKSON spoke on the amendment.

Senator SABB spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator SETLZER spoke on the amendment.

Senator SETZLER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 11

AYES

Alexander	Allen	Campbell
Cromer	Fanning	Gambrell
Harpootlian	Hembree	Hutto
Jackson	Johnson	Leatherman
Loftis	Malloy	Martin
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--33

NAYS

Bennett	Campsen	Cash
Climer	Corbin	Davis
Goldfinch	Gregory	Grooms
Massey	Rice	

Total--11

The amendment was laid on the table.

[SJ]

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Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed that no further amendments would be placed on the desk after 3:00 P.M., with the exception of any necessary technical correcting and balancing amendments to be delivered to, and certified by the Clerk, and for the amendment to be adopted upon his certification for inclusion in H. 4000.

Amendment No. 79

Senator CASH proposed the following amendment (4000R047.SP.RJC.DOCX), which was adopted (#34):

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH & HUMAN SERVICES, page 366, proviso 25, by striking lines 15-23 and inserting / 33.25. (DHHS: Family Planning Funds) The State has enacted Section 43-5-1185 of the 1976 Code that prohibits state funds, directly or indirectly, from being utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions. Having prevented Planned Parenthood from performing abortions with state funds, once the federal injunction is lifted, the Department of Health and Human Services may not direct any federal funds to Planned Parenthood. An otherwise qualified organization may not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services where the life of the mother is at risk and the termination of the pregnancy is incidental to the lifesaving intervention is excepted from the above restriction on state family planning funds and may receive state family planning funds, provided that the physician shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

[SJ]

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Amendment No. 68A

Senators JOHNSON, HUTTO and HARPOOTLIAN proposed the following amendment (EK I-95 TOLL STUDY V3), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 436, after line 9, by adding an appropriately numbered new proviso to read:

/ (DOT: I-95 Toll Implementation) In the current fiscal year, the Department of Transportation shall proceed with the implementation of a toll on I-95. The department shall proceed with the design of a plan for the maintenance, upgrade, and expansion of the highways, bridges, and interchanges of Interstate Highway 95. /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HUTTO, with unanimous consent, the amendment was withdrawn.

Amendment No. 74B

Senators JOHNSON, HUTTO, HARPOOTLIAN and SENN proposed the following amendment (EK I-95 TOLL V6), which was adopted (#35):

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 436, after line 9, by adding an appropriately numbered new proviso to read:

/ (DOT: I-95 Toll Implementation) In the current fiscal year, the Department of Transportation shall proceed with the implementation of the recommendations contained in the DOT I-95 Toll Feasibility Study. The department shall proceed with the design of a plan for the maintenance, upgrade, and expansion of the highways, bridges, and interchanges of Interstate Highway 95 and report its progress and other feasible funding options for a comprehensive plan to the General Assembly by March 1, 2020. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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Amendment No. 87

Senator CASH proposed the following amendment (4000R053.SP.RJC.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 344, proviso 3.5 by striking / In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale./ on lines 21-22 and inserting:

/ In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 3.0 or better on a 4.0 grading scale./

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Senator SHEHEEN explained the amendment.

Senator SHEHEEN moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 88

Senator CASH proposed the following amendment (4000R052.SP.RJC.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 344, proviso 3.5 by striking / In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 2.0 or better on a 4.0 grading scale./ on lines 21-22 and inserting:

/ In order for a student to be eligible after attempting twenty-four academic credit hours, the student must have earned a grade point average of 2.5 or better on a 4.0 grading scale./

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator CASH explained the amendment.

Senator JOHNSON spoke on the amendment.

Senator JOHNSON moved to lay the amendment on the table.

The amendment was laid on the table.

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Amendment No. 82

Senator MASSEY proposed the following amendment (4000R036.SP.LKG.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH & HUMAN SERVICES, page 361, proviso 33.15, lines 35-36, and page 362, lines 1-7, by striking the proviso in its entirety and inserting / 33.15. (DHHS: CHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify eligible children to the Children's Health Insurance Program (CHIP) and must use available state agency program data including, but not limited to, that housed in the Revenue and Fiscal Affairs Office, to include the Department of Social Services' Supplemental Nutritional Assistance Program (SNAP) and the department may use the poverty-related information from the Department of Education. Use of this data and cooperative efforts between state agencies reduces the cost of outreach and maintenance of eligibility for CHIP activities.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

Senator ALEXANDER spoke on the amendment.

Senator ALEXANDER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 19

AYES

Alexander	Allen	Campbell
Cromer	Fanning	Gambrell
Harpootlian	Hutto	Jackson
Johnson	Leatherman	Malloy
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Rankin
Reese	Sabb	Scott
Setzler	Shealy	Sheheen

Total--24

NAYS

[SJ]

45

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Bennett	Campsen	Cash
Climer	Corbin	Davis
Goldfinch	Gregory	Grooms
Hembree	Loftis	Martin
Massey	Peeler	Rice
Senn	Talley	Turner
Young		

Total--19

The amendment was laid on the table.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that Proviso 38.29 of Part 1B was out of order inasmuch as it was not germane to the Bill.

38.29. (DSS: Faith-Based Private Child Placing Agencies) From the funds appropriated to the Department of Social Services, the department shall make and promulgate such rules and regulations relating to licensing standards and other matters as may be necessary to carry out the purposes of Title 63, Chapter 11, Article 1 of the 1976 Code as applied to faith-based private Child Placing Agencies. For purposes of these regulations, any person or entity who holds legal or physical custody of a child for the purpose of placement for foster care or adoption or a private placement and, which for the purposes of these regulations, retain their own system of foster homes, is a child placing agency as defined in S.C. Code of Regulations 114-550. Such regulation must not discriminate or suggest the taking of any adverse action against a faith-based child-placing agency or an agency seeking to become a child-placing agency on the basis, wholly or partly, that a faith-based child placing agency has declined or will decline to provide any service that conflicts with, or provide any service under circumstances that conflict with, a sincerely-held religious belief or moral conviction of the faith-based child placing agency.

Senator HUTTO spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 38.29 was ruled out of order.

Amendment No. 8A

Senators TALLEY and YOUNG proposed the following amendment (DAD RURAL BROADBAND ACCESS ST-V2), which was adopted (#36):

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 402, after line 17, by adding an appropriately numbered new proviso to read:

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/ (CMRC: Rural Broadband Access) From the funds appropriated to the Department of Commerce, the department must conduct a report on the accessibility of broadband and Internet service taking into consideration the geographic area of the state. The report may be developed in conjunction with the Federal Communications Commission, other states, agencies of the State, and private entities with relevant information to determine areas of the State that have (1) either no access to broadband or access to broadband that is less than 10 Megabits per second download and 1 Megabit per second upload speeds ("10/1 Mbps"); (2) access to broadband of at least 10/1 Mbps but less than 25 Megabits per second download and 3 Megabits per second upload speeds ("25/3 Mbps"); and (3) access to broadband with at least 25/3 Mbps. The report shall also include expected costs directly related to the construction of broadband infrastructure offered by a wired or wireless provider. The department shall also report all available federal grants for improved broadband access to unserved or underserved areas. The department may consult with other States' offices of technology or other related agencies to related action and impacts of expanded broadband access. The department may provide additional information not specified herein including, but not limited to, involvement of public-private partnership, infrastructure needs, and other available connectivity options. The Department of Commerce must submit the report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee prior to December 1, 2019. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

Amendment No. 41

Senator MARTIN proposed the following amendment (4000C005.JN.DG19.DOCX), which was adopted (#37):

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 402, by striking proviso 50.21 and inserting

/ 50.21. (CMRC: Development - Funding for Rural Infrastructure)
There is established within the Department of Commerce the Rural

[SJ]

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School District and Economic Development Fund. The Secretary of Commerce shall use the fund to facilitate economic development and infrastructure improvements in counties that contain a school district that has been defined by the Department of Education as having a poverty rate greater than or equal to 86%. Funds shall be used on, but not be limited to, school building infrastructure, water and sewer infrastructure, and economic development projects that directly benefit the qualifying school districts. Once a project is committed, the funds may be utilized to finish that specified project, even if the county does not remain an eligible county in subsequent years. The Department of Commerce must develop a plan on fund deployment that gives priority to counties that are classified as Tier IV, pursuant to Section 12-6-3360(B) of the 1976 Code, and that includes steps to ensure that the qualifying school districts within the eligible counties are the priority in economic development projects. This plan must be reviewed by the Joint Bond Review Committee before these funds may be expended. Funds disbursed through this proviso shall only be used on expenditures that are not eligible for the Department of Commerce's Closing Fund. No funds may be used to fund water and sewer infrastructure or economic development projects that directly assist a taxpayer under a fee in lieu of taxes agreement whereby the applicable school district does not receive its pro rata share of the fee. In addition, the department must provide an annual report on the expenditure of funds to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

Amendment No. 73

Senator GROOMS proposed the following amendment (4000R029.SP.LKG.DOCX), which was withdrawn:

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Amend the bill, as and if amended, Part IB, Section 88, STATE PORTS AUTHORITY, page 438, proviso 88.5, by striking lines 11-36 and page 439 by striking lines 1-16 and inserting / 88.5. (SPA: ~~Jasper Ocean Terminal Permitting~~ *Sale of Jasper Ocean Terminal*) ~~The funds appropriated to the State Ports Authority (SPA) for the Jasper Ocean Terminal shall be utilized by the SPA to pay for activities approved and directed by the joint venture governing board and associated with advancing the Project during FY 2018-19. In connection with activities that are approved and directed by the joint venture, SPA shall comply with the directive of Section 54-3-115 of the South Carolina Code in regard to taking "all action necessary to expeditiously develop a port in Jasper County."~~ Activities undertaken during FY 2018-19 may include, but are not limited to, the following:

- ~~1. working on a corporate governance model for the joint venture as an operating port;~~
- ~~2. working on terminal simulation for design and operation;~~
- ~~3. working on plans, studies, and modeling in conjunction with the respective South Carolina and Georgia Departments of Transportation and the metropolitan planning organization to identify and assess supporting road and rail infrastructure for the terminal footprint including, but not limited to, supporting infrastructure that may have independent utility;~~
- ~~4. working on sedimentation modeling for impacts on construction and dredging;~~
- ~~5. taking actions in furtherance of obtaining: (a) a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act; (b) a permit pursuant to Section 404 of the Clean Water Act, to prepare a Channel Modification Feasibility Study; and (c) studies necessary in connection with developing an Environmental Impact Statement for the Project; and~~
- ~~6. discharging its obligations pursuant to its Joint Venture Agreement with the Georgia Ports Authority.~~

~~The funds appropriated to SPA for the Jasper Ocean Terminal Permitting may not be used for reimbursement of SPA expenditures made in a prior fiscal year and must be used only for one or more of the purposes set forth above.~~

~~SPA shall provide a detailed report in writing to the members of the South Carolina General Assembly on or before the first day of the 2019 legislative session and another such report on or before June 30, 2019, describing the progress made as of the dates of those reports in regard to~~

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the Jasper Ocean Terminal, such to include a description of the ongoing and planned work.

(A) From the funds appropriated to the Department of Administration, the Department of Administration is directed to conduct a competitive bidding process for the sale of the State's interest in the development of the Jasper Ocean Terminal. The Department of Administration shall procure such professional services as are necessary to conduct the sale, the evaluation of bids received, and related activities. Staff from the State Fiscal Accountability Authority's Procurement Services Division shall assist the department in conducting the competitive bidding process and procuring any necessary professional services.

(B) The department shall conduct a thorough evaluation of all bids received through the competitive bidding process. At the conclusion of its evaluation of the bids, the department shall make a recommendation regarding the bid that the department considers to be in the best interest of the State and its taxpayers.

(C) The department shall present to the Chairman of the Senate Finance Committee and the Chairman of the House of Representatives Ways and Means Committee its full evaluation of each bid and its recommendation for a proposed purchaser, justifications for its recommendation, a proposed contract to execute the sale, and any supporting documents. The Senate Finance Committee and the House of Representatives Ways and Means Committee shall each meet as soon as practicable to review and make a recommendation regarding the proposed sale. Upon receipt of the recommendation from their respective committees, the President of the Senate and the Speaker of the House of Representatives shall convene their respective bodies to consider any legislation concerning the sale.

(D) The department must execute any documents necessary in order to effectuate the sale upon the enactment of a joint resolution approving the sale. The net proceeds of the sale shall be deposited in the General Fund to reimburse the State for costs incurred for the development of the terminal as of the date of the sale.

(E) The State Ports Authority is directed to provide any and all resources necessary to conduct the competitive bidding process and evaluation of the bids received./

Renumber sections to conform.

Amend sections, totals and title to conform.

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PRESIDENT PRESIDES

At 3:08 P.M., the PRESIDENT assumed the Chair.

Senator GROOMS explained the amendment.

On motion of Senator GROOMS, the amendment was withdrawn.

Amendment No. 63

Senator CROMER proposed the following amendment (ETK 109.14 UPDATE V3), which was carried over:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, proviso 109.14, lines 5 - 7, by striking the proviso in its entirety, and inserting / (Collection of Business License Taxes) Except for business license taxes collected pursuant to Article 20, Chapter 9 of Title 58 and Chapters 7 and 45 of Title 38, a private, third party entity is prohibited from assessing, collecting or administering collection of business license taxes on behalf of counties or municipalities. This proviso shall not prohibit a county or municipality from contracting with a third party entity solely for the purpose of providing payment processing services for the acceptance of business license tax payments.

A study committee shall be established to study reform and implementation of a third party collection system. The study committee shall be composed of the following:

(1) One member appointed by the Chairman of the Senate Finance Committee;

(2) One member appointed by the Chairman of the House Ways and Means Committee;

(3) One member appointed by the Chairman of the Senate Labor, Commerce and Industry Committee;

(4) One member appointed by the Chairman of the House Labor, Commerce and Industry Committee;

(5) One member of the Municipal Association of South Carolina;

(6) One member of the South Carolina Chamber of Commerce;

(7) One member of the South Carolina Manufacturers Alliance;

(8) One member of the South Carolina Association of Realtors;

and

(9) One member of the South Carolina Association of Counties. /

Re-number sections to conform.

Amend sections, totals and title to conform.

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On motion of Senator CROMER, the amendment was carried over.

Amendment No. 89

Senator CROMER proposed the following amendment (ETK 109.14 UPDATE V4), which was adopted (#38):

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, proviso 109.14, lines 5 - 7, by striking the proviso in its entirety, and inserting

/ (Collection of Business License Taxes) Except for business license taxes collected pursuant to Article 20, Chapter 9, of Title 58, and Chapters 7 and 45 of Title 38, of the 1976 Code, a private, third party entity is prohibited from assessing or collecting business license taxes or requiring a business entity to remit confidential business license tax data to that private third party on behalf of counties or municipalities. This proviso shall not prohibit a county or municipality from contracting with a third party entity in assisting in the collection of business license taxes. For purposes of this proviso, assisting in the collection of business license taxes is defined as identification of businesses that do not have a business license, providing that identification to a county or municipality and/or providing by United States mail official municipality or county business license forms, along with a self-addressed envelope containing the county or municipality address, to identified businesses on behalf of the county or municipality; but does not include collecting personal or proprietary information from the identified business. A third party assisting in the collection of business license taxes as defined in this proviso is prohibited from any further contact with the business. This proviso shall not prohibit a county or municipality from contracting with a third party entity solely for the purpose of providing payment processing services for the acceptance of business license tax payments.

A study committee shall be established to study reform and implementation of a third party collection system. The study committee shall be composed of the following:

(1) One member appointed by the Chairman of the Senate Finance Committee;

(2) One member appointed by the Chairman of the House Ways and Means Committee;

(3) One member appointed by the Chairman of the Senate Labor, Commerce and Industry Committee;

(4) One member appointed by the Chairman of the House Labor, Commerce and Industry Committee;

(5) One member of the Municipal Association of South Carolina;

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(6) One member of the South Carolina Chamber of Commerce;

(7) One member of the South Carolina Manufacturers Alliance;

(8) One member of the South Carolina Association of Realtors;

and

(9) One member of the South Carolina Association of Counties.

Staff support for the study committee shall be provided by the relevant standing committees of the Senate and the House of Representatives, as appropriate. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

Recorded Vote

Senator SHEHEEN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 31

Senator FANNING proposed the following amendment (4000C008.RT.SA19.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 470, after line 12, by adding an appropriately numbered new proviso to read:

/ (DOR: Tax Credit) For the tax year ending in the current fiscal year, for any county where utility property comprised at least fifty percent of the entire county's tax base, as calculated using the imputed index of taxpaying ability for the entire county pursuant to Proviso 1.47, for purposes of the jobs tax credit, the county is deemed to be a tier four county and such designation applies for all jobs created during the same tax year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FANNING explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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Amendment No. 84

Senators MASSEY and MARTIN proposed the following amendment (4000R042.SP.ASM.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 113, AID TO SUBDIVISIONS - STATE TREASURER, page 473, after line 34, by adding an appropriately numbered new proviso to read:

/ 113. . (AS-TREAS: Preemption) (A) For the purposes of this proviso, "consumer goods" means goods that are used or bought for use primarily for personal, family, or household purposes.

(B) Except as otherwise provided herein, a political subdivision receiving aid from the Local Government Fund may not enforce a regulation regarding the use, purchase, sale, or transfer of consumer goods enacted on or after April 1, 2019.

(C) Except as otherwise provided herein, a political subdivision receiving aid from the Local Government Fund may not enact a new regulation regarding the use, purchase, sale, or transfer of consumer goods.

(D) A political subdivision that enacts or enforces a regulation in violation of this proviso shall not receive its next scheduled quarterly distribution from the Treasurer following the date of the enforcement of the regulation.

(E) Nothing in this proviso may be construed to prohibit or limit any political subdivision's ordinance regulating the disposal of consumer goods./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

Point of Order

Senator SENN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.

Senator MASSEY spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator MASSEY spoke on the amendment.

Point of Order

Senator DAVIS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

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Senator MASSEY spoke on the Point of Order.
The PRESIDENT overruled the Point of Order.

Senator MASSEY spoke on the amendment.

Point of Order

Senator JOHNSON raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MASSEY spoke on the Point of Order.
The PRESIDENT overruled the Point of Order.

Senator MASSEY spoke on the amendment.

Point of Order

Senator DAVIS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MASSEY spoke on the Point of Order.

Senator MARTIN raised a Point of Order that the Point of Order raised by Senator DAVIS came too late.

The PRESIDENT sustained the Point of Order.

Senator DAVIS spoke on the amendment.

Remarks to be Printed

On motion of Senator CASH, with unanimous consent, the remarks of Senator DAVIS, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator CAMPSSEN spoke on the amendment.
Senator SENN spoke on the amendment.

Senator SENN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 15

AYES

Allen	Bennett	Campsen
Cash	Cromer	Davis
Gregory	Grooms	Harpootlian

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Hembree	Hutto	Jackson
Johnson	Malloy	Matthews, John
Matthews, Margie	McElveen	McLeod
Nicholson	Rankin	Reese
Sabb	Scott	Senn
Setzler	Sheheen	Young

Total--27

NAYS

Alexander	Climer	Corbin
Gambrell	Goldfinch	Leatherman
Loftis	Martin	Massey
Peeler	Rice	Shealy
Talley	Turner	Verdin

Total--15

The amendment was laid on the table.

Amendment No. 62

Senator CORBIN proposed the following amendment (4000R045.SP.TDC.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of the

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contributed funds received and expended by the organization. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

On motion of Senator CORBIN, the amendment was withdrawn.

Amendment No. 76

Senator CORBIN proposed the following amendment (4000R046.SP.TDC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of the contributed state funds received and expended by the organization. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the

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contributed funds. The provisions of this proviso shall not be construed as requiring the disclosure of confidential or proprietary information./

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

On motion of Senator CORBIN, the amendment was carried over.

Amendment No. 81

Senator TALLEY proposed the following amendment (ETK EARLY CHILDHOOD STUDY COMM-ST), which was adopted (#39):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, after line 15, by adding an appropriately numbered new proviso to read:

/ (GP: Early Childhood Education Study Committee) There is established the Early Childhood Education Study Committee to study the implementation of the recommendations included in the report of the Office of First Steps Study Committee established pursuant to Act 287 of 2014, for the establishment of a cabinet-level agency reporting directly to the governor under which certain programs shall be reorganized so that all early childhood services currently operating across multiple systems and funding streams will be coordinated to streamline an otherwise fragmented system of services resulting in more accountability, efficiency, and reduction of duplicative services.

The committee shall study how specific early childhood programs should more appropriately be housed at a combined agency, as recommended in the report of the First Steps Study Committee established pursuant to Act 287 of 2014, in order to more efficiently and effectively manage those services while ensuring existing funding streams avoid disruption and while ensuring that the operations and individual 501(c)(3) status of local First Steps Partnerships are maintained and not disrupted. Applicable programs shall include, but are not limited to: Head Start Collaboration Office, First Steps to School Readiness State Office, Office of Early Learning, ABC Childcare Program, Childcare Licensing Office, Childcare Resource and Referral Network, Child Early Reading Development & Education Program, BabyNet, Women, Infants and Children Supplemental Food Program (WIC), and the Postpartum Newborn Home Visitation Program.

The study committee shall be comprised of the following:

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1) Chairman of the Senate Family & Veterans' Services Committee, or their designee, who shall serve as Co-Chair;

2) Chairman of the House of Representatives Education & Public Works Committee, or their designee, who shall serve as Co-Chair;

3) Two members of the Senate, appointed by the Chairman of the Family & Veterans' Services Committee;

4) Two members of the House of Representatives, appointed by the Education & Public Works Committee;

5) Three members appointed by the Governor;

6) Chairman of the Joint Citizens and Legislative Committee on Children, or their designee; and

7) President of the Institute for Child Success, or their designee.

Staff support shall be provided by the Senate Family & Veterans' Services Committee and the House of Representatives Education & Public Works Committee. Findings and recommendations shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways & Means Committee, and the Governor by December 1, 2019./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

Amendment No. 92

Senators CLIMER and FANNING proposed the following amendment(\4000C023.RT.SA19.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 529, after line 15, by adding an appropriately numbered new proviso to read:

/ (GP: State Aid to Classrooms Additional Funding)

(A)Notwithstanding any amounts appropriated in Part 1A, the general funds appropriated to the following agencies are reduced by the following amounts:

<u>H870-State Library</u>	<u>\$448,739</u>
<u>H910-Arts Commission</u>	<u>\$316,884</u>
<u>B040-Judicial Department</u>	<u>\$1,775,765</u>
<u>N200-Law Enforcement Training Council</u>	<u>\$445,086</u>
<u>N080-Department of Probation, Parole, and Pardon Services</u>	<u>\$1,013,676</u>

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<u>H170-Coastal Carolina University</u>	<u>\$481,687</u>
<u>H210-Lander University</u>	<u>\$186,493</u>
<u>J040-Depart of Health and Environmental Control</u>	<u>\$2,000,000</u>
<u>J160-Department of Disabilities and Special Needs</u>	<u>\$2,068,690</u>
<u>L240-Commission for the Blind</u>	<u>\$73,742</u>
<u>P120-Forestry Commission</u>	<u>\$649,454</u>
<u>P200-Clemson University PSA</u>	<u>\$533,260</u>
<u>240-Department of Natural Resources</u>	<u>\$296,199</u>
<u>P280-Department of Parks, Recreation, and Tourism</u>	<u>\$645,586</u>
<u>P400-Conservation Bank</u>	<u>\$366,612</u>
<u>E200-Attorney General</u>	<u>\$536,026</u>
<u>D050-Governor's Office Executive Control of State</u>	<u>\$245,839</u>
<u>D500-Department of Administration</u>	<u>\$2,000,000</u>
<u>E240-Adjutant General</u>	<u>\$804,658</u>
<u>L460-Commission on Minority Affairs</u>	<u>\$74,504</u>

(B)From the reductions above, in addition to the funds appropriated in Proviso 1.3 for State Aid to Classrooms, there is appropriated an additional amount sufficient to provide an extra fifteen dollars of state funds to each student./

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

Senator M.B. MATTHEWS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 8

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Corbin
Cromer	Davis	Gambrell
Grooms	Harpoottian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews, John
Matthews, Margie	McElveen	McLeod
Nicholson	Peeler	Rankin
Sabb	Scott	Setzler
Shealy	Sheheen	Talley

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Turner Verdin Young

Total--36

NAYS

Cash Climer Fanning
Goldfinch Gregory Reese
Rice Senn

Total--8

The amendment was laid on the table.

Amendment No. 80

Senators SENN and JACKSON proposed the following amendment (DAD 118.15 LITTER SS), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.15, line 2, by striking /\$61,400,000/ and inserting /\$48,200,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.15, lines 3 and 4, by striking /fifty/ and inserting /forty/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.15, line 6, by inserting:

/ In addition, from the funds realized, the Comptroller General shall transfer \$11,000,000 to the Department of Transportation for litter pickup and \$2,200,000 to the Department of Natural Resources for waterway cleanup. The Department of Natural Resources shall distribute the \$2,200,000 to the state's Riverkeepers to ensure the funds are utilized to clean-up the rivers located within the State. Riverkeepers shall make application to the department demonstrating the need for these funds and the department shall distribute the funds as requested. If more funds are requested than are available, each award shall be reduced proportionately. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

Senator DAVIS moved to lay the amendment on the table.

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The amendment was laid on the table.

Amendment No. 93

Senator SENN proposed the following amendment (DG 118.16 LITTER), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.16, line 35, by striking /\$8,000,000/ and inserting /\$4,000,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 536, proviso 118.16, after line 36, by inserting:

/(c) Litter Pickup \$2,500,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, after line 24, by inserting:

/(f) Waterway Cleanup \$1,500,000

(42.1) Of the funds appropriated to the Department of Natural Resources, in Item (42)(f) for Waterway Cleanup, the department shall distribute to the state's Riverkeepers to ensure the funds are utilized to clean-up the rivers located within the State. Riverkeepers shall make application to the department demonstrating the need for these funds and the department shall distribute the funds as requested. If more funds are requested than are available, each award shall be reduced proportionately. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

On motion of Senator SENN, the amendment was withdrawn.

Reconsidered and Tabled

Amendment No. 48

Senators SCOTT and HUTTO proposed the following amendment (DG DG JS DEN), which was adopted, reconsidered and tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an item to read:

/(1) H590 - State Board for Technical and Comprehensive Education
Denmark Technical College \$2,000,000 /

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Renumber sections to conform.
Amend sections, totals and title to conform.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

On motion of Senator ALEXANDER, the adoption of Amendment No. 48 was reconsidered.

Senator ALEXANDER moved to lay the amendment on the table.

The amendment was laid on the table.

**Reconsidered and Adopted
Amendment No. 49**

Senator M.B. MATTHEWS proposed the following amendment (ETK 118.16 COLLETON COUNTY), which was not adopted, reconsidered and adopted (#42):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

*/() P320 - Department of Commerce
Colleton County Economic Development \$ 150,000 /*

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator M.B. MATTHEWS explained the amendment.

The question then was the adoption of the amendment.

The amendment was not adopted.

On motion of Senator DAVIS, having voted on the prevailing side, the vote whereby the amendment failed was reconsidered.

Senator CASH moved to lay the amendment on the table.

The Senate refused to table the amendment.

[SJ]

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The question then was the adoption of the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 55A

Senators SCOTT and HUTTO proposed the following amendment (SA\4000C021.RT.SA19.DOCX), which was adopted (#40):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ () H590- State Board for Technical and Comprehensive Education
Denmark Technical College- Administrative Services and Equipment
\$ 500,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 64B

Senators J. MATTHEWS and HUTTO proposed the following amendment (4000 Crisis Stability Matthews.DOCX), which was adopted (#42):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ () J020- Department of Health and Human Services

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Mental Health Crisis Stability Unit Serving Orangeburg, Calhoun,
Bamberg and Barnwell Counties at Orangeburg County Hospital
\$500,000 /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator J. MATTHEWS explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 65

Senator JACKSON proposed the following amendment (4000 Jackson Veterans 2. .DOCX), which was adopted (#43):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ () J120- Department of Mental Health
Fisher House \$200.000 /

Re-number sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 66

Senator WILLIAMS proposed the following amendment (4000 Williams Long Term Disaster.DOCX), which was adopted (#44):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ () D500 - Department of Administration
Marion County Long Term Disaster Recovery \$100.000 /

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Renumber sections to conform.
Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 72A

Senator SABB proposed the following amendment (4000 SABB TOWNOF SCRANTON 2.DOCX), which was adopted (#45):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

*/ () D500 - Department of Administration
Town of Scranton -Disaster Relief \$100,000 /*

Renumber sections to conform.
Amend sections, totals and title to conform.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 85A

Senator SABB proposed the following amendment (4000 Williamsburg Senior Center .DOCX), which was adopted (#46):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

*/ () J040 Department of Health and Environmental Control
Williamsburg Senior Center \$500,000 /*

Renumber sections to conform.
Amend sections, totals and title to conform.

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Senator SABB explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 90

Senator HEMBREE proposed the following amendment (ETK 118.16 ART INTELL GH), which was adopted (#47):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/() SC Workforce Development Artificial Intelligence Pilot Program
\$900,000;

(.1) Of the funds appropriated to the Department of Commerce for the SC Workforce Development Artificial Intelligence Pilot Program, for school year 2019-2020, with in-kind or financial contributions by industry partners, the Department of Commerce shall allocate funds to develop a model for attracting recognized industry experts to high schools. Unused or excess funds may be carried forward to be used in the following school year.

Industry partner experts shall facilitate a teaching model platform of smart technology to include artificial intelligence integrated into augmented reality, virtual reality and animation to enhance student preparation for a specified career pathways beginning in the tenth grade.

The Department of Commerce shall monitor implementation of the pilot programs and report on its impact to the State Board of Education. The Department of Commerce shall pilot the program in public high schools or career centers in Anderson, Florence and Charleston counties as long as the pilot sites have the technology and leadership capacity to initiate a successful program./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

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Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 37A

Senators SABB and SCOTT proposed the following amendment (ETK 118.17 FARM AID V2), which was adopted (#48):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 541, proviso 118.17, after line 13, by inserting:

/ In addition, a seasonal processing facility with an NAICS code of 115111 that is located in a Tier IV county and has experienced a verifiable decrease in yield of greater than 85% due to the flooding from Hurricanes Michael and Florence, is eligible to apply for a grant. Eligible entities must present:

(1) a signed affidavit, under penalty of perjury, certifying that each fact of the loss presented by the facility is accurate; and

(2) a signed affidavit, under penalty of perjury, certifying that no federal funds have been received for these specific disasters, and in the event that federal funds are received, the facility will return all state monies received under this program.

(3) an owner or person who has a financial interest in the processing facility may not receive both a grant award for the facility and for individual crop losses.

Each grant awarded by the department may not exceed twenty percent of the facility's verifiable loss of yield. However, a facility, may not receive grants aggregating more than fifty thousand dollars. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SABB explained the amendment.

The amendment was adopted.

Amendment No. 51

Senators CLIMER and FANNING proposed the following amendment (4000C011.NBD.DG19.DOCX), which was adopted (#49):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

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/ (SDE: Capital Improvement Payments) In the current fiscal year, any school district that is allocated state funds pursuant to this act may utilize any fees derived from developmental impact fees to pay debt service on projects included in the capital improvements plan for which the fees were imposed. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Amendment No. 91

Senators RANKIN and JACKSON proposed the following amendment (DG\4000C013.NL.DG19.DOCX), which was adopted (#50):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 303, after line 31, by adding an appropriately numbered new proviso to read:

/ (SDE: Personal Finance) From the funds appropriated to the State Department of Education in the current fiscal year, the Department of Education shall develop a one-half credit virtual course in personal finance. The course must be fully developed by June 30, 2020. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Amendment No. 94

Senators LEATHERMAN and SHEHEEN proposed the following amendment (ETK 3.5 LOTTERY VS), which was adopted (#51):

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 341, proviso 3.5, after line 9, by inserting:

/ () Department of Education - Innovation Grants \$3,800,000

/ () Education Oversight Committee - After School Pilot Program and Clemson Forest Initiative \$1,500,000

/ () Commission on Higher Education - Higher Education Facilities Repair and Renovation Fund \$All Remaining./

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY

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EXPENDITURE ACCOUNT, page 345, proviso 3.5, after line 2, by inserting:

/ Of the funds appropriated to the Higher Education Facilities Repair and Renovation Fund, on or before October 31st of current fiscal year, the Commission shall transfer twenty percent to the State Board for Technical and Comprehensive Education for distribution among the State's public technical colleges in a manner the board adopts and the remaining eighty percent must be distributed by the Commission to each of the state's remaining public research, comprehensive and two-year branch campuses of the University of South Carolina based on a formula developed by the Commission's Finance and Facilities Committee in cooperation with the Council of Presidents. At minimum, the Committee and Council's formula shall take into consideration an institution's total number of buildings by type, size (as measured by square footage) and age compared to the total number of buildings by type, size (as measured by square footage) and age among all public research, comprehensive and two-year branch campuses of the University of South Carolina.

The funds may only be expended for necessary renovation, repair, and related maintenance, and other critical equipment and system repair and maintenance that are necessary for the safe and efficient operation of the institution's physical plant in its support of the institution's educational purpose. Funds must not be used for new construction. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

Amendment No. 96A

Senators CLIMER and RANKIN proposed the following amendment (4000R055.SP.WC.DOCX), which was adopted (#52):

Amend the bill, as and if amended, Part IB, Section 73, OFFICE OF REGULATORY STAFF, page 428, after line 13, by adding an appropriately numbered new proviso to read:

/ 73.____. (ORS: RTO Study Committee) (A) There is created the Regional Transmission Organization Study Committee to make regional transmission entities (RTEs), including regional transmission organizations, that satisfy the minimum criteria established by the Federal Energy Regulatory Commission under 18 C.F.R. 35.34. The study committee shall address how the State's retail electric consumers

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would benefit from investor-owned utilities in South Carolina joining or establishing an RTE.

(B) The study committee shall be comprised of:

(1) the Director of the Office of Regulatory Staff or his designee;

(2) three members of the Senate appointed by the Chairman of the Senate Judiciary Committee, one of whom must be from the minority party;

(3) three members of the House of Representatives appointed by the Chairman of the House of Representatives Labor, Commerce and Industry Committee, one of whom must be from the minority party;

(4) two representatives of the renewable energy community who primarily engage in the development of utility scale solar projects in South Carolina and who are appointed by the Chairman of the House of Representatives Labor, Commerce and Industry Committee;

(5) one designee from Duke Energy;

(6) one designee from Dominion Power;

(7) two representatives of commercial consumers of electricity in investor-owned utility service territory in South Carolina who are appointed by the Chairman of the House of Representatives Labor, Commerce and Industry Committee;

(8) two representatives of residential consumers of electricity in investor-owned utility service territory in South Carolina or the AARP who are appointed by the Chairman of the Senate Judiciary Committee;

(9) two representatives of industrial consumers of electricity in investor-owned utility service territory in South Carolina who are appointed by the Chairman of the House of Representatives Labor, Commerce and Industry Committee;

(10) two representatives of the environmental community appointed by the Chairman of the House of Representatives Judiciary Committee;

(11) one designee of the South Carolina Electric Cooperatives;

(12) two representatives of South Carolina's renewable energy industry primarily engaged in the sale, lease, or installation of rooftop solar systems; and

(13) one designee of the Solar Energy Industries Association.

(C) The study committee shall be staffed by the House of Representatives and Senate staff.

(D) The study committee shall provide a report to the General Assembly by December 31, 2019, at which time the study committee shall dissolve, unless the committee is extended by the General Assembly./

Renumber sections to conform.

Amend sections, totals and title to conform.

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Senator CLIMER explained the amendment.

The amendment was adopted.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

Amendment No. 95

Senator BENNETT proposed the following amendment (ETK 75.2 MILITARY DISABILITY), which was adopted (#53):

Amend the bill, as and if amended, Part IB, Section 75, STATE ACCIDENT FUND, pages 428-429, proviso 75.2, lines 29-36 and lines 1-11, by striking the proviso in its entirety, and inserting

/ 75.2. (SAF: Military Disability) (A) From the funds credited to the State Accident Fund in the current fiscal year, there is established within the State Accident Fund a military disability program that provides a settlement for any such member of the National Guard that became permanently disabled while serving during the catastrophic weather event in October 2015. The settlement must be based upon that which persons under similar circumstances in the military service of the United States receive from the United States. The director may seek assistance in establishing the program from the Adjutant General or any other agency or entity with such expertise.

(B) A National Guard member may only participate in this program if the member permanently waives any right to claim benefits pursuant to Section 25-1-100 and releases the State from any potential liability pursuant to Section 25-1-100, and further agrees that any amounts due under this proviso are subject to appropriate offsets to avoid compensation in excess of what the member would have received from the federal government if permanently disabled while performing federally paid duty. Offsets include benefits received, or to be received, under Title 42 of the 1976 Code as a result of these injuries (State Workers' Compensation), benefits received, or to be received, pursuant to Chapter 10 of Title 9 of the 1976 Code (SC National Guard Retirement System), as well as any benefits received, or to be received, from the federal government such as severance pay, military retirement pay, or VA benefits relating to the same disabilities at issue in the State military disability claim.

(C) From the funds credited and authorized to the State Accident Fund in the current fiscal year, the director of the State Accident Fund is authorized to offer a onetime lump sum settlement to members of the

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military disability program, subject to eligibility and the other requirements set forth in the proviso./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

PRESIDENT PRESIDES

At 6:26 P.M., the PRESIDENT assumed the Chair.

On motion of Senator CROMER, with unanimous consent, Amendment No. 63 was withdrawn.

Amendment No. 76A

Senator CORBIN proposed the following amendment (4000R056.SP.SLG.DOCX), which was adopted (#54):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 484, by striking line 2 and inserting /to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization and detailing the use of the contributed state funds received and expended by the organization for the purpose of staffing, including full and part time positions and the number of positions available versus positions filled; salaries for each position; and any supporting documentation. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the

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contributed funds The provisions of this proviso shall not be construed as requiring the disclosure of confidential or proprietary information./

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

Amendment No. 39A

Senator KIMPSON proposed the following amendment (DAD AFRICAN AMERICAN TOURISM MKTG 2), which was adopted (#55):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, subsection (C), by adding an appropriately numbered item at the end to read:

/ () P280 - Department of Parks, Recreation, and Tourism
African American Tourism Marketing \$ 100,000 /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator KIMPSON explained the amendment.

The amendment was adopted.

Recorded Vote

Senators TALLEY, DAVIS, MARTIN, MASSEY, SHEALY, GAMBRELL, TURNER, BENNETT and CORBIN desired to be recorded as voting against the adoption of the amendment.

On motion of Senator CLIMER, with unanimous consent, Amendment No. 86 was withdrawn.

On motion of Senator BENNETT, with unanimous consent, Amendment No. 78 was withdrawn.

Amendment No. 97

Senator LEATHERMAN proposed the following amendment (ETK BAL AM), which was adopted (#56):

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Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 539, proviso 118.16, after line 8, by inserting an appropriately numbered subitem to read:

/ () Lakes and Bridges Charter School-Capital Improvements \$200,000:/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 540, proviso 118.16, line 15 item (40) opposite /State Owned Building Deferred Maintenance/, by striking /\$1,000,000/ and inserting /\$800,000/

Renumber sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

There being no further amendments, in accordance with Rule 16, the Senate proceeded to vote on each section of the Bill.

The Senate proceeded to Sect. 1, Part 1A and Part 1B, Dept. of Education.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 4; Abstain 1

AYES

Alexander	Allen	Campbell
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Harpootlian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--39

NAYS

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Bennett
Massey

Grooms

Hembree

Total--4

ABSTAIN

Campsen

Total--1

Section 1, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 1A, Part 1A and Part 1B, Dept. of Education-EIA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms

Hembree

Massey

Total--3

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ABSTAIN

Corbin

Total--1

Section 1A, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 3, Part 1A and Part 1B, Lottery Expenditure Account.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms Massey

Total--2

Section 3, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 4, Part 1A, Education Oversight Committee.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--39

NAYS

Grooms	Martin	Massey
--------	--------	--------

Total--3

ABSTAIN

Corbin	Hembree
--------	---------

Total--2

Section 4, Part 1A, was adopted.

The Senate proceeded to Sect. 5, Part 1A and Part 1B, Wil Lou Gray Opportunity School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 5, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 6, Part 1A and Part 1B, School for the Deaf and Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler

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Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 6 , Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 7, Part 1A and Part 1B, John de la Howe School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

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Section 7, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 8 Part 1A and Part 1B, Education Television Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 8, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 11, Part 1A and Part 1B, Commission on Higher Education.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
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Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Campsen

Total--1

Section 11, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 12, Part 1A, Higher Ed. Tuition Grants

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis

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Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 12, Part 1A, was adopted.

The Senate proceeded to Sect. 13 Part 1A, The Citadel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

[SJ]

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Grooms

Massey

Total--2

ABSTAIN

Senn

Total--1

Section 13, Part 1A, was adopted.

The Senate proceeded to Sect. 14, Part 1A and Part 1B, Clemson University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms

Massey

Total--2

Section 14 , Part 1A, was adopted.

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The Senate proceeded to Sect. 15 Part 1A, College of Charleston.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Senn

Total--1

Section 15, Part 1A, was adopted.

The Senate proceeded to Sect. 16, Part 1A, Coastal Carolina University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

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AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 16, Part 1A, was adopted.

The Senate proceeded to Sect. 17, Part 1A, Francis Marion University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin

[SJ]

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Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 17, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 18, Part 1A, Lander University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

[SJ]

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Section 18, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 19, Part 1A, S. C. State University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Senn

Total--1

Section 19, Part 1A, was adopted.

The Senate proceeded to Sect. 20A-H, Part 1A and Part 1B, University of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:

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Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Senn	Sheheen
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Total--2

Section 20A-H, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 21, Part 1A, Winthrop University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

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Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 21, Part 1A, was adopted.

The Senate proceeded to Sect. 23, Part 1A and Part 1B, Medical Univ. of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin

[SJ]

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Young

Total--40

NAYS

Grooms

Massey

Matthews, Margie

Total--3

ABSTAIN

Senn

Total--1

Section 23, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 24, Part 1A, Area Health Education Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

[SJ]

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Grooms Massey

Total--2

Section 24, Part 1A, was adopted.

The Senate proceeded to Sect. 25, Part 1A and Part 1B, Technical and Comprehensive Education Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms Massey

Total--2

ABSTAIN

Hembree

Total--1

Section 25, Part 1A and Part 1B, was adopted.

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The Senate proceeded to Sect. 26, Part 1A and Part 1B, Archives and History.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms Massey

Total--2

Section 26, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 27, Part 1A and Part 1B, State Library.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

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Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
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Total--2

Section 27, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 28, Part 1A and Part 1B, Arts Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

[SJ]

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Total--42

NAYS

Grooms Massey

Total--2

Section 28, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 29, Part 1A and Part 1B, State Museum Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms Massey

Total--2

Section 29, Part 1A and Part 1B, was adopted.

THURSDAY, APRIL 18, 2019

The Senate proceeded to Sect. 30, Part 1A and Part 1B, Confederate Relic Room and Military Museum.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey	<i>Matthews, Margie</i>
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Total--3

Section 30, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 32, Part 1A and Part 1B, Vocational Rehabilitation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer

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Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 32, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 33, Part 1A and Part 1B, Health and Human Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 19

AYES

Alexander	Allen	Campbell
Fanning	Gambrell	Goldfinch
Gregory	Harpoottian	Jackson
Johnson	Kimpson	Leatherman
Malloy	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Rankin	Reese	Sabb
Scott	Senn	Setzler
Sheheen		

Total--25

NAYS

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Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Grooms	Hembree
Loftis	Martin	Massey
Peeler	Rice	Shealy
Talley	Turner	Verdin
Young		

Total--19

Section 33, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 34, Part 1A and Part 1B, Health and Environmental Control (DHEC).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 4; Abstain 5

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Harpoottlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Sabb	Scott
Shealy	Sheheen	Turner
Verdin	Young	

Total--35

NAYS

Grooms	Massey	Rice
Talley		

Total--4

ABSTAIN

[SJ]

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Campsen	Davis	Goldfinch
Senn	Setzler	

Total--5

Section 34, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 35, Part 1A and Part 1B, Mental Health.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 35, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 36, Part 1A and Part 1B, Disabilities and Special Needs (DDSN).

The "ayes" and "nays" were demanded and taken, resulting as follows:

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Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 36, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 37, Part 1A and Part 1B, Alcohol and Other Drug Abuse Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis

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Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 37, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 38, Part 1A and Part 1B, Social Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2; Abstain 4

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Martin
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Setzler
Shealy	Sheheen	Turner
Verdin	Young	

Total--38

NAYS

[SJ]

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Grooms Massey

Total--2

ABSTAIN

Goldfinch Malloy Senn
Talley

Total--4

Section 38, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 39, Part 1A and Part 1B, Commission for the Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms Massey

Total--2

[SJ]

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Section 39, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 40, Part 1A and Part 1B, Dept. on Aging.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 40, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 41, Part 1A and Part 1B, Dept. of Children's Advocacy.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Sheheen

Total--1

Section 41, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 42, Part 1A and Part 1B, Housing, Finance and Development.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis

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Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 42, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 43, Part 1A and Part 1B, Forestry Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

[SJ]

105

THURSDAY, APRIL 18, 2019

NAYS

Grooms Massey

Total--2

ABSTAIN

Campsen

Total--1

Section 43, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 44, Part 1A and Part 1B, Dept. of Agriculture.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms Massey

Total--2

[SJ]

106

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ABSTAIN

Gambrell

Total--1

Section 44, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 45, Part 1A and Part 1B, Clemson University - PSA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms Massey

Total--2

Section 45, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 46, Part 1A, S. C. State University - PSA.

[SJ]

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Senn

Total--1

Section 46, Part 1A, was adopted.

The Senate proceeded to Sect. 47, Part 1A and Part 1B, Dept. of Natural Resources.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
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Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Senn

Total--1

Section 47, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 48, Part 1A and Part 1B, Sea Grants Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottlian
Hembree	Jackson	Johnson

[SJ]

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Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
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Total--2

Section 48, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 49, Part 1A and Part 1B, Parks, Recreation and Tourism.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

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NAYS

Grooms Massey

Total--2

Section 49, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 50, Part 1A and Part 1B, Department of Commerce.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms Massey

Total--2

ABSTAIN

Campsen Setzler

Total--2

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Section 50, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 51, Part 1A, Jobs-Economic Development Authority (JEDA).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Climer

Total--1

Section 51, Part 1A, was adopted.

The Senate proceeded to Sect. 52, Part 1A and Part 1B, Patriots Point Development Authority.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey	Sheheen
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Total--3

ABSTAIN

Campsen

Total--1

Section 52, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 53, Part 1A, S. C. Conservation Bank.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Goldfinch

Total--1

Section 53, Part 1A, was adopted.

The Senate proceeded to Sect. 54, Part 1A and Part 1B, Rural Infrastructure Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy

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Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Davis

Total--1

Section 54, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 57, Part 1A and Part 1B, Judicial Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 2; Abstain 6

AYES

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Turner	Verdin	Young

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Total--36

NAYS

Grooms Massey

Total--2

ABSTAIN

Allen Campsen Davis
Hembree Senn Talley

Total--6

Section 57, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 58, Part 1A and Part 1B, Administrative Law Court.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 2; Abstain 14

AYES

Alexander	Bennett	Campbell
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Gregory	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
McLeod	Nicholson	Peeler
Reese	Rice	Scott
Senn	Shealy	Turner
Verdin		

Total--28

NAYS

Grooms Massey

Total--2

ABSTAIN

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Allen	Campsen	Goldfinch
Harpootlian	Hembree	Kimpson
<i>Matthews, Margie</i>	McElveen	Rankin
Sabb	Setzler	Sheheen
Talley	Young	

Total--14

Section 58, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 59, Part 1A and Part 1B, Attorney General's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 5

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Hembree	Jackson
Johnson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--37

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Harpootlian	Kimpson
Sabb	Senn	

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Total--5

Section 59, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 60, Part 1A and Part 1B, Prosecution Coordination.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 5

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--37

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Harpoottlian	Hembree
McElveen	Sabb	

Total--5

Section 60, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 61, Part 1A and Part 1B, Indigent Defense.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 2; Abstain 6

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
<i>Matthews, John</i>	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Turner	Verdin	Young

Total--36

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Hembree	<i>Matthews, Margie</i>
McElveen	Sheheen	Talley

Total--6

Section 61, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 62, Part 1A and Part 1B, State Law Enforcement Division (SLED).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2; Abstain 4

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
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Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--38

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Harpootlian	Senn
Setzler		

Total--4

Section 62, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 63, Part 1A and Part 1B, Department of Public Safety.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 2; Abstain 6

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>

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<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--36

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Goldfinch	Harpoottlian
Sabb	Senn	Setzler

Total--6

Section 63, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 64, Part 1A and Part 1B, Law Enforcement Training Council.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner

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Verdin Young

Total--41

NAYS

Grooms Massey

Total--2

ABSTAIN

Senn

Total--1

Section 64, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 65, Part 1A and Part 1B, Department of Corrections.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 5

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--37

NAYS

Grooms Massey

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Total--2

ABSTAIN

Allen	Goldfinch	Malloy
Sabb	Senn	

Total--5

Section 65, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 66, Part 1A and Part 1B, Probation, Parole and Pardon Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 2; Abstain 13

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	<i>Matthews, John</i>
McLeod	Nicholson	Peeler
Reese	Rice	Scott
Setzler	Shealy	Talley
Turner	Verdin	

Total--29

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Allen	Davis	Goldfinch
Harpootlian	Hembree	Malloy
<i>Matthews, Margie</i>	McElveen	Rankin
Sabb	Senn	Sheheen
Young		

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Total--13

Section 66, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 67, Part 1A and Part 1B, Department of Juvenile Justice.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 2; Abstain 7

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Harpootlian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	<i>Matthews, John</i>	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--35

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Goldfinch	Hembree
Malloy	<i>Matthews, Margie</i>	McElveen
Senn		

Total--7

Section 67, Part 1A and Part 1B, was adopted.

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The Senate proceeded to Sect. 70, Part 1A and Part 1B, Human Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpoottlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Goldfinch	Sheheen
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Total--2

Section 70, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 71, Part 1A and Part 1B, Minority Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

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AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 71, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 72, Part 1A, Public Service Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 2; Abstain 3

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson

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Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Talley
Turner	Verdin	Young

Total--39

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Kimpson	Rankin	Sheheen
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Total--3

Section 72, Part 1A, was adopted.

The Senate proceeded to Sect. 73, Part 1A and Part 1B, Office of Regulatory Staff.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

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Total--40

NAYS

Grooms Massey

Total--2

ABSTAIN

Kimpson Rankin

Total--2

Section 73, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 74, Part 1A and Part 1B, Workers' Compensation Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 2; Abstain 15

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Harpoottian
Jackson	Johnson	Leatherman
Loftis	Martin	<i>Matthews, John</i>
McLeod	Nicholson	Peeler
Reese	Rice	Scott
Shealy	Turner	Verdin

Total--27

NAYS

Grooms Massey

Total--2

ABSTAIN

Allen	Davis	Goldfinch
Hembree	Kimpson	Malloy

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<i>Matthews, Margie</i>	McElveen	Rankin
Sabb	Senn	Setzler
Sheheen	Talley	Young

Total--15

Section 74, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 75, Part 1A and Part 1B, State Accident Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 2; Abstain 12

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Harpootlian
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	McElveen	McLeod
Nicholson	Peeler	Reese
Rice	Scott	Shealy
Talley	Turner	Verdin

Total--30

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Davis	Goldfinch
Hembree	<i>Matthews, John</i>	<i>Matthews, Margie</i>
Rankin	Sabb	Senn
Setzler	Sheheen	Young

Total--12

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Section 75, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 76, Part 1A, Patients' Compensation Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 5

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Gregory
Harpootlian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--37

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Davis	Goldfinch	Hembree
Sabb	Setzler	

Total--5

Section 76, Part 1A, was adopted.

The Senate proceeded to Sect. 78, Part 1A and Part 1B, Department of Insurance.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2; Abstain 4

AYES

Alexander	Allen	Bennett
Campbell	Cash	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--38

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Campsen	Climer	Senn
Setzler		

Total--4

Section 78, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 79, Part 1A and Part 1B, Board of Financial Institutions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
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Campbell	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpoottlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms Massey

Total--2

ABSTAIN

Climer

Total--1

Section 79, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 80, Part 1A and Part 1B, Department of Consumer Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpoottlian	Hembree
Jackson	Johnson	Kimpson

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Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Goldfinch	Rankin
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Total--2

Section 80, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 81, Part 1A and Part 1B, Labor, Licensing and Regulation (LLR).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 2; Abstain 10

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Shealy
Turner	Verdin	

[SJ]

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Total--32

NAYS

Grooms Massey

Total--2

ABSTAIN

Allen	Davis	Goldfinch
Malloy	Sabb	Senn
Setzler	Sheheen	Talley
Young		

Total--10

Section 81, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 82, Part 1A and Part 1B, Department of Motor Vehicles.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 2; Abstain 10

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	<i>Matthews, John</i>	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Shealy	Sheheen	Talley
Turner	Verdin	

Total--32

NAYS

Grooms Massey

[SJ]

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Total--2

ABSTAIN

Allen	Davis	Goldfinch
Malloy	<i>Matthews, Margie</i>	McElveen
Sabb	Senn	Setzler
Young		

Total--10

Section 82, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 83, Part 1A and Part 1B, Department of Employment and Workforce (DEW).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 2; Abstain 8

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Gregory
Harpoottian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	<i>Matthews, John</i>
McLeod	Nicholson	Peeler
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin		

Total--34

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Davis	Goldfinch	Malloy
[SJ]	135	

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Matthews, Margie McElveen Rankin
Sheheen Young

Total--8

Section 83, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 84, Part 1A and Part 1B, Department of Transportation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 2; Abstain 6

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin

Total--36

NAYS

Grooms Massey

Total--2

ABSTAIN

Davis	Goldfinch	Malloy
Sabb	Senn	Young

Total--6

Section 84, Part 1A and Part 1B, was adopted.

[SJ]

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The Senate proceeded to Sect. 85, Part 1A, Infrastructure Bank Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Senn

Total--1

Section 85, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 86, Part 1A, County Transportation Funds.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

[SJ]

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AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 86, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 87, Part 1A and Part 1B, Division of Aeronautics.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod

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Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 87, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 88, Part 1B, Ports Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
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[SJ]

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Total--2

Section 88, Part 1B, was adopted.

The Senate proceeded to Sect. 91A-E, Part 1A and Part 1B, Legislative Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 91A-E, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 92A-C, Part 1A and Part 1B, Governor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

[SJ]

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AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey
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Total--2

ABSTAIN

Malloy	Senn
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Total--2

Section 92A-C, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 93 Part 1A and Part 1B, Dept. of Administration.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

[SJ]

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Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 93, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 94 Part 1A and Part 1B, Office of Inspector General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

[SJ]

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THURSDAY, APRIL 18, 2019

Total--42

NAYS

Grooms Massey

Total--2

Section 94, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 95 Part 1A and Part 1B, Lieutenant Governor.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms Massey

Total--2

ABSTAIN

Senn

[SJ]

143

THURSDAY, APRIL 18, 2019

Total--1

Section 95, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 96 Part 1A and Part 1B, Secretary of State.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 96, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 97 Part 1A and Part 1B, Comptroller General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

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AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 97, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 98 Part 1A and Part 1B, State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese

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Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Kimpson	Senn
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Total--2

Section 98, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 99 Part 1A, Retirement System Investment Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Martin
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

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Total--40

NAYS

Grooms Massey

Total--2

ABSTAIN

Kimpson Malloy

Total--2

Section 99, Part 1A, was adopted.

The Senate proceeded to Sect. 100, Part 1A and Part 1B, Adjutant General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms Massey

[SJ]

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Total--2

Section 100, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 101, Part 1A and Part 1B, Election Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2; Abstain 4

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--38

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Goldfinch	Malloy
Sabb		

Total--4

Section 101, Part 1A and Part 1B, was adopted.

THURSDAY, APRIL 18, 2019

The Senate proceeded to Sect. 102, Part 1A and Part 1B, Revenue and Fiscal Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpoottlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Goldfinch

Total--1

Section 102, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 104, Part 1A and Part 1B, State Fiscal Accounting Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

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AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Senn

Total--1

Section 104, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 105, Part 1A and Part 1B, State Auditor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

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Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Senn

Total--1

Section 105, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 106, Part 1A and Part 1B, Statewide Employee Benefits.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod

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Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 106, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 107, Part 1A, Capital and General Reserve Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

[SJ]

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Total--2

ABSTAIN

Senn

Total--1

Section 107, Part 1A, was adopted.

The Senate proceeded to Sect. 108, Part 1A and Part 1B, Public Employee Benefit Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 6; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Young		

Total--37

NAYS

Cash	Climer	Grooms
Massey	Rice	Verdin

Total--6

ABSTAIN

Senn

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Total--1

Section 108, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 109, Part 1A and Part 1B, Department of Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 2; Abstain 7

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Gregory
Hembree	Jackson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Senn
Shealy	Sheheen	Talley
Turner	Verdin	

Total--35

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Davis	Goldfinch	Harpoottlian
Johnson	Sabb	Setzler
Young		

Total--7

Section 109, Part 1A and Part 1B, was adopted.

THURSDAY, APRIL 18, 2019

The Senate proceeded to Sect. 110, Part 1A and Part 1B, State Ethics Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 2; Abstain 7

AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gregory
Harpootlian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Reese	Rice
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	

Total--35

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Goldfinch	Hembree
Malloy	Rankin	Sabb
Young		

Total--7

Section 110, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 111, Part 1A and Part 1B, Procurement Review Panel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

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AYES

Alexander	Bennett	Campbell
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--40

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Allen	Sabb
-------	------

Total--2

Section 111, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 112, Part 1A and Part 1B, Debt Service.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian

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Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 112, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 113, Part 1A and Part 1B, Aid to Subdivisions - State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2; Abstain 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpoottlian
Hembree	Jackson	Johnson
Leatherman	Loftis	Malloy
Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

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Total--40

NAYS

Grooms Massey

Total--2

ABSTAIN

Kimpson Senn

Total--2

Section 113, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 114, Part 1A, Aid to Subdivisions - Department of Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms Massey

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Total--2

ABSTAIN

Senn

Total--1

Section 114, Part 1A, was adopted.

The Senate proceeded to Sect. 115, Part 1A, Tax Relief Trust Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms Massey

Total--2

Section 115, Part 1A, was adopted.

The Senate proceeded to Sect. 117, Part 1B, General Provisions.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Harpootlian
Hembree	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Rice	Sabb
Scott	Senn	Setzler
Shealy	Sheheen	Talley
Turner	Verdin	Young

Total--42

NAYS

Grooms	Massey
--------	--------

Total--2

Section 117, Part 1B, was adopted.

The Senate proceeded to Sect. 118, Part 1B, Statewide Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gregory	Harpootlian	Hembree
Jackson	Johnson	Kimpson
Leatherman	Loftis	Malloy

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Martin	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--41

NAYS

Grooms	Massey
--------	--------

Total--2

ABSTAIN

Goldfinch

Total--1

Section 118, Part 1B, was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 6

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Gregory
Harpoottian	Jackson	Johnson
Kimpson	Leatherman	Loftis
Malloy	Martin	<i>Matthews, John</i>
<i>Matthews, Margie</i>	McElveen	McLeod
Nicholson	Peeler	Rankin
Reese	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

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Total--38

NAYS

Cash	Climer	Grooms
Hembree	Massey	Rice

Total--6

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Statement by Senator CASH

I voted against the budget because it allows state money to be used by the State Health Insurance Plan to pay for the killing of unborn babies who are conceived as a result of rape or incest.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3398 -- Reps. Clary, Norrell, Loftis, Hill, Felder, W. Cox and Elliott: A BILL TO AMEND ACT 265 OF 2016, RELATING TO THE ESTABLISHMENT OF THE "TUCKER HIPPS TRANSPARENCY ACT", SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE THREE-YEAR SUNSET PROVISION.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (NBD\4001C001.NBD.DG19.DOCX), which was adopted:

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Amend the Joint Resolution, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2018-2019 the following amounts for Higher Education Facilities Repairs and Renovations:

- (1) H150 - University of Charleston
Stern Center Renovation \$7,000,000
- (2) H240 - South Carolina State University
Student Center Renovation \$3,361,000
- (3) H290 - USC - Aiken Campus
Business and Education Building Renovation \$3,500,000
- (4) H340 - USC - Upstate Smith Science Building Renovation
\$3,000,000
- (5) H370 - USC - Lancaster Campus Critical Maintenance and Repair
\$3,500,000
- (6) H380 - USC - Salkehatchie Campus Critical Maintenance and
Repair \$1,391,500
- (7) H390 - USC - Sumter Campus Critical Maintenance and Repair
\$1,345,000
- (8) H390 - USC - Sumter Campus Science Building Renovation
\$2,250,000
- (9) H400 - USC - Union Campus Critical Maintenance and Repair
\$1,360,000

SECTION 2. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2018-2019 the following amounts:

- (1) D500 - Department of Administration State Owned Building
Deferred Maintenance \$22,224,138
- (2) P280 - Department of Parks, Recreation and Tourism State Parks
Deferred Maintenance \$8,475,000
- (3) H090 - The Citadel Capers Hall \$7,500,000
- (4) H120 - Clemson University Clemson University Health
Innovation-Extension Programming \$1,000,000
- (5) H120 - Clemson University Center for Advanced Manufacturing
\$4,000,000
- (6) H120 - Clemson University Safety and Security

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Infrastructure/Enhancements	\$5,900,000
(7) H170 - Coastal Carolina University Academic Enrichment Center	\$5,000,000
(8) H180 - Francis Marion University Freshwater Ecology Center	\$5,000,000
(9) H210 - Lander University Roof Replacements	\$3,313,400
(10) H210 - Lander University Campus Safety and Security Upgrades	\$1,361,800
(11) H240 - South Carolina State University Information Technology Upgrades	\$1,690,000
(12) H240 - South Carolina State University Speech Pathology Program Updates	\$310,000
(13) H270 - University of South Carolina Columbia School of Medicine Relocation	\$15,000,000
(14) H340 - USC - Upstate Laboratory and Technology for Exercise Science	\$517,555
(15) H360 - USC - Beaufort Campus Instructional Technology Upgrades	\$500,000
(16) H360 - USC - Beaufort Campus Library/Classroom Building Expansion	\$4,500,000
(17) H470 - Winthrop University Strategic Risk Management	\$7,500,000
(18) H510 - Medical University of South Carolina Renovation /Innovation Projects	\$12,000,000
(19) H590 - Board for Technical and Comprehensive Education ReadySC Direct Training	\$9,200,000
(20) P200 - Clemson University-PSA Facility Renovation for Water Research	\$2,000,000
(21) H170 - Coastal Carolina University Belle W. Baruch Institute for South Carolina Studies - Renovations	\$2,000,000
(22) H240 - South Carolina State University Demolition of Mayes Hall and Queen Village	\$750,000
(23) H590 - State Board for Technical and Comprehensive Education Central Carolina Tech - Capital Needs - Sumter	\$1,000,000
(24) H590 - State Board for Technical and Comprehensive Education Spartanburg Community College STEM Training Facility	\$1,000,000
(25) H590 - State Board for Technical and Comprehensive Education Piedmont Technical College - O'Dell Upstate Center for Manufacturing Excellence	\$3,200,000

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SECTION 3. Prior to expending the \$15,000,000 appropriated in Section 2, item (12) H270 - University of South Carolina Columbia School of Medicine Relocation, the funds must be matched 1:1 by a private entity or irrevocable escrow by the university.

SECTION 4. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2018-2019 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the 1976 Code. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LEATHERMAN explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

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Total--44

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

H. 4001--Ordered to a Third Reading

On motion of Senator LEATHERMAN, with unanimous consent, H. 4001 was ordered to receive a third reading on Friday, April 19, 2019.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence July 1, 2018, and to expire July 1, 2021

SC Chamber of Commerce:

Kippy Derrick Miller, 15 Calumet Court, Greenville, SC 29615-6005
VICE Laban D. Chappell

On motion of Senator HEMBREE, the question was confirmation of Kippy Derrick Miller.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Alexander

Allen

Bennett

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Campbell	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpoottlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Turner
Verdin	Young	

Total--44

NAYS

Total--0

The appointment of Kippy Derrick Miller was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Initial Appointment, Director of Department of Social Services, with term coterminous with Governor

Michael H. Leach, 2024 Hawk Nest Dr., Hermitage, TN 37076-5621
VICE Susan V. Alford

On motion of Senator SHEALY, the question was confirmation of Michael H. Leach.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 1

AYES

Alexander	Allen	Bennett
Campbell	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gregory	Grooms
Harpootlian	Hembree	Jackson
Johnson	Kimpson	Leatherman
Loftis	Martin	Massey
<i>Matthews, John</i>	<i>Matthews, Margie</i>	McElveen
McLeod	Nicholson	Peeler
Rankin	Reese	Rice
Sabb	Scott	Senn
Setzler	Shealy	Sheheen
Talley	Turner	Verdin
Young		

Total--43

NAYS

Total--0

ABSTAIN

Malloy

Total--1

The appointment of Michael H. Leach was confirmed.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Abbeville County Master-in-Equity, with the term to commence June 30, 2019, and to expire June 30, 2025

Roy Robinson Hemphill, 917 Olde Pucketts Ferry Rd., Greenwood, SC 29649 *VICE* Curtis G. Clark

Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Carey B. Murphy, 601 Glenwood Ave., Anderson, SC 29625-2856

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Reappointment, Anderson County Part-Time Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James Wesley White, 152 Buckland Drive, Anderson, SC 29621-3686

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Walter Martin, 416 Dogwood Drive, Greenwood, SC 29646-9210

Reappointment, Greenwood County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Bartholomew McGuire, 106 Fair Oaks Lane, Greenwood, SC 29646-9273

Reappointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2019, and to expire July 1, 2025

Jeffrey M. Tzerman, 702 Walnut Street, Camden, SC 29020

Reappointment, Newberry County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Ron C. Halfacre, 1810 Harper Street, Newberry, SC 29108-2804

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 7:24 P.M., on motion of Senator MASSEY, the Senate adjourned to meet Monday at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

THURSDAY, APRIL 18, 2019

REPORTS RECEIVED

College and University
Trustee
Screening Commission

Senator Harvey S.
Peeler, Jr.,
Chairman
Senator Thomas C.
Alexander
Senator John. L.
Scott, Jr.
Senator Daniel B.
"Danny" Verdin, III



Representative
William R. Whitmire,
Vice-Chairman
Representative John
King
Representative Sylleste
Davis
Representative Gary E.
Clary

Staff:
Martha Casto
Julie Price

213 Gressette Building
P.O. Box 142
Columbia, South Carolina 29202
Phone: (803) 212-6430
Email: President@scsenate.gov

College and University Trustee
Screening Commission
Report to the General Assembly
April 18, 2019

Wil Lou Gray Opportunity School

At-Large - expires 2023 (three seats)

CANDIDATES FOUND QUALIFIED AND NOMINATED

Deborah S. Blalock -- *Charleston*

Robert N. Collar -- *Bluffton*

Dan A. Dobson -- *Myrtle Beach*

The Citadel

At-Large - expires 2025 (one seat)

CANDIDATE FOUND QUALIFIED AND NOMINATED

L. Eugene Pinson -- *Greenwood*

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Coastal Carolina University

1st Congressional district- seat 1 - expires 2023

CANDIDATE FOUND QUALIFIED AND NOMINATED

George E. Mullen -- Hilton Head Island

3rd Congressional district- seat 3 - expires 2023

CANDIDATE FOUND QUALIFIED AND NOMINATED

William S. Biggs -- Salem

Coastal Carolina University (continued)

5th Congressional district- seat 5 - expires 2023

CANDIDATE FOUND QUALIFIED AND NOMINATED

Charles E. Lewis -- Gaffney

7th Congressional district- seat 7 - expires 2023

CANDIDATE FOUND QUALIFIED AND NOMINATED

Natasha M. Hanna -- Conway

At-Large - seat 9 - expires 2023

CANDIDATE FOUND QUALIFIED AND NOMINATED

Eugene C. Spivey -- Myrtle Beach

At-Large - seat 11 - expires 2023

CANDIDATE FOUND QUALIFIED AND NOMINATED

William E. Turner, III -- Simpsonville

At-Large - seat 13 - expires 2023

CANDIDATE FOUND QUALIFIED AND NOMINATED

Lee A. Belcher -- Lexington

Medical University of South Carolina

4th Congressional District - medical seat - expires 2020

CANDIDATE FOUND QUALIFIED AND NOMINATED

H. Frederick Butehorn, III -- Spartanburg

**STATE OF SOUTH CAROLINA
COLLEGE AND UNIVERSITY TRUSTEE
SCREENING COMMISSION**

SCREENINGS

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Date: March 25, 2019
Time: 1:01 p.m.
Time ended: 2:18 p.m.
Location: Gressette Building
1101 Pendleton Street, Room 209
Columbia, South Carolina

Committee Members Present:
Chairman Senator HARVEY S. PEELER, JR.
Senator THOMAS C. ALEXANDER
Senator JOHN L. SCOTT, JR.
Senator DANIEL B. "DANNY" VERDIN, III, Vice-Chairman
Representative William R. Whitmire
Representative Phyllis J. Henderson
Representative Sylleste Davis
Also present: Martha Casto, Julie Price, Staff

CHAIRMAN SENATOR PEELER: I'd like to call the meeting to order. This is the meeting of the College and University Trustee Screening Commission. I pray that God continues to bless us all.

SENATOR SCOTT: Amen.

CHAIRMAN SENATOR PEELER: First of all, we have the Coastal Carolina University, At-Large, Seat Number 13, Mr. Lee Belcher from Lexington. Mr. Belcher, if you would, please come forward.

MR. BELCHER: Thank you.

CHAIRMAN SENATOR PEELER: Make sure your green light is on so that we know the intercom is working.

MR. BELCHER: Thank you.

CHAIRMAN SENATOR PEELER: I'll swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. BELCHER: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement on why you would like to serve on --

MR. BELCHER: Absolutely.

CHAIRMAN SENATOR PEELER: -- the Coastal Carolina board?

MR. BELCHER: Yes, sir. And thank you so much.

Mr. Chairman and members of the Commission, I would like to thank you in advance for this opportunity to appear before you today. My name is Lee Belcher, as you know, and I am originally born and raised here in Columbia, South Carolina. Upon graduating from Airport High School I visited multiple colleges and then decided that Coastal Carolina was

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the best fit for me. I graduated from the university in 2008 with a bachelor's degree in business. I currently reside here in Lexington County with my wife who also graduated from Coastal and played basketball for the university. We have three beautiful children, London, Madison and Tyler. I currently serve at the school on the school improvement council where over the last two years I spent a lot of time helping Lexington School District One continue to grow. My career in banking started during my senior year at Coastal. That initial experience afforded me the opportunity to find my strengths, weaknesses, but also the ability to learn how to grow. My personality and people skills allow me to work very well in groups to make decisions, and I feel like that is a key component to working on a board.

In 2013 I decided that 16 years of education wasn't enough, so I decided to go back and get my master's degree in business at Webster University. I currently work with Synovus Bank where I analyze financial statements for large corporations, as well as universities and colleges across this state.

The reason that I want to serve here at Coastal Carolina is Coastal has done so much for my family and I over the years. I feel like that has turned me into an asset that can add value to the school, to the students and to the community. So I am looking -- I want to come in and I want to help not only our students connect for future opportunities, but I want to help connect them with those opportunities. I want to be a part of Coastal Carolina going forward and I want to help them continue to grow, and that's why I want to serve. Thank you.

CHAIRMAN SENATOR PEELER: Thank you.

Questions from members of the Committee? Desire of the Committee.

SENATOR SCOTT: Favorable.

CHAIRMAN SENATOR PEELER: Favorable.

Second? REPRESENTATIVE DAVIS: (Indicating.)

CHAIRMAN PEELER: Seconded. All in favor raise your right hand.

Unanimous. Thank you, sir

MR. BELCHER: Thank you.

CHAIRMAN SENATOR PEELER: Thank you for your willingness to serve, sir.

MR. BELCHER: Thank you so much.

CHAIRMAN SENATOR PEELER: Hope the rest of them are that easy. Next we have At-Large, Seat 9, Coastal Carolina University. That would be Eugene Spivey, Myrtle Beach.

MR. SPIVEY: How do you do, sir.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the

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THURSDAY, APRIL 18, 2019

whole truth and nothing but the truth so help you God?

MR. SPIVEY: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MR. SPIVEY: Very brief. My name is Gene Spivey. I've served on the board of trustees at Coastal since 2002. I'm a Coastal grad. I live in Myrtle Beach with my -- sharing time with a six-year-old daughter. I work in the real estate development business, and I just would like to continue serving on the Coastal board to keep doing what we've been doing.

CHAIRMAN SENATOR PEELER: You got the memo. Brevity is a plus. Does the Committee have any questions?

SENATOR SCOTT: I have a question.

CHAIRMAN SENATOR PEELER: Senator Scott.

SENATOR SCOTT: Mr. Spivey, let me as a seated member of Coastal, let me say you guys have been doing a very good job with Coastal, especially with the help coming from additional funds that you received from local government there. What would you like to see different occur at Coastal that's not already ongoing? I know you've got some capital needs and some other requests that y'all have (The court reporter interjected.)

SENATOR SCOTT: I'm sorry. What would you like to see different occur at Coastal that's not ongoing since you're already on the board and have been on the board for a while? Can you hear me now? Is that better? A little bit better?

MR. SPIVEY: I would like to I mean, for instance, the bill that's currently working its way through, you know --

SENATOR SCOTT: The Higher Ed Bill?

MR. SPIVEY: Yes, sir, where -- where more of the money follows the student. I think that's something that would be beneficial to Coastal, get more of that type of fund -- funding. We're also going to need to be here in a couple of years working with the local school board and -- to protect the school to get -- that one percent money that we just talked about, they extended that. That comes to an end here in a few years, but those would be two of the big issues I would say right now.

SENATOR SCOTT: Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Thank you. Questions or comments?

SENATOR SCOTT: Favorable.

CHAIRMAN SENATOR PEELER: Favorable. Seconded. Any other discussion? Hearing none, bring it to a vote. All in favor raise your right

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hand. Thank you, sir.

MR. SPIVEY: Thank you.

CHAIRMAN SENATOR PEELER: Next, 7th Congressional District, Seat 7, Coastal Carolina University, Natasha Hanna, Conway.

MS. HANNA: Good afternoon.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MS. HANNA: Yes, sir, I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MS. HANNA: Yes, sir, I would. My name is Natasha Hanna and I'm from Conway. I'm actually one of those out-of-state students that came to Coastal Carolina University in 1990 and never left. I got my feet in the sand, discovered Coastal, and I've been involved with the school since 1990. I've served as a trustee for almost ten years now, and while I paused and thought for a second that maybe I should give someone else a turn, I don't feel that my service and my work there is done. We are getting ready to go through a transition, and with the new education opportunity act hopefully getting approved, there's still going to be a lot going on and I feel like my service is -- is still needed and I'm hopeful that I can continue. Thank you.

CHAIRMAN SENATOR PEELER: Questions? Senator Scott.

SENATOR SCOTT: Thank you for your service. Anything in the new Higher Ed Bill that you see that you would like to -- would help to improve Coastal? Have you been keeping up with it? And if you have not, it's okay.

MS. HANNA: I have. I know that there's been a couple of different forms of the bill, but one of the things that I really like is that the money follows the student. I think that is tremendously important and I think it kind of works both ways because I know the legislature is very concerned that we not displace an in-state student for an out-of-state student, and I think by doing that I think you would solve that problem.

SENATOR SCOTT: Keep in mind you used to be an out-of-state student.

MS. HANNA: Yes, I did, and I'm still in support of it.

SENATOR SCOTT: Thank you.

MS. HANNA: Yes.

SENATOR VERDIN: Mr. Chairman.

CHAIRMAN SENATOR PEELER: Senator Verdin.

SENATOR VERDIN: So I -- I could -- I'm trying to flip back and see which one of the previous two screened candidates was favoring an

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enrollment higher than ten. I see that you are not.

MS. HANNA: That's right.

SENATOR VERDIN: That's an interesting discussion I guess you all were already having. It's just like everything else, whether it's higher ed or more business or more industry or whatever else you're trying to pack in down there. They'll start double stacking. I'm try -- I'm -- I'm anticipating your answer, and I -- I should be quiet.

MS. HANNA: Yeah, well, you know, I do -- I have an opinion about that. When I was at Coastal, it was very small, and that was one of the things that appealed most to me is the -- the student-professor ratio. So I'm worried that if we get too big we're going to be too big for our britches, so to speak. And I'm concerned that we're growing too fast. I think to cap it out at about ten-five is where we need to be. I think the overall general plan is about 12-five, but for me personally I think ten-five is where we need to be.

SENATOR VERDIN: You're the break in the room. I gotcha. All right.

MS. HANNA: Yes, sir.

CHAIRMAN SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. What's the enrollment now at Coastal?

MS. HANNA: We are actually right about ten-four, and that includes our graduates as well as our undergraduates.

REPRESENTATIVE WHITMIRE: And the ratio is 50/50 now pretty much or --

MS. HANNA: For out-of-state/in-state, it's close to 50/50. I think at one point within the last year it was 49/51, but I think we're pretty close to 50/50, yes, sir.

REPRESENTATIVE WHITMIRE: And that's your desire to keep it about 50/50 or would you like less?

MS. HANNA: I actually like 50/50. And I may be the minority in the room, but I think that out-of-state students are super important to Coastal and some of our other institutions. I mean, I think what I brought - brought to school -- and I'm just one of many who came to South Carolina and never left. And I own three, four businesses and I'm a lawyer. I went to the University of South Carolina, and, you know, I -- I see other students who come here, and guess what they bring? They bring their parents who bring their pocketbooks who buy houses, who buy second homes. So I like having a 50/50 ratio, yes, sir.

REPRESENTATIVE WHITMIRE: Thank you.

CHAIRMAN SENATOR PEELER: Questions or comments? Senator Scott.

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SENATOR SCOTT: Just keep in mind as we tweak 50/50, if your numbers stay 50/50, and as we look at the amount of money that you're going to receive for in-state coming from the state, it will probably be a lot smaller. I know the 50/50 gives you that extra money for those kids coming from out of state. The tuition is -- what's the difference between tuition in-state and out-of-state students?

MS. HANNA: Tuition for in-state is about 11-five. Tuition for out-of-state is around 27,000 I believe.

SENATOR SCOTT: I mean, because the goal is for us -- the state supported schools is to remind y'all these schools are not -- they're not designed to educate all these out of state students but, again, to educate South Carolina students, so --

MS. HANNA: Yes, sir. And it's something important to note that at Coastal we never reject an in-state student for an out-of-state student. We pride ourselves on absolutely accepting every qualified in state student that knocks on our door.

SENATOR SCOTT: So in essence you're saying enrollment -- the enrollment process is not broken. It's working. You just have the extra space?

MS. HANNA: Yes, sir.

SENATOR SCOTT: Okay.

CHAIRMAN SENATOR PEELER: Anyone else? Desire of the Committee.

REPRESENTATIVE CLARY: Favorable.

CHAIRMAN SENATOR PEELER: Motion is favorable. Second?

SENATOR SCOTT: (Indicating.)

CHAIRMAN SENATOR PEELER: Any other discussion? Hearing none, we'll take it to a vote. All in favor raise your right hand. It's unanimous. Thank you. Thank you so much for your willingness to serve.

MS. HANNA: Thank you.

CHAIRMAN SENATOR PEELER: Thank you for staying in South Carolina.

MS. HANNA: Thank you.

CHAIRMAN SENATOR PEELER: Next, 5th Congressional District. That would be Charles "Chuck" Lewis from Gaffney. Good afternoon, sir.

MR. LEWIS: First of all, good afternoon to everybody. Thank you, Senator Peeler, and for the Commission on higher education. I appreciate you meeting with us today and ready to answer any questions that you have, hopefully.

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CHAIRMAN SENATOR PEELER: Let me swear you in first, Chuck.

MR. LEWIS: Excuse me?

CHAIRMAN SENATOR PEELER: Let me swear you --

MR. LEWIS: Yes.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. LEWIS: I do.

CHAIRMAN SENATOR PEELER: Now, would you like to make further comments?

MR. LEWIS: Well, I -- I've been interested in Coastal Carolina since about 1990 when my daughter went to Coastal Carolina on a basketball scholarship. She graduated in 1994. It only took her four years to get out, which was wonderful, and she had grades enough to get into law school which she is now an attorney and a prosecutor in Gaffney, South Carolina. I feel like she got a great education, number one, at Coastal Carolina being able to go to law school. She graduated number three in her class. So we were very proud of that. And we have been supporting Coastal Carolina ever since she went there, and when the opportunity came for me to represent the board of trustees in 2013, I jumped at the idea, and I have enjoyed the board of trustees in learning how higher education works and the abilities of people working together that you can create and do great things.

CHAIRMAN SENATOR PEELER: Thank you. Questions or comments from members of the Committee?

Senator Verdin.

SENATOR VERDIN: 23 years in South Carolina, is that all in Cherokee County?

MR. LEWIS: Yes, sir, all in Cherokee County.

SENATOR VERDIN: But probably not long are you multilingual?

REPRESENTATIVE CLARY: He speaks Gaffney-ian.

MR. LEWIS: I do speak Virginian also.

SENATOR VERDIN: Well, that's a good one to have. I will leave it hanging.

CHAIRMAN SENATOR PEELER: A hanging chad. What's the desire of the Committee?

SENATOR SCOTT: Favorable.

SENATOR VERDIN: Seconded.

CHAIRMAN SENATOR PEELER: Favorable and seconded. Any discussion? Hearing none, we'll take it to a vote. All in favor raise your right hand. Unanimous. Thank you, sir.

MR. LEWIS: Thank you all very much. Appreciate being here today.

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CHAIRMAN SENATOR PEELER: Thank you. Next, 3rd Congressional District, Seat 3, William Biggs, Salem.

MR. BIGGS: Afternoon, Chairman and Committee members.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. BIGGS: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MR. BIGGS: Yes, sir. Thank you. I've served on the Coastal Carolina board since 2006. I've had the -- the pleasure and the opportunity to serve as its vice chair in the last two years as its chairman. I'm the father of a Coastal grad myself. My daughter Brittany got her business degree, studied and got her MBA, and now is finishing up her second year of law school. She chose to go to Coastal and not play softball in college from a few of the schools that offered her and went and ended up managing the men's basketball team. Currently loves Coastal and just went on the Coastal athletic foundation. During that time I've come to love Coastal, to see what we're doing. Been able to hire a few of the graduates. I currently operate the state veterans' nursing homes here in South Carolina. I've done that for 25 years. I also manage the ones in Maryland, Alabama and some of Texas. That company is headquartered in Anderson, South Carolina. And education is so important for all businesses. Having qualified candidates that come out of our universities is so important to all of us that operate businesses in this state, and I'm seeing that with the caliber of students that we're having graduate from Coastal Carolina. Very proud of them. Proud of the board members I serve with and the hard work that is put into that university from their perspective. And I would just love to have the opportunity to continue serving at Coastal Carolina. Thank you, sir.

CHAIRMAN SENATOR PEELER: Questions or comments? Senator Scott.

SENATOR SCOTT: Thank you. And thank you for your willingness to continue to serve. At one meeting we had asked the president -- you may have been there -- who's your diversity officer now at Coastal?

MR. BIGGS: Our diversity officer? I'm sorry, I can't answer that. I know we have a chief of staff that works very closely with all of those issues, Travis Overton and --

SENATOR SCOTT: He's -- he's a chief of staff -- it's a little different than the chief of staff, but I tried to explain that to your president before. There's a big difference between having a diversity officer and a chief of staff.

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MR. BIGGS: Yes, sir.

SENATOR SCOTT: And so maybe the next time we have this conversation --

MR. BIGGS: I know when we have issues, Travis is the one who takes the lead on investigation.

SENATOR SCOTT: That's legal counsel.

MR. BIGGS: No. No, sir, he's not our counsel.

SENATOR SCOTT: Well, if you don't have a diversity officer, y'all need to get a diversity officer --

MR. BIGGS: Yes, sir.

SENATOR SCOTT: -- and take a look at what some of the other schools are doing as a result of diversity officer -- although your school is very diverse

MR. BIGGS: Yes, sir.

SENATOR SCOTT: -- still do need a diversity officer. Okay?

MR. BIGGS: Yes, sir.

SENATOR SCOTT: Thank you, sir.

CHAIRMAN SENATOR PEELER: Any other questions or comments? Representative Davis.

REPRESENTATIVE DAVIS: Thank you. Knowing that you are involved in veterans' services -- and it looks like specifically nursing home services; is that correct?

MR. BIGGS: State veterans nursing homes, yes, ma'am.

REPRESENTATIVE DAVIS: Okay. I'm wondering does Coastal have any specific programs for educating veterans after they retire from the service?

MR. BIGGS: We -- of course we have an ROTC program, but we -- we encourage our veterans in the community that come back -- last graduating class we had 12 veterans graduate. And one of the things I've done as the chairman, at graduation I try to recognize some of our graduates, and I was able to take one of our female veterans, talk to her beforehand and talk about her service during graduation and what that means, not only to her to have served our country but then to come back to Coastal to get her degree, and her goal was to continue serving her country after she graduated. So we do look -- I wish we had opportunities -- more opportunities for veterans, more scholarship programs for them. I'm a veteran myself. My dad was a World War II veteran, and last year for five months I was a spouse of a deployed veteran. My wife is a flight nurse in the air guard and spent five months in the Middle East going in and out of Afghanistan. So what we do for veterans and the more programs we can offer them I think the better we

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are because they've served us.

REPRESENTATIVE DAVIS: I agree, and thank you for your service and the service of your family as well. Is there anything that we need to be doing on a state level to address veterans' opportunities --university opportunities as opposed to the options that you may have as a board member at Coastal?

MR. BIGGS: I would love to see statewide -- I know the university -- Mississippi State University offers, you know, in-state tuition or no tuition to many of their veterans who come back. I would love to see a program for our veterans -- if -- if you're an out-of-state veteran and you've served at Fort Jackson, you've served at Shaw Air Force Base, Charleston Air Force Base, and you come out of the military there, that we would -- even if you kept your driver's license in your home state and you've lived here, that we would offer in-state tuition to you. I would love to see us offer programs like other states do through their Veterans Affairs program where children of our active duty members are offered reduced rates. Any program like that that help -- because as most of us know, our military, they do not make the money that the private industry pays. They are honestly serving. So anything we can do to help their children while they're serving or help them when they come out of the military, especially our South Carolina veterans that want to further their education that we could do would be awesome.

REPRESENTATIVE DAVIS: I -- I agree. I know that we've had some discussions along those lines, but I'm not sure -- have we actually passed the legislation?

SENATOR SCOTT: Yeah, we passed that two years ago.

REPRESENTATIVE DAVIS: Okay.

UNIDENTIFIED SPEAKER: In-state tuition now.

REPRESENTATIVE DAVIS: Okay. All right. Thank you. I appreciate that.

MR. BIGGS: I think that --

SENATOR SCOTT: I think that coupled with what they receive, the other side for the GI bill, should be adequate. The children of those veterans have been the real -- have been the concern. I want to go back to a question that's been kind of puzzling to me. Tell me a little bit about the staff, administration and student breakdown and ratio. You've been chair -- vice chairman and not chairman. Tell me what those numbers look like.

MR. BIGGS: Our student to instructor ratio is still what I think very low. That's one of the things that encouraged my daughter to go. She -- she was scared to death of the classes that she heard at South Carolina where

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there would be three or 400 students in a class. We average right now 17 to one. Very few classes do we have over 30 students.

SENATOR SCOTT: What's -- what is your ratio -- your ratio --

MR. BIGGS: 17 to one.

SENATOR SCOTT: Yeah, I understand that's the class size ratio. What is your ratio -- race ratio with students along with staff and faculty at the school? What percentage of African American students attend your school? What percentage of staff --

MR. BIGGS: The actual -- the actual percentage I -- I don't know. I could find that out very quickly. I would guess that it's somewhere in the 20 percent range.

SENATOR SCOTT: What about staff and faculty?

MR. BIGGS: I don't know that ratio.

SENATOR SCOTT: So that's where your diversity officer would help you with those numbers --

MR. BIGGS: Yes, sir.

SENATOR SCOTT: -- and also help to maintain some balance and also helps in some of your recruiting. When we began talking about this five or six years ago, a lot of folks thought this was off the chain and now some of our major institutions are winning national awards because we are now understanding how to balance the schools, and as a result --

MR. BIGGS: Yes.

SENATOR SCOTT: -- we are keeping more of our students as students here at home. And so you -- you know, you may want to -- you're going to be the chairman. You may want to ask those kind of questions and kind of -- kind of catch up to where -- where we are.

MR. BIGGS: And -- and I agree, Senator. I think we should. I know Clemson is doing that. They're having a program with diversity next month --

SENATOR SCOTT: Right.

MR. BIGGS: -- and our company is actually one of the sponsors of that.

SENATOR SCOTT: Right, but I'd like to see Coastal --

MR. BIGGS: And Coastal should do the same thing.

SENATOR SCOTT: That's correct. Thank you now.

CHAIRMAN SENATOR PEELER: Representative Clary.

REPRESENTATIVE CLARY: Mr. Biggs, you say the biggest weakness at -- at Coastal is your administration is stretched. Tell me about that.

MR. BIGGS: When you -- when you have a university -- we've been growing very quickly. When I first started on -- on this board, we were probably a little over 6,000 students. Now we're over 10,000 students. I think growth does stretch your -- your leadership. We're also going

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through a time when our president has informed us that he will be retiring in two years. So we're -- I have put together a search committee to look for our new president. At that same time our provost will be retiring. Our chief of the police department there will be retiring. We're going to have a lot of leadership changes, and I think that also stretches our -- our leadership as we move forward.

REPRESENTATIVE CLARY: And -- and when we talk about abatements, what kind of a percentage of abatements do y'all have at Coastal?

MR. BIGGS: I don't know that right offhand, sir.

REPRESENTATIVE CLARY: Thank you, sir.

CHAIRMAN SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. Mr. Biggs, thank you, like Representative Davis said for your military service.

MR. BIGGS: Thank you, sir.

REPRESENTATIVE WHITMIRE: Very fortunate to have people like you willing to serve. How many veterans do you serve in your nursing homes?

MR. BIGGS: In South Carolina the two veterans homes we have are 220 beds each. They're --they're both full. They -- we have over 600 people on the waiting list to get in. The Maryland facility has -- we serve over 400 veterans a day. The Alabama homes, three of them are 150 beds. One of them is 256 beds, and then in Texas we serve about 400 beds total.

REPRESENTATIVE WHITMIRE: Is this mostly Vietnam era veterans?

MR. BIGGS: The majority of our veterans we're caring for now are Vietnam era. When I first started when Governor Campbell was in office and I went out to tour the home, not sure if I was even interested in the position, it was mostly World War II veterans. And when I toured that home, I saw a little bit of my dad in every one of them, and I knew that's where I needed to be and it was the greatest move I've ever made in my career.

REPRESENTATIVE WHITMIRE: Thank you so much for that. And how long have you lived in Salem?

MR. BIGGS: I just moved to Salem two years ago. I lived in Anderson for 20-something years before that. I lived in Aiken County for a little while. I lived in Union for a few years running a private nursing home there.

REPRESENTATIVE WHITMIRE: Well, welcome to God's country.

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You picked the right place.

MR. BIGGS: We love it there.

CHAIRMAN SENATOR PEELER: Any other questions or comments? Desire of Committee? Motion is favorable.

SENATOR VERDIN: Second.

CHAIRMAN SENATOR PEELER: Second's heard. Any other discussion? Then we'll take it to a vote. All in favor raise your right hand. It's unanimous. Thank you, sir.

MR. BIGGS: Thank you, sir.

CHAIRMAN SENATOR PEELER: Thank you for your willingness to serve. Next, 1st Congressional District of Carolina University, Seat 1, George Mullen, Hilton Head Island. Afternoon, sir.

MR. MULLEN: Good afternoon.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. MULLEN: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MR. MULLEN: Thank you. I'm George Mullen from Hilton Head. I've had the pleasure of being on this board for the last six years. I became interested in Coastal because I had a son there in a special program that they had for special needs kids. He's now graduated that program, but we -- we make a point of going back a number of times a year to football games, basketball games and of course the baseball games, including going out to Omaha which was probably one of the more exciting things I've had happen during my six years on the board. Coastal is a dynamic place. It is growing both in programs that we offer, academic programs, as far as facilities that are growing, and -- and a slight growth in the -- the number of students, but it's -- it's an exciting time. We have a dynamic administration there that unfortunately is getting ready to turn over in 2021. That brings new challenges. I'd like to have the opportunity to be on the board to help see the school through that transition.

CHAIRMAN SENATOR PEELER: Thank you. Questions or comments? Senator Scott.

SENATOR SCOTT: Thank you so much. Thank you, Mr. Mullen, for your willingness to serve. Tell me a little bit about what you know about Coastal and its diversity program. It appears that your --

MR. MULLEN: Well --

SENATOR SCOTT: -- chairman/vice chair didn't know very much.

MR. MULLEN: Well, we started the program at the beginning of the

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academic year last August.

SENATOR SCOTT: Okay.

MR. MULLEN: Dr. Stokes-Brown retired as the director of that program. I'll be honest with you, when you asked that question, I did not know her name, so we quickly Googled it while I was back there. I didn't know when we started the program, but I knew that we -- we had that.

As far as you asked about the racial diversity of the school --

SENATOR SCOTT: So that means that the board has not asked your diversity officer to come and update you to what's going on in the school?

MR. MULLEN: Our diversity officer I believe has appeared before the board twice --

SENATOR SCOTT: Okay.

MR. MULLEN: -- once when she was first hired and then shortly thereafter.

SENATOR SCOTT: Okay.

MR. MULLEN: But no, other than that during this academic year, that's the only two times that she has appeared before the board. Various members of administration come and make presentations. I would say the presentations on the diversity issues are usually presented by Travis Overton who is the chief of staff at the school. He has I guess sort of held that role without that title prior to beginning the diversity program that we started. So prior to all this, we didn't have a formal diversity officer.

SENATOR SCOTT: Do you think that diversity officer now can do their job and so they can give you some input so you look at some of both your -- some of both of your programs with how you look faculty-wise, the direction that the school is going in? Sometimes as a school grows, we lose track of some of the mission, especially when a school that has 50 percent of its out-of-state students. Looking at those young students and I heard earlier that those who wanted to come, and eventually that won't be the case as the school continues to grow and especially being able to attract both faculty and staff to balance your school off. So I don't know what you walked away with from the second meeting from that first. It sounds like not very much.

MR. MULLEN: Let's talk first look at the positive of this. Our school is extremely diverse. Almost 30 percent of our students are from a diverse background. 20 percent are African American. Five percent are of multicultural. Less than four percent are Hispanic. And I can remember this as a very specific question that I talked with the officer when she was at our board meeting. For a state that now has a rapidly growing Hispanic population, less than four percent is an area that you

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have an opportunity to target South Carolinians in. Hilton Head High School, where my son went, today has a Hispanic population of 38 percent, and yet -- and I'm assuming that for Hilton Head's population that is probably not that unusual across the state of South Carolina.

SENATOR SCOTT: That's correct. That's correct.

MR. MULLEN: And yet less than four percent of our student body being Hispanic, it -- it makes me wonder if we are missing targeting not only for the growth of our school but for the opportunity of these very students to give them the opportunity come there.

SENATOR SCOTT: Multicultural is correct.

MR. MULLEN: So that is an area that I think that we can certainly do better at.

SENATOR SCOTT: Tell me about

MR. MULLEN: And I think that clearly having a diverse -- a diversity officer, the program focus -- needs to focus on that.

SENATOR SCOTT: I really appreciate you knowing numbers for your student body. Tell me about faculty and staff. Are you up to date on that as well?

MR. MULLEN: I can tell you that the discussions that we've had is that we have issues on our faculty like many universities do --

SENATOR SCOTT: Okay.

MR. MULLEN: -- attempting to attract quality faculty of minorities with quite frankly the level of pay that we pay our faculty in South Carolina. We are competing with schools across the country for that, and probably we do not have the progress that you would like for me to be sitting here telling you we have. As far as numbers, I cannot tell you that. I can tell you that in our administration there is a lack of diversity there.

SENATOR SCOTT: Okay.

MR. MULLEN: Our chief of staff is a minority member. We have an opening for our general counsel which I have strongly recommended a member of our board currently who I think would make a great addition. And certainly one of the issues is that we need to increase our -- our minority presence in that --the administration area.

SENATOR SCOTT: Mr. Mullen, I really appreciate -- really appreciate your openness to be there -- to be there and sit there and talk about it. Thank you so much.

MR. MULLEN: Yes, sir.

CHAIRMAN SENATOR PEELER: Representative Clary.

REPRESENTATIVE CLARY: Good afternoon, Mr. Mullen. In your information you pointed out that your biggest weakness that you view at Coastal is the endowment. What kind of steps are being taken to -- to

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grow that endowment, Mr. Mullen?

MR. MULLEN: Well, we currently have a program that is called the I'M IN endowment program. The -- the goals of that program are 20 million dollar increments which I thought was not as aggressive as I would like to see, but they point out that when we -- when I first got on the board six years ago our endowment was about 25 million. Today it's about 45 million. It's still woefully inadequate, but it is going in the right direction. You know, I look back and see that Carolina can have a billion dollar program and Clemson can have a billion dollar program. I suggested that our goal should be a hundred million, and in talking with our development officers, they simply said part of the problem is that we do not have an alumni base that will support that type of giving at this time. So, you know, we -- we've started -- we're making incremental steps. Hopefully it will get more aggressive as the university staff begins to grow.

REPRESENTATIVE CLARY: When you mentioned that hundred million to your development officers, you probably had to revive them.

MR. MULLEN: They were not pleased with what my aspirations were in that area.

REPRESENTATIVE CLARY: Thank you, sir.

CHAIRMAN SENATOR PEELER: Anyone else? Desire of the Committee?

REPRESENTATIVE CLARY: Favorable.

CHAIRMAN SENATOR PEELER: Favorable. Second?

REPRESENTATIVE DAVIS: (Indicating.)

CHAIRMAN SENATOR PEELER: Any discussion? Hearing none, take it to a vote. All in favor raise your right-hand. Unanimous. Thank you.

MR. MULLEN: Thank you very much.

CHAIRMAN SENATOR PEELER: Finished Coastal Carolina. Now we will move to The Citadel, At-Large. Eugene Pinson from Greenwood.

MR. PINSON: Thank you, Mr. Chairman. Glad to be here with you.

CHAIRMAN SENATOR PEELER: Yes, sir. Good to see you, sir. Swear you in.

MR. PINSON: Wonderful looking committee you have here.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. PINSON: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

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MR. PINSON: Yes, Mr. Chairman and fellow board members. I appreciate the opportunity to be here with you. The last six years at The Citadel have been dynamic, flexible, successful. A lot of positive things taking place. Since I've been on the board for the last six years we were voted the number one college in the south, offering the master's with -- with -- compared with schools offering master's degrees. And there's a lot of talk about veterans just a few minutes ago. We're the number one school in the south as far as service to our veteran population also. So a lot of good things. New building programs going on. Mechanical engineering as a response to industrial growth in the state of South Carolina. We started our first full year last year, our new bachelor's degree in nursing also, as well as cyber security. So we're into those three programs very heavily. We maintain an atmosphere of being flexible and ready to meet the needs of the state, as well as the nation. My dad's a graduate in 1931. My uncle graduated in '55. My brother graduated in '65. I graduated in '72. My two sons graduated from there in '01 and '04. My first cousin graduated in 1970 and his son graduated in 2003. So there -- there have been a number of Pinsons through those walls at The Citadel. And the state is very proud of The Citadel. We're very proud of our heritage and the state of South Carolina. And we're also an international institution. We've got people from countries all over the world as well as 38 rep -- 38 states being represented. It's fun. It's the greatest group of guys and -- and ladies that you ever deal with, believe me. Thank you.

CHAIRMAN SENATOR PEELER: Thank you. Questions or comments?

REPRESENTATIVE WHITMIRE: Got one.

CHAIRMAN SENATOR PEELER: Representative Whitmire.

MR. PINSON: I've heard of you.

REPRESENTATIVE WHITMIRE: Thank you for your service, Gene. You've done an outstanding job. Gene and I came in together way back when. In just a few minutes I'm going to ask for a favorable report because a lot of the House members have asked me to please keep him on The Citadel board. They don't want him back in the House.

CHAIRMAN SENATOR PEELER: There's a method to this madness.

SENATOR VERDIN: Mr. Chairman.

REPRESENTATIVE WHITMIRE: There you go.

CHAIRMAN SENATOR PEELER: Senator Verdin.

SENATOR VERDIN: I would be remiss in not also noting a personal interest that Mr. Pinson takes in not just the family as it exists but the future of the family. He's very active in student recruitment and

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developing the interest among prospective students there in the -- I was going to say Eighth Circuit, lower Piedmont County, I'll put it that way So -- and I'm the beneficiary of some of that nurturing. He was counseling with one of my children that's a 2016 graduate. So appreciate that.

CHAIRMAN SENATOR PEELER: Representative Davis.

REPRESENTATIVE DAVIS: Thank you. Good afternoon.

MR. PINSON: Good to see you.

REPRESENTATIVE DAVIS: Good to see you again. My son, as you know, graduated in May of 2018, and so I'm very familiar with the need the capital needs at The Citadel and I -- I see that you've noted that as well on -- on your questionnaire. What ideas do you have for raising capital for primarily what I see, building needs?

MR. PINSON: Well, we're in process now --we just got through with our annual Corps date. Over 52 percent -- I don't have the figures for this Corps date, but last Corps date 52 percent of the alumni contributed to that one fund. So we're constantly raising money. You can't raise enough. Citadel alumni are prone to give back to the school. I think the only competition within the Southern Conference is actually VMI. They give it a little bit higher percentage per -- per alumni than we do. We're constantly raising money. Luckily the building we're breaking ground for this week, the Bastin -- excuse me -- yeah, excuse me, Rick Bastin business administration school is a 60 million dollar project we're breaking ground for today. Capers Hall, as you're familiar with, the liberal arts building, is right when you come on campus to the left. We're trying to raise money for it. 6 million dollar project. When we were looking at this thing five years ago, it was 56 million dollars. So we're trying to stay ahead of the curve. It costs a lot of money in Charleston to live and to build. But we're -- we're on -- right now we have the business school. We've got the liberal arts building, Stevens Barracks. We've got turf replacement at the football stadium. That's already paid for. We'll have all the money available to do the east side stands in the next two years. So we're constantly doing it. Just finished the boat -- Swain boat center. All these are privately funded. So we don't come to the state asking for a whole lot of money. We think The Citadel alumni community will respond to the needs.

REPRESENTATIVE DAVIS: Is Fifth Battalion on that list anywhere?

MR. PINSON: That is an interesting question. It is. We've looked at plans to relocate it. But I think that somewhere along the line the board is going to have to make a determination what we want to see the size of the Corps of Cadets, whether we want to be at 2000 or whether we want

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to be at 2400. We've got to make that decision, and once that decision's made, that will determine what we're going to do with Stevens Barracks. I lived in Stevens Barracks. A lot of fond memories in those walls.

REPRESENTATIVE DAVIS: I bet. All right. Thank you.

CHAIRMAN SENATOR PEELER: You're under oath, you do know that. That's what you're claiming.

MR. PINSON: My upper class years were pretty fun.

CHAIRMAN SENATOR PEELER: Okay. Representative Clary.

REPRESENTATIVE CLARY: Thank you, Mr. Chairman. The great thing about it, Mr. Pinson, is that as we grow older those -- those bad experiences kind of fade away and you only remember the good things. But when we talk about limited space in the Corps of Cadets -- and I hear you talking about 2000, 2400. I know that -- that you have a shortage of living quarters of -- of residence halls, tell me -- and you mentioned a new residence hall building. What -- what will that do to alleviate some of those issues?

MR. PINSON: Well, I -- when I was in school, it was called the Fourth Battalion. Now it's actually the Fifth Battalion. It houses approximately 625 kids. So it's -- it's an old -- it's an old building, built -- built in 1947, Stevens Barracks. It's in very bad shape and we put over a million dollars a year into it to keep it up. When I say we can make the decision -- we've got limited space granted now, but we're going -- and we're going to do this based on forecast. And we just got to make the determination what we want the size of the Corps to be. If we want it to stay at 2400 -- well, actually 2345 today, we're going to have to build a new facility. Now, when you build a new facility in Charleston, especially where The Citadel is located, it takes planning because one thing offsets another thing, offsets another thing, offsets another thing. And we've got limited space to grow. We're being indulged by concrete, asphalt and steel all around the campus now. I hope the place doesn't sink. But that's what we're looking at. So once we make the determination what in 20 years we want the Corps to look like, I think then we'll make the decision on what to do with Stevens Barracks.

REPRESENTATIVE CLARY: I guess my -- my next question then, you're spending a million dollars a year on it.

MR. PINSON: Yes, sir.

REPRESENTATIVE CLARY: What are your short-term plans to try to alleviate the issues if it's in the shape that you say it is --

MR. PINSON: Well, it -- it -- it's a different generation we're dealing with. I was reading an article about Presbyterian College the other day, and the president of student body when they're breaking ground on the

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new dorm was talking about the kids today want a real formal, extremely nice atmosphere. That's not quite the game at The Citadel. Maybe at Clemson too. But it was fine, believe me. I -- I can live in it. Today's crowd we -- they look at things a little bit different. They want a little bit nicer facility.

REPRESENTATIVE CLARY: Oh, I --

MR. PINSON: But it's very livable now.

REPRESENTATIVE CLARY: I get it.

MR. PINSON: You go to VMI, you'll see real bad barracks.

REPRESENTATIVE CLARY: You know, if -- if I could move into Douthit Hills, I believe I would at Clemson.

MR. PINSON: Yes, sir.

REPRESENTATIVE CLARY: Thank you very much. Appreciate your service.

MR. PINSON: Thank you.

CHAIRMAN SENATOR PEELER: Anyone else?

REPRESENTATIVE CLARY: Favorable.

REPRESENTATIVE DAVIS: Second.

CHAIRMAN SENATOR PEELER: Before we take a vote, I was teasing you about under oath. I always feel funny swearing in a preacher or a Citadel graduate. It just seems so unnecessary.

REPRESENTATIVE DAVIS: Redundant.

CHAIRMAN SENATOR PEELER: No other discussion, we'll take it to a vote. Raise your right hand.

MR. PINSON: Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Unanimous.

MR. PINSON: -- if I can say one thing. On behalf of Senator Scott, Bill Pickering is our diversity officer and does a great job. Citadel alumni himself.

SENATOR SCOTT: And also your former commander was -- I -- I -- I mentioned him last year when he talked about how well y'all were doing with diversity especially your cadets who were in charge of barracks, some of the lead personnel that y'all had. And so y'all have been really, really working to improve diversity there. And I keep telling folk you win a lot of national awards across the country. Really take a look at those and you would get extra points when you're competing -- when you're competing with that. Thank you.

MR. PINSON: Thank you. The eyes of the world are always on The Citadel and I hope it's on a positive note.

CHAIRMAN SENATOR PEELER: Thank you, sir.

MR. PINSON: Thank y'all.

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CHAIRMAN SENATOR PEELER: Next we'll move to Wil Lou Gray Opportunity School. Deborah Blalock, Charleston. We're running a little ahead of schedule which is unusual for us. Dan Dobson from Myrtle Beach.

MR. DOBSON: Yes, sir.

CHAIRMAN SENATOR PEELER: Let me swear you in, Mr. Dobson.

MR. DOBSON: Okay.

CHAIRMAN SENATOR PEELER: Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. DOBSON: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement on why you'd like to serve on the Wil Lou Gray Opportunity School board?

MR. DOBSON: Yes, sir. My name is Dan Dobson -- Dan Austin Dobson, and I'm from Myrtle Beach, South Carolina, originally from the upstate, Greenville/Spartanburg area, grew up in -- in Spartanburg County. I am very interested in serving Wil Lou Gray Opportunity School as a member of the board of trustees. I have had a great interest in youth and education throughout the years. Of note, I have volunteered on numerous occasions as a chaperone for James F. Byrnes Rebel Regiment marching band, Spartanburg County in District Five of which my son was a member. I volunteered with Troop 24, Boy Scout troop in Lyman, South Carolina, and which both of my sons achieved the Eagle rank award. I'm very proud of them for doing that. I served as a chaperone for numerous class field trips at schools -- three different schools that my wife worked at in the computer labs. I was a member of the Kiwanis Club of Greer for 16 years serving in various officer capacities, including two times as president. I was honored with the distinguished club president's award that I was able to achieve by my -- with the help of my fellow members. We were able to -- we had to complete a required number of projects to be able to do this, and they were really beneficial in helping me do this. One of the key initiatives of the Kiwanis Club is the Terrific Kids Program that we are -- that they were so highly involved in, and it's really a terrific program to help these kids that achieve good things, character and academic recognition. My passion is for helping children most likely derived from my wife Virginia who is behind me supporting me who worked in Spartanburg County District School Five. She drove a school bus and worked in the computer lab, and she was really happy with her work. She had a lot of -- a lot of issues with children to deal with, but she was very good at it, I might say. Like myself, she has a passion for working with children. After retiring,

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we both drove buses for the athletic department at USC upstate where we transported kids back and forth to different sporting events, and some of those trips were driving them to Charlotte when they went out of town to various destinations. While retired I continued to give -- to strive to find ways to serve my state and my community in the Myrtle Beach area. My hope is that all children in our state will have the opportunity to succeed in life. I feel like my involvement with the board of trustees would provide that opportunity. Thank you for your consideration and I have -- hope to have the opportunity to serve you.

CHAIRMAN SENATOR PEELER: Thank you, sir. Questions or comments from the Committee? Representative Davis.

REPRESENTATIVE DAVIS: Thank you, Mr. Chairman. Do you have any specific ties to Wil Lou Gray, or if not, what are your specific interests in --in that -- in serving on that board?

MR. DOBSON: My ambition would be to -- to get in on this board of trustees and to be able to help provide a new fresh look -- perspective on. If there were some -- any kind of areas of weakness, I would -- I feel like I could be an asset to being on that committee and being able to work with kids and come up with some fresh new ideas.

REPRESENTATIVE DAVIS: So you do not have any direct ties with Wil Lou Gray now?

MR. DOBSON: No. No, I do not.

REPRESENTATIVE DAVIS: Okay. Thank you.

CHAIRMAN SENATOR PEELER: Others?

SENATOR VERDIN: Fine with me. Favorable.

CHAIRMAN SENATOR PEELER: Is there a second?

REPRESENTATIVE CLARY: Second.

CHAIRMAN SENATOR PEELER: Any discussion? Take it to a vote. All in favor raise your right-hand.

MR. DOBSON: Thank you, sir.

CHAIRMAN SENATOR PEELER: Thank you, sir, and I appreciate your willingness to serve.

MR. DOBSON: Thank you. Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Ms. Blalock, you catch your breath Ms. Deborah Blalock, Charleston, At-Large, Wil Lou Gray Opportunity School.

MS. BLALOCK: Good afternoon.

CHAIRMAN SENATOR PEELER: Swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MS. BLALOCK: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief

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statement?

MS. BLALOCK: I've been serving on the board for the last four years and I'd like to continue my service.

CHAIRMAN SENATOR PEELER: I love it.

MS. BLALOCK: That's brief.

CHAIRMAN SENATOR PEELER: Questions or comments from the Committee? Senator Scott.

SENATOR SCOTT: Oh, okay. I was looking for an opening statement, but they said that was it. Tell me a little bit about your mental health experience and what that has done to add to service on the Wil Lou Gray board --

MS. BLALOCK: I think --

SENATOR SCOTT: -- especially with some of those young people coming with all kinds of problems.

MS. BLALOCK: Yes, sir. I think it's been helpful. So I've been with the Department of Mental Health for 25 years, and I think my experience with the department has -- I've been able to transfer some of that knowledge in my service on the board and make -- help -- help Wil Lou Gray make some connections for services for kids sometimes who need those services at some of the mental health services where those kids come from. And I think that's been useful. And I also think my knowledge of state agency and state government has been useful to the board. I can help explain things to maybe other board members who don't understand necessarily how state agency works. But I definitely think my mental health background has been helpful.

SENATOR SCOTT: No more.

CHAIRMAN SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. Ms. Blalock, thank you for serving on the board. My subcommittee here is Wil Lou Gray when they make their presentations, and I have to say I'm extremely impressed with the job that the administrators and the board does down there with the students, the way you turn them out and just a real success story. So thank you for what you do, and I want you to thank the rest of the board from me also.

MS. BLALOCK: Thank you. Will do. It's -- it's an impressive agency. I didn't know much about it until I became a member of the board, and I'm blown away by the work that they do.

CHAIRMAN SENATOR PEELER: Representative Clary.

REPRESENTATIVE CLARY: Thank -- thank you very much, Ms. Blalock, and -- and I think you bring a very unique skill set to -- to Wil Lou Gray. It's something that -- it's a shame that we don't have more

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people like you to scatter around on our various boards in -- in the state. But in talking about Wil Lou Gray, I know every year when we have Wil Lou Gray that -- that comes in and -- and brings your students, I am so impressed with -- with those young men and women and the -- the job that y'all are doing. I know that I have colleagues who talk about the -- the cost of -- of each student, but I think when you see the results, it certainly -- certainly very well spent. So, once again, as Representative Whitmire says, please convey to -- to your other board members and -- and to the staff there that you're -- you're doing a great job. We appreciate it. Thank you for serving.

MS. BLALOCK: Thank you.

CHAIRMAN SENATOR PEELER: Senator Verdin.

SENATOR VERDIN: Thank you, Mr. Chairman. I also appreciate the work you've done with not only with Wil Lou Gray and also as we've interacted with DMH. And I have a specific inquiry related to your employment. Are you doing your administrative work from Charleston or -- I'm con -- I'm interested if there's a commute, how you're doing it.

MS. BLALOCK: I commute. I come up on Mondays and rent an apartment and go home on Fridays.

SENATOR VERDIN: Well --

MS. BLALOCK: I commute. It's tough.

SENATOR VERDIN: It - is doable.

MS. BLALOCK: It's doable.

SENATOR VERDIN: It's doable.

MS. BLALOCK: It's tough, but it's doable. My husband might actually like it, I don't know.

SENATOR VERDIN: How long have you -- I'm curious, how long have you actually been in that commute?

MS. BLALOCK: Charleston? 50 -- let's see. I'm 59. 57 years.

SENATOR VERDIN: Well, the commute --

MS. BLALOCK: Oh, the commute?

SENATOR VERDIN: The commute as director --

MS. BLALOCK: Oh, I'm sorry, I thought you said --

SENATOR VERDIN: -- deputy director of community services.

MS. BLALOCK: A year -- it was a year January 8th. Yeah, so a little over a year.

SENATOR VERDIN: You can do anything for a short period of time - or for a prescribed --

MS. BLALOCK: I tell myself.

SENATOR VERDIN: -- if you know what -- that's all right.

MS. BLALOCK: That's what I tell myself. Yeah. The weeks go by

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really quickly. I'm super busy, so that part's good.

CHAIRMAN SENATOR PEELER: Any others?

SENATOR VERDIN: Favorable.

CHAIRMAN SENATOR PEELER: Motion is favorable.

REPRESENTATIVE DAVIS: Second.

CHAIRMAN SENATOR PEELER: Seconded. Any other discussion?

Hearing none, we'll take it to a vote. All in favor raise your right hand.

It's unanimous. Thank you so much --

MS. BLALOCK: Thank you.

CHAIRMAN SENATOR PEELER: -- for what you do. Now we have Robert Nichols Collar, Bluffton, Wil Lou Gray Opportunity School, At-Large. Swear you in, sir. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. COLLAR: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement?

MR. COLLAR: I -- along with Ms. Blalock, I've been serving for the past four years at the Wil Lou Gray Opportunity School. I've greatly appreciated and enjoyed it and would like to continue to do so with your all's blessing.

CHAIRMAN SENATOR PEELER: Questions or comments? How long have you been on the board?

MR. COLLAR: Four years.

CHAIRMAN SENATOR PEELER: Four?

MR. COLLAR: Yes, sir.

CHAIRMAN SENATOR PEELER: Representative Clary.

REPRESENTATIVE CLARY: Mr. Collar, I note that you are currently the assistant superintendent. Is that in Clarendon County?

MR. COLLAR: Yes, sir, Clarendon School District One.

REPRESENTATIVE CLARY: And what -- what led you to serve on the Wil Lou Gray board initially?

MR. COLLAR: Initially I have been very fortunate and really attribute the success of my educational career of starting my very first job out of the University of South Carolina at the Wil Lou Gray Opportunity School. Mr. Smith and his fantastic staff kind of led me to -- with my love of children and at risk youth. Unfortunately in the state of South Carolina, human service specialists twos don't make a whole lot of money and they pointed me in the direction of public education, thought I might be better suited there. So I went to Richland School District Two, but I've always looked at my experiences there and the staff there and have always wanted to assist them in any way necessary and bring some

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of my experiences to the board just as a -- as a helping hand or a sounding board.

REPRESENTATIVE CLARY: Thank you very much. Appreciate your service.

MR. COLLAR: Thank you.

CHAIRMAN SENATOR PEELER: Anything?

REPRESENTATIVE WHITMIRE: Favorable.

REPRESENTATIVE DAVIS: Second.

CHAIRMAN SENATOR PEELER: Seconded. Any other discussion? If not, we'll take it to a vote. All in favor raise your right-hand. It's unanimous. Thank you so much.

REPRESENTATIVE DAVIS: Thank you.

CHAIRMAN SENATOR PEELER: Now we'll move to Medical University of South Carolina, 4th Congressional District, medical seat, Frederick Butehorn, Spartanburg. Afternoon, Doctor.

DR. BUTEHORN: Hi, President Peeler. How are you?

CHAIRMAN SENATOR PEELER: All right. Swear you in. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

DR. BUTEHORN: Yes, sir.

CHAIRMAN SENATOR PEELER: Like to make a brief statement?

DR. BUTEHORN: I'm Henry Frederick Butehorn, III. My friends call me Fritz and most people call me Fritz. I'm from Spartanburg. I'm privileged to be here today, and it would be such an honor to serve my alma mater at the Medical University of South Carolina board of trustees. I feel that the way the state has set up the board of trustees having a healthcare provider and then a layperson in each district is very wise, and I hope that my experience as a physician not only representing Spartanburg but the upstate as well as the whole state on various other boards, which I can go into if need be, will provide a good leadership qualities -- or good leadership qualities to help with the board of trustees.

CHAIRMAN SENATOR PEELER: Questions or comments? Senator Scott.

SENATOR SCOTT: Thank you. Thank you for your willingness to serve. We -- we screened you a while back?

DR. BUTEHORN: I believe we did, yes.

SENATOR SCOTT: And what happened in that process prior to the time to get votes? Do you recall anything unusual that took place?

DR. BUTEHORN: No, sir, I'm not aware of anything unusual.

SENATOR SCOTT: Were there any communication between you and any legislators from your area or another area?

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DR. BUTEHORN: Well, I communicated with people that I was interested in the seat, but beyond that, no, sir.

SENATOR SCOTT: I'm talking about -- the interest as it relates to -- there was another candidate as well, if I can recall, that was in that race. Were -- were there any communication between you and -- and any other legislator to get the other candidate out of the race?

DR. BUTEHORN: No, sir.

CHAIRMAN SENATOR PEELER: Any other questions or comments? So you didn't ask for a commitment prior to the time?

DR. BUTEHORN: No, sir, not any way. Certainly this is my first time doing this. I followed the rules. In no way, shape or form. (Senator Alexander entered the proceedings.)

CHAIRMAN SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Doctor. Are you aware what we were made privy to? I mean, we had some real discussions and heartburn over this whole issue because we were led to believe the other candidate was pressured to get out. Whether he would have won or not, that's immaterial. So what I'm concerned about is did anyone interfere on your behalf, whether you knew it or not? Because we -- we need to put a stop to that going forward.

DR. BUTEHORN: Well, I would certainly understand that. I'm not aware of anything that -- I most certainly am not aware of anything.

REPRESENTATIVE WHITMIRE: I take you at your word.

CHAIRMAN SENATOR PEELER: Representative Clary.

REPRESENTATIVE CLARY: Dr. Butehorn, I think that the day that you were screened was January 14th of -- of this year, if I'm -- if I'm not mistaken.

DR. BUTEHORN: I'll take your word for that. I don't remember exactly.

REPRESENTATIVE CLARY: And on that date and in subsequent dates thereafter, did you have any telephone conversations, any text communications with any member of the General Assembly concerning the seat?

DR. BUTEHORN: Not concerning the board of trustee seats, no, sir.

REPRESENTATIVE CLARY: None whatsoever?

DR. BUTEHORN: No, sir.

REPRESENTATIVE CLARY: Thank you, sir.

CHAIRMAN SENATOR PEELER: How do you do, sir. You have a question?

SENATOR ALEXANDER: I do, sir.

CHAIRMAN SENATOR PEELER: Senator Alexander.

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SENATOR ALEXANDER: So just listening to the response to the last question when you said you had no communication regarding the board of trustees --

DR. BUTEHORN: Yes.

SENATOR ALEXANDER: -- seat, so do I take from that you may have had other conversations with members of the General Assembly?

DR. BUTEHORN: I'm on the PAC board and we lobby for multiple issues, and one of those issues is medical marijuana which was very hot at the beginning of the session. So, yes, I was talking to people about that. I may or may not have seen some of y'all at an event that I was invited because I'm on the PAC board. I'm the chairman of the PAC board.

SENATOR ALEXANDER: Just wanted further clarification.

SENATOR SCOTT: Chair.

CHAIRMAN SENATOR PEELER: Senator Scott.

SENATOR SCOTT: Did any -- anyone -- was there any lobbyist who represented either your agency or represented you before this body having communication with members of the General Assembly as it relates to your -- to that election?

DR. BUTEHORN: I've had no lobbyist for this position in no way, shape or form, no, sir.

SENATOR SCOTT: Is there a particular lobbyist that you -- that you do have a relationship with that represent either your company or that you know that represents somebody else before this General Assembly?

DR. BUTEHORN: I have relationships with the South Carolina Medical Association lobbyists. I've known them for 15, 20 years through my -- my work, but I don't personally have a lobbyist and --

SENATOR SCOTT: Did any of them act on your behalf as it relates to that election, was involved at any aspect of the election?

DR. BUTEHORN: No, sir. I'm not aware that anything happened past a screening point and that was it. I was not allowed to do anything beyond that point.

CHAIRMAN SENATOR PEELER: Anyone else? Representative Davis.

REPRESENTATIVE DAVIS: Thank you, Mr. Chairman. As far as your involvement in the issue around medical marijuana, do you see that in any way as a conflict in your position on the MUSC board?

DR. BUTEHORN: No, ma'am. I believe that any physician who looks at these issues will come up with their opinions. Obviously my position on the board of trustees would be taken as a representative of physicians as a whole for the Congressional District 4. So I don't think my personal

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opinion would affect my ability to be on the board of trustees.

REPRESENTATIVE DAVIS: Okay. But as you probably know, that's sort of a political -- it's a -- it's a political and a medical issue. It's become political for whatever reason, but --

DR. BUTEHORN: It's become a political issue --

REPRESENTATIVE DAVIS: Uh-huh.

DR. BUTEHORN: -- but if you ask the physicians, it's not a medical issue. I think the politicians have tried to make it a medical issue. So that's the -- the thing that most physicians would fall in that line. You may find a few on the other side, but I have very strong beliefs on that particular issue.

REPRESENTATIVE DAVIS: Okay. All right. I -- I just --

DR. BUTEHORN: I'm happy to -- to further talk about it.

REPRESENTATIVE DAVIS: Well, I just wanted to sort of reconcile that in my mind about -- about whether or not that was a conflict. So thank you. I appreciate your input.

DR. BUTEHORN: I would certainly be a major advocate for having further research done, and if MUSC can -- can be a venue to do that research, that would be wonderful. I do think there needs to be a lot more research before we turn -- turn that loose.

REPRESENTATIVE DAVIS: Thank you.

CHAIRMAN SENATOR PEELER: Senator Scott.

SENATOR SCOTT: Thank you again, Doctor, for -- for -- for being here and answering these questions. What is troubling to me is that prior to this last election members of this General Assembly took it upon themselves to actively be involved in election prior to time to get votes, and with you having no relationship with lobbyists, no relationship with members of the legislature, I just kind of -- I'm just trying to kind of figure all this -- all this out. Why would they have such a major interest in this election if you had no relationship with -- with anybody other than with your association? That's what's troubling me. I'm not -- not able to get my arms around it. You have no relationship with anybody on these legislators. You have no relationship with the lobbyists, but they had all this major interest in either getting the other person out of the race so that the race would be a race ran with just one candidate in it.

DR. BUTEHORN: Once again, you can certainly elaborate more about -- I'm kind of working without all the cards you have apparently. I don't know --

SENATOR SCOTT: Right.

DR. BUTEHORN: -- the details you're talking about. I do have relationships with practically everybody. I know all the people who are

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elected in Spartanburg County. I -- I think it's my issue as a citizen to do that. I know Senator Peeler. He's come to our legislative sessions that we have once a year. I've kind of started that in Spartanburg to try to get everybody involved and get physicians to meet our legislators. So do I know the legislators? Yes, I do. I know them and I hope they have a positive view of me. Beyond that, I have supported a few which I think you have on the -- beyond that -- that's -- that's it. I do feel like I can call my legislators if I have an issue as a representative of the government, and that's what I -- I try to do. I tried to -- have I called anyone about this position asking for their commitment or their vote? In no way, shape or form.

SENATOR SCOTT: If anything happened, they acted on their own is what you're saying?

DR. BUTEHORN: I would say that. I'm not aware of -- I know something's happened and things have happened, but I am not aware of all the things. I'm really not.

SENATOR SCOTT: Okay.

DR. BUTEHORN: A bit mysterious.

CHAIRMAN SENATOR PEELER: Anyone else?

SENATOR VERDIN: Mr. Chairman.

CHAIRMAN SENATOR PEELER: Senator Verdin.

SENATOR VERDIN: Thank you, Mr. Chairman. I want to thank Dr. Butehorn for the response on the research that is inevitably got to transpire in this country as it relates to the plant. And you and I have had had multiple conversations about it, formally, informally, and I appreciate your candor. Also the -- I lost my train of thought. I do want to thank you for that acknowledgement going forward. Oh, yeah, we were talking about cannabis. Some people talk about medical marijuana. I talk about medicinal cannabis because -- and I don't want to hear it right now. Not the time or the place. Normally that's been my question for everyone. And I thought I might jog back around to my part B comment, but I don't want to -- didn't want to fail to acknowledge the -- whether it be the medical community or the law enforcement community, they're coming up and -- and of course as representative of the CM -- SCMA, y'all have been very -- much more pronounced in your address of the issue this year, and that's what it's going to take going forward. So I thank you for that on part of the SCMA. Rather than neutrality, we need to know where people are and be able to address the concerns, qualms, issues, fears, and certainly deferring to your medical -- which is what we're doing here, by the way. There's a reason we're putting MDs on there, not because you're an alumnus, because that you've been in

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practice and then now you can take those perspectives and those experiences back to your alma mater and then the next generation. So I thought I'd get back to it, but I didn't. So there was something else stuck back there, but --

DR. BUTEHORN: Thank you. I know we've had a lot of conversations about it and --

SENATOR VERDIN: It's inevitable for -- from -- from where I sit, from where the chairman, President Peeler used to sit, and from the actions of SCMA, you know, we're going to -- we can sit back and do nothing or we can grapple over it, and I think we best serve our constituencies by grappling over it. That will enable us to have the conversation of how far the political debate has outrun the medical debate. And for you to say, "Certainly I would support MUSC's research of the matter," is all the encouragement and comfort that I can take as we try to establish new public policy. I want South Carolina to establish public policy. I don't want a nationalized policy forced on us which is inevitably what's going to happen within a few short years. It's breaking fast, and I want to have a proactive approach and it's going to take everybody, law enforcement, our medical research instruments. And I would like to show the rest of the country a better way, and I think we can do that from the southeast. I think the Mid-Atlantic States, Midwestern states will follow our lead. Some of them will back up on themselves to fix some of the stuff that they've enacted already.

DR. BUTEHORN: I think if you go to states that have enacted it, you will -- and you talk to political officials without a camera present, they will tell you several things that -- that they would like to do differently, and I think South Carolina has an excellent opportunity to do things correctly as you said. Are there positive things to the plant? 100 percent. Are there negative things to the plant? 100 percent. And it's federally illegal and it's classified as a drug that doesn't have medical benefit. So I have a hard time with that.

SENATOR VERDIN: I know that's the silo that we're in currently. That -- the walls of that silo are coming down. FDA is gonna deschedule and the federal government is going to decriminalize and the states are going to be sitting out here saying, "Uh-oh, we now have to do something." I'd rather us get in the game now because what I just said I don't think is more than 18 to 24 months away.

DR. BUTEHORN: I think if we are all looking for our citizens' and patients' best interest, then we all have the right goal, and it's not necessarily the -- the thing that's going to make the state the most money. It would be the thing that is safest for the state and safest for our citizens,

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and that -- that takes time and it's not something that happens in 18 months. It would be something that takes medical literature for a drug to be approved after you go through a double-blinded placebo controlled trial which is powered enough in order to prove what you need to prove, and that would take, if you're ready to go, probably a minimum of two to three years to actually get your study done. So we don't prescribe drugs or -- we don't prescribe drugs -- that's the important word -- prescribe drugs that -- that aren't FDA approved.

SENATOR VERDIN: Where we have our greatest agreement is in the sanctity of the doctor-patient relationship. Where we're going to struggle going forward as a General Assembly as a country is the efficacy and timeliness of pharmacology and federal regulators. Hanging our hat on a -- on a peg on the ability of the federal government to serve us best is where a lot of this is going to break as well.

DR. BUTEHORN: Well, hopefully we got 50 states and state --

SENATOR VERDIN: Each a laboratory.

DR. BUTEHORN: Right. So that's the way it's supposed to be. So I would agree with you there.

SENATOR VERDIN: Thank you.

CHAIRMAN SENATOR PEELER: Anyone else? Dr. Butehorn, I appreciate your attendance. I appreciate your willingness to serve. I appreciate your forthrightness. The Committee takes very seriously our role and I think you would appreciate that.

DR. BUTEHORN: Yes, sir.

CHAIRMAN SENATOR PEELER: There were some questions that needed to be answered that -- asked and answered, and I'm satisfied with the questions and the response.

REPRESENTATIVE DAVIS: Uh-huh.

CHAIRMAN SENATOR PEELER: So what's the desire of the Committee?

SENATOR VERDIN: I move for a favorable report --

CHAIRMAN SENATOR PEELER: Motion is favorable. Is there a second?

REPRESENTATIVE DAVIS: Second.

CHAIRMAN SENATOR PEELER: Seconded. Any other discussion? We'll take it to a vote. All in favor of a favorable report, please raise your right hand. All opposed raise your right hand. Five positive. Two abstained. Thank you, sir.

DR. BUTEHORN: Thank you.

CHAIRMAN SENATOR PEELER: Appreciate it. Completes our agenda and adjourned.

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The screenings were concluded at 2:18 p.m.

**State of South Carolina College and University Trustee
Screening Commission for College and University Board of
Trustees Screenings**

DATE: Thursday, April 4, 2019
TIME: 9:30 a.m.
LOCATION: 209 Gressette Building
1101 Pendleton Street
Columbia, South Carolina

Committee Members Present:

Chairman Senator HARVEY S. PEELER, JR.
Senator THOMAS C. ALEXANDER
Senator JOHN L. SCOTT, JR.
Senator DANIEL B. "DANNY" VERDIN, III, Vice-Chairman
Representative William R. Whitmire
Representative Phyllis J. Henderson
Representative Sylleste Davis
Also present: Martha Casto, Julie Price, Staff

CHAIRMAN SENATOR PEELER: I'll call the meeting to order. This is a meeting of the College and University Trustees Screening Commission. I'd like to welcome everyone and pray that God continues to bless us all. We have one appointment today before us, Coastal Carolina University. Our candidate wants to continue to serve on the Coastal Carolina University board. Mr. Turner, if you would, come forward.

MR. TURNER: Yes, sir.

CHAIRMAN SENATOR PEELER: For the record, give us your full name.

MR. TURNER: Thank you, Mr. Chairman. My name is William E. Turner, III.

CHAIRMAN SENATOR PEELER: Let me swear you in. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

MR. TURNER: I do.

CHAIRMAN SENATOR PEELER: Would you like to make a brief statement on why you'd like to continue to serve on the board?

MR. TURNER: I would. Thank you. I'll be brief. I would like to thank

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you this morning for having me in. I would first love to thank you for your flexibility. Unfortunately, I was on a business trip in Texas last week, on the 25th, and was unable to be here. But again, thank you for your flexibility and willingness to come back and spend your time for a few minutes with me today. Coastal is a passion for me. I've been involved with the University since -- as a trustee since 2011, 1997 graduate, a native of Conway. So I've watched that university grow and thrive. Growing up there, I remember it as a child with just a few small buildings and a lot of parking lots with empty parking spaces; now, today, a few parking lots and no empty parking spaces. So it's just a beautiful place to be a part of. I'm honored to serve, and with your help, I'd like to continue to do that.

CHAIRMAN SENATOR PEELER: Thank you.

MR. TURNER: Thank you, sir.

CHAIRMAN SENATOR PEELER: Any questions or comments?
Senator Scott.

SENATOR SCOTT: First, let me thank you for your willingness to serve.

MR. TURNER: Thank you.

SENATOR SCOTT: I see you have three wonderful daughters.

MR. TURNER: I do.

SENATOR SCOTT: Any of them go to Coastal yet?

MR. TURNER: I have one daughter -- my oldest daughter is a sophomore, about to finish her sophomore year at Gardner-Webb University.

SENATOR SCOTT: Okay.

MR. TURNER: My middle daughter is finishing her junior year in high school, and Coastal's at the top of her list. So I'm praying and crossing my fingers that at least one of them will go to Coastal. And Coastal was at the top of the list for my oldest daughter. But the nursing program was a little bit too new at Coastal for her to go there.

SENATOR SCOTT: Tell us what you really like about Coastal since you've been on the board and some of the things you've been able to improve as result of you being a trustee.

MR. TURNER: Sure. I look around the boardroom and around that table, and I look at some phenomenal professionals in the communities in which they live. The knowledge that they bring to the table is balanced. From a fiscal perspective, I feel like we bring a base that keeps things in check. While we look to grow, we look to grow responsibly and keep our finances in such a manner that we're doing right by the students of South Carolina.

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(Senator Alexander entered the room.)

MR. TURNER: So the growth has been phenomenal, as I'm sure you are aware, but it's been managed growth, and that's been very strategic. I think if we wanted to grow at six or seven percent a year, we could certainly do that, but that wouldn't be sustainable from a fiscal perspective. So I think we just simply bring balance. We have a phenomenal administration in President Dave DeCenzo and our Executive Vice President and Provost Ralph Byington.

SENATOR SCOTT: And all that's getting ready to change.

MR. TURNER: It is going to be changing.

SENATOR SCOTT: Tell me a little bit about where you're going with that.

MR. TURNER: So we've established a committee to begin working on the presidential search. That's probably going to take us through the next year to 18 months. I'm not on that committee, but that will be -- the entire board will be active in the second stage, I would say. Once they've put the committee together and started actively pursuing candidates, then the entire board will be involved.

SENATOR SCOTT: What are you looking for in a good president?

MR. TURNER: That's a great question. Number one, someone that's willing to want to be there, I would say, ten years, I think, with the direction that Coastal is going, someone that's going to have a vested interest in sticking around for a little while and helping us achieve the growth that we want to achieve and continue the academic standard that we've set forth and want to maintain.

SENATOR SCOTT: I know the in-state/out-of-state balance has been a real issue for Coastal. You do a lot of out-of-state recruiting. Tell me how you balance that. You all have made several requests back and forth to the higher ed subcommittee for additional funding, although you get local funding as well, and there's a real push to educate South Carolina children. So tell me how you create some balance with that. And that's my last question.

MR. TURNER: So, first and foremost, when we look at our in-state to out-of-state ratio, it's fairly even, within about one percent, depending on what statistics you look at. Some show us at 49 percent in-state, 49 percent out-of-state, with two percent international. Other statistics have that off balance by one or two percent. But first and foremost, we have a policy in place to admit any South Carolina student that meets our minimum requirements, period. We understand that that's not necessarily the case in some of the other institutions in the state, but those minimum requirements, once met, that student is admitted. Now,

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whether they choose to go to Coastal is another story. You know, we're in a unique situation where we're competing with some phenomenal institutions in Clemson, South Carolina, Furman, Winthrop, a long list. So there's a lot of good education in this state for our students to choose from, and fortunately, we get a good many of those. But, again, we do not turn away any South Carolina student that meets our requirements. Having said that, we do rely heavily on that out-of-state tuition. And if you look at the imbalance, if you will, between our in-state versus out-of-state tuition, it's considerable. But we look at the numbers, and we're one of the lower funded universities in the state in terms of state appropriations. And with the new legislation that's being introduced, that may change, with this new bill that's in place now and going through committee. The money following the student, I think, would be a phenomenal asset to all the universities.

SENATOR SCOTT: But your out-of-state numbers may create a problem for you with that legislation --

MR. TURNER: I think --

SENATOR SCOTT: -- especially when incentives go to schools who are educating in-state students.

MR. TURNER: This is true. I would love to say, News at eleven, because there's a lot more to come from that. And I've seen the proposed numbers one time, and they looked beneficial to Coastal. But I think if -- you know, there's another unique scenario where we're seeing more and more students applying to other universities that are not being accepted, and we're looking at ways to recruit those students where Coastal was not their first choice, but we would be a wonderful second choice in the event they didn't get into Clemson, University of South Carolina, Winthrop, et cetera. I think from an economic standpoint we make good sense for those students that don't have that option.

SENATOR SCOTT: Thank you, Mr. Chairman.

CHAIRMAN SENATOR PEELER: Thank you. Anyone else? What's the desire of the committee?

SENATOR SCOTT: Favorable report.

CHAIRMAN SENATOR PEELER: Motion is favorable.

SENATOR ALEXANDER: Second.

CHAIRMAN SENATOR PEELER: Seconded. Any further discussion? Hearing none, we'll take it to a vote. All in favor of a favorable report, raise your right hand. (Members raise hands.)

CHAIRMAN SENATOR PEELER: Unanimous. Thank you for your willingness to continue to serve.

MR. TURNER: Thank you very much for having me today.

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CHAIRMAN SENATOR PEELER: Meeting adjourned.

The meeting was concluded at approximately 9:42 a.m.

**Joint Consumer Affairs Screening Committee
2019 Report of Candidate Qualifications**

Date and Time of Final Report:
Friday, April 12, 2019 at 12:00 p.m.

Members of the General Assembly are **PROHIBITED** from pledging their votes until Tuesday, April 23, 2019 at noon.

The election will be on Wednesday, May 8th at noon.

Committee Composition and Responsibilities

The Committee is comprised of eight members -- four from the Senate and four from the House of Representatives. To fulfill its mandate, the Committee conducts an investigation of each applicant's professional and financial affairs and holds a public hearing during which each applicant may be questioned on a wide variety of issues.

The JCASC's investigation includes (1) a State Law Enforcement Division background check; (2) a credit investigation; (3) a careful study of application materials, including a personal data questionnaire; and (4) further inquiry as the Committee considers appropriate.

Joint Consumer Affairs Commission Screening Committee

Sen. JOHN MATTHEWS,
Chair
Sen. TOM DAVIS
Sen. SEAN BENNETT
Sen. KATRINA SHEALY

Rep. Leon Howard
Rep. Chandra Dillard
Rep. F. Michael Sottile
Rep. Cezar McKnight

SENATOR BENNETT: Alright, good morning everybody. Thank you for coming. Sorry we're a little late. But in the Senate we are still early. I apologize for the delay--we have a few members that are still trickling in from out of town, but we're going to go ahead and get started to be respectful of your time. We have a number of candidates today. We are

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here as a Joint Committee to Review Candidates for the Consumer Affairs Commission. Our members, Representative Howard, Representative Sottile are here, and of course the other members will be coming in. Steven, do you have any instructions for us as we get going?

DR. GILBERT: We bring them each up one at a time, you will swear them in, and there are some basic questions provided that you can ask to start the conversation going. After those basic questions, then we would certainly open it up for the members to ask whatever relevant questions they would like, based on the information in the packet you have. The personal data questionnaire, which gives the background for them, it functions essentially like a resume. It is designed to catch any conflicts of interest that we can catch. There is also a credit check, below that there is a background check, and then there is a driving record. You'll notice--and typically, if there is anything that would have drawn attention, I have put an asterisk next to it in the application. Something you'll notice, if it's flagged an accident, if it's a non-contributing accident it's a no. That's just something for your information. But I think everything that you would need probably is encapsulated in the forms in front of you.

SENATOR BENNETT: Alright we'll get started. I think to save us a little time, if it's ok with the committee, I'd like to just go ahead and swear in all folks that are going to testify today and we'll hear from so we don't have to do that each time you come up. So if you are going to testify in front of us, if you'll please stand and raise your right hand and repeat after me, please. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God? Great, thank you very much. I appreciate that. So as you come up, we'll start with Mr. Geddings. Come forward. Also, please everyone understand that we will be recording all the comments today and those will be transcribed in the journals so that other members of the committee that are arriving late or happen not to be able to get here today can see your comments. All of you have provided staff with your personal background data questionnaire, and they have run the appropriate background and credit checks. The documents have been reviewed and found to be complete with all the information that we requested. Are there any changes or additions that you would like to submit at this time, Mr. Geddings?

WILLIAM GEDDINGS: No, sir.

SENATOR BENNETT: Ok, great. Let me just start by opening up and asking, do you know of any reason why you would have any difficulty performing the duties of this position?

WILLIAM GEDDINGS: No, sir.

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SENATOR BENNETT: Ok. Mr. Geddings, can you briefly tell us about yourself and explain to us why you want to be on the Commission?

WILLIAM GEDDINGS: Yes, sir, Senator Bennett. My name is Williams Geddings. I am from Florence. Born in Florence, came to USC, went to USC Law, and went back to Florence. Since going back to Florence, I have been an attorney at Hays, Colley. I'm a member of the National Association of Consumer Advocates. We do primarily, if not completely, consumer defense, with a smattering of Social Security Disability in there. In that overriding category, we bring claims for incorrect credit reporting, illegal debt collection actions, illegal repossession, automobile fraud. By fraud I mean selling of automobiles, not so much wrecking of automobiles and things of that nature. I have been doing that since 2010. I have actually never worked as an attorney in any other field other than consumer except for a brief foray as an intern at the public defender in Florence. I enjoy what I do, and I enjoy defending consumers in South Carolina to the best of my ability.

Senator Bennett: Any specific skills or experiences other than what you've already noted, told us about your practice, that you believe would be beneficial to the Commission?

WILLIAM GEDDINGS: The relevant skills probably would come from the practice. I've been in the weeds with these statutes, specifically the Consumer Protection Code in Florence multiple times, 37-5-108 being one of the most often litigated. I teach a class in Florence, as well, once a year for Florence Darlington Tech. The law school for non-lawyers in consumer law is actually being taught Thursday. The class is through the National Association of Consumer Advocates. Also on consumer law, but not really South Carolina law related, so it's more broad. I'm a South Carolinian, and I care what happens in South Carolina. Other than a year I lived in Jacksonville, I've lived in South Carolina my entire life, and I have no inclination that I intend to leave. Other than within my practice, I'm not sure what other skills would be relevant to the position.

Senator Bennett: Great. Any questions from the committee? Alright, thank you Mr. Geddings. So members, we have heard from Mr. Geddings. You have had a chance to read his report or the reports that were pulled on him. We now need to vote whether we find him qualified and nominate him to the General Assembly. Do I hear a motion for his qualification? Is there a second? Any discussion? All those in favor say aye. Any opposed? No. Ok, Mr. Geddings, we have found you qualified. Thank you. Alright, Renee Madden. Good morning, Ms. Madden. How are you? Ms. Madden, you have provided to staff your personal data questionnaire, and they have run the appropriate background checks and

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credit checks. The documents have been reviewed and found to be complete with all of the information that was requested. Are there any changes that you would like to make or any additions to the data?

Renee Madden: No changes, but I just want to make sure that the documents have reflected accurately the case that I have against Love Plumbing. I prevailed in that case for breach of contract, but the Clerk of Court had incorrectly entered it as a judgment against me, and that stayed for about five days in the record, so I wanted to make sure that my credit report didn't pick up--I'm still waiting for a copy of the credit report--so I just wanted to make sure that you have it accurately reflected that I prevailed in that case and that the judgment was against Love Plumbing and not me.

SENATOR BENNETT: So you won--congratulations.

RENEE MADDEN: Yes, thank you.

SENATOR BENNETT: Do we have a record of that? Nothing was flagged.

RENEE MADDEN: Ok, good. Good. Thank you.

SENATOR BENNETT: But thank you for that. Let's see Ms. Madden. Do you know of any reason why you would have difficulty performing the duties of the Commission if you were so appointed?

RENEE MADDEN: None at all.

SENATOR BENNETT: Can you briefly tell us about yourself and why you think this is a good fit for you?

RENEE MADDEN: Yes, I am an idealist, and I would like to do whatever I could to level the playing field between consumers and businesses. I think that's a uniquely government function, recognizing at the same time that there are often two sides to a story.

SENATOR BENNETT: Any specific skills or experiences that you have that you believe bring value to the Commission?

RENEE MADDEN: Just my experience as a consumer, having to fight in certain cases, and also fighting for my clients, particularly in the HOA area.

SENATOR BENNETT: That's an interesting area. I will tell you--I don't know if I can speak for my colleagues here--but probably one of the most frequent emails that I get from constituents have to do with HOA's. What do you see as being the primary issues surrounding those challenges from residents and HOA's that they operate under?

Renee Madden: One overarching issue that I see through all areas is having an educated consumer, knowing that they've got this avenue. If you look at your website, you see that the most, the highest rate of complaints being made in probably the wealthiest, presumably most

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educated counties. I think in some of the poorer, more rural, less educated counties, they have probably higher rates of injuries inflicted upon them unfairly. But in terms of HOA's, one of the issues that I see is that the documents provide for any past due assessments to be liens on the property, which would--it's like a security interest--they can foreclose, so you're foreclosing on someone's home for maybe a couple thousand dollars. You add to that these onerous collection attorney's fees, and you're really putting people into a bad spot. Then you have volunteer boards, who sometimes are doing the best they can, sometimes they just want to take shortcuts, but often they are doing things that are beyond what the documents provide them the authority to do. They are creatures of statute--they have only the power that their documents and the South Carolina Non-Profit Corporations Act gives them and the new HOA Act or the Horizontal Property Act, depending on what's appropriate. So you have boards either being self-interested or going beyond what they are permitted to do.

SENATOR BENNETT: Any questions?

REPRESENTATIVE SOTTILE: I'd just like to follow-up on the HOA situation. Where I come from, the Charleston area, there's a lot of that sort of thing down there. We've dealt with it over in the House. I was on the LCI Committee that had a lot of HOA legislation come before it a couple years ago. I found that in most of the complaints, the owners weren't really aware of what the by-laws said, what they were responsible for. Lack of education, or they just weren't reading them--that was the biggest problem. It is good to know that you are up to speed on that sort of thing, because that is something that is a little ticklish now with everybody.

RENEE MADDEN: And often when you see--the late fees is one issue that I've seen repeatedly. Many of the documents don't give them permission to charge late fees, but they do. And then sometimes the by-laws aren't really passed in accordance with what the requirements are, so they're not really by-laws.

REPRESENTATIVE SOTTILE: Thank you, ma'am.

REPRESENTATIVE HOWARD: If appointed or elected, what measures would you take to rectify what you see as wrong as it relates to HOA's?

RENEE MADDEN: For the HOA's?

REPRESENTATIVE HOWARD: Yes, is there anything specific? I know you have broad duties beyond that, but is there something specifically that you would work toward or you would advocate toward?

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RENEE MADDEN: Really big picture, I think that for a homeowner, an owner of a condo, or a restricted house, if it's used as the primary residence, I think that the foreclosure laws should probably be reevaluated, and perhaps, and also the wage garnishment. So you can't garnish salaries. But I think that perhaps getting that changed so to avoid foreclosure, the HOA's will have other avenues to recoup the assessments, because they do need to collect that money, and everyone does need to contribute their fair share, but people do sometimes get into binds. So that's just very big picture, one issue that I see. I think the new website for the complaints that can be aired publically, I think it could be made a little easier to search, and perhaps to include a summary of a complaint, the main issues, so that if you're trying to look at the bulk of the material that's there, you can identify what's really going on in most of these cases, if there is some area where we need to start first. So to organize some of the data that's there and that's going to be as more people become aware of this and contribute. I think that would be helpful to make it useful.

REPRESENTATIVE HOWARD: Thank you.

SENATOR BENNETT: Great. Any other questions? If not, I will entertain a motion from the committee to find Ms. Madden qualified and nominated.

REPRESENTATIVE HOWARD: So moved, Mr. Chair.

SENATOR BENNETT: A motion and a second, any discussion? All those in favor say aye. Those opposed are none. Congratulations. Let me, Ms. Madden, before you leave, and I know the previous gentleman did, just make sure that I let you know, as I'm sure the rest of you will be trickling out, at the end of the process we will let you know, once everybody had been screened and all of the nominations and qualifications have been set, you will not be able to seek support for this position from members of the General Assembly until you hear from staff. So I just want to make sure that you're aware of that and avoid jumping the gun, because that is sort of frowned upon around here. Thank you very much. Alright, next up is Andrew Sims Radeker, hope I pronounced that correctly. Good. One for one today. Mr. Radeker, thank you. You've already been sworn in as have the others. You have provided staff with your personal data questionnaire, and they have run the appropriate background and credit checks. The documents have been reviewed and found complete, with all the information that was requested of you. Are there any changes or additions that you'd like to make at this time?

ANDREW RADEKER: No, sir.

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SENATOR BENNETT: Ok, great. Mr. Radeker, do you know of any reason why you wouldn't be able to provide service to the Commission if you were elected?

ANDREW RADEKER: I do not.

SENATOR BENNETT: Ok, great. Why don't you briefly tell us about yourself and why you'd be a good fit for the Commission.

ANDREW RADEKER: Well, I'm a lawyer. I'm a partner at Harrison, Radeker, and Smith, which is a law firm here in Columbia. We do a lot of different things, but one of the things that we do and that I've done for years is represent litigants in cases that involved consumer and debt collection issues. Not just consumers, but sometimes also their creditors. I'd say probably on balance, most of my representation has been of consumers throughout the years. So I think I bring a balanced perspective in my ability to kinda evaluate both sides of any proposed change to a regulation, in how that might affect both people in the credit business as well as consumers. The idea, I guess, of the Department of Consumer Affairs is to prevent unfair advantage from being taken of consumers, not to prevent people necessarily from making money from lending, etc.

SENATOR BENNETT: I will pass the gavel to our chairman who has just walked in, and then I will take a nap. Good morning, Senator.

SENATOR MATTHEWS: You might have to wake back up. Do you know of any reason why you would have difficulty performing your duties?

ANDREW RADEKER: No, I do not.

SENATOR MATTHEWS: Briefly tell us about yourself and why you want to serve on the Commission.

ANDREW RADEKER: Well, as I said, I'm a lawyer at Harrison, Radeker, and Smith, and I've done several different things throughout my career. One of them has been representing litigants in cases that involve consumers and debt collection issues. Most of that representation has been on behalf of consumers, but a substantial minority, I'd say, has been on behalf of creditors. I mean, I've got some creditors cases right now. And so I guess I'd bring what I'd hope would be a seasoned perspective to any issue or proposed regulation that's before the Commission. And just as far as why I want to serve, I'd like to serve my community. If I can be of assistance to the operation of this Commission, then I'd be honored to do that.

SENATOR MATTHEWS: Thank you. Are there any questions? Do we have a motion? Motion has been made and seconded that we find the

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candidate qualified. Those in favor of the motion, please say aye. Those opposed?

ANDREW RADEKER: Thank you.

SENATOR MATTHEWS: Thank you. Mr. Sullivan? Is he here? Good morning.

LAWRENCE SULLIVAN: Good morning.

SENATOR MATTHEWS: You have provided staff with your personal data questionnaire, and they have run the appropriate background and credit checks. The documents have been reviewed and found complete, with all the information that was required. Are there any other changes or additions that you would like to submit to us now?

LAWRENCE SULLIVAN: No.

SENATOR MATTHEWS: Ok. The first question--do you know of any reason why you would have any difficulty performing your duties?

LAWRENCE SULLIVAN: No.

SENATOR MATTHEWS: Briefly tell us about yourself and explain why you want to serve.

LAWRENCE SULLIVAN: Thank you. My name is Larry Sullivan. I am semi-retired in the Charleston area, Summerville. And I am an adjunct professor at the Citadel and Trident Technical College. I also do independent consulting, mostly in the energy industry, mostly in the financial and engineering aspects of the petroleum and power, and emerging biofuels and renewable energy. I have a background in petroleum for most of my career, and then the last ten or fifteen years has been more related to the interface between petroleum and biofuels or renewable power and traditional power.

SENATOR MATTHEWS: Thank you. Any questions from the committee? Senator from Dorchester.

SENATOR BENNETT: Thank you, Mr. Chairman. Good morning, Mr. Sullivan. Mr. Sullivan actually resides in Summerville, and I actually, in full disclosure, encouraged him to apply for this position. I really would like to kinda hit on the energy component. Members, as you know, we recently passed legislation in the past year to move away from ORS a lot of the energy related items to allow for consumers to be protected by a different agency. There were a number of positions or situations where there were some concerns about whether there were conflicts of interest between what ORS was doing with regards to economic development and then also looking after the consumer. So we passed that duty over to Consumer Affairs, and that's a new duty for them coming up. Mr. Sullivan, will you kinda touch on that and the value of your background, and maybe taking on this new role for Consumer Affairs?

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LAWRENCE SULLIVAN: Yes, thank you. My background has been primarily in international petroleum, where I worked mostly overseas with state owned energy. Most of the world, as you probably know, the electricity and the power generation, the petroleum, is usually a state-owned function--Saudi Arabia, Venezuela, different countries around the world. My career has shifted more toward biofuels, refining and marketing and the interface between the petroleum industry and the biofuel industry. Specifically, the power industry, which is a regulated industry compared to petroleum, which is a semi-regulated industry. Generally, in the United States the power is made by municipals or state-owned enterprises like the TVA or Santee Cooper, and then independent, or what's known as investor-owned utilities. And I think that there has been a historical situation where the advocacy in environments of regulated industries you have the agency is sort of torn between the advocates for lower rates and the advocates for higher rates, but generally that's in the context of expert witnesses that represent traditional, in a sense, consumers or traditional producers of power. I think it's exciting that the state stood back and said that the consumer agency should have a place at the table, so to speak. The issue is sort of the regulatory environment where you have an adversarial situation, perhaps with the consumer present, it can be less adversarial, could have a third or fourth opinion about power rates or power development.

SENATOR BENNETT: Mr. Chairman, at the appropriate time I'd like to move for a favorable report.

SENATOR MATTHEWS: My experience with Consumer Affairs hasn't necessarily been with the bigger issues that you're talking about, but people with mortgage problems, foreclosures, sometimes these mortgage companies abuse their customers, so you're going to get a lot of those small things. Will you be able to handle that?

LAWRENCE SULLIVAN: Yes. The situation in our state is very unique, I think, where you have a large investor owned utility like Duke, and now Dominion, but both are not in the state per se, and then you have the large Santee Cooper, which is historically state-owned. I've actually had a lot of experience earlier in my career, in college even, with the Salt River Project in Arizona, where I went to graduate school--state owned, similar to the TVA. And then later in Texas, in Austin, Texas, where I went to college, was the Lower Colorado River Authority, which is in a sense a Texas version of Santee Cooper. And the state is actually trying to figure out, in a sense, how they will manage a state-owned enterprise. It is unusual in the United States to have a large state-owned enterprise like that.

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SENATOR MATTHEWS: Any other questions? Alright, the motion has been made and seconded that we vote him out favorably. Those in favor of that motion let me know by saying aye. Thank you sir. Robert Wells.
Robert Wells: Good morning again.

SENATOR MATTHEWS: Good morning. First of all, thank you for being willing to serve the public. I have three questions I would like to ask you. You can wait till I read all three of them and answer at one time.

ROBERT WELLS: I've been listening to them, so I have a feeling I know what they are.

SENATOR MATTHEWS: Yes, sir. I got to do it anyway, just for the record. Do you know of any reason why you would have any difficulty performing your duties?

ROBERT WELLS: No reason that would prevent me from performing my duties.

SENATOR MATTHEWS: Briefly tell us about yourself and explain why you want to serve on this commission.

ROBERT WELLS: I retired last May, after over thirty years serving as the executive director of the South Carolina Bar. It's an entity that serves its constituency but also serves the public. I'm very proud of the work that was done over there. I see this as a very valuable service. I learned that while I was the public service director, I worked with this Department, on various projects working cooperatively. It's something that I have a great interest in. I also feel that a big part of this is making sure you're the right person in the job. I have a lot of experience with personnel management, obviously from the Bar. So I think I bring a skill set which will be in addition to some of the ones you've already heard today and will be beneficial to the Department.

SENATOR MATTHEWS: You're about to answer my second and third question. What specific skills or experiences do you have that you believe would enable you to represent effectively the consumers across the state?

ROBERT WELLS: I took consumer complaints. I would take those complaints. I met with those people who came in and would see whether or not it was a legal problem or something that Consumer Affairs could better serve. We created a website, we worked cooperatively with creating websites with the Department. All of those areas that I also worked with through committee or social boards that I worked with. All of those things will come into play. I can bring that back to working on the Commission. I also, being retired, I usually have the opportunity to read about five newspapers a day, electronically, so hopefully I'll

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anticipate some consumer problems and will get ahead of the curve in South Carolina if other states are already working on these things.

SENATOR MATTHEWS: Are there any questions from the committee members?

SENATOR BENNETT: Are there five good newspapers?

ROBERT WELLS: I didn't say they were good--I said I read five. I do read three locals, I read Greenville, I read Charleston, I read The State, but then I also do Washington and New York.

SENATOR MATTHEWS: You do that on a daily basis?

ROBERT WELLS: I do.

SENATOR MATTHEWS: Well you must be retired.

ROBERT WELLS: I am retired, and I tell you when you get there it's wonderful.

SENATOR MATTHEWS: Any other questions? The motion has been made and seconded that we approve the nominee. Those in favor of that motion let me know by saying aye. Ayes have it. You have been approved, sir. Janie Borden? Come on up. First of all, thank you for being willing to serve and go through this. I'm going to ask you three questions. First question is do you know of any reason why you would have any difficulty performing your duties in this position?

JANIE BORDEN: No, sir, I do not.

SENATOR MATTHEWS: Briefly tell us about yourself and explain why you want to serve on this commission.

JANIE BORDEN: Yes, sir, my name is Janie Borden and I am an assistant corporation council for the City of Charleston. I have held that position since 2004. I was actually an extern in the legal department with the city in 2003. The city's mission of preserving and enhancing the quality of life of its residents I think is very similar to the mission of the Consumer Affairs Department, in the sense of protecting consumers in the marketplace, as well as recognizing the needs of businesses. And that is primarily what we do in the Office of Corporation Council for the City of Charleston on a daily basis.

SENATOR MATTHEWS: Maybe you've answered this one, but I have to ask it anyway. What specific skills or experiences do you have that you believe would enable you to represent effectively the consumers across the state?

JANIE BORDEN: Yes, sir. On a daily basis, I work in advocacy, mediation, enforcement, and education, which are the four items that, again, the Consumer Affairs Commission uses to support the mission of the Department. Also, as a part of my job skills, I also am a prosecutor in the city's Livability Court, which the mission of that court is not

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simply to find someone guilty, but to work with the parties to find a resolution to the issue. And so as a prosecutor in that court, I work with not only businesses, but with residents to find a resolution to satisfy both party's needs. I think that that will be helpful in this position.

SENATOR MATTHEWS: Any other further questions? Senator from Berkeley? Dorchester. I'll promote you.

SENATOR BENNETT: Berkeley, too. Charleston, as well. Ms. Borden, thank you for coming and your willingness to put yourself out. I'm just looking over your personal data questionnaire, and I just want to make sure we're clear here. On item 38, you're asked about whether you have requested support or requested a pledge from any member of the General Assembly. You state that you did ask Senator SENN to support your nomination. I'm assuming that just meant applying for the position. Is that correct?

JANIE BORDEN: That's correct.

SENATOR BENNETT: Ok, just to be clear, you can't seek actual support for those positions.

JANIE BORDEN: I have not had any further conversations with her.

SENATOR BENNETT: Thank you, just wanted to clarify that.

REPRESENTATIVE SOTTILE: Ms. Borden, I would like to first thank you for taking the time to come up here, and I guess you are one of my constituents, I believe. The Mt. Pleasant area.

JANIE BORDEN: Yes, sir.

REPRESENTATIVE SOTTILE: Welcome. Your experience with Livability Court, I too have experience with that at the Isle of Palms, because we followed y'all's advice and did that to help with our problems with the tourists, the large homes, and that sort of thing. Michael Molony has done a wonderful job over there. He works with y'all as well.

JANIE BORDEN: Yes, sir.

REPRESENTATIVE SOTTILE: But I just wanted to say, thank you for coming, and anything we can do to help, let us know.

JANIE BORDEN: Well I enjoy being a public servant, obviously I have been for over fifteen years now, and I like going home at the end of the day knowing that I've made a difference.

REPRESENTATIVE SOTTILE: Thank you.

REPRESENTATIVE HOWARD: Mr. Chairman, I would like to move approval.

SENATOR MATTHEWS: Do I have a second? Those in favor say aye. Opposed?

JANIE BORDEN: Thank you, Mr. Chairman.

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SENATOR BENNETT: May I make a motion in the meantime, since we're waiting on someone, to go into executive session and discuss another candidate?

--Executive Session--

SENATOR MATTHEWS: Thank you for your willingness to serve. We're going to go ahead and get started. I'm going to ask you a couple questions, and after that the members may want to ask you a couple questions or for explanations. Do you know of any reason why you would have difficulty in performing the duties of this position?

JAMES LEWIS: No, sir.

SENATOR MATTHEWS: Briefly tell us about and explain why you want to serve.

JAMES LEWIS: Sure, I'm a husband and a father from Myrtle Beach, South Carolina. I am an attorney. I've been practicing since 2009. My first three years I was in litigation, and then I moved to an in-house counsel role, with a large insurance brokerage. I moved off on my own. My business still handles legal, but we also offer insurance and business development consulting services.

SENATOR MATTHEWS: What specific skills or experiences do you have that you believe would enable you to represent effectively the consumers across this state?

JAMES LEWIS: I think I've got--even though I'm young--I've got a variety of experiences in my professional life dealing with, on the consumer side, you're dealing with consumers all the time. I talk to them about products, and I'm actually, my bread and butter is long-term care. I'm actually a designated long-term care professional. When you're dealing with seniors especially, you want to make sure--that's a sensitive market--you have to make sure that everything that you do is, of course, above board, and, of course, as an attorney as well, dealing with the public, and usually they're not coming to you necessarily with something that is easy to solve, and they expect you to be solution oriented and to do so in a proper manner.

SENATOR MATTHEWS: Any questions to add?

SENATOR BENNETT: Just a quick question.

SENATOR MATTHEWS: Senator from Dorchester.

SENATOR BENNETT: Thank you Mr. Lewis. So one of the previous applicants caught my eye when he was both a Purdue and an Ohio state grad. I thought that was strange until I saw Georgia South Carolina on this application. How in the world do you do that? You don't have to answer that. I'm glad you brought up seniors, particularly with respect to insurance products, or really any products. I had a constituent actually

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brought me a box, just a few weeks ago, literally a box of just a bunch of mail pieces that his elderly mother receives on an almost constant, daily basis. What do you think the role is of Consumer Affairs with respect to maybe that specific issue, or seniors in general? Is there an extra level of attention that we need to be paying there?

JAMES LEWIS: I think so. I mean, I can certainly speak on the insurance side of things, you're dealing with seniors, in particular. They are putting a level of trust in you because you have the knowledge. They foresee that they will have a need and they are expecting you to give them a solution. It's not based on whether or not you're going to make a commission on the sale, but whether or not it's an appropriate solution given their set of circumstances. You see a lot of mailings and things of that nature that I think are on the edge, and I don't think that they are appropriate for people to be receiving in the mail. One example I can give of that is there's something called the Partnership for Long-Term Care, which is essentially where the state and the federal government work together to try to put out information about long-term care specifically, and then there's certain criteria that I don't have to go in depth with, but there's advantages to purchasing what's called a partnership qualified plan. But you'll see mailers that come out that almost pretend to be from the state, and they use the fact that the federal government and state government are working together almost as a way to deceive the consumer to believe that it is a state-authorized mailing, when in fact it's not. I even know of insurance folks who will go in with a badge that will say "state partnership certified" or whatever. To me it's just not ok. I would like to see us do more and potentially I know the Department of Insurance is certainly handling the regulation of their products, but I would like to see more efforts to protect seniors, especially from that type of thing that is out there.

SENATOR MATTHEWS: I got one question--this is a question someone asked me last week. Not an elderly person, I think she's 78 or 79. She's in the market for long-term care insurance, and she didn't know whether she should do that. I told her I thought it was a little late in the game. Do you get many people 79 years old looking for long-term care insurance?

JAMES LEWIS: It would likely be prohibitively expensive at this point, because it almost works like one of those curves that you saw when you were in grade school, where it just kinda starts, and when you hit your 60's it starts to climb, and into your 70's and approaching 80, the premiums to get into it are really cost prohibitive, so you would take a look at it and, honestly, I would tell them at that point, I mean, one, of

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course there's health underwriting, and two does it make sense from a financial standpoint at that point with it being so expensive? Probably not.

SENATOR MATTHEWS: She didn't exactly give me the numbers, but I just thought that turning 79, and buying long-term health insurance, it's a little late in the game.

JAMES LEWIS: It would be very, very cost prohibitive.

SENATOR MATTHEWS: I gave her the right advice, then. Any other questions? Do I have a motion? Motion has been made and seconded. You have been approved sir.

JAMES LEWIS: Thank you all, very much.

STEVEN GILBERT: We have one final candidate, Jessica Monsell, who, I don't think she's here yet, but if you want to take a look at her packet, I expect that she will be here very soon. We have Jessica Monsell.

SENATOR MATTHEWS: Ms. Monsell, would you take a seat?

JESSICA MONSELL: Good morning.

SENATOR MATTHEWS: Would you raise your right hand please? As I put my glasses on. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

JESSICA MONSELL: I do.

SENATOR MATTHEWS: You have provided staff with your personal data questionnaire, and they have run the appropriate background and credit checks. The documents have been reviewed and found to be complete, with all information that was required. Are there any other changes or additions that you would like to make at this time?

JESSICA MONSELL: No, sir.

SENATOR MATTHEWS: Thank you. I'm going to ask you three questions. First question is, do you know any reason why you would have any difficulty performing the duties of this position?

JESSICA MONSELL: Not at this time, no.

SENATOR MATTHEWS: Briefly tell us about yourself and explain why you want to serve on the commission.

JESSICA MONSELL: Sure. So I moved to South Carolina in 2006. Before I worked here in South Carolina, I worked for an office of the Embassy of France studying financial markets. I moved to South Carolina to take a position with the Motley, Rice Law Firm, where my practice group at that time was focused on helping victims of aircraft crashes. I started with them as a French translator, and over time learned civil litigation as a paralegal, and then also worked to some degree with our marketing team. So my role expanded over time. And then in 2018, I decided to go to law school, and I started at, I'm a first-year student at

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the Charleston School of Law. In 2015, I started working with a consumer advocacy group that is now a 501 (C) 3 non-profit that helps consumers nationwide with all sorts of, I would call them consumer or customer service lapses. They are not cases that lawyers typically handle, but really they are for those cases where people are unable to find a lawyer to help them because there's, honestly, not a lot of money in helping these folks, right, so what we were doing while I was working with that group is we would connect them with folks within the corporation that's implicated in that complaint and they would resolve the cases for them. As part of our mission with that group, we also had an education mission, and that would be to tell the consumer's story online so that other people could read about it when they encountered a similar problem and learn how to resolve it, either on their own or with the help of a consumer advocate. So, both within my roles at Motley, Rice law firm and with the consumer advocacy group, I have a lot of experience listening to and handling consumer complaints. I usually can tell when there's something that really requires the assistance of a lawyer and when it's something that falls more in the realm of a customer service lapse. And I think there's a great deal of both of those types of cases out there, where folks need help. So to answer your final question, why I am interested in serving in this capacity, as someone who is looking to begin a new chapter of her career in public service, this seems like it would be a good fit for my skills and background and my desire to serve the people of South Carolina.

SENATOR MATTHEWS: Thank you. Third question: what specific skills or experiences do you have that would enable you to represent effectively the consumers across the state?

JESSICA MONSELL: Well, I partly, I think, already answered some of that. But more specifically, I can tell you that I do a lot of reading and research on issues of consumer law. I have a particular interest in law that touches underserved populations, for example people with disabilities. I can tell you, because I've done a lot of research, probably more research than is normal, that there are laws that are supposed to protect people for which there is no private cause of action. So, for example, if a disabled passenger on an airline is forgotten on an airplane because nobody ever shows up with a wheelchair to take the passenger off of an airplane. All that person can do is complain to the Department of Transportation in Washington, and maybe the Department will track those statistics and eventually fine the airline, but ultimately those fines are really just a reinvestment into the corporation. They tell them you need to take this money and re-train your ground staff. There's no

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recourse for the actual person, the actual passenger. So, there are places where the law is stagnant and hasn't evolved with our growing disabled population, for example. And so I feel strongly about helping people in those situations where they're not going to know how to help themselves.

SENATOR MATTHEWS: Any questions?

SENATOR BENNETT: No questions, just a statement. I appreciate the comment that was made earlier about recognizing the difference between an actual complaint and a customer service problem. I think that's appropriate in the position she would hold. Thank you for coming.

JESSICA MONSELL: Thank you.

SENATOR MATTHEWS: Can I get a motion? Motion has been made and seconded that we report you out favorably. All those in favor of that motion say aye. Ayes have it, and you've been reported out.

Ms. Janie Borden

Background

Ms. Borden is an attorney from Charleston, SC.

Findings

Ms. Borden's SLED background check and credit check revealed no concerns. She was found to be qualified.

Mr. William K. Geddings

Background

Mr. Geddings is an attorney from Florence, SC.

Findings

Mr. Geddings's SLED background check and credit check revealed no concerns. He was found to be qualified.

Mr. James E. Lewis, Jr.

Background

Mr. Lewis is an attorney from Myrtle Beach, SC.

Findings

Mr. Lewis's SLED background check and credit check revealed no concerns. He was found to be qualified.

Ms. Renee I. Madden

Background

Ms. Madden is an attorney from Columbia, SC.

Findings

Ms. Madden's SLED background check and credit check revealed no concerns. She was found to be qualified.

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Ms. Jessica Monsell

Background

Ms. Monsell is employed by a law firm and is pursuing a law degree. She is from Charleston, SC.

Findings

Ms. Monsell's SLED background check and credit check revealed no concerns. She was found to be qualified.

Mr. Andrew Sims Radeker

Background

Mr. Radeker is an attorney from Columbia, SC.

Findings

Mr. Radeker's SLED background check and credit check revealed no concerns. He was found to be qualified.

Mr. Lawrence Sullivan

Background

Mr. Sullivan is an energy and petroleum expert from Summerville, SC.

Findings

Mr. Sullivan's SLED background check and credit check revealed no concerns. He was found to be qualified.

Mr. Robert Wells

Background

Mr. Wells is a retired attorney from Lexington, SC.

Findings

Mr. Wells's SLED background check and credit check revealed no concerns. He was found to be qualified. *Mr. Wells withdrew from consideration March 27, 2019.*

**Judicial Merit Selection Commission
Report of Candidate Qualifications**

Date Draft Report Issued: Thursday, April 18, 2019

Date and Time Final Report Issued: Noon, Tuesday, April 23, 2019

Judicial candidates are not free to seek or accept commitments until Tuesday, April 23, 2019, at Noon.

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Judicial Merit Selection Commission

Rep. G. Murrell Smith Jr., Chairman
Sen. Luke A. Rankin, Vice-Chairman
Sen. Ronnie A. Sabb
Sen. Tom Young Jr.
Rep. J. Todd Rutherford
Rep. Chris Murphy
Hope Blackley
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.



Erin B. Crawford,
Chief Counsel
Emma Dean, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

April 18, 2019

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service.

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Tuesday, April 23, 2019**. Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate **until 12:00 Noon on Tuesday, April 23, 2019**. In summary, no member of the General Assembly should, orally or in writing,

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communicate about a candidate's candidacy until this designated time after release of the Judicial Merit Selection Commission's Report of Candidate Qualifications. If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Thank you for your attention to this matter.

Sincerely,

Representative G. Murrell Smith Jr.

Judicial Merit Selection Commission

Rep. G. Murrell Smith Jr., Chairman
Sen. Luke A. Rankin, Vice-Chairman
Sen. Ronnie A. Sabb
Sen. Tom Young Jr.
Rep. J. Todd Rutherford
Rep. Chris Murphy
Hope Blackley
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.



Erin B. Crawford,
Chief Counsel
Emma Dean, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

April 18, 2019

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003 Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the current screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior

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to 48 hours after the release of the final report of the Judicial Merit Selection Commission (“Commission”). The purpose of this section was to ensure that members of the General Assembly had full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that “the prohibitions of this section do not extend to ***an announcement of candidacy by the candidate and statements by the candidate*** detailing the candidate’s qualifications” (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means ***no member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission’s report.*** The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly, ***only candidates, and not members of the General Assembly,*** are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates’ qualifications.

The Commission would again like to remind members of the General Assembly that ***a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate’s fitness*** for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Sincerely,

Representative G. Murrell Smith Jr.
Chairman

INTRODUCTION

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THURSDAY, APRIL 18, 2019

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, as amended, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees are composed of individuals who are both racially and gender diverse, and who also have a broad range of professional experiences (*i.e.*, lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and

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also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee's report so warranted. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, experience, and judicial temperament. The Commission's investigation includes the following:

- (1) survey of the bench and bar through BallotBox online;
- (2) SLED and FBI investigation;
- (3) credit investigation;
- (4) grievance investigation;
- (5) study of application materials;
- (6) verification of ethics compliance;
- (7) search of newspaper articles;
- (8) conflict of interest investigation;
- (9) court schedule study;
- (10) study of appellate record;
- (11) court observation; and
- (12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial Canons of Conduct as to recusal for conflict of interest, prohibition of ex

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parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire mailed to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we believe will help you make a more informed decision. **Please note that the candidates' responses included herein are restated verbatim from the documents that the candidates submitted as part of their application to the Judicial Merit Selection Commission. All candidates were informed that the Commission does not revise or alter the candidates' submissions, and thus, any errors or omissions in the information contained in this draft report existed in the original documents that the candidate submitted to the Commission.**

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the Circuit Court.

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CIRCUIT COURT
QUALIFIED AND NOMINATED

The Honorable M. Anderson Griffith
Circuit Court, Second Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Griffith meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Griffith was born in 1958. He is 60 years old and a resident of Aiken, South Carolina. Judge Griffith provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Griffith.

Judge Griffith demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Griffith reported that he has spent \$231.51 in campaign expenditures.

Judge Griffith testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Griffith testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Judge Griffith to be intelligent and knowledgeable.

Judge Griffith reported that he has taught the following law-related courses:

- (a) Organized the topics and speakers for the 2014 Masters-in-Equity Bench Bar held on October 10, 2014. This is a one day continuing education program.
- (b) Speaker at the South Carolina Association of Clerks and Registers of Deeds Fall Conference in 2017. The topic of the program concerned the procedure and issues in filing a mechanic's lien.
- (c) As President of the Master in Equity Association, I was responsible for arranging for speakers during annual judicial conference and our meetings during the circuit court judge conference.

Judge Griffith reported that he has not published any books or articles.

- (4) Character:
The Commission's investigation of Judge Griffith did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Griffith did not indicate any evidence of a troubled financial status. Judge Griffith has handled his financial affairs responsibly.

The Commission also noted that Judge Griffith was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

- (5) Reputation:
Judge Griffith reported that his rating by a legal rating organization, Martindale-Hubbell, is BV.

Judge Griffith reported he has not served in the military.

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Judge Griffith reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Griffith appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Griffith appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Griffith was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:

- (a) After graduating from law school, I began working with the law firm of Bodenheimer, Busbee & Hunter. I became a partner in that firm approximately two years later. The firm later changed the name to Busbee, Hunter & Griffith. I served as president the last few years until my appointment as Master in Equity for Aiken County in June 2011. I would describe my involvement with the administrative and financial duties of the partnership to be divided among the three attorneys. I had a more active role the last five years. After my appointment, the two remaining attorneys continued to operate the office until they retired. Since my position is full time, I no longer engaged in any private practice.
- (b) In 1990, I began serving as the municipal judge for the Town of Wagener. The primary duties were to conduct a bench and jury trials in criminal matters each month. I would also review the reports to be provided to the South Carolina Court Administration. This provided an enjoyable experience of dealing with the local police, the employees and the general public of the town. I would normally have one day scheduled for jury trials each month and another day to have bench trials on traffic ticket cases and other criminal cases within the jurisdiction of the Municipal Court.

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- (c) Initially, my private practice involved personal injury cases, workers compensation matters and criminal defense work. I began to develop a practice that involved representing homeowners, subcontractors and general contractors on contract matters. These cases would often involve filing mechanic liens, partition actions, boundary disputes, actions involving different types of easements, owner financing lease issues that involve equitable claims by the buyer as well as claims for specific performance. I continued to develop that practice during the last 10 to 15 years prior to my appointment in 2011. Almost all of these cases were non-jury and any hearings were before the Master in Equity or a Special Referee.
- (d) In 1996, I began serving as the attorney for the Town of Jackson in Aiken County. This involved attending Council meetings when requested by the town, researching issues and handling any criminal trials or appeals from the Municipal Court. In 2006, I also began serving as the attorney for the City of New Ellenton. This involved similar duties that I performed with the Town of Jackson. Income from both of these was paid to the law firm and not to me individually.
- (e) Since my appointment as Master in Equity in June 2011 I have had thousands of cases referred and completed. The types of cases have varied but include foreclosure, boundary disputes, easement cases, road closing cases, breach of contract matters, quiet title actions, structured settlement approvals and minor settlements along with various other civil actions.

Judge Griffith further reported regarding his experience with the Circuit Court practice area:

I have been the Master in Equity for Aiken County since June 2011. This answer discusses my practice prior to that time.

The majority of my experience in criminal matters occurred during my first ten years in private practice. I represented defendants in municipal and magistrate court in Aiken County. These cases were traffic cases, driving under the influence, and

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other matters heard in these courts. I prosecuted cases as part of my work for the towns of New Ellenton and Jackson in Aiken County. I was the municipal judge in Wagener for approximately six years. I would conduct jury trials each month for various criminal offenses.

I represented defendants on various charges in circuit court. Some of these included receiving stolen goods, drug charges, and several criminal sexual conduct cases. All of the cases resulted in plea agreements or an agreement to allow the defendant to enter a pretrial intervention program. I was appointed on numerous Post Conviction Relief cases. Those were resolved with a hearing or the withdrawal of the petition by the petitioner.

Since I have not practiced in the General Sessions Court in some time, I recognize the need to review procedural matters, appellate decisions, and to attend continuing education conferences with an emphasis in the criminal trial area.

I represented plaintiffs and defendants in a variety of civil matters. I represented plaintiffs in personal injury matters that would include negligence claims as a result of automobile collisions and premises liability cases. Prior to the settlement in a civil matter, I would normally file the lawsuit, initiate written discovery, conduct depositions, and prepare for trial.

I also represented plaintiffs in medical malpractice cases. I conducted the initial interviews, obtained and reviewed the medical records, and decided if a review by an expert was needed before accepting the case. At that point, I would associate another law firm that had considerable experience in this area. The depositions were divided between the two firms. We worked together to prepare discovery responses and for mediation. Based on that preparation and the presentation, we were successful in reaching an agreement in mediation.

I developed a practice involving various contract and property claims. These would include breach of contract claims, mechanic liens, easement cases, boundary line disputes, partition actions, and other claims. These cases would normally

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be heard by the Master in Equity. I represented both plaintiffs and defendant in these matters. As with other cases, I drafted pleadings, prepared discovery, and participate in depositions.

Judge Griffith reported the frequency of his court appearances prior to his service on the bench as follows: during the past five years as follows:

- (a) Federal: No Appearances; One case was removed to the federal court and was resolved by settlement.
- (b) State: In the Court of Common Pleas, I believe I had approximately thirty cases pending with the clerk of court when I was appointed to my current position in June 2011. I also had many other civil cases in my office to prepare for filing or settlement. My civil caseload for the last five years in private practice was very active. I was scheduled to appear at most or all of the non-jury roster calls and the motion dockets in Aiken County, South Carolina. I had filed a complaint or an answer in litigated matters approximately 170 times in the five years prior to my appointment. Most of my criminal defense work was performed in my first ten years of private practice. Prior to that time, our firm did not handle any criminal defense matters. I also prosecuted municipal cases for Jackson and New Ellenton since I served as the town attorney.

Judge Griffith reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 75%
- (b) Criminal: 5% including cases I prosecuted as the attorney for Jackson and New Ellenton.
- (c) Domestic: 15%
- (d) Other: 5%

Judge Griffith reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 25%
- (b) Non-jury: 75%

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Judge Griffith provided that he has most often served as sole counsel in a majority of cases and co-counsel in medical malpractice matters.

Judge Griffith provided the following list of his most significant orders or opinions:

- (a) Ippolito v. Hospitality Management Associates, 352 S.C. 563, 575 S.E. 2d 562 (S.C. App. 2003). This was a case of first impression that involved the South Carolina “Innkeepers Statute”, S.C. Code Ann. 45-1-40 (1976). The lower court case was a jury trial.
- (b) Mims v. Myers, et.al., Op. No. 2004-UP-556 S.C. Ct. App. filed November 4, 2004. The issue on appeal dealt with the validity of a tax sale. The Court affirmed the decision. The lower court case was a non-jury trial.
- (c) J. E. Stewart Builders, Inc. v. Szabo, Op. No. 2003-UP-185 filed March 6, 2003. The case involved an appeal by Szabo of the lower court decision. It involved a claim for unfair trade practice in the use of a draftsman. The Appellate Court affirmed the decision. The lower court case was a jury trial.
- (d) Combs v. Barton, No. 07-CP-02-1868 (Aiken, S.C. Ct. Common Pleas, November 1, 2010). This issue in this case was interpretation of S.C. Code Ann. 40-59-810 et seq. This was a relatively new statute but was important for parties filing a lawsuit or defending the case in construction disputes. The statute concerned the proper procedure to offer a contractor the chance to cure any defects before a lawsuit can be filed.
- (e) Dandy v. American Laundry Machinery, Inc. 301 S.C. 24, 389 S.E. 2d 866 (S.C. 1990). The case was eventually argued before the United States Court of Appeals for the Fourth Circuit. I prepared and argued the appeal in this matter. The case clarified the requirements at that time for tolling the statute of limitations with an out of state corporation.

The following is Judge Griffith’s account of civil appeals he has personally handled:

- (a) Ippolito v. Hospitality Management Associates, 352 S.C. 563, 575 S.E. 2d 562 (S.C. App. 2003). This was a

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case of first impression that involved the South Carolina “Innkeepers Statute”, S.C. Code Ann. 45-1-40 (1976). The lower court case was a jury trial. The Appellate Court affirmed the Circuit Court. This was a jury trial.

- (b) *Mims v. Myers, et.al.* Op. No. 2004-UP-556 S.C. Ct. App. filed November 4, 2004. The issue on appeal dealt with the validity of a tax sale. The Court affirmed the decision. The lower court case was a non-jury trial.
- (c) *J. E. Stewart Builders, Inc. v. Szabo*, Op. No. 2003-UP-185 filed March 6, 2003. The case involved an appeal by Szabo of the lower court decision. It involved a claim for unfair trade practice in the use of a draftsman. The Court affirmed the decision. The lower court case was a jury trial.
- (d) *American General Finance, Inc. v. Griffin et al*, (Edgefield, S. C. Ct. Common Pleas, January 21, 2009). The case was settled during the appeal. It involved an argument that the Special Referee erred in finding that the appellant had not established the defense of mutual mistake by clear and convincing evidence.
- (e) *Dandy v. American Laundry Machinery, Inc.* 301 S.C. 24, 389 S.E. 2d 866 (S.C. 1990). The case was eventually argued before the United States Court of Appeals for the Fourth Circuit. I prepared and argued the appeal in this matter. It clarified the requirements at that time for tolling the statute of limitations with an out of state corporation.

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Judge Griffith reported he has not handled any criminal appeals.

Judge Griffith provided the following list of his most significant orders or opinions:

- (a) Three Runs Plantation v. Jay Jacobs; Lower Court Case Number No. 2011CP0200548; Appellate Case No. 2013-002305; This involved a complicated matter between the homeowner and the developer. This was a four day trial that involved interpreting the subdivision restrictions, breach of the sales contract, voting rights claim and the attorney fees. The decision was affirmed on appeal.
- (b) Randall v. Borst; 2015-CP-02-01076: This was a two day trial that involved an allegation of assault and battery, damages, and violations of the South Carolina Residential Landlord Tenant Act.
- (c) Riley v. Griffin; 2012-CP-02-02770; This trial involved numerous parties in a subdivision and concerned access to the riding or recreation trails that also allowed entry into Hitchcock Woods. Each of the plaintiffs' claims had to be evaluated separately as to the type of easement and the use that was allowed under any agreement. I believe it also involved a trespass claim.
- (d) Wilson v. Douglas; 2011-CP-02-00755; I believe this was a three day trial and the case dealt with water flow damaging the property of the neighbors, easement claims, trespass claims and a determination of damages.
- (e) Robertson v. Huddle House; 2016-CP-02-01550; Appellate Case No. 2017-000748 ; This case involved a claim by the landlord against Huddle house claiming that he could evict on thirty days notice. Huddle House had assumed the position of the tenant through a series of agreements. The case required the court to evaluate the testimony and the lease, a collateral assignment of lease and the franchise agreement. The plaintiff filed an appeal and the appellate court affirmed the decision.

(9) Judicial Temperament:

The Commission believes that Judge Griffith's temperament has been, and would continue to be, excellent.

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(10) Miscellaneous:

The Midlands Citizens Committee found Judge Griffith to be “Qualified” in all nine evaluative criteria including constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental stability, experience, and judicial temperament. The Citizens Committee noted, “The committee was concerned about the 2002 and 2008 tax liens but was satisfied with his explanations and didn’t think this past experience would affect his ability to serve as a circuit court judge.”

Judge Griffith is married to Anne Gentilucci Griffith. He has three children.

Judge Griffith reported that he was a member of the following Bar and professional associations:

- (a) Aiken County Bar; past president
- (b) South Carolina Bar Association
- (c) South Carolina Masters in Equity Association; past president

Judge Griffith provided that he was a member of the following civic, charitable, educational, social, or fraternal organization:

South Carolina Masters in Equity Association; past President

Judge Griffith further reported:

After graduating from law school, I began working with the law firm of Bodenheimer, Busbee & Hunter. I became a partner in that firm approximately two years later. The firm later changed the name to Busbee, Hunter & Griffin. I served as president until my appointment as Master in Equity for Aiken County in June 2011.

In 1990, I began serving as the municipal judge for the Town of Wagener. The primary duties were to conduct a bench and jury trials each month. I would also review the reports to be provided to the South Carolina Court Administration. This provided an enjoyable experience of dealing with the local police, the employees and the general public of the town. I would normally have one day scheduled for jury trials each month and

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another day to have bench trials on traffic ticket cases and other criminal cases within the jurisdiction of the Municipal Court.

Initially, my private practice involved personal injury cases, workers compensation matters and some criminal defense work. I began to develop a practice that involved representing homeowners, subcontractors and general contractors on contract matters. These cases would often involve filing mechanic liens, partition actions, boundary disputes, actions involving different types of easements, owner financing leases that involve equitable claims by the buyer as well as claims for specific performance. I continued to develop that practice during the last 10 to 15 years prior to my appointment in 2011. Almost all of these cases were non-jury and any hearings were before the Master in Equity or a Special Referee.

In 1996, I began serving as the attorney for the Town of Jackson in Aiken County. This involved attending Council meetings when requested by the town, researching issues and handling any criminal trials or appeals from the Municipal Court. In 2006, I also began serving as the attorney for the City of New Ellenton. This involved similar duties that I performed with the Town of Jackson. Income from both of these was paid to the law firm and not to me individually.

Since my appointment as Master in Equity in June 2011 I have had thousands of cases referred and completed. The types of cases have varied but include foreclosure, boundary disputes, easement cases, road closing cases, breach of contract matters, quiet title actions, structured settlement approvals and minor settlements along with various other civil actions.

(11) Commission Members' Comments:

The Commission appreciates and is impressed with Judge Griffith's exemplary service as the Aiken County Master-in-Equity. The Commission noted that Judge Griffith also possesses both civil and criminal trial experience gained before his service as a Master which would serve him well as a circuit court judge.

(12) Conclusion:

The Commission found Judge Griffith qualified and nominated him for election to the Circuit Court, Second Circuit, Seat 1.

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David W. Miller

Circuit Court, Second Circuit, Seat 1

Commission's Findings: **QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Miller meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Miller was born in 1972. He is 47 years old and a resident of Aiken, South Carolina. Mr. Miller provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Miller.

Mr. Miller demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Miller reported that he has not made any campaign expenditures.

Mr. Miller testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Miller testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Mr. Miller to be intelligent and knowledgeable.

Mr. Miller reported that he has taught the following law-related courses:

- (a) I have lectured at the S.C. Prosecution Commission's Prosecution Boot Camp each year since 2012. At the Boot Camps, Senior Assistant and Deputy Solicitors are given specific topics to cover during instructional periods and all instructors participate in discussion and performance workshops. Instructors critique students on their performances with assigned fact patterns and lead group discussions. I taught the following individual classes to the participants over the years listed: Hearsay (2013, 2014, 2015) Sentencing Fundamentals (2013, 2014), Guilty Pleas: Negotiations, Agreements and Procedure (2016, 2017, 2018).
- (b) I made two presentations for the S.C. Bar's pro bono project, Legal Lessons: A series for the Public in 2012. The Legal Lessons series was a program to introduce members of the public to specific areas of the law by providing classes taught by lawyers with experience in that practice area. The courses were scheduled at the local technical college over the course of several consecutive weeks and included a one hour class on each subject along with a question-and-answer period afterward. I presented an "Overview of the South Carolina State Courts" (09/17/2012) and "Criminal Law" (10/29/2012).
- (c) I have lectured at the S.C. Solicitor's Association Annual Conference since 2017. I have conducted classes covering several topics. In 2017, I presented a lecture titled "Obtaining Evidence Lawfully" that focused on unusual or technical situations where prosecutors are called upon to obtain evidence in cases using specific types of court orders. This lecture was presented in coordination with Senior Deputy Attorney General Don Zelenka, who presented a companion lecture titled "Getting and Using Evidence- Problems, trends, and the Appellate Courts".

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In 2018, I presented a lecture titled “Investigating and Prosecuting Animal Abuse Cases” that focused on the unique aspects of investigating and prosecuting animal abuse cases including societal attitudes that impact presenting evidence to juries and the impact of social media and public outcry on courts’ sentencing. I also presented a “follow-up” to the 2017 lecture called “Using Search Warrants, Subpoenas, and Court Orders.” This lecture discussed the appropriate use of search warrants and court orders to obtain evidence in criminal prosecutions, focusing on ethical and procedural concerns and how those concerns impact communication with law enforcement agencies.

- (d) Following my lecture at the SCSA Annual Conference, I was invited to be a guest facilitator for a workshop on Investigating and Prosecuting Animal Abuse cases at the Southeast Animal Alliance Annual Conference in Augusta, Georgia. The workshop took law enforcement personnel through the process of investigating and documenting a complaint to testifying at trial, where I served alternately as the prosecutor and the defense attorney for various witnesses.

Mr. Miller reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Mr. Miller did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Mr. Miller did not indicate any evidence of a troubled financial status. Mr. Miller has handled his financial affairs responsibly.

The Commission also noted that Mr. Miller was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

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- (5) Reputation:
Mr. Miller reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

Mr. Miller reported the following military service:
1991-95 U.S. Marine Corps Active Duty, Corporal, Honorable Discharge
1995-96 USMC Reserve, Corporal, Honorable Discharge

Mr. Miller reported that he has never held public office other than judicial office.

- (6) Physical Health:
Mr. Miller appears to be physically capable of performing the duties of the office he seeks.

- (7) Mental Stability:
Mr. Miller appears to be mentally capable of performing the duties of the office he seeks.

- (8) Experience:
Mr. Miller was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

- (a) 2001-2002: Law Clerk for the Honorable Rodney A. Peeples
- (b) 2002-2004: Robert J. Harte, P.C. - Associate attorney involved in general litigation matters representing plaintiffs as well as criminal and civil defendants.
- (c) 2004-2009: Smith, Massey, Brodie, Guynn & Mayes, P.C. - Associate attorney involved in general litigation matters representing plaintiffs as well as criminal and civil defendants.
- (d) 2009-2013: Office of the Solicitor, 2nd Judicial Circuit - Assistant Solicitor prosecuting felonies and misdemeanors in General Sessions and Magistrate courts. Also handled appeals from magistrate and municipal courts.
- (e) 2013-2015: Office of the Solicitor, 2nd Judicial Circuit - Deputy Solicitor for Aiken County prosecuting

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felonies and misdemeanors in General Sessions, coordinating prosecution/docket management for Aiken County, and working special Information Technology Projects for the Office. In this position my administrative tasks included managing staff and overseeing dockets for individual terms of court.

- (f) 2015-Present: Office of the Solicitor, 2nd Judicial Circuit - Deputy Solicitor for Barnwell and Bamberg Counties prosecuting felonies and misdemeanors in General Sessions and Magistrate courts, continuing to work as needed on cases in Aiken County, and continued implementing technology initiatives throughout the Second Judicial Circuit. Administrative duties in this position increased to include input with the elected Solicitor on office personnel, budgetary needs, equipment and space issues, preparing performance appraisals of employees, complete management of criminal dockets in both counties, and coordinating terms of court with incoming judges and other court personnel. Additionally, I coordinate training for law enforcement personnel throughout the circuit and in other jurisdictions while continuing to train inexperienced lawyers under my supervision.

Mr. Miller further reported regarding his experience with the Circuit Court practice area:

My first job as a member of the South Carolina Bar was working as a law clerk for the Honorable Rodney A. Peeples. Then, I practiced as a private attorney for seven years before becoming an Assistant Solicitor and, later, a Deputy Solicitor in charge of two counties in our circuit. Through this experience, I have handled many different types of cases, both civil and criminal.

Before joining the Solicitor's Office I defended numerous criminal cases involving defendants charged with everything from murder and criminal sexual conduct to Driving Under the Influence. Additionally, I represented both plaintiffs and defendants in civil matters while in private practice. As an associate attorney in a medium-sized firm, I handled diverse civil litigation matters ranging from personal injury cases to

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contract disputes in Common Pleas and Magistrate courts. I was personally involved in the litigation over the Estate of James Brown before leaving private practice. My civil practice was necessarily diverse because of my firm's limited market. Our firm did not advertise for personal injury cases, and most of the civil matters I handled were taken on an hourly fee basis. I handled contract disputes between businesses, land disputes and nuisance claims, will contests, mechanic's lien cases, and condemnation claims. I was also occasionally appointed by the Circuit Court as a Special Referee to hear non-jury civil claims.

I have prosecuted hundreds of cases as an Assistant Solicitor and Deputy Solicitor in the Second Judicial Circuit. Many of these cases were violent felonies including multi-defendant armed robbery cases, murders and home invasions. In the past five years, I have practiced exclusively in criminal court. During that time I have handled over one thousand cases, including several jury trials. In those cases, and in cases that resulted in resolutions prior to trial, I have dealt with motions to suppress evidence, Neil v. Biggers hearings, Jackson v. Denno hearings, motions in limine, as well as other motions. I have been responsible for presenting expert witness testimony and have been called upon to cross examine expert witnesses called by the defense. I have frequently been asked to draft Orders for the Court following rulings on complex factual or legal issues.

My experience as a criminal defense attorney has shaped the way I prosecute cases throughout my career as a prosecutor. Lengthy, sometimes life-long, prison sentences can be necessary to protect society from a particular person, but those situations are, fortunately, extremely rare. I take pride in my ability to work with the defense bar and with judges to come up with fair and just resolutions to cases. I also take pride in my reputation as a capable trial attorney.

Mr. Miller reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0%
- (b) State: 100%

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Mr. Miller reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 1% (Post-Conviction Relief Actions)
- (b) Criminal: 84%
- (c) Domestic: 0%
- (d) Other: 15% (Administrative)

Mr. Miller reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 80%
- (b) Non-jury: 20%

Mr. Miller provided that he has most often served as chief counsel in jury trials in Barnwell and Bamberg Counties, but has also frequently appeared as associate counsel when one of the junior lawyers under his supervision is trying a case.

Mr. Miller provided the following list of his most significant orders or opinions:

- (a) Hill v. State, 377 S.C. 462, 661 S.E.2d 92 (2008). This case was a Capital PCR where the Petitioner ultimately waived his rights to appeal and was put to death. This case is significant to me for many reasons. It was the first time and the only time I argued a case before the South Carolina Supreme Court. I was criticized for helping Hill waive his appeals and proceed with imposition of the death sentence by other lawyers that handled capital litigation. Although I disagreed with Hill's decision to waive his appeals, I had no doubt Hill was competent to make that decision, so I was obligated to assist him seeking the waiver. But the most impactful thing about the case was that my client requested that I be one of his witnesses when the sentence was carried out, so I ultimately watched my client be put to death on June 6, 2008.
- (b) State v. Gurrero, 382 S.C. 620, 677 S.E.2d 603 (2009). This was an extremely complex case logistically because it involved four defendants, none of whom spoke English, and four different defense attorneys. All of the defendants were tried together. This case is also significant to me because it was the first criminal case I

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ever defended in General Sessions Court. It was also the first case that I had overturned on appeal when the South Carolina Supreme Court agreed with me that a directed verdict in favor of my client should have been granted at the close of the State's case.

- (c) State v. Buckmon. Michael Paul Buckmon and Matthew Bolen sexually assaulted and killed Donna Dempsey in Barnwell County on November 1, 2013. Her home was set on fire in an attempt to conceal the sexual assault and subsequent burglary of the residence. The SLED investigation of the crime spanned from Allendale County to Pickens County and resulted in a nearly 800 page investigative report. The SLED arson investigator and several SLED analysts were qualified as experts in the case and offered testimony concerning the evidence collected during the investigation. There were very few lay witnesses in the case because many people were fearful of Buckmon. He had previously been convicted of murder and sentenced to life but later had his conviction overturned by the Supreme Court. The case was very difficult to organize and present to the jury in a logical fashion because of the overwhelming volume of evidence to be presented. Buckmon was convicted of murder, arson in the first degree, and criminal sexual conduct in the first degree at trial. He received a life sentence.
- (d) State v. James. This was a multi-defendant armed robbery in Bamberg County. I tried the case against two of the most respected lawyers in Bamberg and was able to obtain a conviction on all charges. The defendant was sentenced to life pursuant to S.C. Code §17-25-45 because he had prior convictions for armed robbery. A jury also convicted one of the co-defendants in a separate trial. He was given a life sentence because he had several prior armed robbery convictions. The third co-defendant in the case pled guilty but did not testify in either trial for the State.
- (e) State v. Boyd. This was a home invasion case where I was appointed to represent the defendant. He was charged with Burglary 1st Degree, Kidnapping, and Assault and Battery with Intent to Kill. The case is

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significant to me because the defendant was one of the most difficult criminal defendants I ever represented, but I was convinced he was not guilty of the crimes he was charged with. Less than two weeks before the trial, I received the State's notice of intent to seek life without parole. We tried the case and the jury found the defendant not guilty on all charges.

The following is Mr. Miller's account of civil appeals he has personally handled:

Hill v. State, 377 S.C. 462, 661 S.E.2d 92 (2008). South Carolina Supreme Court, April 28, 2008.

Mr. Miller has not handled any criminal appeals.

Mr. Miller further reported the following regarding unsuccessful candidacies:

I was a candidate for Circuit Judge, At-Large Seat 14 in the Fall of 2012. I was found to be qualified but not nominated by the Judicial Merit Selection Commission.

I was a candidate for Circuit Judge, At-Large Seat 1 in the Fall of 2016. I withdrew from the race before the Judicial Merit Selection Commission reported on my candidacy.

(9) Judicial Temperament:

The Commission believes that Mr. Miller's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Mr. Miller to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the remaining evaluative criteria of constitutional qualifications, physical health, and mental stability. Finally, the Citizens Committee noted, "The committee felt that Mr. Miller was very well qualified to sit as a circuit court judge. He was energetic, eager to stay involved in making the judicial system more efficient, pleasant and exhibited good temperament."

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Mr. Miller is married to Christian Morton Miller. He has two children.

Mr. Miller reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar 2001 - Present;
- (b) Aiken County Bar, 2001 - Present, President 2004-06;
- (c) South Carolina Trial Lawyer's Association, 2001-08, Member, Board of Governors 2005-08;
- (d) South Carolina Association for Justice, 2014-Present (Public Sector Member)

Mr. Miller provided that he has not been a member of a civic, charitable, educational, social, or fraternal organization in the last five years.

Mr. Miller further reported:

There are several seminal moments in my career that have helped shape who I am. In 2006, I was appointed lead counsel on the Post-Conviction Relief Application for David Mark Hill, who was sentenced to death after he murdered three people in Aiken County in 1996. Ultimately, Hill decided to waive his appeals and asked that his death sentence be imposed. Following our appearance on the case before the South Carolina Supreme Court, Hill asked that I be present as his witness at his execution. I spent the last twelve hours of David Hill's life with him in a small cell at the Capital Punishment Facility of the South Carolina Department of Corrections. I witnessed his execution that evening.

In November of 2008, Strom Thurmond was elected Solicitor of the Second Judicial Circuit. In late December, he asked me to become an Assistant Solicitor for his office. It was a difficult decision for me because I had gotten married just a few weeks after his election. In less than ninety days, I went from a single, relatively successful private attorney living in a rented townhouse, to a married Assistant Solicitor living in my first home with my new wife and two children. In retrospect, there is no question I made the right decision when I joined Solicitor Thurmond's staff. Working as an Assistant Solicitor allowed me

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to be in the courtroom where I always dreamed I would be. In addition to my prosecutorial duties, I was allowed to work with new attorneys in the office and formally mentor several of our lawyers through the SC Bar's lawyer mentoring program.

In December of 2011, Aiken Department of Public Safety Master Public Safety Officer Edward Scott Richardson was shot and killed by Stephon Carter. Two months later, Aiken Department of Public Safety Master Corporal Sandra Rodgers was shot and killed by Joshua Jones. These murders devastated our community. Solicitor Thurmond assigned me as the lead counsel in the Stephon Carter case and assigned Deputy Solicitor Beth Ann Young as the lead counsel in the Joshua Jones case. In November of 2012, Solicitor Thurmond determined our office would seek the death penalty against Stephon Carter.

For the next two and a half years, I was the lead attorney dealing with all matters involved in the case. Ultimately, we offered a plea agreement to Carter that would require him to spend life in prison without the possibility of parole. The decision to make the plea offer, and the defense's decision to accept the offer, was only possible because of the countless hours spent working the case and communicating with the officers at ADPS and family members of Officer Richardson.

During my time as an Assistant Solicitor and now as a Deputy Solicitor, I have taken on more administrative functions. Since May of 2015, I have been in charge of our "lowcountry" offices in Barnwell and Bamberg Counties. I have developed strong relationships with the defense bar, with court personnel, and with law enforcement agencies there. I have also managed the criminal dockets in both counties. For several months now, Barnwell and Bamberg have been two of only a handful of counties in South Carolina that meet the Supreme Court's mandate that at least 80% of the pending cases are less than a year old.

When I ran for Circuit Court Judge previously, I was asked many questions about my tenure as the law clerk for Judge Rodney Peebles. Judge Peebles was an incredible judge and remains an amazing person. I continue to love and respect him; he is like a

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father to me, as he is for all of his former clerks. He had a style that was not unique when he came to the bench, but the world changed a lot in the three decades he was on the bench. Unfortunately, he did not always change the way he did things with the times. As much as I love and respect him, I would have a different demeanor on the bench. Academically, Judge Peoples had few equals. Some of the most influential and ground-breaking cases in South Carolina over the last half century have his name attached to them. In my experience, he dispassionately applied the facts to the law. When the result wasn't fair, he said so, but he still followed the law. Occasionally, that resulted in the law changing, but his decision was going to be based on the law and the facts of the case as he understood them. This is the influence I hope Judge Peoples would have on me as judge. I know that I will be faced with tough decisions, but I will always do what I believe the law requires, even if I am not happy about the result. Judges should apply the law, not seek to change it.

Many other judges have influenced the demeanor I would hope to have on the bench. Judge Thomas W. Cooper of Manning is the ultimate "lawyer's judge" to me. He commands control of the courtroom without anger or intimidation. He is fair to all litigants and lawyers. He makes informed, timely decisions without unnecessarily commenting on the matters before him. He is always kind and courteous to everyone. I have had the opportunity to appear before dozens of circuit court judges during my time as a solicitor and in private practice. The best of them have similarities I would hope to emulate.

My desire to serve on the Circuit Court bench is driven by my desire to improve the judicial system in South Carolina. I have always tried to emulate the best attributes of the lawyers and judges I have known. Being a solicitor has allowed me to observe many judges in the courtroom. In each judge, I looked for things I would want to do if I ever served in that position. I feel I am ready to take on this challenge, and to become an example to the lawyers that will follow in my footsteps. For me, becoming a Circuit Court Judge is not "the next step" or a stepping stone. It would be the culmination of a career as a trial attorney. That does not mean I do not believe I have room to grow. It simply means I have never been and do not seek to be an appellate lawyer or judge. I want to be the best circuit court

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judge in South Carolina and to serve in a way that makes my fellow citizens proud.

(11) Commission Members' Comments:

The Commission was impressed with the demeanor, passion, and work ethic of Mr. Miller. Mr. Miller has broad experience in the circuit court, representing both plaintiffs and defendants in civil matters. He also has extensive experience in General Sessions Court, defending and prosecuting hundreds of criminal matters, including death penalty cases.

(12) Conclusion:

The Commission found Mr. Miller qualified and nominated him for election to the Circuit Court, Second Circuit, Seat 1.

Courtney Clyburn Pope

Circuit Court, Second Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Pope meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Pope was born in 1979. She is 39 years old and a resident of Aiken, South Carolina. Ms. Pope provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Pope.

Ms. Pope demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Pope reported that she has spent \$246.32 in campaign expenditures.

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Ms. Pope testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Pope testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Pope to be intelligent and knowledgeable.

Ms. Pope reported that she has not taught any law-related courses:

Ms. Pope reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Pope did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Pope did not indicate any evidence of a disqualifying financial status.

The Commission also noted that Ms. Pope was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Pope reported that she is not rated by any legal organization.

Ms. Pope reported she has not served in the military.

Ms. Pope reported that she has never held public office.

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- (6) Physical Health:
Ms. Pope appears to be physically capable of performing the duties of the office she seeks.

- (7) Mental Stability:
Ms. Pope appears to be mentally capable of performing the duties of the office she seeks.

- (8) Experience:
Ms. Pope was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

- (a) From August 2007 to December of 2009, I was employed as a Workers Compensation Associate at McAngus, Goudelock, and Courie LLC. I was not involved with administrative or financial management with this law firm.

- (b) From January 2010 to March 2016, I was in private practice at my law firm Clyburn Pope & Price, LLC, where I was the managing partner. My primary area of practice was family law and criminal defense. I also drafted numerous wills, trusts, and prenuptial agreements. Workers Compensation was a minor area of practice as well as civil claims that included motor vehicle accidents and defamation. Further, I assisted my partner briefly in canine litigation. I managed all aspects of the law practice to include financial management, hiring of personnel, and management of client trust accounts. I shared these duties in equal parts with my then law partner, Jason M. Price.

- (c) From March 2016 to the present time, I have been employed by the City of Aiken as the City Solicitor and the City of Aiken Staff Attorney. I prosecute all Municipal level charges. As a part of my duties as Staff Attorney, I review and negotiate various contracts on behalf of the City, handle all Freedom of Information Act requests, handle tax litigation on behalf of the City, as well as write Orders for various Boards. Additionally, I work with department heads and the City manager to

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navigate through various legal issues concerning certain employee matters, contract matters, and policies. I am one of the few solicitors in the state of South Carolina to attend all Administrative hearings on behalf of the municipality's police officers.

Ms. Pope further reported regarding her experience with the Circuit Court practice area:

To summarize my experience, I have had the opportunity in my career to practice criminal defense for several years in private practice as well as serve as a City Solicitor for the City of Aiken. During my years as a private practitioner, I handled a variety of criminal cases in Circuit Court. For example, I represented clients charged with Safecracking, Attempted Murder, Breaking and Entering, etc. During that time, I handled all cases from beginning to end, to include argument of motions for bond, motions to be relieved, motions for reconsideration, preliminary hearings, and other various types of motions. I implemented research skills to further educate myself as well as my clients. I have not conducted a trial in Circuit Court. My clients' charges were either dismissed or a plea negotiation resolved my Circuit Court cases. My first chair trial experience has been limited to Municipal and Magistrate Court. For that reason, when the opportunity arose, I took the position as City Solicitor and Staff Attorney to gain further trial experience. My experience over the last few years has been very valuable. Often times, I am required to handle bench trials without notice or to argue motions with little to no time given. This is due to the fast paced nature of Municipal Court. I have conducted various types of criminal trials as a City Solicitor. With regard to civil court, all of my civil litigation settled successfully before a trial was necessary. While representing client in a defamation and harassment case, I had the opportunity to appear and argue several motions. I do not think that my experience as a young attorney is unique with regard to the opportunity to conduct a trial in either General Sessions or Common Pleas. I have a tremendous love of the law. It is my belief that through both study and the use of mentors that I would prove to be an individual whom is well qualified to serve as Circuit Court Judge. In my career, I have had the opportunity to argue before the Workers Compensation

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Commission, appear in Probate Court, Family Court, Administrative Law Court, General Sessions, and in Common Pleas. I have argued before the Master in Equity as well as resolve tax issues and various governmental issues. I believe that this diversified experience would only help to enrich the Circuit Court.

Ms. Pope reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: 0%
- (b) State: 100%

Ms. Pope reported the percentage of her practice involving civil, criminal, and domestic matters during the past five years as follows:

- (a) Civil: 15%
- (b) Criminal: 30%
- (c) Domestic: 45%
- (d) Other: 10%

Ms. Pope reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: 5%
- (b) Non-jury: 95%

Ms. Pope provided that she has most often served as sole counsel.

Ms. Pope provided the following list of her most significant orders or opinions:

I believe that every case I handle is significant and certainly important in its own right. While I understand that criminal cases are of public record, I am respectfully requesting that the names I provide are not published. Aiken is a very small municipality. I would like to spare both clients and victims of the mentioned cases embarrassment, if at all possible.

- (a) State v. [REDACTED]. The case was significant to me because this client testified against his father in his Murder Trial. I prepped my client for trial, testimony

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and negotiated a plea agreement on his behalf. My client's father was later found guilty of Murder.

- (b) State v. [REDACTED]: In my career, this case was significant because it was the first time I handled a safecracking case,
- (c) State v. [REDACTED] was significant to me because this was my first DUI case that I tried in Magistrate Court.
- (d) [REDACTED] is a defamation case that I filed on behalf of my client. The significance of this case is that it allowed me my first opportunity to litigate in civil court.
- (e) [REDACTED] is a case that I served as guardian ad litem. Though I was not the lead in this case, this was a family case that was litigated over the course of several years. It was significant because the ward was suffering from an undiagnosed mental illness. This case was my first chance to see first hand the impact that mental illness has on family situations. I also greatly admired the Judge for her constant professionalism and insistence on treating all parties fairly.

Ms. Pope reported that she not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Pope's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Ms. Pope to be "Well Qualified" in the evaluative criteria of ethical fitness, character, reputation, and judicial temperament; "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Unqualified" in the evaluative criteria of professional and academic ability, and experience. Finally, the Citizens Committee noted, "Unfortunately the committee had to find her unqualified because of lack of experience and not being well versed in procedural and evidentiary issues. She made a very impressive presentation and appearance. One comment of a committee member was that she would have to have 'on the job training.' She admitted that while serving on the bench she would often have to consult with other

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sitting judges for advice. With more experience in the future the committee felt she would well qualified to be a circuit court judge.”

The Commission questioned Ms. Pope extensively about her experience and legal knowledge. Her testimony at the public hearing convinced the Commission that her lack of experience in the circuit court is outweighed by the experience and legal knowledge she has gained throughout her legal career.

Ms. Pope is married to George Washington Pope, III. She has two children.

Ms. Pope reported that she was a member of the following Bar and professional associations:

- (a) SC Bar Association
- (b) Aiken County Bar Association
- (c) Municipal Association of South Carolina

Ms. Pope provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Delta Sigma Theta, Incorporated
- (b) Aiken Chapter of the Links, Incorporated: Recording Secretary and Christmas Gala Committee Chairwoman
- (c) Cumberland A.M.E Church, YPDers youth leader (Young People’s Department)
- (d) Second Baptist Christian Preparatory School Board
- (e) Boys and Girls Club Board Member
- (f) University of South Carolina-Aiken’s School of Nursing Advisory Board
- (g) Community Medical Clinic of Aiken County Board Member
- (h) Sky is the Limit Foundation Board Member

Ms. Pope further reported:

I believe that my parents influenced and guided me to always act in accordance to the highest standard of morality. I credit the ability to make decisions based on what I think is the right thing to do versus what outside influences insist I do to them. I have several strong figures who have served as mentors and role

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models to me in the legal community. Those individuals have guided me down a path of encouragement and initiative. I believe that I possess both the integrity and the temperament necessary to be a Circuit Court Judge. During my law career, I have always held civility in and out of the courtroom in the highest regard. This too, I attribute to the strong Christian values that my parents instilled in me. Further, having a diverse legal career has implemented me with a more comprehensive viewpoint of legal proceedings and transactions.

Public service is something that I have always been a part of from a young child to the adult that I am now. My husband and I have always tried to teach tolerance, the importance of education, and the value in being a good ethical person to our children. My hope is that I will be given the opportunity to serve a Circuit Court Judge. The opportunity to serve as a part of the SC Judiciary is one that I would not take lightly. It is the chance to make a difference and a positive impact in my community.

(11) Commission Members' Comments:

The Commission was impressed with Ms. Pope's temperament and poise at the public hearing. While concerns were raised as to her actual trial experience in the Circuit Court, Ms. Pope has trial experience in municipal, magistrates and other courts. The Commission is confident that her intelligence, temperament, demeanor, and breadth of legal experience will assist her to perform the duties of a circuit court judge.

(12) Conclusion:

The Commission found Ms. Pope qualified and nominated her for election to the Circuit Court, Second Circuit, Seat 1.

CONCLUSION

The Judicial Merit Screening Commission found the following candidates **QUALIFIED AND NOMINATED:**

CIRCUIT COURT

SECOND JUDICIAL CIRCUIT, SEAT 1

The Honorable M. Anderson Griffith

David W. Miller

Courtney Clyburn Pope

[SJ]

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**The Honorable M. Anderson Griffith, Aiken SC
Second Judicial Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Griffith's candidacy for Second Judicial Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**David W. Miller, Aiken SC
Second Judicial Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Miller's candidacy for Second Judicial Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified

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Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Qualified

**Courtney Clyburn Pope, Aiken SC
Second Judicial Circuit, Seat 1**

The South Carolina Bar’s Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Pope’s candidacy for Second Judicial Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified*
Judicial Temperament	Qualified

*Concerns were raised as to the candidate’s experience.

Respectfully Submitted,

/s/Senator Luke Rankin	/s/Representative G. Murrell Smith, Jr.
/s/Senator Ronnie A. Sabb	/s/Representative J. Todd Rutherford
/s/Senator Tom Young, Jr.	/s/Representative Chris Murphy
/s/Ms. Hope Blackley	/s/Mr. Andrew N. Safran
/s/Mr. J.P. “Pete” Strom Jr.	/s/Ms. Lucy Grey McIver

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