**Thursday, May 7, 2015**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 10:00 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:

The prophet Isaiah calls upon us to:

“Sing to the Lord a new song, his praise from the end of the earth!” (Isaiah 42:10a)

Join me as we bow in prayer:

Glorious and Everloving God, we call upon You on this National Day of Prayer to continue to bestow blessings upon South Carolina and upon the members of this Senate and their aides. Apart from whatever challenges may be facing us at the moment -- and they are many -- may we nonetheless always remember how blessed we are. Our citizens, our natural resources, the promise of the future for our State: your gifts to us are great indeed. So, even as this Senate strives to handle the formidable issues which are before it, may we never lose sight of the blessings that are ours. Hear our song of praise, Lord. Hear our song! We pray this in Your holy name. Amen.

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

**Remarks by Senator PEELER**

Thank you, Mr. PRESIDENT and members of the Senate, we’ve had a pretty good day today, some would call it a great day and I’m reluctant to end such a good day on such a bad note. I’m 66 years old and have been a South Carolina State Senator for 35 years, Senators SETZLER and LEATHERMAN -- I’ve spent over half my life in two buildings -- the Gressette Building and the State House. If I had used just half the effort and half the time I have used in politics and public service, I would be a rich man. There is no question about it. If I had used as much time and effort toward making money, I’d be a rich man. My grandchildren would be well off, but this is the life I chose. I think it’s a life I was called for. The same thing I think as serving on the bench. When you run for a judgeship you know what the pay is, you know what the benefits are and that’s why they run for it. They stand there at the end of the escalator and ask us to vote for them. There are vacancies every year and we don’t ever have to worry about candidates. There are numerous candidates for every position for judgeship in this State. But let’s take it further. All day we are talking about how much to give, a penance of a bonus, to our state employees. A penance for what they do. But let me tell you, for the last two or three days we’ve been debating this bonus for state employees, numerous state employees -- ones that clean our bathrooms, ones that protect us here, who bring the prisoners that were sentenced by the judges to the State House grounds to work are making probably $32,800/$32,900 a year or lower. They’re dealing with the people these judges have sentenced but not one of them, not one, asked for me to vote for their $800.00 bonus -- but the Chief Justice of this State was outside lobbying for a pay raise for the position and all other judges in the State of South Carolina.

Members of the Senate, I said I’ve served over half my life in these two buildings. About 10 or 12 years ago, about February every year, I would have this awful drainage and cough and I thought it was the flu every year. And someone said, “Well maybe you ought to use Vicks® Vapor Rub before you shower to open up your sinuses”-- and I did that for several years. It didn’t help my sinuses but what it did do was killed my sense of smell. For the last 10 years, I couldn’t smell a thing -- not a thing. It killed my sense of smell. It finally started to come back, it started to come back and now I’ve been welcomed to the smell of this. Members of the Senate, this is not right. It doesn’t smell right because it’s not right. If I went back to my constituents, they’d almost say I’d rather have you give yourself a pay raise. There’s no way in the world you can justify this; in the waning hours of this budget to give judges of this State an 11% increase. They first asked for 21% -- nay, nay. Now we are at an 11%, I won’t be happy until its 0%. Here are the notes I’ve gotten that Chief Justice Toal’s current salary is $148,350 -- 11% increase is an annual increase of $16,300 plus 2% health cost that was already in the budget. That’s the Chief Justice’s salary everyone falls below that -- $134,000 for our circuit judges 11% of that is $14,700 plus 2% health increase. I love my lawyers -- especially if I need one. But members of the Senate, it’s not right for a lawyer to vote on this. It’s just not right, it doesn’t smell right. For you to have to vote for a pay increase, there’s no way in the world you can explain this to anyone in Gaffney. There’s no way in the world you’re going to explain this. I seriously have to tell you, I tried to filibuster probably 20 years ago and I’m seriously thinking about filibustering it. But I won’t because people have pretty much made up their mind and I will allow you to vote on it and I’m asking you to do the right thing. Do not vote on this amendment. It’s not right, it flies in the face of what you did earlier -- a pidilly, one-time, $800 bonus for our state employees. I was told earlier we couldn’t hire anybody. People wouldn’t apply for the jobs at SCDOT to fill our potholes even if we give the money to the SCDOT to fill the potholes. Nobody’s applying for the job. We don’t have that problem with the judges, not one problem. If we’re not paying the judges enough, if they can make more in the private sector, that’s their choice not ours. I ask you to vote against this amendment.

On motion of Senator COURSON, with unanimous consent, the remarks of Senator PEELER were ordered printed in the Journal.

**Motion Adopted**

On motion of Senator LEATHERMAN, with unanimous consent, the Senate proceeded to a consideration of H. 3890, H. 3900 and H. 4055 and at the conclusion of those Bills, the Senate would proceed to consideration of H. 3701.

There was no objection.

**Motion Adopted**

On motion of Senator ALEXANDER, with unanimous consent, he was granted leave to vote from the balcony.

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointment**

Initial Appointment, Director of Department of Health and Environmental Control, with the term to commence March 6, 2012, and to expire March 6, 2016

Catherine E. Heigel, 300 Waccamaw Avenue, Greenville, SC 29605 *VICE* Catherine Templeton

Referred to the Committee on Medical Affairs.

**Local Appointments**

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Harold A. Cuff, 516 Motley Road, Hopkins, SC 29061

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Michael R. Davis, 123 Saddlemount Drive, Hopkins, SC 29061

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

George Anderson Surles, 113 Bostwick Ridge, Columbia, SC 29229

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Donald J. Simons, Post Office Box 9246, Columbia, SC 29209

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Tomothy C. Edmond, 6101 Easter Drive, Columbia, SC 29203

Reappointment, Richland County Master-in-Equity, with the term to commence April 30, 2015, and to expire April 30, 2021

Joseph M. Strickland, 410 Hampton Trace Lane, Columbia, SC 29209

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Patrick A. Barber, 103 Audubon Oaks Way, Irmo, SC 29063

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Mildred R. Metts, 124 Preston Hills Drive, Columbia, SC 29210

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Josef M. Robinson, 300 Brook Hollow Drive, Columbia, SC 29229

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Benjamin Byrd, 13 Chasewood Court, Columbia, SC 29203

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Michelle Branch-Howard, 2364 Lang Road, Columbia, SC 29204

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Melvin W. Maurer, 161 Midhurst Court, Irmo, SC 29063

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Phillip F. Newsom, 211 Polo Hill Road, Columbia, SC 29223

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Kirby D. Shealy, Jr., 125 Spring Lake Road, Columbia, SC 29206

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Caroline W. Streater, 12 Lakecrest Drive, Columbia, SC 29206

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Valerie R. Stroman, Post Office Box 9381, Columbia, SC 29290

Reappointment, Darlington County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Deatrice B. Curtis, Post Office Box 185, Darlington, SC 29540

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Barbara J. Wofford-Kanwat, 108 King Charles Road, Columbia, SC 29209

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ethel L. Brewer, 4201 Donavan Drive, Columbia, SC 29210

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Deirdre L. Simmons, 825 Brickingham Way, Columbia, SC 29229

**REGULATIONS WITHDRAWN AND RESUBMITTED**

The following were received:

Document No. 4464

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Section 44-7-260

SUBJECT: Standards for Licensing Facilities that Treat Individuals for Psychoactive Substance Abuse or Dependence

Received by Lieutenant Governor January 13, 2015

Referred to Medical Affairs Committee

Legislative Review Expiration May 13, 2015

May 7, 2015 Withdrawn and Resubmitted

Document No. 4471

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Section 44-7-260

SUBJECT: Standards for Licensing Ambulatory Surgical Facilities

Received by Lieutenant Governor January 13, 2015

Referred to Medical Affairs Committee

Legislative Review Expiration May 13, 2015

May 7, 2015 Withdrawn and Resubmitted

**Doctor of the Day**

Senator ALEXANDER introduced Dr. T. Edwin Evans of Seneca, S.C., Doctor of the Day.

**Leave of Absence**

At 10:19 A.M., Senator BRYANT requested a leave of absence for Senator CORBIN for the day.

**Leave of Absence**

At 11:32 A.M., Senator GROOMS requested a leave of absence for Senator VERDIN until 12:30 P.M.

**CO-SPONSOR REMOVED**

The following co-sponsor was removed from the respective Bill:

S. 687 Sen. Campsen

**RECALLED**

S. 720 -- Senators Nicholson, Shealy and L. Martin: A SENATE RESOLUTION TO DECLARE THE MONTH OF MAY 2015 AS “TEEN PREGNANCY PREVENTION MONTH” THROUGHOUT THE STATE AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO WORK TOGETHER TO REDUCE AND PREVENT TEEN PREGNANCY FOR THE FUTURE SUCCESS OF OUR YOUNG PEOPLE.

Senator NICHOLSON asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 753 -- Senator O'Dell: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND MR. HUGH BOYCE "BO" FAULKNER III UPON THE OCCASION OF HIS RETIREMENT FROM THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

l:\council\bills\bh\26303vr15.docx

The Senate Resolution was adopted.

S. 754 -- Senators Cleary, Rankin and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-23-15 SO AS TO INCREASE THE BOUNDARIES OF THE MURRELL'S INLET-GARDEN CITY FIRE DISTRICT.

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Read the first time and ordered placed on the Calendar without reference.

S. 755 -- Senators Cromer and Courson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHIEF OF POLICE BRIAN BUCK UPON THE OCCASION OF HIS RETIREMENT FROM THE IRMO POLICE DEPARTMENT, TO THANK HIM FOR HIS TWENTY-FOUR YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

**Message from the House**

Columbia, S.C., May 5, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Reappointment, Master In Equity , with term to commence April 30, 2015, and to expire April 30, 2021:

The Honorable Joseph M. Strickland, 410 Hampton Trace Lane, Columbia, SC 29209

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 6, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3683 -- Reps. Williams, Hosey, Gilliard, Mack and Yow: A BILL TO AMEND SECTION 25‑1‑350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO REQUIRE THE ADJUTANT GENERAL TO SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**ORDERED ENROLLED FOR RATIFICATION**

The following Bills were 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. 3900 -- Reps. Allison, Brannon, Cole, Forrester, Hicks and Tallon: A BILL TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 5 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS, AND TO PROVIDE FOR THE TRUSTEES’ TERMS AND MANNER OF ELECTION.

H. 4055 -- Reps. Cole and Mitchell: A BILL TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 7 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

**HOUSE BILL RETURNED**

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3890 -- Rep. Norrell: A BILL TO AMEND SECTION 59‑1‑425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER CONDITIONS OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE MUST BE MADE UP, SO AS TO PROVIDE THAT WHEN SCHOOLS CLOSE BECAUSE THE GOVERNOR DECLARES A STATE OF EMERGENCY DUE TO SNOW, EXTREME WEATHER CONDITIONS, OR OTHER NATURAL DISASTERS, STUDENTS IN THOSE SCHOOLS ARE NOT REQUIRED TO MAKE UP ANY DAYS MISSED AS A RESULT.

**Message from the House**

Columbia, S.C., May 7, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3890 -- Rep. Norrell: A BILL TO AMEND SECTION 59‑1‑425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER CONDITIONS OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE MUST BE MADE UP, SO AS TO PROVIDE THAT WHEN SCHOOLS CLOSE BECAUSE THE GOVERNOR DECLARES A STATE OF EMERGENCY DUE TO SNOW, EXTREME WEATHER CONDITIONS, OR OTHER NATURAL DISASTERS, STUDENTS IN THOSE SCHOOLS ARE NOT REQUIRED TO MAKE UP ANY DAYS MISSED AS A RESULT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**H. 3663--FREE CONFERENCE POWERS GRANTED**

**FREE CONFERENCE COMMITTEE APPOINTED**

**REPORT OF THE COMMITTEE OF**

**FREE CONFERENCE ADOPTED**

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD’S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT‑WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

On motion of Senator HUTTO, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HUTTO spoke on the report.

**H. 3663--Free Conference Powers Granted**

**Free Conference Committee Appointed**

On motion of Senator HUTTO, with unanimous consent, Free Conference Powers were granted.

Whereupon, Senators HUTTO, JACKSON and HAYES were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

On motion of Senator HUTTO, with unanimous consent, the Report of the Committee of Free Conference to H. 3663 was adopted as follows:

**H. 3663--Free Conference Report**

The General Assembly, Columbia, S.C., May 7, 2015

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3663 ‑‑ Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD’S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT‑WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the title and inserting:

/ Whereas, the members of the General Assembly of the State of South Carolina recognize the rich and diverse history of South Carolina State University founded in 1896 in Orangeburg, South Carolina, and the significant contribution that the university has made to the higher education community as well as its current students and alumni; and

Whereas, on February 13, 2015, the Executive Director of the Executive Budget Office informed South Carolina State University that in its opinion the university would end the current fiscal year with another operating deficit; and

Whereas, eroding public trust and confidence in the willingness or ability of South Carolina State University to successfully operate within a balanced budget, coupled with ongoing accreditation concerns related to financial, governance, and other matters, are among factors adversely impacting university enrollment which is at a level greatly in need of stabilization; and

Whereas, the Southern Association of Colleges and Schools has expressed concerns regarding governing board conflicts of interests and board/administration structure as well as financial stability and controls of South Carolina State University, and the General Assembly recognizes that maintaining accreditation by the Southern Association of Colleges and Schools is of great importance; and

Whereas, in addition, the General Assembly recognizes and acknowledges the need to follow up on this temporary action that is so critical at this juncture with permanent, statewide legislation to restructure the board of trustees and general governance of South Carolina State University with particular emphasis on maintaining the institutional knowledge of members of the board of trustees going forward and staggering terms of newly appointed board of trustees members to maintain that essential consistency in the university’s governance as it seeks to accomplish its important educational mission. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) Immediately upon the appointment of an Interim South Carolina State University Board of Trustees pursuant to subsection (B), the current members of the Board of Trustees of South Carolina State University are hereby removed from service, and their positions, powers, and duties are hereby transferred to the newly appointed interim board of trustees pursuant to subsection (B).

(B) Section 59‑127‑20 of the South Carolina Code, relating to the South Carolina State University Board of Trustees, election, and term, is suspended until June 30, 2018. There is established a new interim board of trustees of South Carolina State University, to be composed of:

(1) one member appointed by the Governor;

(2) one member appointed by the State Treasurer;

(3) one member appointed by the Chairman of the Ways and Means Committee of the House of Representatives;

(4) one member appointed by the Chairman of the Senate Finance Committee;

(5) one member appointed by the State Superintendent of Education;

(6) one member appointed by the Chairman of the Ways and Means Higher Education and Technical Colleges Subcommittee;

(7) one member appointed by the Chairman of the Senate Finance Higher Education Subcommittee; and

(8) the President of the South Carolina State University National Alumni Association, to serve ex officio and nonvoting;

(9) and the South Carolina State University Student Government Association President, to serve ex officio and nonvoting.

The members of the interim board of trustees must be appointed no later than seven days following the effective date of this joint resolution. The interim board of trustees shall meet as soon as practical and elect a chairman and other officers from its membership. Vacancies must be filled in the manner of the original appointment.

(C) Unless extended by the General Assembly, the interim board of trustees established pursuant to subsection (B) shall serve until June 30, 2018, or until a full new board of trustees is elected and qualified pursuant to Chapter 127, Title 59. The term of office for each seat on the board of trustees shall be suspended as of the date of removal pursuant to subsection (A) until a new member of the board of trustees is elected to that seat pursuant to Chapter 127, Title 59, after June 30, 2018. Initial terms of the new members of the board of trustees shall be the unexpired term of the seat to which they are elected.

(D) The interim board of trustees is responsible solely for the selection, periodic evaluation, and retention or termination of the university’s president.

(E) The interim board of trustees shall ensure there is a clear and appropriate distinction between the policy‑making functions of the interim board of trustees and the responsibility of the university’s president, administration, and faculty to administer and implement policies and that the university has a clearly defined organizational structure that delineates responsibility for the administration of policies.

(F) The interim board of trustees shall ensure that the university has qualified administrative and academic officers with the experience and competence necessary to lead the university.

(G) Notwithstanding any other provision of law, the interim board of trustees is authorized to develop programmatic, personnel, and related policies it deems necessary to ensure that the university operates within its appropriated and authorized budget. The policies the interim board of trustees develops may be across all operations of the university including, but not limited to, administration, academics, auxiliary operations, public service activities, and athletics. Programmatic and personnel policies developed by the interim board of trustees pursuant to this subsection must be reported as information to the Commission on Higher Education and the State Division of Human Resources, respectively, as soon as is practicable after implementation.

(H) The interim board of trustees, in consultation with the president, shall review both the educational accreditation of the university and the past and current financial situation of the university and make recommendations regarding the path that the university must pursue in order to lead the university out of the current financial crisis with an emphasis on having the university return to the valuable and functional institution of higher learning that it has been in the past. Any recommendations made by the interim board of trustees shall also be provided as information to the executive budget office and made public on the university’s website.

(I) The interim board of trustees shall be indemnified in the same manner as members of the Retirement System Investment Commission, mutatis mutandis.

SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Robert W. Hayes, Jr. /s/Rep. James H. Merrill

/s/Sen. Darrell Jackson /s/Rep. Kenneth A. Bingham

/s/Sen. C. Bradley Hutto /s/Rep. Gilda Cobb‑Hunter

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 7, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Merrill, Cobb-Hunter and Bingham to the Committee of Free Conference on the part of the House on:

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD’S POWERS UPON AN INTERIM BOARD OF TRUSTEES WHO SHALL SERVE UNTIL JUNE 30, 2018, OR UNTIL A FULL NEW BOARD OF TRUSTEES IS ELECTED AND QUALIFIED; TO PROVIDE THAT THE INTERIM BOARD OF TRUSTEES IS RESPONSIBLE FOR THE SELECTION, PERIODIC EVALUATION, AND RETENTION AND TERMINATION OF THE UNIVERSITY’S PRESIDENT; TO PROVIDE FOR OTHER SPECIFIC DUTIES OF THE INTERIM BOARD OF TRUSTEES; AND TO DIRECT THE INTERIM BOARD OF TRUSTEES, IN CONSULTATION WITH THE PRESIDENT OF THE UNIVERSITY, TO REVIEW THE EDUCATIONAL ACCREDITATION AND THE PAST AND CURRENT FINANCIAL SITUATION OF THE UNIVERSITY AND MAKE RECOMMENDATIONS TO DIRECT THE UNIVERSITY OUT OF THE CURRENT FINANCIAL CRISIS WITH AN EMPHASIS ON HAVING THE UNIVERSITY RETURN TO THE VALUABLE AND FUNCTIONAL INSTITUTION OF HIGHER LEARNING.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 7, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Free Conference on:

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD’S POWERS UPON AN INTERIM BOARD OF TRUSTEES WHO SHALL SERVE UNTIL JUNE 30, 2018, OR UNTIL A FULL NEW BOARD OF TRUSTEES IS ELECTED AND QUALIFIED; TO PROVIDE THAT THE INTERIM BOARD OF TRUSTEES IS RESPONSIBLE FOR THE SELECTION, PERIODIC EVALUATION, AND RETENTION AND TERMINATION OF THE UNIVERSITY’S PRESIDENT; TO PROVIDE FOR OTHER SPECIFIC DUTIES OF THE INTERIM BOARD OF TRUSTEES; AND TO DIRECT THE INTERIM BOARD OF TRUSTEES, IN CONSULTATION WITH THE PRESIDENT OF THE UNIVERSITY, TO REVIEW THE EDUCATIONAL ACCREDITATION AND THE PAST AND CURRENT FINANCIAL SITUATION OF THE UNIVERSITY AND MAKE RECOMMENDATIONS TO DIRECT THE UNIVERSITY OUT OF THE CURRENT FINANCIAL CRISIS WITH AN EMPHASIS ON HAVING THE UNIVERSITY RETURN TO THE VALUABLE AND FUNCTIONAL INSTITUTION OF HIGHER LEARNING.

Very respectfully,

Speaker of the House

Received as information.

The Report of the Committee of Free Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**THE SENATE PROCEEDED TO A CONSIDERATION OF H. 3701, THE GENERAL APPROPRIATIONS BILL.**

**AMENDED, READ THE THIRD TIME**

**H. 3701--GENERAL APPROPRIATIONS BILL**

H. 3701 -- 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, 2015, 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. 64**

Senator BRIGHT proposed the following amendment (DG LB 95ROAD), which was carried over:

Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 12, line 12, by:

COLUMN 7 COLUMN 8

/ STRIKING: 659,377,101 659,377,101

and

INSERTING: 643,254,415 643,254,415/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 12, line 13, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,548,569,004 1,548,569,004

and

INSERTING: 1,470,506,649 1,470,506,649/

Amend the bill further, as and if amended, Part IA, Section 84, DEPARTMENT OF TRANSPORTATION, page 256, line 17, by:

COLUMN 7 COLUMN 8

/ STRIKING: 269,529,759

and

INSERTING: 363,714,800 94,185,041/

Amend the bill further, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 507, after line 21, by adding an appropriately numbered new proviso to read:

*/ (DOT: Additional Funds for Rehabilitation and Resurfacing) From the funds appropriated to the Department of Transportation for permanent improvement rehabilitation and resurfacing, the department must use $94,185,041 exclusively for the maintenance, rehabilitation, and resurfacing of existing roads.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

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

**Motion Adopted**

Senator BRYANT asked unanimous consent to make a motion that when the Senate begins consideration of Part IB, that it will proceed immediately to Amendment No. 48A.

There was no objection.

**Amendment No. 33**

Senators SHEALY, MASSEY, BRYANT and BRIGHT proposed the following amendment (DKA\3701C004.DKA.15.DOCX), which was carried over:

Amend the bill, as and if amended, Part IA, Section 13, THE CITADEL, page 37, line 4, by:

COLUMN 7 COLUMN 8

/ STRIKING: 157,248 157,248

and

INSERTING: 151,200 151,200/

Amend the bill further, as and if amended, Part IA, Section 15, UNIVERSITY OF CHARLESTON, page 42, line 3, by:

COLUMN 7 COLUMN 8

/ STRIKING: 188,000 188,000

and

INSERTING: 179,498 179,498/

Amend the bill further, as and if amended, Part IA, Section 18, LANDER UNIVERSITY, page 49, line 3, by:

COLUMN 7 COLUMN 8

/ STRIKING: 159,915 159,915

and

INSERTING: 156,779 156,779/

Amend the bill further, as and if amended, Part IA, Section 19, SOUTH CAROLINA STATE UNIVERSITY, page 51, line 4, by:

COLUMN 7 COLUMN 8

/ STRIKING: 173,400 173,400

and

INSERTING: 170,000 170,000/

Amend the bill further, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 53, line 5, by:

COLUMN 7 COLUMN 8

/ STRIKING: 297,648 297,648

and

INSERTING: 286,200 286,200/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEALY explained the amendment.

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

**Amendment No. 68**

Senator BRIGHT proposed the following amendment (DAD ECO DEV ROADS), which was tabled:

Amend the bill, as and if amended, Part IA, Section 50, DEPARTMENT OF COMMERCE, page 175, line 20, by striking opposite:

COLUMN 7 COLUMN 8

LOCAL ECO. DEVEL. ALLIANCES/ 5,000,000 5,000,000/

Amend the bill further, as and if amended, Part IA, Section 84, DEPARTMENT OF TRANSPORTATION, page 256, lines 16-17, opposite PERM IMPR REHABILITATION & RESURFACING by:

COLUMN 7 COLUMN 8

/ STRIKING: 269,529,759

and

INSERTING: 274,529,759 5,000,000/

Amend the bill further, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 474, proviso 50.13 (Regional Economic Development Organizations), lines 32-34, by striking the lines in their entirety and by inserting:

50.13. (CMRC: Regional Economic Development Organizations) The Department of Commerce ~~shall~~ *may* utilize *up to* $5,000,000 *of the funds* appropriated *to or authorized for the department* in Fiscal Year ~~2014-15~~ *2015-16* ~~for Regional Economic Development Organizations~~ to provide funds to the following economic development organizations ~~and must~~ *which may* be disbursed as follows:

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

Senator SCOTT moved to lay the amendment on the table.

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

**Ayes 33; Nays 6**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Gregory Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* McElveen

Nicholson Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Turner Williams Young

**Total--33**

**NAYS**

Bright Bryant Davis

Fair *Martin, Shane* Thurmond

**Total--6**

The amendment was laid on the table.

**Amendment No. 64**

Senator BRIGHT proposed the following amendment (DG LB 95ROAD), which was withdrawn:

Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 12, line 12, by:

COLUMN 7 COLUMN 8

/ STRIKING: 659,377,101 659,377,101

and

INSERTING: 643,254,415 643,254,415/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 12, line 13, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,548,569,004 1,548,569,004

and

INSERTING: 1,470,506,649 1,470,506,649/

Amend the bill further, as and if amended, Part IA, Section 84, DEPARTMENT OF TRANSPORTATION, page 256, line 17, by:

COLUMN 7 COLUMN 8

/ STRIKING: 269,529,759

and

INSERTING: 363,714,800 94,185,041/

Amend the bill further, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 507, after line 21, by adding an appropriately numbered new proviso to read:

*/ (DOT: Additional Funds for Rehabilitation and Resurfacing) From the funds appropriated to the Department of Transportation for permanent improvement rehabilitation and resurfacing, the department must use $94,185,041 exclusively for the maintenance, rehabilitation, and resurfacing of existing roads.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

On motion of Senator BRIGHT, the amendment was withdrawn.

**Amendment No. 48A**

Senators SHEHEEN, COURSON, JACKSON, SHEALY, O’DELL, ALLEN, LOURIE, NICHOLSON, JOHNSON, MALLOY, PINCKNEY, GREGORY, SETZLER, CROMER, ALEXANDER, WILLIAMS, KIMPSON and SCOTT proposed the following amendment (DG 900ABONUS), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 608, proviso 118.14, after line 23, by adding an appropriately numbered item to read:

/ *( ) D50- Department of Administration*

*Employee Pay Bonus $25,500,000*

*( .1) Effective on the first pay date that occurs on or after the date the funds become available, the Department of Administration shall allocate to state agencies $25,500,000 to provide for a one-time lump sum bonus. Each state employee, in a full-time equivalent position, who has been in continuous state service since June 2, 2015, is eligible to receive a $900 one-time lump sum payment. This payment is not a part of the state employee’s base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee’s base salary is paid from appropriated sources. The earnings limit in Proviso 117.55 does not apply to this bonus.*

*If only a portion of the $25,500,000 becomes available, then the $900 one-time lump sum payment to each qualified employee must be reduced proportionately.*

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT spoke on the amendment.

**RECESS**

At 12:16 P.M., on motion of Senator LEATHERMAN, the Senate receded from business until 1:20 P.M.

At 1:44 P.M., the Senate resumed.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 7, 2015, at 2:15 P.M. and the following Acts and Joint Resolutions were ratified:

(R20, S. 237) -- Senators Allen, Corbin and Thurmond: A JOINT RESOLUTION TO CONTINUE THE “STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES” UNTIL DECEMBER 31, 2015.

L:\COUNCIL\ACTS\237AHB15.DOCX

(R21, S. 358) -- Senators Verdin, Campsen and McElveen: AN ACT TO AMEND SECTION 56‑5‑70, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF VEHICULAR REQUIREMENTS DURING A DECLARED STATE OF EMERGENCY, SO AS TO PROVIDE FOR AN EXTENSION OF THE TIME PERIOD FOR UP TO ONE HUNDRED TWENTY DAYS RELATING TO SUSPENSIONS OF REGISTRATION, PERMITTING, LENGTH, WIDTH, WEIGHT, AND LOAD ON NON‑INTERSTATE ROUTES FOR CERTAIN VEHICLES, AND TO MAKE SUSPENSIONS OF TIME OF SERVICE REQUIREMENTS FOR THIRTY DAYS UNLESS EXTENDED BY FEDERAL REGULATION FOR BOTH INTERSTATE AND NON‑INTERSTATE ROUTES FOR CERTAIN VEHICLES.

L:\COUNCIL\ACTS\358CM15.DOCX

(R22, S. 376) -- Senators Grooms and Campsen: AN ACT TO AMEND SECTION 55‑1‑80, RELATING TO COUNTY AVIATION COMMISSIONS, SO AS TO ALLOW FOR INCREASED MEMBERSHIP ON CERTAIN COUNTY AVIATION COMMISSIONS, TO PROVIDE FOR THE APPOINTMENT OF THE NEW MEMBERS, TO PROVIDE THAT MAYORS OF CERTAIN MUNICIPALITIES SHALL SERVE EX OFFICIO ON CERTAIN AVIATION COMMISSIONS OR AUTHORITIES, AND TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MULTICOUNTY AVIATION COMMISSION OR AUTHORITY; AND TO REPEAL ACT 130 OF 2007 WHICH INCREASED THE CHARLESTON COUNTY AVIATION AUTHORITY BY TWO MEMBERS.

L:\COUNCIL\ACTS\376CM15.DOCX

(R23, S. 391) -- Senators Young, Massey, Turner, Thurmond, Johnson, McElveen, Shealy, Hembree, Cromer, Setzler, Alexander, Davis and Scott: AN ACT TO AMEND SECTION 59‑112‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO PROVIDE THAT ACTIVE DUTY MILITARY PERSONNEL MAY BE CHARGED LESS THAN THE UNDERGRADUATE TUITION RATE FOR SOUTH CAROLINA RESIDENTS FOR COURSES THAT ARE PRESENTED ON A DISTANCE BASIS, REGARDLESS OF RESIDENCY, AND TO PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS UNDER WHICH CERTAIN VETERANS RECEIVING SPECIFIED FEDERAL EDUCATIONAL BENEFITS AND ENROLLED IN A STATE INSTITUTION AND PERSONS RELATED TO THE VETERAN RECEIVING SPECIFIED FEDERAL EDUCATIONAL BENEFITS AND ENROLLED IN A STATE INSTITUTION ARE ENTITLED TO RECEIVE IN-STATE TUITION RATES WITHOUT REGARD TO THE LENGTH OF TIME THE INDIVIDUAL HAS RESIDED IN THE STATE.

L:\COUNCIL\ACTS\391SD15.DOCX

(R24, S. 578) -- Senators Hembree, Campbell and Cleary: AN ACT TO AMEND SECTION 48‑39‑170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR A VIOLATION OF THE CHAPTER ON COASTAL TIDELANDS AND WETLANDS, SO AS TO PROVIDE A THREE‑YEAR STATUTE OF LIMITATIONS ON ENFORCEMENT VIOLATIONS RELATING TO MINOR DEVELOPMENT ACTIVITIES EXCEPT IN INSTANCES WHERE THE ALLEGED VIOLATOR KNOWINGLY OR INTENTIONALLY WITHHELD INFORMATION RELATING TO THE ALLEGED VIOLATION, TO DESCRIBE ACTS OF CONCEALMENT, AND TO APPLY THIS ACT TO ALL FUTURE ENFORCEMENT ACTIONS AND ENFORCEMENT ACTIONS PENDING AS OF JANUARY 1, 2015.

L:\COUNCIL\ACTS\578CZ15.DOCX

(R25, S. 588) -- Senators Young, Setzler and Massey: AN ACT TO AMEND SECTION 7‑7‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD FIVE PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R26, S. 599) -- Senator O’Dell: AN ACT TO AMEND ACT 1147 OF 1968, AS AMENDED, RELATING TO THE G. FRANK RUSSELL CAREER CENTER, SO AS TO RENAME THE CENTER THE G. FRANK RUSSELL TECHNOLOGY CENTER, AND TO MAKE A TECHNICAL CORRECTION REDUCING THE MEMBERSHIP OF THE TECHNOLOGY CENTER’S ADVISORY COMMITTEE FROM SEVEN MEMBERS TO SIX MEMBERS DUE TO THE DISSOLUTION OF THE GREENWOOD COUNTY BOARD OF EDUCATION PURSUANT TO ACT 175 OF 1997.

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(R27, S. 673) -- Senator Sheheen: AN ACT TO AMEND SECTION 4‑9‑82, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF ASSETS BY A HOSPITAL PUBLIC SERVICE DISTRICT, SO AS TO SPECIFY THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO A TRANSACTION THAT INCLUDES THE HOSPITAL PUBLIC SERVICE DISTRICT’S ENTRY INTO A LEASE OF ANY OR ALL OF ITS REAL PROPERTY ASSOCIATED WITH THE DELIVERY OF HOSPITAL SERVICES REGARDLESS OF THE LENGTH OF THE TERM OF THE REAL PROPERTY LEASE OR WHETHER OR NOT THE TRANSACTION ALSO INCLUDES THE SALE OR LEASE OF OTHER ASSETS OF THE DISTRICT, AND TO PROVIDE APPLICATION LIMITATIONS.

L:\COUNCIL\ACTS\673ZW15.DOCX

(R28, H. 3118) -- Reps. Pitts and White: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑525 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING WILD TURKEY; BY ADDING SECTION 50‑11‑580 SO AS TO ESTABLISH MALE WILD TURKEY HUNTING SEASON AS MARCH 20 THROUGH MAY 5, DECLARE THE SATURDAY AND SUNDAY PRECEDING MARCH 20 OF EACH YEAR TO BE “SOUTH CAROLINA YOUTH TURKEY HUNTING WEEKEND” AND PROVIDE A PROCEDURE FOR YOUTH TURKEY HUNTING ON THIS WEEKEND, TO PROVIDE A WILD TURKEY BAG LIMIT, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO REPORT TO THE GENERAL ASSEMBLY CERTAIN WILD TURKEY RESOURCES INFORMATION INCLUDING RECOMMENDATIONS REGARDING THE SEASON AND THE BAG LIMITS; TO AMEND SECTIONS 50‑11‑530, 50‑11‑540, AND 50‑11‑544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES’ REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE DEPARTMENT’S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, TO ALLOW THE DEPARTMENT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT REGULATE THE HUNTING OF WILD TURKEYS, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL; AND TO SUSPEND THE PROVISIONS OF SECTION 50‑11‑520 UPON THE EFFECTIVE DATE OF THE ACT UNTIL NOVEMBER 7, 2018, WHEN SECTION 50‑11‑580 IS REPEALED.

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(R29, H. 3323) -- Reps. V.S. Moss, Ott, Hiott, Hixon and Jefferson: AN ACT TO AMEND CHAPTER 23, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE “SOUTH CAROLINA NOXIOUS WEED ACT” SO AS TO DELETE THE TERM “COMMISSIONER” AND REPLACE IT WITH THE TERM “COMMISSION”, TO REVISE THE DEFINITION OF THE TERMS “COMMISSION”, “AUTHORIZED INSPECTOR”, AND “NOXIOUS WEED”, TO PROVIDE A DEFINITION FOR THE TERM “DIRECTOR”, TO MAKE TECHNICAL CHANGES, AND TO DELETE THE TERM “SOUTH CAROLINA DEPARTMENT OF AGRICULTURE” AND REPLACE IT WITH THE TERM “DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS, CLEMSON UNIVERSITY”, AND TO ESTABLISH THE POWERS AND DUTIES OF THE STATE CROP PEST COMMISSION AND THE DIRECTOR OF THE REGULATORY AND PUBLIC SERVICE PROGRAMS, CLEMSON UNIVERSITY.

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(R30, H. 3324) -- Reps. J.E. Smith, G.M. Smith, Yow, Hardee, Clemmons, Goldfinch, Hardwick, Johnson, Duckworth, W.J. McLeod and Gilliard: A JOINT RESOLUTION TO ESTABLISH A COMMITTEE TO STUDY STATE AND LOCAL LEVEL VETERANS ISSUES; TO MAKE APPROPRIATE LEGISLATIVE RECOMMENDATIONS FOR IMPROVING THE STRUCTURE, DELIVERY, AND COORDINATION OF VETERANS SERVICES IN SOUTH CAROLINA; AND TO PROVIDE FOR THE COMMITTEE’S MEMBERSHIP, DURATION, AND STAFFING.

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(R31, H. 3393) -- Rep. Lowe: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑9‑630 SO AS TO PROVIDE THAT A PERSON SHALL OBTAIN A FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP IN ADDITION TO OBTAINING REQUIRED STATE HUNTING LICENSES AND PERMITS, TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MAY CONTRACT WITH THE UNITED STATES FISH AND WILDLIFE SERVICE TO MAKE THE FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP AVAILABLE THROUGH THE LICENSE SALES SYSTEM OF THE DEPARTMENT, TO PROVIDE FOR THE ENDORSEMENT OF THE STAMP ON STATE HUNTING LICENSES BY THE DEPARTMENT, AND TO PROVIDE FOR RELATED FEES, AMONG OTHER THINGS; AND TO AMEND SECTION 50‑9‑920, AS AMENDED, RELATING TO REVENUE GENERATED FROM THE SALE OF HUNTING LICENSES, SO AS TO PROVIDE THAT FEES REMITTED TO THE DEPARTMENT FOR EACH FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP MUST BE CREDITED TO THE FISH AND WILDLIFE PROTECTION FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THESE FEES.

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(R32, H. 3443) -- Reps. Long, Erickson, Daning, Atwater, Bradley, Hixon, Newton, Ridgeway, Simrill, Spires, G.M. Smith, Weeks and Johnson: AN ACT TO AMEND SECTION 40‑37‑290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASING, POSSESSING, ADMINISTERING, SUPPLYING, AND PRESCRIBING OF CERTAIN PHARMACEUTICAL AGENTS BY OPTOMETRISTS AND THE PROHIBITION ON SCHEDULE I AND II CONTROLLED SUBSTANCES, SO AS TO CLARIFY THAT SCHEDULE II CONTROLLED SUBSTANCES THAT HAVE BEEN RECLASSIFIED FROM SCHEDULE III TO SCHEDULE II ON OR AFTER OCTOBER 6, 2014, MAY CONTINUE TO BE PURCHASED, POSSESSED, ADMINISTERED, SUPPLIED, AND PRESCRIBED BY AN OPTOMETRIST.

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(R33, H. 3464) -- Reps. R.L. Brown, Whipper and G.A. Brown: AN ACT TO AMEND SECTION 40‑7‑350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BARBERS AND BARBERING, SO AS TO DELETE AND REPLACE THE CURRENT LANGUAGE WITH LICENSING REQUIREMENTS FOR BARBER SCHOOLS AND BARBER SCHOOL INSTRUCTORS.

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(R34, H. 3547) -- Reps. J.E. Smith and Yow: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25‑1‑2350 SO AS TO PROVIDE THAT THE REEMPLOYMENT RIGHTS AND PROTECTIONS GRANTED TO MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD AND SOUTH CAROLINA STATE GUARD WHO SERVE STATE DUTY SHALL APPLY ALSO TO A PERSON WHO IS EMPLOYED IN SOUTH CAROLINA BUT IS A MEMBER OF ANOTHER STATE’S NATIONAL GUARD OR STATE GUARD.

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(R35, H. 3662) -- Rep. Atwater: AN ACT TO AMEND SECTION 6 9 55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON THE ENFORCEMENT OF SECTION 501.3 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE, SO AS TO REMOVE PROVISIONS ALLOWING ENFORCEMENT OF THE CODE AFTER A CERTAIN DATE.

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(R36, H. 3663) -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD’S POWERS UPON AN INTERIM BOARD OF TRUSTEES WHO SHALL SERVE UNTIL JUNE 30, 2018, OR UNTIL A FULL NEW BOARD OF TRUSTEES IS ELECTED AND QUALIFIED; TO PROVIDE THAT THE INTERIM BOARD OF TRUSTEES IS RESPONSIBLE FOR THE SELECTION, PERIODIC EVALUATION, AND RETENTION AND TERMINATION OF THE UNIVERSITY’S PRESIDENT; TO PROVIDE FOR OTHER SPECIFIC DUTIES OF THE INTERIM BOARD OF TRUSTEES; AND TO DIRECT THE INTERIM BOARD OF TRUSTEES, IN CONSULTATION WITH THE PRESIDENT OF THE UNIVERSITY, TO REVIEW THE EDUCATIONAL ACCREDITATION AND THE PAST AND CURRENT FINANCIAL SITUATION OF THE UNIVERSITY AND MAKE RECOMMENDATIONS TO DIRECT THE UNIVERSITY OUT OF THE CURRENT FINANCIAL CRISIS WITH AN EMPHASIS ON HAVING THE UNIVERSITY RETURN TO THE VALUABLE AND FUNCTIONAL INSTITUTION OF HIGHER LEARNING.

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(R37, H. 3668) -- Reps. Pitts and Goldfinch: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑365 SO AS TO PROVIDE THAT ALL NONEXEMPT PERSONS MUST WEAR A HAT, COAT, OR VEST OF SOLID VISIBLE INTERNATIONAL ORANGE WHILE ON WILDLIFE MANAGEMENT AREA LANDS DURING DEER HUNTING SEASON.

L:\COUNCIL\ACTS\3668CM15.DOCX

(R38, H. 3683) -- Reps. Williams, Hosey, Gilliard, Mack and Yow: AN ACT TO AMEND SECTION 25‑1‑350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO REQUIRE THE ADJUTANT GENERAL TO SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY.

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(R39, H. 3762) -- Reps. Hayes and Hiott: AN ACT TO AMEND SECTION 50‑11‑2460, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ANIMAL TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO PROVIDE THAT A TRAP MAY BEAR ITS OWNER’S DEPARTMENT OF NATURAL RESOURCES‑ISSUED CUSTOMER NUMBER; AND TO REPEAL SECTION 50‑11‑2550 RELATING TO THE TRANSPORTATION OF SKINS, FURS, PELTS, OR HIDES OF FURBEARING ANIMALS OUT OF STATE.

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(R40, H. 3890) -- Rep. Norrell: AN ACT TO AMEND SECTION 59‑1‑425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER CONDITIONS OR OTHER DISRUPTIONS MUST BE MADE UP, SO AS TO PROVIDE WHEN DESIGNATED MAKE‑UP DAYS ARE USED OR ARE NO LONGER AVAILABLE IN A DISTRICT, THE DISTRICT BOARD OF TRUSTEES BY MAJORITY VOTE MAY WAIVE THE MAKE‑UP REQUIREMENT FOR THREE OR FEWER ADDITIONAL MISSED DAYS; TO PROVIDE THAT AFTER THE 2014‑2015 SCHOOL YEAR THIS WAIVER MAY NOT BE GRANTED FOR A SCHOOL IN THE DISTRICT UNTIL THE SCHOOL HAS MADE UP THREE FULL DAYS OR THE EQUIVALENT NUMBER OF HOURS MISSED; TO EXTEND WAIVERS TO ALL CHARTER SCHOOLS AND HOME SCHOOLING PROGRAMS LOCATED IN THE DISTRICT; TO PROVIDE CONDITIONS IN WHICH THE STATE BOARD MAY WAIVE ADDITIONAL MISSED DAYS AND TO IMPOSE A REPORTED REQUIREMENT; AND TO DELETE PROVISIONS AUTHORIZING THE GENERAL ASSEMBLY TO WAIVE MISSED DAYS.

L:\COUNCIL\ACTS\3890AB15.DOCX

(R41, H. 3900) -- Reps. Allison, Brannon, Cole, Forrester, Hicks and Tallon: AN ACT TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 5 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS, AND TO PROVIDE FOR THE TRUSTEES’ TERMS AND MANNER OF ELECTION.

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(R42, H. 4055) -- Reps. Cole and Mitchell: AN ACT TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 7 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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Senator BRIGHT resumed speaking on Amendment No. 48A.

**Motion Adopted**

On motion of Senator LEATHERMAN, with unanimous consent, and with Senator BRIGHT retaining the floor on Amendment No. 48A, the Senate proceeded to Amendment No. 35 and at the conclusion, would return to Amendment No. 48A.

There was no objection.

**Amendment No. 35**

Senators MALLOY, CAMPBELL, CLEARY, COLEMAN, KIMPSON and GROOMS proposed the following amendment (LC JUDICIAL PAY INCREASE GM), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 185, line 4, opposite “Chief Justice”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 151,317 151,317

and

INSERTING: 170,987 151,317/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 185, line 6, opposite “Associate Justice”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 576,444 576,444

and

INSERTING: 651,380 576,444/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 186, line 17, opposite “Chief Appeals Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 142,670 142,670

and

INSERTING: 161,216 142,670/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 186, line 19, opposite “Assoc. Appeals Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,124,064 1,124,064

and

INSERTING: 1,270,184 1,124,064/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 186, line 34, opposite “Circuit Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 6,576,829 6,576,829

and

INSERTING: 7,580,398 6,576,829/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 187, line 14, opposite “Family Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 7,731,516 7,731,516

and

INSERTING: 8,736,598 7,731,516/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 189, line 26, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 17,008,321 14,094,231

and

INSERTING: 20,109,455 14,094,231/

Amend the bill further, as and if amended, Part IA, Section 58, ADMINISTRATIVE LAW COURT, page 190, line 3, opposite “Chief Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 120,799 120,799

and

INSERTING: 139,232 139,232/

Amend the bill further, as and if amended, Part IA, Section 58, ADMINISTRATIVE LAW COURT, page 190, line 5, opposite “Associate Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 536,886 536,886

and

INSERTING: 618,808 618,808/

Amend the bill further, as and if amended, Part IA, Section 58, ADMINISTRATIVE LAW COURT, page 190, line 18, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 859,402 625,685

and

INSERTING: 935,138 701,421/

Amend the bill further, as and if amended, Part IA, Section 60, PROSECUTION COORDINATION COMMISSION, page 193, line 18, opposite “Circuit Solicitor”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,190,480 2,190,480

and

INSERTING: 2,475,232 2,475,232/

Amend the bill further, as and if amended, Part IA, Section 60, PROSECUTION COORDINATION COMMISSION, page 194, line 24, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,790,970 1,753,978

and

INSERTING: 1,944,546 1,907,554/

Amend the bill further, as and if amended, Part IA, Section 61, COMMISSION ON INDIGENT DEFENSE, page 196, line 4, opposite “Circuit Public Defenders”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,147,542 2,147,542

and

INSERTING: 2,475,232 2,475,232/

Amend the bill further, as and if amended, Part IA, Section 61, COMMISSION ON INDIGENT DEFENSE, page 196, line 36, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,057,772 1,968,972

and

INSERTING: 2,232,117 2,143,317/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MALLOY explained the amendment.

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

**Amendment No. 48A**

Senator BRIGHT resumed speaking on Amendment No. 48A.

Senator BRIGHT moved to carry over Amendment No. 48A.

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

**Ayes 30; Nays 15**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

McElveen O'Dell Peeler

Rankin Reese Thurmond

Turner Verdin Young

**Total--30**

**NAYS**

Allen Courson Jackson

Johnson Kimpson Lourie

Matthews Nicholson Pinckney

Sabb Scott Setzler

Shealy Sheheen Williams

**Total--15**

The amendment was carried over.

**Amendment No. 31**

Senator THURMOND proposed the following amendment (DAD DEL 1.63 PT), which was adopted, reconsidered and not adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 357, proviso 1.63 (School District Activity Bus Advertisements), lines 18-22, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator THURMOND explained the amendment.

The amendment was adopted.

**Recorded Vote**

Senator HAYES, KIMPSON, BENNETT, LARRY MARTIN, BRIGHT, CAMPBELL, TURNER, HUTTO, SABB, NICHOLSON, SHEALY, COURSON, ALLEN, YOUNG, WILLIAMS, RANKIN, JACKSON, JOHNSON, SCOTT and SHEHEEN desired to be recorded as voting against the adoption of the amendment.

**Motion Adopted**

Having voted on the prevailing side, Senator PEELER moved to reconsider the vote whereby the amendment was adopted.

The question then was the adoption of the amendment.

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

**Ayes 8; Nays 37**

**AYES**

Bryant Coleman Fair

Malloy Peeler Reese

Sheheen Thurmond

**Total--8**

**NAYS**

Alexander Allen Bennett

Bright Campbell Campsen

Cleary Courson Cromer

Davis Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Pinckney Rankin Sabb

Scott Setzler Shealy

Turner Verdin Williams

Young

**Total--37**

Having failed to receive the necessary votes, the amendment was not adopted.

**Amendment No. 76A**

Senator SETZLER proposed the following amendment (DG NGS 1STSTEPS), which was adopted(#21):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 382, after line 3, by adding an appropriately numbered new proviso to read:

*/ 1.\_\_\_. (SDE:First Steps accountability)* *Based on the need for stated intervention by the US Department of Education Office of Special Education and Rehabilitative Services (OSEP) in implementing Part C of the Individuals with Disabilities Education Act (IDEA), the Office of First Steps to School Readiness must meet federal compliance for the Part C program. Additionally, the Office of First Steps to School Readiness shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways & Means Committee, and the Governor the specific steps, timeline and progress made in improving meeting compliance standards its performance for those indicators with which the Office was scored as being low performing. The report must include a statement regarding whether the additional employees authorized by this act are sufficient for compliance. The report shall also include any correspondence from the US Department of Education concerning the progress made on federal compliance with OSEP state standards. The report must be submitted no later than December 31, 2015. From the funds appropriated for Babynet, the Office of First Steps to School Readiness may expend the funds necessary to meet the requirements of this proviso.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

**Amendment No. 65**

Senator BRIGHT proposed the following amendment (3701R037.EB.LB.DOCX), which was adopted(#22):

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 430, proviso 11.40, lines 21‑22 by striking: */(d) student behavior or misconduct indicative of beliefs that might reasonably be construed to lead to discrimination based on race, religion, ethnicity, and sexual orientation;*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

The amendment was adopted.

**Amendment No. 66**

Senator BRIGHT proposed the following amendment (3701R038.EB.LB.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 430, proviso 11.40, line 20 by striking:/ *, and sexual orientation* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

Senator LOURIE spoke on the amendment.

Senator LOURIE moved to lay the amendment on the table.

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

**Ayes 31; Nays 12**

**AYES**

Allen Bennett Campbell

Coleman Courson Davis

Gregory Hembree Hutto

Jackson Johnson Kimpson

Lourie Malloy *Martin, Larry*

Massey Matthews McElveen

Nicholson O'Dell Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Turner Williams

Young

**Total--31**

**NAYS**

Alexander Bright Bryant

Campsen Cromer Fair

Grooms Hayes *Martin, Shane*

Peeler Thurmond Verdin

**Total--12**

The amendment was laid on the table.

**Statement by Senator FAIR**

Part of the human condition is to have predispositions. Some of our predispositions are right, some are not.

A few years ago Senator LEVENTIS and I were talking to a lobbyist whose “sexual predisposition” was different than his and mine. We each are heterosexual and each of us have been married our entire lives and each of us are married to a woman.

The issue that brought the lobbyist to Columbia was a bullying Bill. I suggested that bullying is wrong and the underlying rationale may be of interest but the offense was bullying.

We discussed predisposition which is what I suggested then and now is a better term of why we choose to do certain things. In every case we choose to do the things we do with or without much thought.

When wrong behavior is involved, it is the act that followed the predisposition. The wrong is the act that was done not the reason it was done.

On the matter of discrimination we have to be very careful lest we harm a protected minority which depends on lawful protection. The protection is predicated on their status not their behavior.

Discrimination is not necessarily a pejorative term. We want our children to be discriminating in their choice of friends. Which one of us wants any of our children to make friends with a drug dealer? We want them to be discriminating in their choice of friends. Which one of us wants our children to be friends with a gambler, a drunk, a drug user, a pimp, or a prostitute male or female? None of us want that. We want our children to be discriminating in their choice of friends.

The dictionaries list as their first choice or denotation for discriminating as “using fine taste or judgements.” Nevertheless, our history as people and as a country have dictated that we protect certain minorities from being mistreated due to their protected minority status.

Homosexual  behavior is not a legally protected minority because it is first a choice and then is followed by a behavior. Lifestyles do not enjoy legal protection.

Same sex post pubescent attraction is a complicated matter but the scientific proof as displayed by identical twins is incontrovertible. Identical twins the world over offer this paradox: one is homosexual the other is heterosexual. They have the same DNA which dictates their gender as well as practically everything else, and they are usually reared in the same environment. Yet, one is homo and the other is hetero.

It sometimes is a complicated  matter and other times it is a simple explanation. However, a choice always is involved to follow a predisposition to do wrong or to do right.

All of us must choose to temper our predisposed inclinations and check them with the accumulated knowledge and imbedded character located in our souls and in our pre frontal cortex.

If there is doubt, consult absolute Truth and truth.

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**Amendment No. 32A**

Senator FAIR proposed the following amendment (QH MEDAL OF HONOR BOWL FAIR SUB), which was adopted(#23):

Amend the bill, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 473, after line 23, by adding an appropriately numbered new proviso to read:

*/ (PRT: Football Exhibition Funding) The funds appropriated to the Department of Parks, Recreation and Tourism for Football Exhibition Games and carried forward into FY15-16 shall made available to the Medal of Honor Bowl by September 1, 2015.* /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 601, proviso 118.14, lines 33 and 34, by striking the lines in entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator FAIR explained the amendment.

The amendment was adopted.

**Amendment No. 80**

Senator GROOMS proposed the following amendment (3701R042.EB.LKG.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 63, DEPARTMENT OF PUBLIC SAFETY, page 490, after line 23, by adding an appropriately numbered new proviso to read:

*/(63.\_\_. (DPS: Hours of service rest requirements) Of the funds directed to the Department of Public Safety, the Department is directed to allow drivers of commercial motor vehicles engaged in intrastate commerce to use time waiting in their trucks while on the job to satisfy any hours of service 30-minute rest requirements. The Department is further instructed to allow the Motor Carrier Advisory Committee to review options that may facilitate adoption of allowable variances from state and federal statutes, rules, and regulations, as well as specific relief for interstate border-zone operations.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

**Point of Order**

Senator SHEHEEN 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 took the Point of Order under advisement.

On motion of Senator GROOMS, the amendment was withdrawn.

**Amendment No. 16**

Senators LARRY MARTIN, CAMPSEN, FAIR and BRYANT proposed the following amendment (3701R019.KSG.LAM.DOCX), which was adopted(#24):

Amend the bill, as and if amended, Part IB, Section 84, DEPARTMENT OF TRANSPORTATION, page 507, after line 21, by adding an appropriately numbered new proviso to read:

*/ 84. (DOT: sunset suspended) The provisions of Section 6 of Act 114 of 2007 are suspended for the current fiscal year.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

**Amendment No. 44**

Senators PEELER, CROMER and SHANE MARTIN proposed the following amendment (DG HSP UNIONBUS), which was adopted(#25):

Amend the bill, as and if amended, Part IB, Section 93, DEPARTMENT OF ADMINISTRATION, page 524, after line 33, by adding an appropriately numbered new proviso to read:

*/ 93.\_\_\_. (DOA: Union County Bus Shop) Notwithstanding any other provision of this act, the Division of General Services, Department of Administration, must distribute the proceeds from the sale of the Union County Bus Shop equally to Union County School District and Union County.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator PEELER explained the amendment.

The amendment was adopted.

**Amendment No. 52**

Senator SHANE MARTIN proposed the following amendment (DAD 98.4 SM), which was adopted(#26):

Amend the bill, as and if amended, Part IB, Section 98, STATE TREASURER'S OFFICE, page 527, proviso 98.4 (Management Fees), line 24, by inserting at the end:

*/The fees noted in this proviso must be identified by type and be made public on the homepage of the State Treasurer’s website.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHANE MARTIN explained the amendment.

The amendment was adopted.

**Amendment No. 72**

Senator CROMER proposed the following amendment (DAD RFA REV), which was adopted(#27):

Amend the bill, as and if amended, Part IB, Section 102, REVENUE AND FISCAL AFFAIRS OFFICE, page 538, after line 27, by adding an appropriately numbered new proviso to read:

/ *(RFAO: Revenue for Goods and Services) The respective sections of the Revenue and Fiscal Affairs Office are authorized to provide to and receive from other governmental entities, including other divisions, state and local agencies and departments, and the private sector, goods and services, as will in its opinion promote efficient and economical operations. The sections may charge and pay the entities for the goods and services, the revenue from which shall be deposited in the state treasury in a special account and expended only for the costs of providing the goods and services, and such funds may be retained and be expended for the same purposes. /*

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

**Amendment No. 34A**

Senator RANKIN proposed the following amendment (3701R027.EB.LAR.DOCX), which was adopted(#28):

Amend the bill, as and if amended, Part IB, Section 110-R.52, STATE ETHICS COMMISSION, page 545, after line 18, by adding an appropriately numbered new proviso to read:

*/SECTION 110 - R52-STATE ETHICS COMMISSION*

*110.1 (State Ethics Commission: Ethics Commission website changes) In the current fiscal year, prior to approving or adopting any changes to the State Ethics Commission Public Disclosure and Accountability Reporting System, the State Ethics Commission shall submit the proposed changes to the Senate Ethics Committee and House of Representatives Ethics Committee for their review and approval. As third party beneficiaries to any agreement between the State Ethics Commission and a vendor relating to the State Ethics Commission Public Disclosure and Accountability Reporting System, the General Assembly through its respective Ethics Committees can submit suggested changes to any proposed agreement or contract relating to the State Ethics Commission Public Disclosure and Accountability Reporting System and the State Ethics Commission shall be required to incorporate those suggestions into any contractual negotiation.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

**Amendment No. 36**

Senator SHEHEEN proposed the following amendment (LC CRIME VICTIM FUNDS), which was adopted(#29):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 564, proviso 117.51, lines 20-23, by striking:

/*In addition to the expenditures promulgated by the Victim Services Coordinating Council, the council shall also authorize municipalities that collect crime victim funds pursuant to Section 14-1-208 of the 1976 Code to use those funds to purchase and maintain a body-worn camera system for each funded sworn officer position within its police department.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

**Objection**

Senator LEATHERMAN asked unanimous consent to make a motion that no further amendments on the Bill would be received on the Desk after 5:00 P.M. today.

Senator THURMOND objected.

**Amendment No. P1-54**

Senator HUTTO proposed the following amendment (3701 AMENDMENT 54 PERFECTING .DOCX), which was carried over:

Amend the amendment that contains the document file path 3701R028.EB.LB.DOCX, as and if amended, by striking the amendment in its entirety and inserting the following:

*/117 (GP: Other Funds Carry Forward) Any balance of unexpended earmarked special revenue funds in excess of 360 days operating funds not specifically exempted by law, which shall be determined by the Executive Budget Office, shall go to the Department of Transportation for the purpose of road maintenance, rehabilitation, and resurfacing of existing roads.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

**Point of Order**

Senator BRIGHT raised a Point of Order that the perfecting amendment was out of order inasmuch as it was not a friend of the amendment as required by *Jefferson’s Manual*.

The PRESIDENT took the Point of Order under advisement.

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

**Amendment No. 73**

Senators ALEXANDER, COURSON, SETZLER, MATTHEWS, HUTTO, BRYANT, HAYES and MASSEY proposed the following amendment (DKA\3701C016.DKA.DG15.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 586, proviso 117.127, lines 21 ‑ 30, by striking the proviso in its entirety, and inserting:

*/ 117.127. (GP: Comprehensive Workforce Development Coordination Initiative) In the current fiscal year, the State Board for Technical and Comprehensive Education, the Department of Commerce, the Department of Education, and the Department of Employment and Workforce, shall survey the workforce development needs of the State to determine the educational programs needed in order to produce a qualified workforce. The survey must include, but is not necessarily limited to, a review and analysis of available labor market information from the Department of Employment and Workforce. This report must be completed no later than September 15, 2015, be published on each agency*’*s website, and be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Labor Commerce and Industry Committee, the Chairman of the House Labor Commerce and Industry Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee. The State Board for Technical and Comprehensive Education, the Department of Commerce, the Department of Education, and the Department of Employment and Workforce who must consult with the State Workforce Investment Board, are directed to use the report in order to develop a statewide plan where the technical colleges, school districts, and career centers shall work together to increase access to coursework, equipment, and facilities as well as utilizing the EEDA, Dual Credit courses, Adult Education programs and Career and Technology courses and programs, to include findings and recommendations regarding costs and opportunities for the State and its businesses and citizens for the enhancing of existing, or creation of new, subsidized training programs which offer career training and certification and job placement assistance to citizens pursuing careers in high demand jobs in critical need industries throughout the State. This plan shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Ways and Means Committee, the Chairman of the Senate Labor Commerce and Industry Committee, the Chairman of the House Labor Commerce and Industry Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee no later than February 1, 2016.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

**Amendment No. 71**

Senator MASSEY proposed the following amendment (3701R039.EB.ASM.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 588, after line 17, by adding an appropriately numbered new proviso to read:

*/117. (GP: Employment Training Outcome Data Sharing) The Department of Employment and Workforce (DEW), in developing the Workforce and Labor Market Information System (WLMIS) improvements required of the Workforce Innovation and Opportunity Act (WIOA) (P.L. 113‑128), will require integration of training and employment data for the purposes of improving longitudinal assessment of employment outcomes for the various training providers eligible to receive funding appropriated or authorized by this Act.*

*(A) As the entity with authority for the oversight and maintenance for the WLMIS, DEW shall establish a governance policy for the management, development, security, partner collaboration, and sharing responsibilities no later than July 1, 2015, security, partner collaboration, and sharing responsibilities no later than July 1, 2015.*

*(B) No later than July 22, 2015, DEW must develop a model data‑sharing agreement with eligible training providers (ETPs). As specified by the WIOA Act, this agreement will require ETPs to submit data related to the types of training programs offered, individual student coursework and outcomes, program completion and time to complete, program costs, and tuition assistance. It will further require reporting of personally identifiable information (PII) to match training and employment data to determine placement in companies and jobs by the North American Industry Classification (NAIC) System and Standard Occupation Classification (SOC) System and other information necessary for DEW to accurately and completely assess the effectiveness and return on investment of all training programs offered by the entity.*

*(C) No later than January 1, 2016, DEW must develop a model data‑sharing agreement with the South Carolina Department of Education, the Center for Educator Recruitment, Retention and Advancement, and the Education Oversight Committee, the South Carolina Vocational Rehabilitation Department, and the Commission on Higher Education to capture and match data as enumerated in item (B) of this section. This agreement will ensure collaborative sharing of matched data with each partner agency for the purpose of program assessment and effectiveness in compliance with state and federal laws.*

*(D) DEW and the South Carolina Student Loan Corporation shall, by January 1, 2016, enter into a data‑sharing agreement to determine the average debt load carried by individuals who participate in training programs with eligible training providers. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.*

*(E) No later than July 1, 2016, DEW must develop a model data‑sharing agreement with the South Carolina Department of Social Services to capture data related to new hire status and social service data and with the South Carolina Department of Labor, Licensing, and Regulation to capture licensing and licensing‑related data. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws. /*

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the amendment was withdrawn.

**Amendment No. 29**

Senator JACKSON proposed the following amendment (DAD NR ANTIOCH), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 608, proviso 118.14, after line 23, by inserting an appropriately numbered item to read:

*/ ( ) L04 - Department of Social Services*

*Antioch Senior Center $150,000* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator JACKSON explained the amendment.

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

**Amendment No. 82**

Senators SHEHEEN, LOURIE, O’DELL and DAVIS proposed the following amendment (DKA\3701C002.DKA.15.DOCX), which was adopted(#31):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 382, after line 3, by adding an appropriately numbered new proviso to read:

/ *1.\_\_ (SDE: Health Education Materials) From the funds allocated to each school district, each district shall publish on its website the title and publisher of all health education materials it has approved, adopted, and used in the classroom. If the Department of Education determines that a school district is noncompliant with mandated health education, the department shall withhold one percent of the district’s funds allocated in Part 1A, Section 1, XIV – Student Health and Fitness Act until the department determines the district is in compliance.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

**Amendment No. 75**

Senator GROOMS proposed the following amendment (DG LKG CYPGAR), which was adopted(#32):

Amend the bill, as and if amended, Part IB, Section 39, COMMISSION FOR THE BLIND, page 467, after line 9, by adding an appropriately numbered new proviso to read:

*/ (BLIND: Cypress Gardens) In the current fiscal year, the Commission for the Blind shall exempt Cypress Gardens from its vending and food service requirements.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

**RECESS**

At 4:07 P.M., on motion of Senator SHANE MARTIN, the Senate receded from business until 4:21 P.M.

At 6:25 P.M., the Senate resumed.

**ACTING PRESIDENT PRESIDES**

Senator LARRY MARTIN assumed the Chair.

**PRESIDENT PRESIDES**

At 6:27 P.M., the PRESIDENT assumed the Chair.

**Amendment No. 92**

Senators ALEXANDER, ALLEN, BENNETT, BRIGHT, BRYANT, CAMPBELL, CAMPSEN, CLEARY, COLEMAN, CORBIN, COURSON, CROMER, DAVIS, FAIR, GREGORY, GROOMS, HAYES, HEMBREE, HUTTO, JACKSON, JOHNSON, KIMPSON, LEATHERMAN, LOURIE, MALLOY, LARRY MARTIN, SHANE MARTIN, MASSEY, MATTHEWS, McELVEEN, NICHOLSON, O'DELL, PEELER, PINCKNEY, RANKIN, REESE, SABB, SCOTT, SETZLER, SHEALY, SHEHEEN, THURMOND, TURNER, VERDIN, WILLIAMS and YOUNG proposed the following amendment (DAD BONUSICEROADS), which was adopted(#33):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 608, proviso 118.14, after line 23, by inserting an appropriately numbered items to read:

/ *(2) D50- Department of Administration*

*Employee Pay Bonus $23,500,000*

*(2.1) From the funds appropriated above in item (2), effective on the first pay date that occurs on or after the date the funds become available, the Department of Administration shall allocate to state agencies $23,500,000 to provide for a one-time lump sum bonus. Each permanent state employee, in a full-time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2015, and who earns less than $100,000 shall receive a $800 one-time lump sum payment. This payment is not a part of the state employee’s base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee’s base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full-time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee’s salary. The earnings limit in Proviso 117.55 does not apply to this bonus. If only a portion of the $23,500,000 becomes available, then the one-time lump sum payment to each qualified employee must be reduced proportionately.*

*(3) E24 - Office of Adjutant General*

*Emergency Management Division - 2014 Winter Storm Local Matching Funds $4,117,162*

*(3.1 ) From the funds appropriated above in item (3) for 2014 Winter Storm Local Matching Funds, local governments shall receive allocations to offset storm cleanup expenses resulting from the winter storms during states of emergency declared by Executive Orders 2014-06 and 2014-11. Expenses eligible for reimbursement are those incurred by county and municipal governments and deemed eligible for reimbursement by the Federal Emergency Management Agency (FEMA), but were not reimbursed due to local match requirements. The amount reimbursed to each eligible local government shall be 25% of their Total Non-Federal Aid Share. The intent of the General Assembly is for the local government to pay at least 75% of the Total Non-Federal Aid Share.*

*(4) After items (1), (2), and (3) in Section (C) are funded, any additional unobligated Fiscal Year 2014-15 General Fund surplus revenues collected above the amounts certified by the Board of Economic Advisors shall be appropriated to the Department of Transportation to be distributed pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall only utilize the funds distributed pursuant to this proviso for paving, rehabilitation, resurfacing and/or reconstruction except that Horry County may use up to $750,000 of the allocation to Horry County for the Horry-Georgetown Evacuation Route.*

*(D) Any funds unappropriated from the FY 2014-15 Capital Reserve Fund shall be used to fund the following items and the remaining balance shall be transferred to the Contingency Reserve Fund:*

*(1) H59 - State Board for Technical and Comprehensive Education ready SC $4,249,000*

*(2) H59 - State Board for Technical and Comprehensive Education Aiken Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $54,145*

*(3) H59 - State Board for Technical and Comprehensive Education Central Carolina Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $39,605*

*(4) H59 - State Board for Technical and Comprehensive Education Denmark Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $25,418*

*(5) H59 - State Board for Technical and Comprehensive Education Florence-Darlington Technical College STEM, Manufacturing and Allied Health Programs and Critical Equipment $56,187*

*(6) H59 - State Board for Technical and Comprehensive Education Greenville Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $85,867*

*(7) H59 - State Board for Technical and Comprehensive Education Horry-Georgetown Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $103,972*

(*8) H59 - State Board for Technical and Comprehensive Education Midlands Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $80,181*

*(9) H59 - State Board for Technical and Comprehensive Education Northeastern Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $113,215*

*(10) H59 - State Board for Technical and Comprehensive Education Orangeburg-Calhoun Technical College STEM, Manufacturing and Allied Health Programs and Critical Equipment $26,329*

*(11) H59 - State Board for Technical and Comprehensive Education Piedmont Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $90,493* *(12) H59 - State Board for Technical and Comprehensive Education Spartanburg Community College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $103,805*

*(13) H59 - State Board for Technical and Comprehensive Education Technical College of the Lowcountry - STEM, Manufacturing and Allied Health Programs and Critical Equipment $34,240*

*(14) H59 - State Board for Technical and Comprehensive Education Tri-County Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $43,525*

*(15) H59 - State Board for Technical and Comprehensive Education Trident Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $88,933*

*(16) H59 - State Board for Technical and Comprehensive Education Williamsburg Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $12,073*

*(17) H59 - State Board for Technical and Comprehensive Education York Technical College - STEM, Manufacturing and Allied Health Programs and Critical Equipment $42,012*/

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator LEATHERMAN, with unanimous consent, Amendment No. 92 was taken up for immediate consideration.

The question then was the adoption of the amendment.

Senators MASSEY and SETZLER explained the amendment.

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

**Ayes 45; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--45**

**NAYS**

**Total--0**

The amendment was adopted.

**Motion Adopted**

On motion of Senator MASSEY, with unanimous consent, all amendments pertaining to Section 118 be pulled down.

**Decision of the PRESIDENT**

The PRESIDENT took up the Point of Order raised by Senator WILLIAMS on May 6, 2015, that Proviso 33.31 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

***33.31.*** *(DHHS: In-State Medicaid Providers Lab Services) Whenever possible, contracts with managed care plans participating in the Healthy Connections Choices program shall apply an in-state provider preference when contracting for laboratory services if the in-state provider is able to provide the requested service at the same or less cost as an out-of-state provider.*

The PRESIDENT sustained the Point of Order.

The Proviso was ruled out of order.

**Amendment No. 83**

Senator GROOMS proposed the following amendment (3701R046.EB.LKG.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 63, DEPARTMENT OF PUBLIC SAFETY, page 490, after line 23, by adding an appropriately numbered new proviso to read:

*/(63.\_\_. (DPS: Hours of service rest requirements) Of the funds directed to the Department of Public Safety, the Department shall expend the necessary funds to establish a policy to allow drivers of commercial motor vehicles engaged in intrastate commerce to use time waiting in their trucks while on the job to satisfy any hours of service 30-minute rest requirements. The policy shall then be printed and distributed to the Senate Transportation Committee and the House of Representatives Education and Public Works Committee. In addition, the policy shall be provided to any motor carrier who requests a copy. The Department is further instructed to allow the Motor Carrier Advisory Committee to review options that may facilitate adoption of allowable variances from state and federal statutes, rules, and regulations, as well as specific relief for interstate border-zone operations.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

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

**Amendment No. 54**

Senator BRIGHT proposed the following amendment (3701R028.EB.LB.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 588, after line 17, by adding an appropriately numbered new proviso to read:

*/117 (GP: Other Funds Carry Forward) Any balance of unexpended earmarked special revenue funds in excess of 90 days operating funds not specifically exempted by law, which shall be determined by the Executive Budget Office, shall go to the Department of Transportation for the purpose of road maintenance, rehabilitation, and resurfacing of existing roads.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

**Recorded Vote**

Senator DAVIS desired to be recorded as voting against the motion to table.

**Amendment No. 69**

Senator BRIGHT proposed the following amendment (DKA\  
3701C020.DKA.15.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 588, after line 17, by adding an appropriately numbered new proviso to read:

*/ (117.\_\_ ) Notwithstanding the appropriations in Part 1A, all colleges, universities, and the Board for Technical and Comprehensive Education may not receive any general fund appropriations in excess of their 2014-2015 general fund recurring base budget, and any amount in excess must be transferred to the Department of Transportation to be used exclusively for the maintenance, rehabilitation, and resurfacing of existing roads.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

**Recorded Vote**

Senator DAVIS desired to be recorded as voting against the motion to table.

**Amendment No. 70**

Senator BRIGHT proposed the following amendment (DKA\  
3701C021.DKA.15.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 588, after line 17, by adding an appropriately numbered new proviso to read:

*/ (117.\_\_ ) Notwithstanding the appropriations in Part 1A, the Department of Parks, Recreation and Tourism may not receive any general fund appropriations in excess of their 2014-2015 general fund recurring base budget, and any amount in excess must be transferred to the Department of Transportation to be used exclusively for the maintenance, rehabilitation, and resurfacing of existing roads.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

**Recorded Vote**

Senator DAVIS desired to be recorded as voting against the motion to table.

**Amendment No. 88**

Senator BRIGHT proposed the following amendment (3701R047.EB.LB.DOCX), which was adopted(#34):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 588, after line 17, by adding an appropriately numbered new proviso to read:

*/ (GP: Family Planning Funds) (A) Notwithstanding any other law, federal family planning funds and state family planning funds shall be awarded to eligible individuals, organizations, or entities applying to be family planning contractors in the following order of descending priority:*

*(1) public entities that provide family planning services, including state, county, and local community health clinics and federally qualified health centers;*

*(2) nonpublic entities that provide comprehensive primary and preventive health services, as described in 42 U.S.C. 254b(b)(1)(A), in addition to family planning services; and*

*(3) nonpublic entities that provide family planning services but do not provide comprehensive primary and preventive health services.*

*(B) Family planning funds must be distributed in compliance with federal law to ensure distribution in a manner that does not severely limit or eliminate access to family planning services in any region of the State.*

*(C) Any department, agency, board, commission, office, or other instrumentality of the State that distributes family planning funds shall submit an annual report to the General Assembly listing any family planning contractors that fall under item (A)(3), and the amount of federal or state family planning funds they received. The report shall provide a detailed explanation of how it was determined that there were an insufficient number of eligible individuals, organizations, or entities in items (A)(1) and (A)(2) to prevent a significant reduction in family planning services in each region of the State where (A)(3) contractors are located.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

The amendment was adopted.

**Amendment No. 90**

Senators BRIGHT and BRYANT proposed the following amendment (DG LB SMALLBUSDEV), which was tabled:

Amend the bill, as and if amended, Part IA, Section 20A, UNIVERSITY OF SOUTH CAROLINA, page 53, line 30, by striking opposite:

COLUMN 7 COLUMN 8

/ Small Business Development

Center 791,734 791,734 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BRIGHT explained the amendment.

Senator COURSON moved to lay the amendment on the table.

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

**Ayes 40; Nays 5**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright Bryant Davis

*Martin, Shane* Thurmond

**Total--5**

The amendment was laid on the table.

**Amendment No. 35**

Senators MALLOY, CAMPBELL, CLEARY, COLEMAN, KIMPSON and GROOMS proposed the following amendment (LC JUDICIAL PAY INCREASE GM), which was withdrawn:

Amend the bill, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 185, line 4, opposite “Chief Justice”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 151,317 151,317

and

INSERTING: 170,987 151,317/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 185, line 6, opposite “Associate Justice”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 576,444 576,444

and

INSERTING: 651,380 576,444/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 186, line 17, opposite “Chief Appeals Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 142,670 142,670

and

INSERTING: 161,216 142,670/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 186, line 19, opposite “Assoc. Appeals Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,124,064 1,124,064

and

INSERTING: 1,270,184 1,124,064/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 186, line 34, opposite “Circuit Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 6,576,829 6,576,829

and

INSERTING: 7,580,398 6,576,829/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 187, line 14, opposite “Family Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 7,731,516 7,731,516

and

INSERTING: 8,736,598 7,731,516/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 189, line 26, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 17,008,321 14,094,231

and

INSERTING: 20,109,455 14,094,231/

Amend the bill further, as and if amended, Part IA, Section 58, ADMINISTRATIVE LAW COURT, page 190, line 3, opposite “Chief Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 120,799 120,799

and

INSERTING: 139,232 139,232/

Amend the bill further, as and if amended, Part IA, Section 58, ADMINISTRATIVE LAW COURT, page 190, line 5, opposite “Associate Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 536,886 536,886

and

INSERTING: 618,808 618,808/

Amend the bill further, as and if amended, Part IA, Section 58, ADMINISTRATIVE LAW COURT, page 190, line 18, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 859,402 625,685

and

INSERTING: 935,138 701,421/

Amend the bill further, as and if amended, Part IA, Section 60, PROSECUTION COORDINATION COMMISSION, page 193, line 18, opposite “Circuit Solicitor”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,190,480 2,190,480

and

INSERTING: 2,475,232 2,475,232/

Amend the bill further, as and if amended, Part IA, Section 60, PROSECUTION COORDINATION COMMISSION, page 194, line 24, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,790,970 1,753,978

and

INSERTING: 1,944,546 1,907,554/

Amend the bill further, as and if amended, Part IA, Section 61, COMMISSION ON INDIGENT DEFENSE, page 196, line 4, opposite “Circuit Public Defenders”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,147,542 2,147,542

and

INSERTING: 2,475,232 2,475,232/

Amend the bill further, as and if amended, Part IA, Section 61, COMMISSION ON INDIGENT DEFENSE, page 196, line 36, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,057,772 1,968,972

and

INSERTING: 2,232,117 2,143,317/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MALLOY explained the amendment.

On motion of Senator MALLOY, the amendment was withdrawn.

**Amendment No. 87**

Senators MALLOY, KIMPSON, CLEARY, CAMPBELL, ALLEN, GROOMS, COLEMAN, CAMPSEN and SABB proposed the following amendment (LC 11% JUDICIAL PAY RAISE GM), which was adopted(#35):

Amend the bill, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 185, line 4, opposite “Chief Justice”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 151,317 151,317

and

INSERTING: 167,962 151,317/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 185, line 6, opposite “Associate Justice”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 576,444 576,444

and

INSERTING: 639,853 576,444/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 186, line 17, opposite “Chief Appeals Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 142,670 142,670

and

INSERTING: 158,364 142,670/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 186, line 19, opposite “Assoc. Appeals Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,124,064 1,124,064

and

INSERTING: 1,247,711 1,124,064/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 186, line 34, opposite “Circuit Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 6,576,829 6,576,829

and

INSERTING: 7,446,263 6,576,829/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 187, line 14, opposite “Family Court Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 7,731,516 7,731,516

and

INSERTING: 8,581,983 7,731,516/

Amend the bill further, as and if amended, Part IA, Section 57, JUDICIAL DEPARTMENT, page 189, line 26, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 17,008,321 14,094,231

and

INSERTING: 20,438,082 14,094,231/

Amend the bill further, as and if amended, Part IA, Section 58, ADMINISTRATIVE LAW COURT, page 190, line 3, opposite “Chief Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 120,799 120,799

and

INSERTING: 136,769 136,769/

Amend the bill further, as and if amended, Part IA, Section 58, ADMINISTRATIVE LAW COURT, page 190, line 5, opposite “Associate Judge”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 536,886 536,886

and

INSERTING: 607,860 607,860/

Amend the bill further, as and if amended, Part IA, Section 58, ADMINISTRATIVE LAW COURT, page 190, line 18, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 859,402 625,685

and

INSERTING: 929,997 696,280/

Amend the bill further, as and if amended, Part IA, Section 60, PROSECUTION COORDINATION COMMISSION, page 193, line 18, opposite “Circuit Solicitor”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,190,480 2,190,480

and

INSERTING: 2,431,440 2.431,440/

Amend the bill further, as and if amended, Part IA, Section 60, PROSECUTION COORDINATION COMMISSION, page 194, line 24, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 1,790,970 1,753,978

and

INSERTING: 1,923,084 1,886,092/

Amend the bill further, as and if amended, Part IA, Section 61, COMMISSION ON INDIGENT DEFENSE, page 196, line 4, opposite “Circuit Public Defenders”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,147,542 2,147,542

and

INSERTING: 2,431,440 2,431,440/

Amend the bill further, as and if amended, Part IA, Section 61, COMMISSION ON INDIGENT DEFENSE, page 196, line 36, opposite “Employer Contributions”, by:

COLUMN 7 COLUMN 8

/ STRIKING: 2,057,772 1,968,972

and

INSERTING: 2,210,655 2,121,855/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MALLOY explained the amendment.

Senator PEELER spoke on the amendment.

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

**Ayes 23; Nays 19; Abstain 2**

**AYES**

Allen Campbell Campsen

Coleman Davis Grooms

Hutto Jackson Johnson

Kimpson Leatherman Malloy

Matthews McElveen Nicholson

Pinckney Rankin Reese

Sabb Scott Setzler

Sheheen Williams

**Total--23**

**NAYS**

Alexander Bennett Bright

Bryant Cleary Courson

Cromer Fair Gregory

Hayes Lourie *Martin, Larry*

*Martin, Shane* Massey O'Dell

Peeler Turner Verdin

Young

**Total--19**

**ABSTAIN**

Hembree Thurmond

**Total--2**

The amendment was adopted.

**Statement by Senator Thurmond**

I am abstaining from voting on the judicial pay increase as a result of my brother, Solicitor J. Strom Thurmond, being eligible for a pay increase, as well.

**Amendment No. 85**

Senators KIMPSON and HUTTO proposed the following amendment (DG KIMP CAM), which was adopted(#36):

Amend the bill, as and if amended, Part IA, Section 63, DEPARTMENT OF PUBLIC SAFETY, page 205, line 18, by:

COLUMN 7 COLUMN 8

/ STRIKING: 9,427,179 2,431,819

and

INSERTING: 7,027,179 31,819/

Amend the bill further, as and if amended, Part IA, Section 63, DEPARTMENT OF PUBLIC SAFETY, page 205, by inserting a special item after line 20, to read:

COLUMN 7 COLUMN 8

/Body Cameras 2,400,000 2,400,000/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

**Amendment No. 83**

Senator GROOMS proposed the following amendment (3701R046.EB.LKG.DOCX), which was adopted(#37):

Amend the bill, as and if amended, Part IB, Section 63, DEPARTMENT OF PUBLIC SAFETY, page 490, after line 23, by adding an appropriately numbered new proviso to read:

*/(63.\_\_. (DPS: Hours of service rest requirements) Of the funds directed to the Department of Public Safety, the Department shall expend the necessary funds to establish a policy to allow drivers of commercial motor vehicles engaged in intrastate commerce to use time waiting in their trucks while on the job to satisfy any hours of service 30-minute rest requirements. The policy shall then be printed and distributed to the Senate Transportation Committee and the House of Representatives Education and Public Works Committee. In addition, the policy shall be provided to any motor carrier who requests a copy. The Department is further instructed to allow the Motor Carrier Advisory Committee to review options that may facilitate adoption of allowable variances from state and federal statutes, rules, and regulations, as well as specific relief for interstate border-zone operations.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

**Amendment No. 91**

Senator RANKIN proposed the following amendment (DG LR HOMEOWNER), which was adopted(#38):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 588, after line 17, by adding an appropriately numbered new proviso to read:

*/ (GP: Study Committee on Homeowners Associations) (A) In the current fiscal year, and from the funds appropriated to the Senate and the House of Representatives, there is created the Study Committee on Homeowners Associations to review laws, policies, practices, and procedures regarding homeowners associations in this State and other jurisdictions, and to make recommendations to the General Assembly regarding proposals for South Carolina’s statutory law. The study committee shall review information, including, but not limited to, case law, statutes, uniform laws, and other information from South Carolina and other jurisdictions concerning homeowners associations. Specifically, the study committee is authorized, but not limited to, reporting on the following issues:*

*(1) disclosure of governing documents to prospective buyers;*

*(2) education for homeowners and board members;*

*(3) manager certification or licensing;*

*(4) time period for developer control of an association; and*

*(5) need for a comprehensive or uniform planned community act.*

*(B) The study committee must be composed of thirteen members:*

*(1) two members of the Senate, appointed by the Chairman of the Senate Judiciary Committee;*

*(2) two members of the House of Representatives, appointed by the Chairman of the House Labor, Commerce and Industry Committee;*

*(3) the following members jointly selected by the Chairman of the Senate Judiciary Committee and Chairman of the House Labor, Commerce and Industry Committee:*

*(a) three property owners who are:*

*(i) required to be members of a homeowners association due to owning property in the homeowners association; and*

*(ii) governed by a homeowners association board;*

*(b) two lawyers, one representing homeowners associations and boards and the other representing homeowners;*

*(c) two managers, one in favor of certification or licensing and one opposed to certification or licensing;*

*(d) one realtor;*

*(e) one home builder or developer; and*

*(4) the administrator for the Department of Consumer Affairs and the Director for the Department of Labor, Licensing and Regulations, or their designees, serving ex officio.*

*(C) Vacancies in the study committee’s membership must be filled in the same manner of original appointment.*

*(D) The Chairmen of the Senate Judiciary Committee and House Labor, Commerce and Industry Committee shall provide appropriate staffing for the study committee.*

*(E) The study committee shall make a report of its recommendations to the General Assembly by December 31, 2015, at which time the study committee must be dissolved. /*

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

**Recorded Vote**

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

**Motion Adopted**

Senator LEATHERMAN asked unanimous consent to make a motion that the staff of the Senate Finance Committee be allowed to prepare the necessary technical correcting and balancing amendment to be delivered to, and certified by, the Clerk and for the amendment to be adopted upon his certification for inclusion in H. 3701.

**Amendment No. 94**

**(Balancing Amendment)**

The following technical correcting and balancing amendments, as attested to by the Clerk of the Senate, were adopted upon his certification for inclusion in H. 3701, the General Appropriations Bill, as follows:

Senator LEATHERMAN proposed the following amendment (DAD BAL AM V2), which was adopted(#39):

Amend the bill, as and if amended, Part IA, Section 106, STATEWIDE EMPLOYEE BENEFITS, page 323, lines 25-26, opposite HEALTH INSURANCE - EMPLOYER CONTRIBUTIONS by:

COLUMN 7 COLUMN 8

/ STRIKING: 36,225,721 36,225,721

and

INSERTING: 35,700,000 35,700,000/

Amend the bill further, as and if amended, Part IA, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 326, lines 19-20, opposite RETIREMENT SUPPLEMENT-PUBLIC SCHOOL EMP by:

COLUMN 7 COLUMN 8

/ STRIKING: 980,600 980,600

and

INSERTING: 538,957 538,957/

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 Section 1, Part 1A and Part 1B, Department of Education.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

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

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

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

**Ayes 41; Nays 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Turner Verdin

Williams Young

**Total--41**

**NAYS**

Bright Bryant Gregory

Thurmond

**Total--4**

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

**The Senate proceeded to Section 4, Part 1A and Part 1B, Education Oversight Committee.**

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

**Ayes 40; Nays 5**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams

**Total--40**

**NAYS**

Bright Bryant *Martin, Shane*

Massey Young

**Total--5**

Section 4, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 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 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

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

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

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 41; Nays 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Turner Verdin

Williams Young

**Total--41**

**NAYS**

Bright Bryant Massey

Thurmond

**Total--4**

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

**The Senate proceeded to Section 12, Part 1A, Higher Education Tuition Grants Commission.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 12, Part 1A, was adopted.

**The Senate proceeded to Section 13 Part 1A, The Citadel.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 13, Part 1A, was adopted.

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

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

**Ayes 42; Nays 2; Abstain 1**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Allen

**Total--1**

Section 14, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 15 Part 1A, University of Charleston.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 15, Part 1A, was adopted.

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 16, Part 1A, was adopted.

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 17, Part 1A, was adopted.

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 18, Part 1A, was adopted.

**The Senate proceeded to Section 19, Part 1A and Part 1B, South Carolina State University.**

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

**Ayes 33; Nays 11; Abstain 1**

**AYES**

Alexander Campbell Cleary

Coleman Courson Cromer

Davis Fair Gregory

Hayes Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Sheheen Thurmond Williams

**Total--33**

**NAYS**

Bennett Bright Bryant

Campsen Grooms Hembree

Massey Shealy Turner

Verdin Young

**Total--11**

**ABSTAIN**

Allen

**Total--1**

Section 19, Part 1A and Part 1B, was adopted.

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

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

**Ayes 42; Nays 2; Abstain 1**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Allen

**Total--1**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 21, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 23, Part 1A and Part 1B, Medical University of South Carolina.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 24, Part 1A, was adopted.

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

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

**Ayes 42; Nays 2; Abstain 1**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Allen

**Total--1**

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

**The Senate proceeded to Section 26, Part 1A and Part 1B, Department of Archives and History.**

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

**Ayes 42; Nays 2; Abstain 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Setzler

**Total--1**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

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

**The Senate proceeded to Section 33, Part 1A and Part 1B, Department of Health and Human Services.**

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

**Ayes 37; Nays 6; Abstain 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Thurmond Turner Verdin

Williams

**Total--37**

**NAYS**

Bright Bryant *Martin, Shane*

Massey Sheheen Young

**Total--6**

**ABSTAIN**

Davis Malloy

**Total--2**

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

**The Senate proceeded to Section 34, Part 1A and Part 1B, Department of Health and Environmental Control.**

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

**Ayes 39; Nays 2; Abstain 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Fair Gregory Grooms

Hayes Hembree Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Shealy Sheheen Thurmond

Turner Verdin Williams

**Total--39**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Davis Hutto Setzler

Young

**Total--4**

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

**The Senate proceeded to Section 35, Part 1A and Part 1B, Department of Mental Health.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

**The Senate proceeded to Section 36, Part 1A and Part 1B, Department of Disabilities and Special Needs.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

**The Senate proceeded to Section 37, Part 1A and Part 1B, Department of Alcohol and Other Drug Abuse Services.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

**The Senate proceeded to Section 38, Part 1A and Part 1B, Department of Social Services.**

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

**Ayes 42; Nays 2; Abstain 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Hutto

**Total--1**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Grooms

**Total--2**

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

**The Senate proceeded to Section 42, Part 1A and Part 1B, Housing Finance and Development Authority.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

**The Senate proceeded to Section 44, Part 1A and Part 1B, Department of Agriculture.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 42; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

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

**The Senate proceeded to Section 46, Part 1A, South Carolina State University - PSA.**

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

**Ayes 34; Nays 11**

**AYES**

Alexander Allen Campbell

Cleary Coleman Courson

Cromer Davis Fair

Gregory Hayes Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry* Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Sheheen Thurmond Verdin

Williams

**Total--34**

**NAYS**

Bennett Bright Bryant

Campsen Grooms Hembree

*Martin, Shane* Massey Shealy

Turner Young

**Total--11**

Section 46, Part 1A, was adopted.

**The Senate proceeded to Section 47, Part 1A and Part 1B, Department of Natural Resources.**

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

**Ayes 42; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant Massey

**Total--3**

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

**The Senate proceeded to Section 48, Part 1A and Part 1B, Sea Grant Consortium.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

**The Senate proceeded to Section 49, Part 1A and Part 1B, Department of Parks, Recreation and Tourism.**

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

**Ayes 42; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant Massey

**Total--3**

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

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright *Martin, Shane*

**Total--2**

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

**The Senate proceeded to Section 51, Part 1A and Part 1B, Jobs‑Economic Development Authority.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 51, Part 1A and Part 1B, was adopted.

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

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

**Ayes 40; Nays 4; Abstain 1**

**AYES**

Alexander Allen Bennett

Campbell Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright Bryant Massey

Sheheen

**Total--4**

**ABSTAIN**

Campsen

**Total--1**

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

**The Senate proceeded to Section 53, Part 1A and Part 1B, South Carolina Conservation Bank.**

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

**Ayes 42; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant Fair

**Total--3**

Section 53, Part 1A and Part 1B, was adopted.

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

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

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

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

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

**Ayes 35; Nays 5; Abstain 5**

**AYES**

Alexander Bennett Campbell

Cleary Courson Cromer

Fair Gregory Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

Massey Matthews McElveen

Nicholson O'Dell Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--35**

**NAYS**

Bright Bryant *Martin, Shane*

Peeler Verdin

**Total--5**

**ABSTAIN**

Allen Campsen Coleman

Davis Hayes

**Total--5**

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

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

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

**Ayes 32; Nays 3; Abstain 10**

**AYES**

Alexander Bennett Bryant

Campbell Campsen Cleary

Courson Cromer Fair

Gregory Grooms Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

Matthews Nicholson O'Dell

Pinckney Rankin Reese

Scott Shealy Turner

Verdin Williams

**Total--32**

**NAYS**

Bright *Martin, Shane* Peeler

**Total--3**

**ABSTAIN**

Allen Coleman Davis

Hayes McElveen Sabb

Setzler Sheheen Thurmond

Young

**Total--10**

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

**The Senate proceeded to Section 59, Part 1A and Part 1B, Attorney General’s Office.**

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

**Ayes 43; Nays 1; Abstain 1**

**AYES**

Alexander Bennett Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Allen

**Total--1**

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

**The Senate proceeded to Section 60, Part 1A and Part 1B, Prosecution Coordination Commission.**

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

**Ayes 40; Nays 3; Abstain 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews Nicholson

O'Dell Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright Bryant Peeler

**Total--3**

**ABSTAIN**

McElveen Thurmond

**Total--2**

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

**The Senate proceeded to Section 61, Part 1A and Part 1B, Commission on Indigent Defense.**

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

**Ayes 37; Nays 3; Abstain 5**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hembree Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Matthews Nicholson

O'Dell Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Thurmond

Turner Verdin Williams

Young

**Total--37**

**NAYS**

Bright Bryant Peeler

**Total--3**

**ABSTAIN**

Hayes Hutto Massey

McElveen Sheheen

**Total--5**

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

**The Senate proceeded to Section 62, Part 1A and Part 1B, State Law Enforcement Division.**

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

**Ayes 43; Nays 1; Abstain 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Setzler

**Total--1**

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

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

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

**Ayes 42; Nays 1; Abstain 2**

**AYES**

Alexander Bennett Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Allen Coleman

**Total--2**

Section 63, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 64, Part 1A and Part 1B, Law Enforcement Training Council.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 64, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 65, Part 1A and Part 1B, Department of Corrections.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 65, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 66, Part 1A and Part 1B, Department of Probation, Parole and Pardon Services.**

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

**Ayes 35; Nays 1; Abstain 9**

**AYES**

Alexander Bennett Bryant

Campbell Campsen Cleary

Courson Cromer Fair

Gregory Grooms Hayes

Hembree Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

Matthews Nicholson O'Dell

Peeler Pinckney Reese

Sabb Scott Setzler

Shealy Turner Verdin

Williams Young

**Total--35**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Allen Coleman Davis

Hutto Malloy McElveen

Rankin Sheheen Thurmond

**Total--9**

Section 66, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 67, Part 1A and Part 1B, Department of Juvenile Justice.**

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

**Ayes 38; Nays 2; Abstain 5**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

Matthews Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Allen Coleman Hutto

Malloy McElveen

**Total--5**

Section 67, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 70, Part 1A and Part 1B, Human Affairs Commission.**

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

**Ayes 39; Nays 5; Abstain 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry* Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

Bright Bryant Grooms

*Martin, Shane* Massey

**Total--5**

**ABSTAIN**

Sheheen

**Total--1**

Section 70, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 71, Part 1A and Part 1B, Minority Affairs Commission.**

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

**Ayes 42; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

Section 71, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 72, Part 1A, Public Service Commission.**

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

**Ayes 42; Nays 2; Abstain 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Rankin

**Total--1**

Section 72, Part 1A, was adopted.

**The Senate proceeded to Section 73, Part 1A and Part 1B, Office of Regulatory Staff.**

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

**Ayes 41; Nays 2; Abstain 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Hutto Rankin

**Total--2**

Section 73, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 74, Part 1A and Part 1B, Workers’ Compensation Commission.**

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

**Ayes 28; Nays 2; Abstain 15**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Courson

Cromer Fair Gregory

Grooms Jackson Johnson

Leatherman Lourie *Martin, Larry*

*Martin, Shane* Matthews Nicholson

O'Dell Peeler Pinckney

Reese Sabb Scott

Shealy Turner Verdin

Williams

**Total--28**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Allen Coleman Davis

Hayes Hembree Hutto

Kimpson Malloy Massey

McElveen Rankin Setzler

Sheheen Thurmond Young

**Total--15**

Section 74, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 75, Part 1A and Part 1B,   
State Accident Fund.**

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

**Ayes 35; Nays 2; Abstain 8**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Courson Cromer Fair

Gregory Grooms Hembree

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Reese Sabb Scott

Shealy Thurmond Turner

Verdin Williams

**Total--35**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Coleman Davis Hayes

Hutto Rankin Setzler

Sheheen Young

**Total--8**

Section 75, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 76, Part 1A, Patients’ Compensation Fund.**

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

**Ayes 41; Nays 3; Abstain 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Thurmond Turner

Verdin Williams

**Total--41**

**NAYS**

Bright Bryant Young

**Total--3**

**ABSTAIN**

Sheheen

**Total--1**

Section 76, Part 1A, was adopted.

**The Senate proceeded to Section 78, Part 1A and Part 1B, Department of Insurance.**

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

**Ayes 39; Nays 2; Abstain 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Courson Cromer Davis

Fair Gregory Grooms

Hembree Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Coleman Hayes Hutto

Setzler

**Total--4**

Section 78, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 79, Part 1A and Part 1B, Board of Financial Institutions.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 79, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 80, Part 1A and Part 1B, Department of Consumer Affairs.**

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

**Ayes 42; Nays 2; Abstain 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Young

**Total--1**

Section 80, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 81, Part 1A and Part 1B, Department of Labor, Licensing and Regulation.**

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

**Ayes 33; Nays 3; Abstain 9**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Courson Cromer Fair

Gregory Grooms Hembree

Jackson Johnson Kimpson

Leatherman Lourie *Martin, Larry*

Massey Matthews Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Shealy Sheheen Thurmond

Turner Verdin Williams

**Total--33**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

**ABSTAIN**

Coleman Davis Hayes

Hutto Malloy McElveen

Sabb Setzler Young

**Total--9**

Section 81, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 82, Part 1A and Part 1B, Department of Motor Vehicles.**

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

**Ayes 35; Nays 2; Abstain 8**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Courson Cromer Fair

Gregory Grooms Hayes

Hembree Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

Matthews Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Shealy Sheheen Turner

Verdin Williams

**Total--35**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Coleman Davis Hutto

Malloy McElveen Setzler

Thurmond Young

**Total--8**

Section 82, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 83, Part 1A and Part 1B, Department of Employment and Workforce.**

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

**Ayes 36; Nays 1; Abstain 8**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Courson Cromer

Fair Gregory Grooms

Hembree Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

Matthews Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Thurmond

Turner Verdin Williams

**Total--36**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Coleman Davis Hayes

Hutto Malloy McElveen

Sheheen Young

**Total--8**

Section 83, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 84, Part 1A and Part 1B, Department of Transportation.**

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

**Ayes 38; Nays 2; Abstain 5**

**AYES**

Alexander Bennett Campbell

Campsen Cleary Courson

Cromer Fair Gregory

Grooms Hayes Hembree

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Allen Coleman Davis

Hutto Sabb

**Total--5**

Section 84, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 85, Part 1A, Infrastructure Bank Board.**

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

**Ayes 41; Nays 4**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

Bright Bryant *Martin, Shane*

Massey

**Total--4**

Section 85, Part 1A, was adopted.

**The Senate proceeded to Section 86, Part 1A and Part 1B, County Transportation Funds.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 86, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 87, Part 1A and Part 1B, Division of Aeronautics.**

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

**Ayes 42; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

Section 87, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 88, Part 1A and Part 1B, Ports Authority.**

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

**Ayes 42; Nays 2; Abstain 1**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

**ABSTAIN**

Young

**Total--1**

Section 88, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 91A-E, Part 1A and Part 1B, Legislative Department.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 91A-E, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 92A-C, Part 1A and Part 1B, Governor’s Office.**

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

**Ayes 43; Nays 1; Abstain 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Sheheen

**Total--1**

Section 92A-C, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 93, Part 1A and Part 1B, Department of Administration.**

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

**Ayes 42; Nays 3**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Turner

Verdin Williams Young

**Total--42**

**NAYS**

Bright *Martin, Shane* Thurmond

**Total--3**

Section 93, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 94, Part 1A and Part 1B, Office of Inspector General.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 94, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 95, Part 1A and Part 1B, Office of Lieutenant Governor.**

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

**Ayes 43; Nays 1; Abstain 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Malloy

**Total--1**

Section 95, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 96, Part 1A and Part 1B, Secretary of State.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 96, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 97, Part 1A and Part 1B, Office of Comptroller General.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 97, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 98, Part 1A and Part 1B, Office of State Treasurer.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 98, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 99, Part 1A and Part 1B, Retirement System Investment Commission.**

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

**Ayes 43; Nays 1; Abstain 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Malloy

**Total--1**

Section 99, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 100, Part 1A and Part 1B, Office of Adjutant General.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 100, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 101, Part 1A and Part 1B, Election Commission.**

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

**Ayes 40; Nays 1; Abstain 4**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

Matthews Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Hutto Malloy McElveen

Sabb

**Total--4**

Section 101, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 102, Part 1A and Part 1B, Revenue and Fiscal Affairs Office.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 102, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 103, Part 1A, Budget and Control Board.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 103, Part 1A, was adopted.

**The Senate proceeded to Section 104, Part 1A and Part 1B, State Fiscal Accountability Authority.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 104, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 105, Part 1A and Part 1B, Budget and Control Board - State Auditor’s Office.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 105, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 106, Part 1A, Budget and Control Board - Employee Benefits.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 106, Part 1A, was adopted.

**The Senate proceeded to Section 107, Part 1A, Capital Reserve Fund.**

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

**Ayes 45; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--45**

**NAYS**

**Total--0**

Section 107, Part 1A, was adopted.

**The Senate proceeded to Section 108, Part 1A and Part 1B, Public Employee Benefit Authority.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 108, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 109, Part 1A and Part 1B, Department of Revenue.**

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

**Ayes 42; Nays 1; Abstain 2**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Shealy Sheheen Thurmond

Turner Verdin Williams

**Total--42**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Setzler Young

**Total--2**

Section 109, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 110, Part 1A, State Ethics Commission.**

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

**Ayes 40; Nays 1; Abstain 4**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Jackson Johnson

Kimpson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

Matthews Nicholson O'Dell

Peeler Pinckney Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright

**Total--1**

**ABSTAIN**

Hutto Malloy McElveen

Rankin

**Total--4**

Section 110, Part 1A, was adopted.

**The Senate proceeded to Section 111, Part 1A and Part 1B, Procurement Review Panel.**

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

**Ayes 42; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

**Total--42**

**NAYS**

Bright Bryant Young

**Total--3**

Section 111, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 112, Part 1A and Part 1B, Debt Service.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 112, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 113, Part 1A and Part 1B, Aid to Subdivisions - State Treasurer.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 113, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Section 114, Part 1A, Aid to Subdivisions - Department of Revenue.**

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

**Ayes 44; Nays 1**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--44**

**NAYS**

Bright

**Total--1**

Section 114, Part 1A, was adopted.

**The Senate proceeded to Section 117, Part 1B, General Provisions.**

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

**Ayes 40; Nays 5**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Matthews

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Turner Verdin Williams

Young

**Total--40**

**NAYS**

Bright Bryant *Martin, Shane*

Massey Thurmond

**Total--5**

Section 117, Part 1B, was adopted.

**The Senate proceeded to Section 118, Part 1B, Statewide Revenue.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 118, Part 1B, was adopted.

The question then was the third reading of the Bill.

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

**Ayes 43; Nays 2**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen Nicholson O'Dell

Pinckney Rankin Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--43**

**NAYS**

Bright Peeler

**Total--2**

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Harold A. Cuff, 516 Motley Road, Hopkins, SC 29061

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Michael R. Davis, 123 Saddlemount Drive, Hopkins, SC 29061

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

George Anderson Surles, 113 Bostwick Ridge, Columbia, SC 29229

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Donald J. Simons, Post Office Box 9246, Columbia, SC 29209

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Tomothy C. Edmond, 6101 Easter Drive, Columbia, SC 29203

Reappointment, Richland County Master-in-Equity, with the term to commence April 30, 2015, and to expire April 30, 2021

Joseph M. Strickland, 410 Hampton Trace Lane, Columbia, SC 29209

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Patrick A. Barber, 103 Audubon Oaks Way, Irmo, SC 29063

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Mildred R. Metts, 124 Preston Hills Drive, Columbia, SC 29210

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Josef M. Robinson, 300 Brook Hollow Drive, Columbia, SC 29229

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Benjamin Byrd, 13 Chasewood Court, Columbia, SC 29203

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Michelle Branch-Howard, 2364 Lang Road, Columbia, SC 29204

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Melvin W. Maurer, 161 Midhurst Court, Irmo, SC 29063

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Phillip F. Newsom, 211 Polo Hill Road, Columbia, SC 29223

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Kirby D. Shealy, Jr., 125 Spring Lake Road, Columbia, SC 29206

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Caroline W. Streater, 12 Lakecrest Drive, Columbia, SC 29206

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Valerie R. Stroman, Post Office Box 9381, Columbia, SC 29290

Reappointment, Darlington County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Deatrice B. Curtis, Post Office Box 185, Darlington, SC 29540

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Barbara J. Wofford-Kanwat, 108 King Charles Road, Columbia, SC 29209

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Ethel L. Brewer, 4201 Donavan Drive, Columbia, SC 29210

Reappointment, Richland County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Deirdre L. Simmons, 825 Brickingham Way, Columbia, SC 29229

**Motion Adopted**

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

**REPORT RECEIVED**

**Judicial Merit Selection Commission**

**Report of Candidate Qualifications**

**for Spring 2015**

Date Draft Report Issued: Thursday, May 7, 2015

Date and Time Final Report Issued: Noon, Tuesday, May 12, 2015

**Judicial candidates are not free to seek or accept commitments until Tuesday, May 12, 2015, at Noon.**

**Judicial Merit Selection Commission**

Sen. Larry A. Martin, Chairman Elizabeth H. Brogdon, Chief Counsel

Rep. Alan D. Clemmons, Vice-Chairman Patrick Dennis

Sen. George E. “Chip” Campsen III

Sen. Gerald Malloy

Rep. Bruce W. Bannister

Rep. David J. Mack III

Kristian C. Bell

Joseph Preston Strom, Jr.

Susan T. Wall

Robert M. Wilcox Post Office Box 142

Columbia, South Carolina 29202

(803) 212-6623

May 7, 2015

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 found all candidates discussed in this Report to be qualified.

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, May 12, 2015.**  **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, May 12, 2015. In summary, no member of the General Assembly should, orally or in writing, 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 Elizabeth H. Brogdon, Chief Counsel to the Commission, at (803) 212-6629.

Thank you for your attention to this matter.

Sincerely,

Sen. Larry A. Martin, Chairman

**Judicial Merit Selection Commission**

Sen. Larry A. Martin, Chairman Elizabeth H. Brogdon, Chief Counsel

Rep. Alan D. Clemmons, Vice-Chairman Patrick Dennis

Sen. George E. “Chip” Campsen III

Sen. Gerald Malloy

Rep. Bruce W. Bannister

Rep. David J. Mack III

Kristian C. Bell

Joseph Preston Strom, Jr.

Susan T. Wall

Robert M. Wilcox Post Office Box 142

Columbia, South Carolina 29202

(803) 212-6623

May 7, 2015

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 Spring 2015 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 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 Elizabeth H. Brogdon, Chief Counsel to the Commission, at (803) 212-6629.

Sincerely,

Senator Larry A. Martin Representative Alan D. Clemmons

Chairman Vice-Chairman

**INTRODUCTION**

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, 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 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, 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 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.

Written examinations of the candidates’ knowledge of judicial practice and procedure were given at the time of candidate interviews with staff and graded on a “blind” basis by a panel of four persons designated by the Chairman. In assessing each candidate’s performance on these practice and procedure questions, the Commission has placed candidates in either the “failed to meet expectations” or “met expectations” category. The Commission feels that these categories should accurately impart the candidate’s performance on the practice and procedure questions.

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.

This report conveys the Commission’s findings as to the qualifications of all candidates currently offering for election to the South Carolina Supreme Court and Family Court.

**SUPREME COURT**

**QUALIFIED AND NOMINATED**

**The Honorable Costa M. Pleicones**

**Chief Justice**

**Commission’s Findings: QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Justice Pleicones meets the qualifications prescribed by law for judicial service as a Supreme Court judge.

Justice Pleicones was born in 1944. He is 71 years old and a resident of Columbia, SC. Justice Pleicones provided in his application that he has been a resident of SC for at least the immediate past five years and has been a licensed attorney in SC since 1968.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Justice Pleicones.

Justice Pleicones 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.

Justice Pleicones reported that he has made $136.55 in campaign expenditures for the following: postage of announcement letters ($82.81), and stationary and envelopes ($53.74).

Justice Pleicones testified that 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.

Justice Pleicones testified that he 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 Justice Pleicones to be intelligent and knowledgeable. His performance on the Commission’s practice and procedure questions met expectations.

Justice Pleicones described his past continuing legal or judicial education during the past five years as follows:

Conference/CLE Name Date(s)

(a) 7th Annual Civil Law Update 01/23/09;

(b) NCBE Conference 04/09;

(c) JMSC CLE 07/31/09;

(d) SCAJ Annual Convention 08/06/09;

(e) Annual Judicial Conference 08/19/09;

(f) SC Bar Tort Law Update 11/13/09;

(g) NCBE Conference 04/05/10;

(h) SC Bar Bridge The Gap 08/02/10;

(i) Annual Judicial Conference 08/18/10;

(j) SC Bar Criminal Law 01/21/11;

(k) SC Bar Trial & Appellate Advocacy 01/21/11;

(l) Northwestern University - JEP 03/28/11;

(m) NCBE Conference 04/28/11;

(n) Supreme Court Historical Society 05/19/11;

(o) Fourth Circuit Judicial Conference 06/24/11;

(p) Pound Justice Institute 07/09/11;

(q) Annual Judicial Conference 08/17/11;

(r) Southern Region High Court Conference 09/15/11;

(s) SC Bar Masters-In-Equity 2011 10/14/11;

(t) SC Bar Criminal Law 01/20/12;

(u) SC Bar Trial & Appellate Advocacy 01/20/12;

(v) NCBE Conference 04/19/12;

(w) Research Fundamentals 07/11/12;

(x) SC Bar Bridge The Gap 07/30/12;

(y) SCAJ Annual Convention 08/12/12;

(z) Annual Judicial Conference 08/22/12;

(aa) Southern Region High Court Conference 09/27/12;

(bb) SCDTAA Annual Meeting 11/08/12;

(cc) SC Bar Dispute Resolution Section 01/24/13;

(dd) SC Bar Trial & Appellate Advocacy Section 01/25/13;

(ee) SC Bar Criminal Law Section 01/25/13;

(ff) SC Bar Senior Lawyers Division 01/26/13;

(gg) Fourth Circuit Judicial Conference 06/27/13;

(hh) SCDTAA Summer Meeting 07/25/13;

(ii) SCAJ Annual Convention 08/01/13;

(jj) SC Bar Bridge The Gap 08/05/13;

(kk) Annual Judicial Conference 08/21/13;

(ll) SCDTAA Annual Meeting 11/07/13;

(mm) SC Bar Bridge The Gap 01/02/14;

(nn) SC Bar Criminal Law 01/25/14;

(oo) NCBE Conference 05/01/14;

(pp) DRI Seminar 07/17/14;

(qq) NFJE Seminar 07/18/14;

(rr) SC Bar Bridge The Gap 08/04/14;

(ss) SCAJ Annual Convention 08/07/14;

(tt) Annual Judicial Conference 08/21/14;

(uu) James Lee Otis Lecture (ABOTA) 09/19/14;

(vv) SCDTAA Annual Meeting 11/06/14;

(ww) SC Bar 01/23/15;

(xx) SC Bar 01/24/15.

Justice Pleicones reported that he has taught the following law‑related courses:

(a) On 01/18/12, I spoke to the Richland County Paralegals Association;

(b) On 01/22/12, I participated in a YLD breakfast meeting;

(c) I judged a regional moot court competition at the CSOL on 02/04/12, and imparted appellate practice pointers to the participants;

(d) On 06/30/12, I spoke to a national meeting of clerks of court;

(e) On 09/12/12, I lectured to an ethics class at USC Law;

(f) On 10/05/12, I lectured to the annual DNR CLE;

(g) On 10/19/12, I made a presentation on social media to a national YLD conference;

(h) On 03/16/13, I was the keynote speaker at the Charleston Hibernian Society banquet. While not strictly law related, a significant part of the address related to judicial selection;

(i) On 04/01/13, I delivered a lecture to a USC law class on the Constitution;

(j) From 04/12/13–04/20/13, I headed a US delegation under the sponsorship of the USDOJ and the Justice Academy of Turkey, in Ankara and Istanbul, to advise Turkish officials on American practices with regard to guilty pleas;

(k) On 07/12/13, I lectured to the SC Criminal Lawyers Association on preservation of issues in appellate practice;

(l) In July 2014, I appeared on a panel in Chicago with Judge Richard Posner and Judge Bernice Donald at the DRI Convention. The topic was effective brief writing;

(m) On 03/04/14, I judged the USC Moot Court Competition;

(n) On 01/23/15, I judged the Black Law Student Association Moot Court Competition;

(o) Additionally, throughout my tenure as a trial and appellate judge, I have been called upon to speak before professional, school, and business groups almost every month. I do not keep specific records on those appearances, but of significance is my selection in June of 2006 for a USAID mission to the Republic of Azerbaijan to lecture 54 judicial candidates on western legal ethics.

Justice Pleicones reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Justice Pleicones did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Justice Pleicones did not indicate any evidence of a troubled financial status. Justice Pleicones has handled his financial affairs responsibly.

The Commission also noted that Justice Pleicones 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:

Justice Pleicones reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV and had been at that level for a number of years.

Justice Pleicones reported the following military service:

November 25, 1968–March 1, 1973, Active Duty US Army; March 1, 1973–March 1, 1999, US Army Reserve; Colonel (0‑6). Retired. Honorable.

(6) Physical Health:

Justice Pleicones appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Justice Pleicones appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Justice Pleicones was admitted to the SC Bar in 1968.

Justice Pleicones gave the following account of his legal experience since graduation from law school:

(a) June 1968–November 1968: Preparation of course materials for proposed South Bar Review Course;

(b) November 1968–March 1973: Active Duty United States Army. Legal experience included Chief of Military Justice, Trial Counsel (Prosecutor), and Deputy Staff Judge Advocate;

(c) March 1973–February 1975: Assistant Public Defender for Richland County, SC. Duties entailed defense preparation for and trial of indigent persons accused of criminal offenses. Cases ranged from murder charges through Magistrate and Municipal Court offenses;

(d) February 1975–February 1976: Private practice with law offices of N. Welch Morrisette, and Independent Contractor with Richland County Public Defender Agency. Private practice duties entailed preparation and trial of federal and state civil matters. Independent Contractor duties continued public defense duties, but limited to defense of major crimes;

(e) February 1976–March 1977: Chief Deputy Public Defender, Richland County, South Carolina. Duties included supervision of personnel, in addition to the preparation and trial of major criminal charges such as murder, armed robbery, etc.;

(f) March 1977–January 1981: Private practitioner in general civil and criminal practice with the firm of Harrison and Pleicones, Columbia, SC. Additionally served as Assistant County Attorney for Richland County (August 1977–December 1978) and as County Attorney for Richland County (January 1979–January 1981). Duties included representing Richland County in litigation matters, advising County Council, and supervising staff of twelve;

(g) January 1981–June 1991: Sole General Practitioner (January 1981–October 1984). Partner in Lewis, Babcock, Pleicones & Hawkins (formerly Lewis, Babcock, Gregory & Pleicones) of Columbia, SC (October 1984–June 1991). The firm grew in that time from four to thirteen lawyers and engaged in major civil litigation (both plaintiff and defense litigation). Served as a member of three person executive committee of the firm. Other responsibilities included legislative monitoring and liaison work with the SC General Assembly for two large trade associations. Additional duties as Municipal Judge for the City of Columbia from September 1982–March 1988; At all times during my years as a lawyer, my emphasis was heavily on trial practice.

(h) July 1991–March 2000: Resident Circuit Court Judge for the Fifth Judicial Circuit of South Carolina;

(i) March 2000–Present: Associate Justice, Supreme Court of South Carolina, Seat 2.

Justice Pleicones reported the frequency of his court appearances prior to his service on the bench as follows:\*

(a) Federal: 5 times per year on average;

(b) State: 95 times per year on average.

Justice Pleicones reported the percentage of his practice involving civil, criminal, and domestic matters prior to his service on the bench as follows:\*

(a) Civil: 70% (including administrative practice);

(b) Criminal: 10%;

(c) Domestic: 20%.

Justice Pleicones reported the percentage of his practice in trial court prior to his service on the bench as follows:\*

(a) Jury: 5%;

(b) Non-jury: 10%.

Justice Pleicones further reported that these percentages represent only matters in trial courts that were actually submitted to a fact finder for resolution.

\* The five-year period is 1986–91. Justice Pleicones was elected to the bench in 1991 and he has not practiced since.

Justice Pleicones provided that he most often served as sole and/or chief counsel.

The following is Justice Pleicones’ account of his five most significant litigated matters:

(a) Southern Bell v. Steven W. Hamm, 306 S.C. 70, 409 S.E.2d 775 (1991) 60 USLW 2294, 126 P.U.R. 4th 535, 9 ALR 5th 1131.

I believe this case was the first in the United States to judicially approve “caller ID” telephone service. Important constitutional questions were implicated *e.g.,* right to privacy. I argued and won the case in the trial court, and was the principal author of the brief to the South Carolina Supreme Court. I did not argue this case there, as I was pending swearing in to the Circuit Court. The Supreme Court affirmed;

(b) Funderburk v. Funderburk, 281 S.C. 246, 315 S.E.2d 126 (Ct. App. 1984); on cert to SC Supreme Court 286 S.C. 129, 332 S.E.2d 205 (1985).

The Supreme Court reversed the trial court and the Court of Appeals in ruling that jurisdiction of a contractual agreement’s voluntary nature was properly before the Family Court, and not the Circuit Court. I did not handle the trial, where my client did not prevail, but did handle the appellate stage, with co-counsel. Our client prevailed, and the decision was helpful to the bench and bar in clarifying jurisdictional matters;

(c) Barnwell v. Barber-Coleman Co., 301 S.C. 534, 393 S.E.2d (1989).

The Supreme Court held that punitive damages are not recoverable in a cause of action based solely upon the theory of strict liability. This question was certified to the Court by the United States District Court. I was involved only at the State Court as the author and proponent of an amicus brief filed on behalf of my client, a trade association of property and casualty writers;

(d) Russo v. Sutton, 310 S.C. 200, 422 S.E.2d 750 (1992).

In December of 1990, I tried this case in Common Pleas Court in Richland County and secured a large verdict for the plaintiff. The case is significant because on appeal the defendant’s argument as to the non-viability of the cause of action (alienation of affections) was accepted by the Supreme Court, which prospectively did away with the cause of action. This did not affect my client’s right to recovery;

(e) State v. Motes, 264 S.C. 317, 215 S.E.2d 190 (1975).

I represented Mr. Motes at trial and on appeal. He was convicted of murder largely upon the testimony of his estranged wife, who was allowed to testify over our objection. The case is significant because in interpreting our statute on first impression, the Supreme Court (and of course the trial judge) ruled that the privilege belonged to the testifying spouse, not the one testified against.

The following is Justice Pleicones’ account of five civil appeals he has personally handled:

(a) Funderburk v. Funderburk, 281 S.C. 246, 315 S.E.2d 126, (Ct. App. 1984); quashed by South Carolina Supreme Court after grant of certiorari. 286 S.C. 129, 332 S.E.2d 205 (1985);

(b) Hamm v. Southern Bell, 305 S.C. 1, 406 S.E.2d 157 (1991). Note: This is not the case referred to in 20(a) above;

(c) Peoples Federal Savings and Load Association v. Myrtle Beach Retirement Group, Inc. et al., 300 S.C. 277, 287 S.E.2d 672 (1989);

(d) Dale v. South Carolina Tax Commission, et al., 276 S.C. 110, 276 S.E.2d 293 (1981). I appeared on behalf of Richland County, another party to the suit;

(e) Truett v. Georgeson, 273 S.C. 661, 258 S.E.2d 499 (1979).

The following is Justice Pleicones’ account of the criminal appeals he has personally handled:\*

(a) State v. Monroe, 262 S.C. 346, 204 S.E.2d 433, (1974);

(b) State v. Thomas, 264 S.C. 159, 213 S.E.2d 452 (1975);

(c) State v. Motes, 264 S.C. 317, 215 S.E.2d 190 (1975);

(d) State v. Sweet, 270 S.C. 97, 240 S.E.2d 648 (1978);

(e) State v. Watson, 81-MO-232, S.C. Sup. Ct. (1981); cert denied 454 U.S. 1148, 71 L. Ed. 2d 301 (1982).

In regards to these matters Justice Pleicones noted:

Owing to the age of these files and the fact of several intervening moves, I do not have access to the briefs. I will endeavor to find them and supplement this response. I was chief or sole counsel in each of these cases.

Justice Pleicones reported that he has held the following judicial offices:

(a) March 2000–Present: Associate Justice, Supreme Court of South Carolina. Elected by the General Assembly of South Carolina. Appellate Jurisdiction, state court of last resort;

(b) July 1991–March 2000: Circuit Court Judge, Fifth Judicial Circuit of South Carolina. Elected by the General Assembly of South Carolina. General civil and criminal jurisdiction;

(c) March 1982–September 1988: Municipal Judge, City of Columbia, South Carolina. Criminal jurisdiction only up to a maximum of 30 days in jail, or a $200 fine.

Justice Pleicones provided the following list of his most significant orders or opinions:

(a) Colleton Prep Academy, Inc. v. Hoover, Universal, Inc., 379 S.C. 181, 666 S.E.2d (2008).

I wrote a dissent in this case explicating the “economic loss rule.” The significance is that the dissent was subsequently adopted as the majority opinion in Sapp v. Ford Motor Co., 386 S.C. 143, 687 S.E.2d 47 (2009);

(b) Arthurs ex rel. Estate of Munn v. Aiken County, 346 S.C. 97, 551 S.E.2d 579 (2001).

Articulation of the “public duty rule” in SC.

(c) State v. Downs, 361 S.C. 141, 604 S.E.2d 377 (2004).

Affirming death penalty holding no deprivation of right to jury on sentencing following entry of an unconditional guilty plea. Case involved interpretation of Ring v. Arizona, 536 U.S. 584, 122 S. Ct. 2428, 153 L. Ed. 2d 556 (2002);

(d) Sweetser v. S.C. Dep’t of Ins. Reserve Fund, 390 S.C. 632, 703 S.E.2d 509 (2010)

Case involved the efficacy of policy language regarding offset of worker’s compensation benefits against UIM coverage;

(e) State v. Jones, 343, S.C. 562, 541 S.E.2d 813 (2001).

Portion of opinion regarding the admissibility of scientific evidence.

Justice Pleicones reported the following regarding his employment while serving as a judge:

Officer (Colonel), United States Army reserve, 1973–1999. Beginning in August 1993, I served as Emergency Preparedness Liaison Officer from 1st United States Army to the South Carolina National Guard and militia in South Carolina. Prior to that I was Commander of the 12th Military Law Center. The commanders of 1st Army and of the 120th ARCOM were my supervisors. All duties were military in nature.

Justice Pleicones further reported the following regarding unsuccessful candidacies:

1982 primary election for Richland County Council;

1994 and 1995 campaigns for Supreme Court;

2014 campaign for Chief Justice.

(9) Judicial Temperament:

The Commission believes that Justice Pleicones’ temperament has been and would continue to be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Justice Pleicones to be Qualified in the evaluative criteria of constitutional qualifications. The Committee found Justice Pleicones to be Well Qualified in the remaining evaluative criteria of physical health, mental stability, ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in its summary, “The institution of Chief Justice of the Supreme Court of South Carolina will be well served by the election of Justice Pleicones.”

A complaint was filed against Justice Pleicones by Dr. Marie-Therese H. Assa’ad-Faltas. After reviewing the complaint and hearing testimony from Dr. Faltas, the Judicial Merit Selection Commission found that neither the complaint nor her testimony provided a meritorious allegation related to Justice Pleicones’ character, competency, or ethics.

Justice Pleicones is married to Donna Singletary Pleicones. He has two children.

Justice Pleicones reported that he was a member of the following bar associations and professional associations:

(a) SC Bar: At one time I was a member of the House of Delegates;

(b) Richland County Bar: no office held.

Justice Pleicones provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Charter member John Belton O’Neall Chapter (Master of the Bench), American Inns of Court. Resigned 2003;

(b) Order of AHEPA. An anti-discrimination and fraternal organization. Current member;

(c) Honorary Doctorate, Wofford College, 2002;

(d) Honorary Doctorate, University of South Carolina, 2005;

(e) Kappa Alpha Order Court of Honor;

(f) Palmetto Patriot Award, Adjutant General of SC;

(g) Legion of Merit, Secretary of the Army;

(h) Matthew Perry Civility Award, Richland County Bar Association;

(i) Elected by SC Methodist Conference to Wofford College Board of Trustees for term 2013–2017.

Justice Pleicones further reported:

“My parents were the best people I ever knew. Our family finances were modest, but my parents stressed respect, hard work, and the importance of education. I took those lessons to heart and have always sought to treat everyone with dignity and respect. I work hard and take my position, but not myself - very seriously. I believe I am a very good judge.”

(11) Commission Members’ Comments:

The Commission noted that Justice Pleicones has a strong grasp on legal theory and possesses great intellect. The Commission also noted that Justice Pleicones constantly exhibits a respectful demeanor, has tremendous experience, and will be an excellent Chief Justice.

(12) Conclusion:

The Commission found Justice Pleicones qualified and nominated him for election as Chief Justice of the Supreme Court of South Carolina.

**FAMILY COURT**

**QUALIFIED AND NOMINATED**

**The Honorable Bryan W. Braddock**

**Family Court, Fourth Judicial Circuit, Seat 1**

**Commission’s Findings: QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge Braddock meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Braddock was born in 1973. He is 42 years old and a resident of Hartsville, SC. Judge Braddock provided in his application that he has been a resident of SC for at least the immediate past five years and has been a licensed attorney in SC since 1998.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Judge Braddock.

Judge Braddock 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 Braddock reported that he spent $60 on stationary, $19.60 on postage, and $7 on a nametag.

Judge Braddock testified that 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 Braddock testified that he 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 Judge Braddock to be intelligent and knowledgeable. His performance on the Commission’s practice and procedure questions met expectations.

Judge Braddock described his continuing legal or judicial education during the past five years as follows:

Conference/CLE Name Date(s)

(a) SCSCJA Annual Legislative Seminar 3/25/15 (signed up);

(b) Annual Meeting and CLE Seminar

(Municipal Association) 12/5/2014;

(c) 2014 SCAJ Annual Convention 8/7/2014;

(d) Lawyer Mentoring Program 7/15/2014;

(e) 2013 Hot Tips Domestic Seminar 9/27/2013;

(f) Nit, Grit, and Wit: Tales and Talk on Ethics,

Substance Abuse 9/26/2013;

(g) 2013 SCAJ Annual Convention 8/2/2013;

(h) Family Court Mediation Training 7/11–15/2013;

(i) [Municipal Judge Training] 3/18/2013*;*

(j) 2012 SCAJ Annual Convention 8/2/2012;

(k) 2011 SCAJ Annual Convention 8/4/2011;

(l) 2010 SCAJ Annual Convention 8/5/2010;

(m) Sporting Clays CLE: Ethics with Judges 4/29/2010;

(n) Understanding/Defending DUI Cases 4/9/2010;

(o) Training for Attorneys Appointed in Abuse

and Neglect Cases; Twelfth Judicial Circuit 1/15/2010.

Judge Braddock reported that he has taught the following law‑related courses:

(a) Better Organize Divorce Cases for Trial, presented for NBI, 12/03/2007;

(b) Use of Web-based software in family court practices; SCAJ Hilton Head Convention, August 2009;

(c) Family Court Case Law Updates, SCAJ Hilton Head Convention, August 2010;

(d) Family Court Case Law Updates, SCAJ Hilton Head Convention, August 2011;

(e) Family Court Case Law Updates, SCAJ Hilton Head Convention, August 2012;

(f) Family Law Essentials Program, SC Bar CLE, June 27, 2014;

(g) Family Law Essentials Program, SC Bar CLE, June 26, 2015 (scheduled).

Judge Braddock reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Judge Braddock did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Judge Braddock did not indicate any evidence of disqualifying financial issues. The Commission noted a tax lien that was satisfied.

The Commission also noted that Judge Braddock 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 Braddock reported that his rating by a legal rating organization, Martindale-Hubbell, AV-rated 4.7 out of 5.0. Judge Braddock also reported that his rating by legal rating organization AVVO is 10.0.

(6) Physical Health:

Judge Braddock appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Braddock appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Braddock was admitted to the SC Bar in 1998.

He gave the following account of his legal experience since graduation from law school:

(a) Clerk for the Honorable Paul M. Burch, August 1998–August 1999; Circuit Court Clerk;

(b) Saleeby & Cox, P.A., Associate Attorney, October 1999–August 2005; Practice Areas: Domestics: 50%; Personal Injury: 30%; Criminal/Traffic: 15%; Miscellaneous: 5%;

(c) Darlington County Public Defender’s Office: Part-time Public Defender, 2000-2001;

(d) Young, Miller, & Braddock, LLC, Full Partner, August 2005-March 2012; Practice Areas: Domestics: 80%; Personal Injury/Workers’ Compensation: 10%; Criminal/Traffic: 10%;

(e) SC Department of Social Service: Contract DSS Abuse and Neglect Attorney for Lee County, 2011–June 30, 2013 (Contract ended);

(f) Braddock Law Firm, LLC, Sole Partner, March 2012–Present. Practice Areas: Domestics: 90%; Personal Injury/Workers’ Compensation: 5%; Criminal/Traffic: 5%. As part of my practice, I am a certified Family Court mediator;

(g) Municipal Judge, City of Hartsville, July 2012–Present;

(h) Magistrate Judge, Darlington County, April 3, 2013–July 25, 2013 [Special Temporary Appointment by Supreme Court].

Judge Braddock reported the frequency of his court appearances during the past five years as follows:

(a) Federal: 0%;

(b) State: 100%.

Judge Braddock reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

(a) Civil: 2%;

(b) Criminal: 5%;

(c) Domestic: 93%;

(d) Other: 0%.

Judge Braddock reported the percentage of his practice in trial court during the past five years as follows:

(a) Jury: 2%;

(b) Non-jury: 98%.

Judge Braddock provided that he most often served as sole counsel.

The following is Judge Braddock’s account of his five most significant litigated matters:

(a) Windell Brown v. Cynthia Brown cases: During a series of separate cases between these parties, I argued for a termination of child support based upon the emancipation of the minor daughter, against a Risinger claim filed on behalf of that same child, for two transfers of the custody of another child of the parties, for child support and alimony modifications, and for the termination of permanent, periodic alimony based upon continued cohabitation of the Defendant with a paramour;

(b) Wright Adoption: An adoption case in which I represented the adopting parties in involuntarily terminating the parental rights of the two parents, one of whom became psychologically incapacitated during the pendency of the case. During the pendency of the case, my clients also lost one of their biological children in an automobile accident and eventually separated while the adoption was still pending. I was able to complete the adoption despite these circumstances;

(c) SC DSS v. Covington & McCullough: As attorney for the Department of Social Services in Lee County, I pursued the termination of the parental rights of the biological parents of a minor child who was the victim of sexual abuse. The mother was criminally charged as having committed the abuse against her daughter, and I was able to obtain a finding of sexual abuse against her through the DSS proceedings. The subsequent action for termination of parental rights culminated in an eight (8)-day trial, which included the presentation of multiple expert witnesses on behalf of the Department of Social Services, from which the Court issued an order terminating the parents’ rights;

(d) State v. Lawand Sellers: Charged with Assault and Battery, First Degree, and Armed Robbery, my client was facing a possibility of forty (40) years in prison, with a mandatory minimum of ten (10) years, violent, non-parole eligible. I was able to try the matter to a conclusion, and obtained not guilty verdicts from the jury on both counts;

(e) Johnson Divorce: In this case, the other party’s parents had built the marital home and sold it to the parties for about 30% of its fair market value. However, my client had also paid the proceeds from the sale of his pre-marital home to his in-laws. When they divorced, the other party tried to claim a special equity interest in the home, asserting a position that 70% of the equity in the home should be hers alone based upon the contribution of her family. I was able to defeat this claim. I also was able to get the Court to use my appraiser’s value for the home and, after the other party tried to claim that there was only $7,500 in marital personal property, I was able to use a personal property appraiser to show that the correct value was approximately $25,000. In addition to this successful argument regarding the equitable distribution, I was able to gain enough visitation for my client as the secondary custodian of the minor children that he actually received child support from the other party, the primary custodian, due to the discrepancy in incomes.

The following is Judge Braddock’s account of the civil appeal he has personally handled:

S.C. Dep’t of Soc. Servs. v. Marggie Hutson, Eliseo Perez, and Landin Nuan Perez, from the Family Court; Unpublished Opinion No. 2006-UP-238; filed May 15, 2006.

Judge Braddock reported he has not personally handled any criminal appeals.

Judge Braddock further reported the following regarding unsuccessful candidacies:

I sought election as a Family Court Judge in the Spring of 2009 and the Spring of 2011.

(9) Judicial Temperament:

The Commission believes that Judge Braddock’s temperament is excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Braddock Qualified as to constitutional qualifications, physical health, and mental stability, and Well Qualified as to ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee has no concerns with Judge Braddock’s legal knowledge or capability to perform well on the Family Court bench.

Judge Braddock is married to Dusy Renae Spring Braddock. He has three children.

Judge Braddock reported that he was a member of the following Bar associations and professional associations:

(a) SC Bar Association;

(b) Darlington County Bar;

(c) Florence County Bar;

(d) SC Association for Justice: Board of Governors (2008–2014);

(e) SC Association for Justice: Legislative Planning Steering Committee (Family Court Representative; 2008–2012);

(f) SC Association for Justice: Family Law Division Chair (2012–Present);

(g) SC Summary Court Judge’s Association (January 2013–Present);

(h) SC Bar, Resolution of Fee Dispute Board (2012–Present);

Chair of formal hearing panel, 2013;

(i) SC Association for Justice: Executive Committee (2012–2014);

(j) SC Bar Property Arbitration Panel list for Darlington County (2011; 2013–Present); Chair of Arbitration Panel, 2014; and

(k) Supreme Court Lawyer Mentoring Program (2014).

Judge Braddock provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) College of Charleston Alumni Association;

(b) Northern League Baseball League (2012, 2013: baseball coach; Board Member, 2012–Present);

(c) Hartsville Area Recreational Department (2011: assistant football coach);

(d) Prospect United Methodist, Choir Director (1999–Present);

(e) Prospect United Methodist, PPRC Member (including Chair) and Board of Trustees (including Chair) (multiple years);

(f) Mock Trial Coach, SC Governor’s School for Math and Science (Multiple years);

(g) Mock Trial Judge, SC Middle School Competition, November, 2012;

(h) Hartsville Upward Basketball League, basketball league (9–10 year olds), 2013–2015;

(i) University of SC School of Law, 20th Class Reunion Committee;

(j) SC United Methodist Conference, Board of Trustees (2011–Present; Vice Chairman: 2011–2013; Chairman: 2013–Present).

Judge Braddock further reported:

I am running for the position of a SC Family Court Judge because I believe this would provide the greatest opportunity to have a positive impact on as many people as possible through the Family Court; because I believe my attitude and demeanor would have a positive effect on both the parties and practitioners appearing before me; because I believe that our Family Court system is the most equitable and just part of our judicial system.

I have spent over the last decade of my legal career attempting to gain as wide and varied experience as possible within the Family Court, including serving as a part-time attorney for DSS, volunteering as a guardian for minor Defendants in DJJ matters, mediating Family Court actions, and handling all kinds of Family Court actions. I desire to bring all this experience onto the bench as a Family Court Judge.

(11) Commission Members’ Comments:

The Commission commented that Judge Braddock has excellent experience and demeanor.

(12) Conclusion:

The Commission found Judge Braddock qualified and nominated him for election to the Family Court.

**The Honorable Cely Ann Brigman**

**Family Court, Fourth Judicial Circuit, Seat 1**

**Commission’s Findings: QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge Brigman meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Brigman was born in 1961. She is 54 years old and a resident of Darlington, SC. Judge Brigman provided in her application that she has been a resident of SC for at least the immediate past five years and has been a licensed attorney in SC since 1986.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Judge Brigman.

Judge Brigman 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 Brigman reported that she has spend $48 on postage as it relates to her campaign expenditures.

Judge Brigman testified that 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.

Judge Brigman 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 Judge Brigman to be intelligent and knowledgeable. Her performance on the Commission’s practice and procedure questions met expectations.

Judge Brigman described her continuing legal or judicial education during the past five years as follows:

Conference/CLE Name Date(s)

(a) Staff/Judges Annual Training February 2, 2010;

(b) Mandatory School for Magistrates November 5, 2011;

(c) Annual Legislative Seminar March 9, 2011;

(d) The Trial of a Criminal Domestic Violence Case July 1, 2011;

(e) Family Law Section Seminar January 21, 2012;

(f) Children’s Law Committee Seminar January 22, 2012;

(g) Annual Magistrate Staff Seminar February 8, 2012;

(h) Avoiding 20 Ethics Traps July 13, 2012;

(i) 2012 Hot Tips From the Coolest Practitioners September 28, 2012;

(j) Madatory School for Magistrates November 2, 2012;

(k) Family Law Symposium April 19, 2013;

(l) Domestic Violence and Sexual Assault May 17, 2013;

(m) 2012 Criminal Law: A View From the Bench June 30, 2013;

(n) For the DUI Practitioner June 30, 2013;

(o) Discovery: Problems and Solutions July 8, 2013;

(p) Unusual Issues Involving Service of Process July 8, 2014;

(q) Hot Tips From the Coolest Practitioners September 26, 2014;

(r) Mandatory School for Magistrates November 7, 2014.

Judge Brigman reported that she has taught the following law‑related courses:

(a) I made a presentation at a SC Women Lawyers Seminar on Criminal Domestic Violence in October 2006.

(b) I lectured on the topic of Marriage Dissolution--Process and Procedure at a National Business Institute Seminar in October 2009.

(c) I made a presentation at the SC Bar Hot Tips Seminar in September 2013, “Should the Child Speak to the Judge?’’

(d) I was on the Faculty for Law School for Non-Lawyers in April 2014. I taught the Family Law section.

Judge Brigman reported that she has not published any books and/or articles.

(4) Character:

The Commission’s investigation of Judge Brigman did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission’s investigation of Judge Brigman did not indicate any evidence of a troubled financial status. Judge Brigman has handled her financial affairs responsibly.

The Commission also noted that Judge Brigman 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:

Judge Brigman reported that she is not rated by any legal rating organization.

Judge Brigman reported that she has held the following public office:

“I have never held public office other than my service as a Magistrate.”

(6) Physical Health:

Judge Brigman appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Brigman appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Brigman was admitted to the SC Bar in 1986.

She gave the following account of her legal experience since graduation from law school:

(a) From August 1986 until May 1990, I practiced as an associate with Greene, Lockemy and Bailey in Dillon, SC. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and limited criminal defense I also performed real estate closings;

(b) From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and residential real estate closings. I also handled cases in Probate Court;

(c) In March 2004, I was appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and have been serving as Chief Magistrate in Darlington County since 2004;

(d) From May 2004 until November 2009, I practiced as an associate with McDougall and Self, LLP. in Florence, SC. My practice was limited to Family Court litigation;

(e) From November 2009 until present, I have practiced with the Jebaily Law Firm in Florence, SC. My practice is limited to Family Court litigation and some matters in probate court;

(f) From June 2010 until June 2011, I was a part-time attorney for the Clarendon County guardian ad litem program. I represented lay guardians in matters involving the Department of Social Services.

Judge Brigman further reported regarding her experience with the Family Court practice area:

My professional practice as an attorney has been devoted primarily to Family Court litigation for the past fifteen years. I have tried divorce, equitable division of property, child custody, adoption, abuse and neglect and juvenile cases during that time. I have not only tried cases but have participated in mediations and settlement negotiations on behalf of clients involved in Family Court actions. I have served as a guardian ad litem and as the attorney for the guardian ad litem. I have also served as a part-time magistrate for the last eleven years. Both my private practice and my service as a magistrate have prepared me to preside over cases in Family Court.

Judge Brigman reported the frequency of her court appearances prior to her service on the bench as follows:

(a) Federal: 0%;

(b) State: 100%;

(c) Other: 0%.

Judge Brigman reported the percentage of her practice involving civil, criminal, and domestic matters prior to her service on the bench as follows:

(a) Civil: 0%;

(b) Criminal: 0%;

(c) Domestic: 99%;

(d) Other: 1%.

Judge Brigman reported the percentage of her practice in trial court prior to her service on the bench as follows:

(a) Jury: 0%;

(b) Non-jury: 100%.

Judge Brigman provided that prior to her service on the bench she most often served as sole counsel.

The following is Judge Brigman’s account of her five most significant litigated matters:

(a) *Trey Gerald Smith v. Jennifer Erin Williamson.* 07-DR-16-0071

This was a custody/visitation action brought pursuant to the Uniform Child Custody Jurisdiction Act (UCCJA) and the Parental Kidnapping Prevention Act (PKPA). I represented the Defendant mother in this action. My client and the minor child lived in Mississippi. In a previous action between these parties it was established that Mississippi was the home state of the minor child. After the Family Court of Mississippi had issued an order regarding custody, the father filed a second action in SC seeking to modify the Mississippi order. After a full hearing on the merits, the Family Court in SC dismissed the father’s complaint. I was able to demonstrate that pursuant to the PKPA the family court in SC lacked jurisdiction and the father would have to pursue his claim in Mississippi, my client’s home state.

(b) *James Dustin Carnell v. Jessica Marie Carnell’. Tonja Renee Carnell and minor children Brittany Ann CameIl and Tiffany Nichole Carnell.* 09-DR-16­1107

This was an action for termination of parental rights and adoption. I represented the biological father and potential adoptive step-mother. We were seeking to terminate the parental rights of the biological mother and allow the step-mother to adopt the minor children. The biological mother contested both the termination of parental rights and the adoption. I was able to establish that the biological mother had failed to visit or support the minor children and that pursuant to the statute, her parental rights to the children should be terminated. Upon terminating the parental rights of the biological mother, the Court allowed the step-mother to adopt the children, over the objections of the biological mother.

(c) *Gerald v. Gerald.* 09-DR-21-1372, 09-DR-21-1372

This was a Rule to Show Cause action filed during the pendency of a divorce action. I represented the Plaintiff wife who alleged the Defendant had repeatedly violated a prior restraining order issued by the Court. There were numerous instances of unwanted and intrusive contact which the Defendant denied. Through testimony and the introduction of various exhibits I was able to demonstrate to the court that the Defendant had in fact violated the restraining order on numerous occasions, despite his adamant denials. The Court found the Defendant to be in contempt of the prior order.

(d) *Langston v. Langston,* 2011-DR-21-758

This was an action for termination of alimony in which I represented the Plaintiff ex-husband. At the time of the parties’ divorce, my client was ordered to pay permanent alimony. Several months after the divorce, the ex-wife began living with her paramour. The ex-wife denied that she and the paramour had cohabitated for the requisite 90 days as required by statute. Through extensive discovery, we were able to establish a time line demonstrating the 90 consecutive days. The case actually settled minutes before trial in my client’s favor.

(e) *McPhail v. McPhail.* 2013-DR-16-0321

This was an action for divorce, alimony and attorney fees. I represented the Plaintiff wife in a long term marriage. The Defendant husband was uncooperative throughout the litigation which required the filing of two Rules to Show Cause before we got to the final hearing. The Defendant husband denied he had substantial income and alleged he was unable to pay alimony. I was able to prove through exhibits and testimony that the Defendant’s income was significantly higher than he claimed. After a full hearing on the merits the Court awarded my client permanent periodic alimony and required the Defendant to reimburse a substantial portion of her attorney fees.

Judge Brigman reported she has not personally handled any civil or criminal appeals.

Judge Brigman reported that she has held the following judicial office(s):

March 2004 to present: appointed to serve as part-time Magistrate for Darlington County. In 2004, I was appointed to serve as Chief Magistrate and still hold that position. I preside over civil matters in which the amount in controversy does not exceed 7,500.00, and criminal matters that fall within the Magistrate’s Court jurisdiction. I also preside over preliminary hearings, all jury trials in the Hartsville area of Darlington County and I conduct bond hearings.

Judge Brigman provided the following list of her most significant orders or opinions:

The cases I preside over in Magistrate’s Court do not require written orders.

Judge Brigman reported the following regarding her employment while serving as a judge:

(a) From August 1986 until May 1990, I practiced as an associate with Greene, Lockemy and Bailey in Dillon, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and limited criminal defense. I also performed real estate closings.

(b) From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and residential real estate closings. I also handled cases in Probate Court.

(c) In March 2004, Iwas appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and have been serving as Chief Magistrate in Darlington County since 2004.

(d) From May 2004 until November 2009, I practiced as an associate with McDougall and Self, LLP, in Florence, SC. My practice was limited to Family Court litigation.

(e) From November 2009 until present, I have practiced with the Jebaily Law Firm in Florence, SC. My practice is limited to family court litigation and some matters in probate court.

(f) From June 2010 until June 2011, I was a part-time attorney for the Clarendon County guardian ad litem program. I represented lay guardians in matters involving the Department of Social Services.

Judge Brigman further reported the following regarding unsuccessful candidacies:

(a) In 2011, I was a candidate for a Family Court judgeship for the Fourth Judicial Circuit. I came out of screening but withdrew before the election. The seat was filled by Hon. Salley H. McIntyre.

(b) In the fall of 2012, I was a candidate for a family court judgeship At-Large Seat 4. I did not come out of screening.

(9) Judicial Temperament:

The Commission believes that Judge Brigman’s temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizen’s Committee on Judicial Qualification found Judge Brigman to be Qualified as to constitutional qualifications, physical health, and mental stability, and Well Qualified as to ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found that based on the evaluative criteria, Judge Brigman meets and exceeds the requirements in each area.

Judge Brigman is married to Gregory Wendell Brigman. She has two children.

Judge Brigman reported that she was a member of the following Bar associations and professional associations:

(a) SC Bar Association;

Current Member, Family Law Council;

Past Member, House of Delegates;

Past Member, Board of Governors;

(b) Darlington County Bar Association;

(c) Florence County Bar Association;

(d) SC Association for Justice;

(e) SC Women Lawyers Association;

(f) Summary Court Judges Association.

Judge Brigman provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Award of Excellence, SC Coalition Against Domestic Violence, 2008;

(b) American Heart Association.

Judge Brigman further reported:

For the past several years, my practice has been devoted primarily to the practice of family law. I have tried to increase my professional skills by attending educational family law seminars and by speaking at these seminars. My service as a Magistrate has taught me the importance of exercising patience, understanding and restraint with both litigants and attorneys. I believe I have the ability and temperament needed to serve on the Family Court bench.

(11) Commission Members’ Comments:

The Commission believes that Judge Brigman would bring good experience to the Family Court bench.

(12) Conclusion:

The Commission found Judge Brigman qualified and nominated her for election to the Family Court.

**CONCLUSION**

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

**SUPREME COURT**

SUPREME COURT, CHIEF JUSTICE Costa M. Pleicones

**FAMILY COURT**

FOURTH JUDICIAL CIRCUIT, SEAT 1 Bryan W. Braddock

FOURTH JUDICIAL CIRCUIT, SEAT 1 Cely Anne Brigman

Respectfully submitted,

/s/Sen. Larry A. Martin /s/Rep. Alan D. Clemmons

Chairman Vice Chairman

/s/Sen. George E. Campsen III /s/Rep. Bruce W. Bannister

/s/Sen. Gerald Malloy /s/Rep. David J. Mack III

/s/Ms. Kristian C. Bell /s/Ms. Susan T. Wall

/s/Mr. Joseph Preston Strom, Jr. /s/Mr. Robert M. Wilcox

**MOTION ADOPTED**

On motion of Senator SCOTT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Judy Collins Harris of Columbia, S.C. Ms. Harris was a loving mother and devoted sister who will be dearly missed.

**ADJOURNMENT**

At 8:14 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow 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.

\* \* \*